



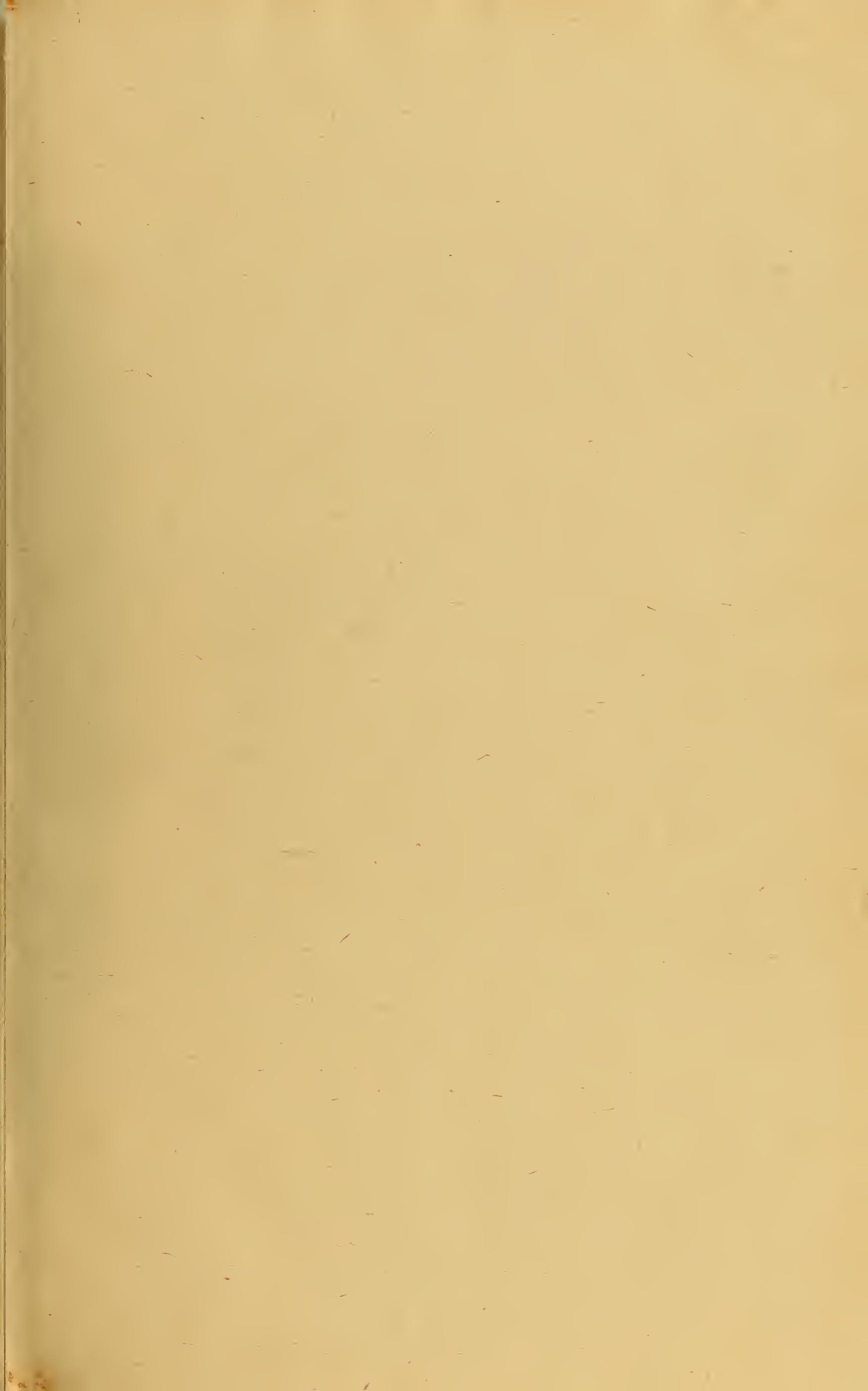
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THE
MORAL and POLITICAL
WORKS
OF
THOMAS HOBBS
OF
MALMESBURY.

Never before collected together.

To which is prefixed,

The AUTHOR'S LIFE,

EXTRACTED FROM

That said to be written by HIMSELF,

AS ALSO FROM

The SUPPLEMENT to the said LIFE by Dr. BLACKBOURNE;
and farther illustrated by the EDITOR, with Historical and
Critical Remarks on his Writings and Opinions.

LONDON:

Printed in the Year MDCCL.

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I N

Libellum præstantissimi

T H O. H O B B I I

Veri verè Philosophi, de Naturâ Hominis.

QUÆ magna Cæli mœnia, & tractus Maris,
 Terræque fines, siquid aut ultra est, capit;
 Mens ipsa tandem capitur: Omnia hæctenus
 Quæ nôsse potuit, nota jam primùm est Sibi.

Accede, *Lector*, disce quis demùm si es;

Et Inquilinam jecoris agnoscas tui,

Qua propiùs hæret nil tibi, & nil tam procul.

Non hic *Scholarum frivola*, aut *Cassi logi*,

Quales per annos fortè plus septem legit;

Ut folle pleno prodeat, *Rixæ Artifex*;

Vanaeque merces futili linguâ crepet:

Sed sancta Rerum pondera, & sensus graves,

Quales parari decuit, ipsa cùm fuit

Pingenda *Ratio*, & vindici suo adstitit.

Panduntur omnes *Machinæ gyri tuæ*,

Animæque Vectes, *Trochleæ*, *Cunei*, *Rotæ*;

Quâ concitetur arte, quo sufflamine

Sistatur illa rursus, & constet sibi:

Nec si *Fenestram* pectori humano suam

Aptâisset ipse *Momus*, inspiceret magis.

Hic cernit levia *Affectuum* vestigia,

Gracilesque *Sensûs* lineas; video quibus

Vehantur alis blanduli *Cupidines*,

Quibusque stimulis urgeant *Iræ* graves:

Hic & *Dolores*, & *Voluptates* suos

Produnt recessus; ipse nec *Timor* latet.

Has nôrit artes quisquis in foro velit
 Animorum habenas flectere, & populos cupit
 Aptis ligatos nexibus jungi sibi.
 Hîc *Archimedes* publicus figat pedem,
 Siquando regna machinis politicis
 Urgere fatagit, & feras gentes ciet,
 Imisque Motum sedibus mundum quatit :
 Facile domabit cuncta, qui Menti imperat.
 Consultor audax, & *Promethæi* potens
 Facinoris Anime ! quis tibi dedit *Deus*
 Hæc intueri sæculis longè abdita,
 Oculosque luce tinxit ambrosiâ tuos ?
 Tu mentis omnis, at tuæ nulla est capax.
 Hâc laude Solus fruire : Divinum est opus
 Animam creare ; proximum huic, Ostendere.

RAD. BATHURST, A. M.
 Col. Trin. Oxon.

To Mr. H O B B E S.

I.

VAST *Bodies of Philosophy*
 I oft have seen and read ;
 But all are *Bodies dead*,
 Or *Bodies by Art fashioned*.
 I never yet the *Living Soul* could see,
 But in thy *Books and Thee*.
 'Tis only *God* can know
 Whether the fair *Idea* Thou dost show
 Agree entirely with his *own* or no.
 This I dare boldly tell,
 'Tis so *like Truth* 'twill serve our turn as well.
 Just, as in *Nature*, Thy *Proportions* be,
 As full of *Concord* their *Variety*,
 As *firm* the Parts upon their *Center* rest,
 And all so *solid* are, that they at least
 As much as *Nature*, *Emptiness* detest.

I

II. Long

II.

Long did the mighty *Stagyrite* retain
 The *universal Intellectual Reign*,
 Saw his own Country's short-liv'd *Leopard* slain :
 The stronger *Roman Eagle* did out-fly,
 Oftener *renew'd* his *Age*, and saw that *die*.
Mecca itself, in spight of *Mahomet* possess'd,
 And chas'd by a wild *Deluge* from the *East*,
 His *Monarchy* new planted in the *West*.
 But as in Time each great Imperial Race
 Degenerates, and gives some new one place :
 So did this noble *Empire* waste,
 Sunk by Degrees from Glories past,
 And in the *Schoolmen's* Hands it perish'd quite at last.
 Then nought but *Words* it grew,
 And those all *barb'rous* too.
 It *perish'd*, and it *vanish'd* there :
 The *Life* and *Soul* breath'd out, became but empty *Air*.

III.

The *Fields* which answer'd well the *Ancients* *Plow*,
 Spent and out-worn return no *Harvest* now,
 In barren *Age* wild and unglorious lie,
 And boast of *past Fertility*,
 The *poor Relief* of *present Poverty*.
 Food and *Fruit* we now must want,
 Unless new *Lands* we *plant*.
 We break up *Tombs* with *sacrilegious Hands* ;
 Old *Rubbish* we remove ;
 To walk in *Ruins*, like vain *Ghosts*, we love.
 And with fond *divining Wands*
 We search among the *Dead*
 For *Treasures buried*,
 Whilst still the *liberal Earth* does hold
 So many *Virgin-mines* of *undiscover'd Gold*.

IV.

The *Baltick*, *Euxine*, and the *Caspian*,
 And slender-limb'd *Mediterranean*,
 Seem *narrow Creeks* to *Thee*, and only fit
 For the poor wretched *Fisher-boats* of *Wit*.
 Thy nobler *Vessel* the vast *Ocean* tries,
 And nothing sees but *Seas* and *Skies*,
 Till unknown *Regions* it descries ;
 Thou great *Columbus* of the *golden Lands* of *new Philosophies*.
 Thy *Task* was harder much than his ;
 For thy learn'd *America* is
 Not only first found out by *Thee*,
 And rudely left to *future Industry* ;
 But thy *Eloquence* and thy *Wit*,
 Has *planted*, *peopled*, *built*, and *civiliz'd* it.

V.

I little thought before,
 (Nor being my *own self* so poor
 Could comprehend so vast a *Store*)
 That all the *Wardrobe* of rich *Eloquence*
 Could have afforded half enough
 Of *bright*, of *new*, and *lasting* Stuff,
 To cloath the *mighty Limbs* of thy *gigantic Sense*.
 Thy solid *Reason*, like the *Shield* from Heaven
 To the *Trojan Hero* given,
 Too strong to take a Mark from any mortal Dart,
 Yet shines with *Gold* and *Gems* in every Part,
 And *Wonders* on it grav'd by the learn'd Hand of *Art*;
 A *Shield* that gives Delight
 Even to the *Enemy's* Sight,
 Then when they're sure to *lose* the *Combat* by't.

VI.

Nor can the *Snow* which now cold *Age* does shed
 Upon thy reverend Head,
 Quench or allay the noble *Fires* within;
 But all which Thou hast *bin*,
 And all that *Youth* can *be*, Thou'rt yet;
 So fully still dost Thou
 Enjoy the *Manhood* and the *Bloom* of *Wit*,
 And all the *natural Heat*, but not the *Fever* too.
 So *Contraries* on *Ætna's* Top conspire;
 Here hoary *Frosts*, and by them breaks out *Fire*.
 A secure *Peace* the *faithful Neighbours* keep;
 Th' embolden'd *Snow* next to the *Flame* does *sleep*.
 And if we weigh, like *Thee*,
Nature, and *Causes*, we shall see
 That thus it *needs must be*;
 To Things *immortal*, *Time* can do no wrong;
 And that which never is *to die*, for ever must be *young*.

ABRAHAM COWLEY.

In *Tho. Hobbes*.

FUtilis exornet barbatus pompa magistrus,
 Est schola discipulos cogat inepta leves:
 Affulsit nova lux tenebroso *Hobbesius* orbi,
 Quanta est laus hominem restituisse sibi?

Jo. AWBREY, Arm. e Soc. Reg.

In *English*.

EXterior Gravity may Schools erect,
 Where idle Folks may empty Notions scan:
 But *Hobbes* new Light did on the World reflect;
 How great his Praise who *Man* made known to *Man*?

Jo. AWBREY, Esq; of the Royal Society.

On Mr. HOBBS, and his Writings.

By JOHN SHEFFIELD, Duke of *Buckingham*.

SUCH is the Mode of these censorious Days,
The Art is lost of knowing how to praise;
Poets are envious now, and Fools alone
Admire at Wit, because themselves have none.
Yet whatso'er is by vain Criticks thought,
Praising is harder much than finding Fault;
In homely Pieces ev'n the *Dutch* excel,
Italians only can draw Beauty well.

As Strings, alike wound up, so equal prove,
That one refounding makes the other move;
From such a Cause our Satires please so much,
We sympathize with each ill-natur'd Touch;
And as the sharp Infection spreads about,
The Reader's Malice helps the Writer out.
To blame is easy; to commend is bold;
Yet, if the Muse inspires it, who can hold?
To Merit we are bound to give Applause,
Content to suffer in so just a Cause.

While in dark Ignorance we lay afraid
Of Fancies, Ghosts, and ev'ry empty Shade;
Great HOBBS appear'd, and by plain Reason's Light,
Put such fantastic Forms to shameful Flight.
Fond is their Fear, who think Men needs must be
To Vice enslav'd, if from vain Terrors free;
The Wise and Good Morality will guide,
And Superstition all the World beside.

In other Authors, tho' the Thought be good,
'Tis not sometimes so eas'ly understood;
That Jewel oft unpolish'd has remain'd;
Some Words should be left out, and some explain'd;
So that in Search of Sense we either stray,
Or else grow weary in so rough a Way.
But here sweet Eloquence does always smile,
In such a choice, yet unaffected Style,
As must both Knowledge and Delight impart,
The Force of Reason, with the Flow'rs of Art;
Clear as a beautiful transparent Skin,
Which never hides the Blood, yet holds it in:
Like a delicious Stream it ever ran,
As smooth as Woman, but as strong as Man.

BACON himself, whose universal Wit
Does Admiration through the World beget,
Scarce more his Age's Ornament is thought,
Or greater Credit to his Country brought.

While Fame is young, too weak to fly away,
Malice pursues her, like some Bird of Prey;
But once on Wing, then all the Quarrels cease;
Envy herself is glad to be at Peace,
Gives over, weary'd with so high a Flight,
Above her Reach, and scarce within her Sight.
HOBBS to this happy Pitch arriv'd at last,
Might have look'd down with Pride on Dangers past:
But such the Frailty is of Human Kind,
Men toil for Fame, which no Man lives to find;
Long rip'ning under-ground this *China* lies;
Fame bears no Fruit, till the vain Planter dies.

Thus Nature, tir'd with his unusual Length
Of Life, which put her to her utmost Strength,
Such Stock of Wit unable to supply,
To spare herself, was glad to let him die.

T H E

L I F E

O F

T H O M A S H O B B E S,

The Philosopher of *Malmesbury*.

THE Lives of learned and extraordinary Persons are with equal Difficulty written, when the Materials for composing them are in some measure redundant, and when they are so scarce as to be next to none at all. We are at present in the first Case, our Author himself having left us some Memoirs, which have been very considerably augmented by his Friends; neither have there been wanting as large, if not larger Additions from such as have declared themselves his Enemies^a. It is from a careful Examination of all these, that we have drawn the following

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^a There appeared not long after the Decease of Mr. *Hobbes*, three Histories of his Life and Writings, all in the *Latin* Tongue; two of which are said to be his own, and the third, which is the largest, was penn'd by a learned Physician, purely out of Regard to the Memory of so great a Man. We will speak particularly of each of these Works, as well as of another, which never was published, and which notwithstanding is reported to be more copiously and more exactly written than any of the three. The first of these in order of Time, tho' placed the last in this Collection, is that in *Latin* Verse, which has this Title; *Thomæ Hobbes Malmesburiensis vita Carmine expressa. Authore Scipio*: That is, *The Life of Thomas Hobbes of Malmesbury, Poetically expressed. Written by himself*. About this there is no Dispute at all, the Author speaks in his own Person, in his own Stile, and with that pleasant kind of Confidence which was familiar to him. We shall have Occasion to mention this again in the Text, and therefore we will say no more of it here. The first of the three Pieces in that Collection bears this Title; *Thomæ Hobbes, Angli, Malmesburiensis Philosophi, Vita*: That is, *The Life of Thomas Hobbes, an Englishman, Philosopher of Malmesbury*; and is said to be printed, CAROLOPOLI apud Eleutherium Anglicum sub signo veritatis: That is, *In Charles's City by Freeman English, at the Sign of Truth*. I suppose that this Method of concealing, if it can be called concealing, the Place where it was printed, and the Person by whom it was published, was on account of the Book's not being licensed; and yet at the End, it is said to be printed for *William Croke*, at the Sign of the *Green Dragon* without *Temple-Bar*. It is inscribed to the Right Honourable *William Earl of Devonshire*, by the Editor; then follows a *Preface* to the *Reader*, wherein we are told that a Book concerning the Life and Manners of the deceased Mr. *Hobbes*, written by some learned Friend

of his, coming by the interposition of *J. A. i. a. John Aubrey*, into his Hands, he thought it his Duty, out of Respect to the Memory of the Deceased, to publish it. This *Preface* is subscribed only with the initial Letters *R. B.* which some very learned Foreigners understood to signify *Ralph Bathurst*, Doctor of Divinity, and Dean of *Bath*, who was indeed a great Friend and Admirer of Mr. *Hobbes*, but not the Person to whom those Initials refer; who was, as Mr. *Wood* tells us, *Richard Blackbourn*, Master of Arts, of *Trinity* College in *Cambridge*, and afterwards Doctor of Physick in the University of *Leyden*. After this short Life, which contains no more than twenty Pages, follows one much longer, in Truth ten times as long, under this Title, *Vitæ Hobbianæ Auctarium*: That is, *A Supplement to the Life of HOBBS*. The Account which Mr. *Wood* gives of this Matter is in these Words, speaking of the Inscription upon the Grave-stone of Mr. *Hobbes*, and of the Account of his Person, "which, says he, you may see at large in *Vitæ Hobbianæ Auctarium*, following the Life in Prose, (written by himself) and published by *Richard Blackbourn*." It appears from hence, that Mr. *Wood* ascribes the first Life to Mr. *Hobbes* himself; and in the Catalogue of our Author's Works, he sets it so down expressly, and the Supplement to that Life is what he attributes to Dr. *Blackbourn*. He adds farther, that the Materials for this Supplement were all, or at least the most Part, taken from the *English* Life in Manuscript of *Thomas Hobbes*, largely and more punctually written by *John Aubrey* his ancient Acquaintance. This is very likely to be true, since besides what is said in the *Preface*, such a Life in *English* is promised by an Advertisement from the Bookfeller to the Reader, at the End of this Supplement. But after all this, there seems to be very good Reasons to believe that the short prose Life, as well as the Supplement, was written by Dr. *Blackbourn*, notwithstanding what he says himself,

following Account; in which the Reader will find a fair and candid Representation of Facts, intirely difencumbered both from Censure and Panegyrick, and occasionally cleared and enlightened, by a brief Detail of fuch Circumftances as we judge might beft contribute to make his real Character, as well as that of his Works, eafily underftood.

Thomas Hobbes was born at *Malmesbury* in *Wiltfbire*, April the fifth, 1588. His Father was a Minifter of that Town of the fame Name, not very remarkable for his Learning, and who contented himfelf with reading to his Congregation the Homilies fet forth by Authority, rather than adventure on compofing Difcourfes of his own. His Mother was fo frighted with the News of the *Spanifh* Fleet then upon the *Englifh* Coaft, that fhe was brought to Bed of her Son *Thomas* before her Time, who notwithstanding was of a ftrong and healthy Conftitution, contrary to what ufually happens in fuch Cafes. At four Years old he was taught to read; and when he was about fix, he began to apply himfelf to the learned Languages. When he was in the eighth Year of his Age, he was put under the Care of Mr. *Robert Latimer*, then Mafter of the Grammar-School at *Malmesbury*; who entertaining very early a great Opinion of his Parts, treated him with much Kindnefs and Indulgence, and gave him all poffible Affiftance in his Studies. In thefe he is faid to have made fo extraordinary a Progreff, that before he was fent to the Univerfity, he translated the *Medea* of *Euripides* out of *Greek* into *Latin* Verfe.

In 1603 he was entered of *Mary Magdalen* Hall in *Oxford*, of which Dr. *Huffee* was then Principal, who was afterwards knighted, and became Chancellor of the Diocefe of *Salifbury*; a Man learned himfelf, and a true Patron of Letters. While at College, he was chiefly fupported by an Allowance from his Uncle, who was Alderman of *Malmesbury*, the chief Office in that Corporation, and who at his Death left him a fmall Annuity, that he might not be obliged to defer his Studies. In 1607 our Author took the Degree of Batchelor of Arts, which he compleated by Determination. The Year following, by the Recommendation of Mr. *John Wilkinfon* then Principal of *Magdalen* Hall, he was taken into the Family of the Right Honourable *William Cavendifh* Lord *Hardwicke*, foon after created Earl of *Devonfhire*, in quality of Tutor to his Son *William* Lord *Cavendifh*, with whom being much of an Age, he was admitted into an extraordinary Degree of Intimacy, fo as not only to attend him at the Seafons fet apart for Study, but to be the Companion alfo of his vacant Hours, and a Sharer in the manly Sports of Hawking, Hunting, and other innocent Diverfions, to which that young Lord was much inclined.

By his eafy and affable Deportment, Mr. *Hobbes* recommended himfelf fo effectually both to this young Nobleman, and to the worthy Peer his Father, that he was fent Abroad with him on his Travels in 1610, and made the Tour of *France* and *Italy*; which gave him an Opportunity of making himfelf compleatly Mafter of the Languages fpoken in thofe Countries, as well as of the politer Parts of Learning. Upon his
Return

himfelf, and what is faid for him by Mr. *Wood*. For in the firft Paragraph of the Supplement he tells us, “ That as it is common with Geometricians to
“ demonftrate the fame Truth, as occafion requires,
“ by Lines of different Dimenfions, the fame Pro-
“ portions being kept, fo it came into his Mind to
“ describe more largely and with greater Freedom,
“ what before he had related in a more compact
“ and clofer Stile; yet not with any Intention of
“ repeating what had been before faid, but of fet-
“ ting the Argument in a fuller Point of Light, with
“ the Addition of certain Circumftances therein
“ omitted.” It is plain from hence, that whoever wrote the Supplement, wrote the Life; but it is very probable that both were taken out of a larger and much fuller Life written by Mr. *Aubrey*; nor is it at all improbable that this was written by the Confent, and with the Affiftance of Mr. *Hobbes* himfelf, which

in fome Meafure accounts for all this Perplexity and Confufion. There is alfo a large Article of Mr. *Hobbes* in the *Historia et Antiquitates Univerfittatis Oxoniensis*, of which mention will be made in the Text; and another ftill larger in the fecond Volume of the *Athenæ Oxoniensis*, both written by *Anthony a Wood*. There are alfo feveral Particulars relating to his Life, mentioned in the Writings of the Earl of *Clarendon*, Dr. *Wallis*, the Reverend Mr. *Howell*, and others of his Opponents; not to mention what is faid of him in modern Collections of Lives, in which all that deferves Credit is taken from thefe original Authors, whom we have therefore carefully confulted, and cautiously compared, in order to prevent impofing upon ourfelves or upon our Readers, by liftening to the extravagant Commendations given him by fome, and the malicious Cenfures paffed upon him by other of thefe Writers.

Return with the Lord *Cavendish*, finding that his Stock of academical Learning was somewhat decayed, he applied himself with great Diligence to the Study of the best Authors of Antiquity, by which he arrived at a clear, strong, and natural *Latin* Stile, and acquired a perfect and critical Knowledge of the *Greek* Tongue.

These Qualifications, joined to a good Address (for in this Part of his Life, Mr. *Hobbes* had nothing of that Sourness, or morose Disposition, which afterwards created him so many Enemies) were the means by which he became known to, and was much caressed by Persons of high Rank, as well as Men eminently distinguished for their Parts and Learning; such as the Lord Chancellor *Bacon*, who admitted him to a great Degree of Familiarity, and, it is said, made use of his Pen for translating some of his excellent Works into *Latin*. He was likewise much in the Favour of that learned and accomplished Nobleman *Edward* Lord *Herbert* of *Cherbury*, who has rendered his own Name, as well as the Reign of *Henry* the Eighth, immortal, by his admirable History. Another of his intimate Friends was Sir *Robert Ayton*, a Native of *Scotland*; and Secretary to *Queen Anne*, Consort of King *James* the First; one who had raised himself a high Reputation, by the Elegancy with which he wrote *Latin* Verse. The celebrated *Benjamin Johnson* was likewise of his Acquaintance, and had so great an Esteem for him, that he revised the first of his Works that our Author made publick, which was an *English* Translation of the History of *Thucydides*; which he undertook from an honest and laudable Desire of preventing those Disturbances, in which he was apprehensive his Country would be involved, by shewing the fatal Consequences of intestine Troubles. But while he meditated this Design, his noble Patron *William* Earl of *Devonshire* departed this Life in 1626, and in 1628, the very same Year that Work was published, his Son and Successor died likewise; in whose Service our Author had then spent, with great Satisfaction to himself, and with the intire Approbation of that Nobleman, twenty Years; first in quality of his Tutor, and afterwards in that of his Secretary.

This Loss affected Mr *Hobbes* to such a Degree, that he very willingly accepted an Offer made him of going abroad a second Time, with the Son of Sir *Gervase Clifton*; whom he accordingly accompanied into *France*, and stayed there some Time. As he was now in the fortieth Year of his Age, and had never been any great Admirer of the Logicks, Physicks, and Metaphysicks of the Schools, he thought his Time might be better employed in the Pursuit of the Mathematicks; he began therefore with the Works of *Euclid*, which he read with great Application, and in which he took extraordinary Pleasure, not so much on account of the Subject, (for he thought the Properties and Relations of Lines and Angles, speculatively considered, was of very little Consequence to the Business of human Life, tho' of very great Use when reduced to Practice) but his Sagacity taught him to admire in the Writings of that Philosopher, the Clearness of his Reasoning, the Connection of his Arguments, and the wonderful Perspicuity of his Method, from whence Truth appeared incontestibly plain, and Falshoods being rendered manifest, were rejected. While his leisure Hours were thus employed, and the rest of his Time in giving the necessary Instructions to his Pupil, he found himself solicited to return for *England*, and resume his Concern for the Hopes of that Family, to which he had so early attached himself, and to which he owed so many and so great Obligations.

It was in 1631, when the Countess Dowager of *Devonshire*, a Lady more distinguished by her Virtues than her Quality, tho' she had some Royal Blood in her Veins, desired to put the young Earl of *Devonshire* under his Care, who was then about the Age of thirteen. This was very suitable to Mr. *Hobbes's* Inclinations, who discharged that Trust reposed in him with great Diligence and Fidelity. He took Occasion from this Employment to republish his Translation of *Thucydides*, to which he prefixed a Dedication addressed to that worthy young Nobleman, in which he gives a large and just Character of his Father, and represents in the strongest Terms the Favours he had received from, and the Gratitude he owed to

that

that illustrious Family ^b. The same Year he accompanied his noble Pupil to *Paris*, where he applied his vacant Hours to the Study of Natural Philosophy, and more especially to the perfect Understanding of Mechanism, and the Causes of animal Motion. He had frequent Conversations upon these Subjects with Father *Marin Merfenne*, a Man of extensive Learning, and of unblemished Probity, whose Writings have rendered him deservedly famous, and who entertained a literary Correspondence with almost all who were celebrated for Knowledge in *Europe*. From *Paris* Mr. *Hobbes* attended his Pupil into *Italy*, where at *Pisa* he became known to that great Astronomer *Galileo Galilei*, who communicated to him his Notions very freely; and after having seen all that was remarkable in that Country, he in 1637 returned with the Earl of *Devonshire* into *England*.

His Attachment to that noble Person retained him still in the Family, where he had already spent so great a Part of his Life; and his Residence in the noble Palace at *Chatsworth*, afforded him an Opportunity of exercising his Inclination to *Latin* Poetry, in celebrating the Wonders of the *Peak*; which Poem of his, tho' written some Years before, was not made public till about this Time ^c. The Troubles in *Scotland* now grew high, and as popular Discontent is always contagious, began to spread southward, and to threaten the intire Subversion of the Peace of the whole Island. As few foresaw this earlier, and hardly any apprehended it more than Mr. *Hobbes*, he thought it might contribute to the public Tranquility if he bent his Thoughts to Politicks, and composed something which might serve as an Antidote against those pestilential Opinions which began generally to prevail. It was this that engaged him to commit to Paper certain Principles, Observations, and Remarks, out of which he first composed his Book *De Cive*, and which grew up afterwards into that System he stiled his *Leviathan*. The true Scope of his Discourse was no more than this, That Security can be only

^b We find it expressly said in the *Latin* Prose Life, which has been attributed to Mr. *Hobbes* himself, that he published his *English* Translation of *Thucydides* in 1628. He must therefore have republished it in 1634, as appears from the Date of the Dedication, as well as that prefixed to such of the first Edition as are commonly met with; for the same Book being again printed in 1676, with the Title only of the *Second* Edition, is a very plain Proof that the Fact really stood as we have stated it. This has been always esteemed one of the best Translations that we have of any *Greek* Author, and the Author himself took care of the Maps and Indexes. As to the Motives which led him to spend his Time in rendering this, rather than any other of the celebrated Histories that have come down to us from Antiquity, it is needless for us to insist upon them here, because the Reader has the Prefatory Pieces, in which our Author himself explains these Matters, in the following Collection of his Works. But there is one Thing which must not be passed by; the learned Dr. *Tennison*, afterwards Archbishop of *Canterbury*, one of the ablest, as well as one of the fairest Antagonists Mr. *Hobbes* ever met with, is clearly of Opinion, that he borrowed the fundamental Maxims of his Politicks from the *Oration* of *Euphemus* the *Athenian* Ambassador, which is printed in the sixth Book of that History. At the Time it was published, Mr. *Hobbes* was esteemed a very generous and publick-spirited Man; one who had nothing so much at Heart as promoting the Peace and Prosperity of his Country, by exposing the bad Designs of those, who under the specious Pretence of Zeal for Religion, and a Patriot Concern for Liberty, meant to overturn the Constitution, and to erect each the Edifice of his private Fortune out of, as well as upon the publick Ruins.

^c In this Poem, which is inscribed to the Right Honourable *William* Earl of *Devonshire*, the Author in heroick Verse celebrates the nine Wonders of the *Peak* in *Derbyshire*; and as the first of these is the Palace of *Chatsworth*, he takes Occasion from thence to celebrate the *Cavendish* Family, and that famous Countess of *Shrewsbury*, to whose Prudence and Oeconomy so many noble Families stood so much obliged, and from whom the three Earls of *Devonshire*, *Newcastle*, and *Kingston*, were descended. These, of all Mr. *Hobbes's* poetical Performances, have been esteemed the best Verses, which notwithstanding do not deserve any extraordinary Commendation. We are somewhat at a loss for a Reason; but the Fact is very certain, that their Author himself undervalued them much in the latter Part of his Life, which was somewhat contrary to his Character, as he manifested upon every other Occasion, a sufficient Esteem for his own Writings. It is not however altogether improbable, that having delivered some Things in them as a Poet, which did not perfectly agree with the Sentiments he afterwards maintained, as a Philosopher, he had a mind to let the World see that he was capable of contemning even his own Writings, when he was convinced there was any thing in them erroneous; which was notwithstanding an unnecessary Nicety, since no candid Critick would object Matters thus delivered, against the Notions laid down by the Author in another Character; where, from the nature of his Subject, he must be supposed to have a strict Regard to Truth, whereas Fiction is allowed to be not only requisite, but essential to Poetry. If therefore no other Contradictions are to be found but these in the Works of Mr. *Hobbes*, they are not only excusable, but justifiable.

only enjoyed where there is Peace; that Peace cannot be maintained without Dominion; that Dominion cannot be supported without Arms; that Arms will prove but a weak Defence if not put into one Hand; and even then that they will scarce restrain such as shall be prompted to Discord by the fear of an Evil greater than Death itself, which is the Case in religious Disputes.

Not long after the meeting of the long Parliament *November* the 3d, 1640, when all things fell into Confusion here, he withdrew for the sake of living in Quiet to *Paris*, where he associated himself with those learned Men, who, under the Protection of the famous Cardinal *de Richlieu*, sought by conferring their Notions together, to promote every kind of useful Knowledge. He had not been long there, when by the good Offices of his Friend, Father *Merfenne*, he became known to, and held a Correspondence with the celebrated *Renatus Des Cartes* upon several mathematical Subjects, as appears from the Letters of Mr. *Hobbes*, which are published in the third Volume of that Author's Works. But when this great Man printed afterwards his Meditations, wherein he attempted to establish Points of the highest Consequence from innate Ideas, Mr. *Hobbes*, as well as some other judicious Men, took the Liberty of dissenting from his Opinion. Amongst these was the *French* King's Mathematical Professor, *Peter Gassendi*, a Man justly esteemed for his extensive Knowledge, and for his communicative Disposition, as well as for his reviving the Philosophy of *Epicurus*, with whom Mr. *Hobbes* entered into a close Friendship, which suffered no Interruption 'till the Death of the former.

In 1642, our Author printed a few Copies of his famous Book *De Cive*, which in Proportion as it became known, raised him many Opponents, who charged him with instilling Principles that had a very dangerous Tendency^a. In 1645, he embarked in a mathematical Controversy, about the Quadrature of

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^a As the Author's most finished and correct Edition of this Work, is to be found in the elegant Collection of his *Latin* Pieces, it was not held necessary to give Place to the *English* Translation, in this Volume; but in order to render what we have to say upon this Subject perspicuous, we shall begin with giving the Title of the Book at large, which runs thus; *Philosophical Rudiments concerning Government and Society; or, a Dissertation concerning Man, in his several Habitues and Respects, as the Member of a Society, first Secular, and then Sacred: Containing the Elements of Civil Polity, in the Agreement which it hath both with natural and divine Laws; in which is demonstrated both what the Origin of Justice is, and wherein the Essence of Christian Religion doth consist; together with the natural Limits and Qualifications both of Regimen and Subjection.* This Work is also dedicated to *William* Earl of *Devonshire*; and in the Dedication he apologizes both for the Method and the Design of his Treatise; opening thereby a true and fair Account of the Manner in which he was led to these Inquiries; which as it will afford the Reader an Opportunity of entering into the Character of the Man, we will exhibit to his View. After shewing what vast Advantages have been derived to the World from that Skill and Certainty, with which the Mathematicians have handled their Science, and how much greater Benefits might have resulted from Morality, if it had been as judiciously handled; he affirms, that the want of this arises from the Writers on that Subject taking various and improper Methods; "For, says he, we may not as in a Circle begin the handling of a Science, from what Point we please. There is a certain Clue of Reason, whose beginning is in the Dark, but by the benefit of whose Conduct we are led as it were by the Hand into the clearest Light, so that the Principle of Tractation is to be taken from that

"Darkness, and then the Light to be carried thither, for the irradiating its Doubts. As often therefore as any Writer doth either weakly forsake that Clue, or wilfully cut it asunder, he describes the Footsteps not of his Progress in Science, but of his Wanderings from it. And upon this it was, that when I applied my Thoughts to the Investigation of natural Justice, I was presently advertised from the very Word Justice, which signifies a steady Will of giving every one his own, that my first Enquiry was to be, from whence it proceeded that any Man should call any thing rather his own, than another Man's. And when I found that this proceeded not from Nature but Consent, for what Nature at first laid forth in common, Men did afterwards distribute into several Improprations; I was conducted from thence to another Enquiry, namely, to what End, and upon what Impulsives, when all was equally every Man's in common, Men did rather think it fitting that every Man should have his Inclosure: And I found the Reason was, that from a Community of Goods there must needs arise Contention, whose Enjoyment should be greater; and from that Contention all kind of Calamities must unavoidably ensue, which by the Instinct of Nature every Man is taught to shun. Having therefore thus arrived at two Maxims of human Nature, the one arising from the concupiscible Part, which desires to appropriate to itself the Use of those Things, in which all others have a joint Interest, the other proceeding from the rational, which teaches every Man to fly a contra-natural Dissolution, as the greatest Mischief that can arrive to Nature; which Principles being laid down, I seem from them to have demonstrated by a most evident Connection in this little Work of mine, first the absolute necessity of Leagues and
"Contracts,

the Circle; in which, though many of the greatest Men in *Europe* were likewise engaged, yet none of them gained a higher Degree of Reputation by their Writings than our Author. Amongst other great and worthy Persons, who upon the total Shipwreck of the royal Cause retir'd for Safety into *France*, was Sir *Charles Cavendish*, Brother to the loyal Duke of *Newcastle*; and this Gentleman, who was distinguished by his perfect Acquaintance, as well in Practice as in Theory, with every Branch of mathematical Science, proved a constant Friend, and, to the utmost of his Power, a kind Patron to our Author; whose Fame for that kind of Learning was now so well established, that in 1647 he was recommended to instruct *Charles* Prince of *Wales*, afterwards King *Charles* the Second, which he did with great Diligence and Success.

His Care in the Discharge of this Office gained him the Esteem of that Prince in a very great Degree, though he afterwards withdrew, in some Measure, his public Favour towards Mr. *Hobbes*, on account of those Writings which will be hereafter mentioned; yet he always retained a Sense of the Services he had rendered him, and of which he afforded him various Marks after he was restored to his Dominions; and it is reported, had his Picture always hanging in his Closet. This Year also came out a second and more complete Edition of his Book *De Cive*, which was neatly printed in *Holland* by the Care of Dr. *Sorbiere*, who also made a Translation

“Contracts, and thence the Rudiments both of moral and of civil Prudence. That Appendage which is added concerning the Regimen of God, hath been done with this intent, that the Dictates of God Almighty in the Law of Nature, might not seem repugnant to the written Law revealed to us in his Word. I have also been very wary in the whole tenor of my Discourse, not to meddle with the civil Laws of any particular Nation whatsoever; that is to say, I have avoided coming on a Shore which the Times have so infested both with Shelves and Tempests. At what expence of Time and Industry I have been in this Scrutiny after Truth I am not ignorant, but to what Purpose I know not. For being partial Judges of ourselves, we lay a partial Estimate upon our own Productions. I therefore offer up this Book to your Lordship's, not Favour but, Censure first, as having found by many Experiments, that it is not the Credit of the Author, nor the Newness of the Work, nor yet the Ornament of the Stile, but only the Weight of Reason which recommends any Opinion to your Lordship's Favour and Approbation. If it fortune to please, that is to say, if it be found, if it be useful, if it be not vulgar, I humbly offer it to your Lordship, as both my Glory and my Protection. But if in any Thing I have erred, your Lordship will yet accept it as a Testimony of my Gratitude, for that the Means of Study which I enjoyed by your Lordship's Goodness, I have employed to the Procurement of your Lordship's Favour. The God of Heaven crown your Lordship with length of Days in this earthly Station, and in the heavenly Jerusalem with a Crown of Glory.” Immediately after the appearance of this Book, the famous Mr. *des Cartes* gave this Judgment upon it, in one of his Letters; “I am of Opinion, says he, that the Author of the Book *de Cive*, is the same who wrote the third Objections against my Meditations. I think him a much greater Master of Morality than of Metaphysics, or natural Philosophy, tho' I can by no means approve of his Principles or Maxims, which are very bad and very dangerous, because they suppose all Men to be wicked, or give them occasion to be so. His whole Design is to write

“in favour of Monarchy, which might be done to more Advantage than he has done, upon Maxims more virtuous and solid. He has wrote likewise greatly to the disadvantage of the Church and *Roman* Catholic Religion, so that if he is not particularly supported by some powerful Interest, I do not see how he can escape having his Book censured.” Our Author *Hobbes* foresaw, and obviated his first Objection in his *Preface*, in which he says, “that to suppose all Mankind wicked, is a false Deduction from his Principles, which only incline us to act towards Mankind as if we supposed them wicked, because it is impossible to distinguish who are, and who are not so.” Whence he infers that his Caution is well founded, and yet his Premises do not afford room for any such Conclusion. The learned *Herman Conringius*, in the fourteenth Chapter of his Treatise upon *Civil Prudence*, censures our Author in pretty rough Terms, for boasting, that tho' Physicks were a new Science, yet Civil Philosophy was still newer, since it could not be stiled older than his own Book *de Cive*: “Whereas, says that great Man, there is nothing good in that Work of his which was not always known.” But the celebrated *Samuel Puffendorff* in his *Preface* to the Reader, before his admirable Book of *The Law of Nature and Nations*, speaks another Language; “*Thomas Hobbes*, says he, in those Parts of his Works which regard civil Science, has many excellent Things, and nobody who is well versed in Studies of this Nature, can deny that he has looked so closely into the Principles of human and civil Society, that there are very few who wrote before him upon these Subjects, to whom he does not deserve to be preferred. Nay even where he has gone out of the way, he suggests nevertheless Things to our Consideration, which otherwise would very probably never have entered into any Man's head.” The same worthy and judicious Person, in his *Preface* to his *Elements of Universal Law*, has these Words; “Neither are we a little indebted to *Thomas Hobbes*, whose Hypothesis in his Book *de Cive*, tho' it favors somewhat of Profaneness, yet in other Respects is sensible and sound.

Translation of it into *French*. To his Edition of the Original there are prefix'd two *Latin* Letters to the Editor in commendation of the Book; one written by Mr. *Gassendi*, and the other by Father *Mersenne*, which however could not reconcile all the World to the Notions therein contained.

While his Time was thus employed at *Paris*, Mr. *Hobbes* was attacked by a violent Fit of Sickness, which brought him very low, infomuch that many of his Friends began to despair of his Recovery. Amongst those who visited him when he was in so weak a Condition, was his old Acquaintance Father *Mersenne* before mentioned, who taking this for a favourable Opportunity, began, after a few general Compliments of Condolence, to mention the Power of the *Roman Church* to forgive Sins; but Mr. *Hobbes* immediately replied, *Father, all these Matters I have debated with myself long ago. Such kind of Disputes would be troublesome to me now, you can entertain me on Subjects more agreeable; when did you see Mr. Gassendi?* His reverend Visitant easily understanding his Meaning, troubled him no farther, but suffered the Conversation to turn, as Mr. *Hobbes* desired, upon general Topicks. Yet some Days afterwards, when Dr. *John Cosins*, afterwards Bishop of *Durham*, came to pray with him, he very readily accepted the Proposal, provided he used the Offices appointed by the Church of *England*, and received the Sacrament from his Hands. By Degrees however he recovered his Health, and his former robust Constitution.

In 1650, he wrote an Answer to a long Letter written to him by Sir *William D'Avenant*, who had submitted his Poem called *Gondibert* to his Perusal, which Answer of his, together with Sir *William's* Letter, was prefixed to that Poem when it was published, but did not answer the Intention of defending that Performance from the Fury of the Criticks, who notwithstanding Mr. *Hobbes's* Approbation, censured it very severely. The same Year was published at *London* a small Treatise of our Author's, entituled *Human Nature*, which was much esteemed by some, who expressed afterwards a bad Opinion of Mr. *Hobbes*. Another little Treatise of his, entituled *De corpore politico, or of the Elements of the Law*, made likewise its Appearance the same Year. All this Time he had been digesting with great Care and Pains, his Religious, Political, and Moral Principles, into a compleat System, which he intituled *Leviathan*, and which was printed in *English* at *London* in that, and the Year following.

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* Before the first Edition of this small Treatise, there stands the following Advertisement, which is worthy of being well considered. "Reader, it was thought good to let you know, that Mr. *Hobbes* hath written a Body of Philosophy upon such Principles, and in such Order, as are used by Men conversant in Demonstration; this he hath distinguished into three Parts, *De Corpore, De Homine, De Cive*, each of the Consequents beginning at the End of the Antecedent, and insisting thereupon as the latter Books of *Euclid* upon the former. The last of these he hath already published in *Latin* beyond the Seas, the second is this now presented: And if these two receive Justice in the World, there is Hopes we may obtain the first. He whose Care it is and Labour to satisfy the Judgment and Reason of Mankind, will condescend so far, we hope, to satisfy the Desire of those learned Men, whom these shall either have found or made, which cannot be until they shall analytically have followed the grand Phœnomena of States and Kingdoms, thorough the Passions of particular Men, into the Elemental Principles of natural and corporeal Motions. The former Work was published by the Author, and so is out of Danger; this by a Friend with Leave from him; and to secure this, you are intreated to consider the Relation wherein it stands, especially to the Book *De Cive*. It was thought a Part of Re-

ligion not to make any Change without the Author's Advice, which could not suddenly be obtained, and so it comes forth innocently, supposing nothing to have happened since the Dedication of it, which if it seem a Solecism to some, it may to others give a Satisfaction, in calling to Mind those Times and Opportunities to which we are indebted for those admirable Compositions. *F. B.*" These initial Letters were intended to stand for *Francis Bowman* the Bookseller at *Oxford*, for whom this Treatise was printed; but it may be presumed that few Readers believed it was of his writing. *Anthony Wood* tells us plainly, that it was written for him by Dr. *Seth Ward*, afterwards Bishop of *Winchester*, who became within the Space of a few Years one of our Author's bitterest Enemies; tho' it plainly appears from the foregoing Advertisement, that he had read and considered the whole Scope of his Philosophy before that Difference began. We will take the Liberty of adding here, to avoid multiplying Notes, that when our Author's Treatise *De Corpore Politico* had been presented to, and read by the very learned *Peter Gassendi*, a very few Months before his Death, he first kissed it, and then delivered his Opinion of it in these Words, "This Treatise is indeed small in Bulk, but in my Judgment it is the very Marrow of Science."

He caused a Copy of the *Leviathan*, very fairly wrote on Vellum, to be presented to King *Charles II.* But after that Monarch was informed of the bad Opinion entertained of this Book by the *English* Divines, who considered it in a very disadvantageous Light, and as abounding with Doctrines equally irreconcilable to true Religion, and the Principles of civil Government, he is said to have withdrawn his Countenance from the Author, and to have restrained him, by a Message delivered by the Marquis of *Ormond*, from coming into his Presence.

Some have very confidently suggested, that his principal View in composing this Work, was to open a Passage for his safe Return into *England*, by exhibiting the only System of Policy that either could justify or support the Government of *Oliver Cromwell*, and in this he is said so far to have succeeded, as to have had some Overtures made him to enter into the Service of the Protector in Quality of his Secretary. The great Earl of *Clarendon*, once his very particular Friend, and never a personal Enemy to Mr. *Hobbes*, has given the World an Account of some Circumstances which attended the Writing and Publication of this Book from his own Knowledge ^f. Whatever his

^f The noble Person mentioned in the Text wrote, during his Banishment in 1670, a Book against Mr. *Hobbes*, which was printed Six Years afterwards at *Oxford*, with this Title, *A brief View of the dangerous and pernicious Errors to Church and State, in Mr. Hobbes's Book entituled Leviathan.* In the Introduction the Earl observes, that Mr. *Hobbes's Leviathan* "contains in it good Learning of all Kinds, politely extracted, and very wittily and cunningly digested in a very commendable, and in a vigorous and pleasant Stile;" and that Mr. *Hobbes* was "a Man of excellent Parts, of great Wit, some Reading, and somewhat more Thinking; one who has spent many Years in foreign Parts and Observations, understands the learned, as well as modern Languages, hath long had the Reputation of a great Philosopher and Mathematician, and in his Age hath had Conversation with very many worthy and extraordinary Men, to which it may be, if he had been more indulgent in the more vigorous Part of his Life, it might have had greater Influence upon the Temper of his Mind; whereas Age seldom submits to those Questions, Enquiries, and Contradictions, which the Laws and Liberty of Conversation require. And it hath been always a Lamentation among Mr. *Hobbes's* Friends, that he spent too much Time in thinking, and too little in exercising those Thoughts in the Company of other Men of the same, or of as good Faculties; for want whereof his natural Constitution, with Age, contracted such a Morosity, that doubting and contradicting Men were never grateful to him. In a Word, Mr. *Hobbes* is one of the most ancient Acquaintance I have in the World, and of whom I have always had a great Esteem, as a Man, who besides his eminent Parts of Learning and Knowledge, hath been always looked upon as a Man of Probity, and a Life free from Scandal." The Earl informs us, that when Prince *Charles*, afterwards King *Charles II.* went first to *Paris* from the Isle of *Jersey*, and the Lords *Capel* and *Hopton* continued with him at *Jersey*, he heard shortly after that, Mr. *Hobbes*, who was then at *Paris*, had printed his Book *De Cive* there. The Earl wrote to Dr. *Earle*, who was then the Prince's Chaplain and Tutor, to remember him kindly to Mr. *Hobbes*, with whom the Earl was well acquainted, and to desire him to send him that Book, by the same Token that Mr. *Sidney Godolphin*, who had been killed in the Civil

Wars, had left to Mr. *Hobbes* a Legacy of two hundred Pounds. The Book was immediately sent to the Earl by Mr. *Hobbes*, with a Desire that he would tell him whether he was sure that there was such a Legacy, or how he might take Notice of it to receive it. The Earl sent Mr. *Hobbes* Word that he might depend upon it for a Truth, and that he believed, that if he found some Way secretly (to the End there might be no publick Notice of it in regard of the Parliament) to demand it of Mr. *Francis Godolphin*, Brother of Mr. *Sidney Godolphin* (the former of whom had told the Earl of it) he would pay it. This Information was the Ground of the Dedication of the *Leviathan* to Mr. *Francis Godolphin*, whom Mr. *Hobbes* had never seen. When the Earl went some few Years after from *Holland* with King *Charles II.* (after the Murder of *Charles I.*) to *Paris*, from whence he went shortly his Majesty's Ambassador for *Spain*, Mr. *Hobbes* visited him, and told him that Mr. *Godolphin* had confessed the Legacy, and had paid one hundred Pounds, and promised to pay the other in a short Time; for all which he thanked the Earl, and said he owed it to him, for he had never otherwise known of it. When the Earl returned from *Spain* by *Paris*, Mr. *Hobbes* frequently came to him, and told him, that his Book which he would call *Leviathan*, was then printing in *England*, and that he received every Week a Sheet to correct, of which he shewed the Earl one or two Sheets, and thought it would be finished in little more than a Month, and shewed him the Epistle to Mr. *Godolphin*, which he intended to set before it, and read it to him, and concluded, that he knew when the Earl read his Book, he would not like it, and thereupon mentioned some Conclusions, upon which the Earl asked him, why he would publish such Doctrine; to which after a Discourse between Jest and Earnest upon the Subject, he said, *The Truth is I have a Mind to go home.* "Within a short Time after I came, says the Earl, into *Flanders*, which was not much more than a Month from the Time that Mr. *Hobbes* had conferred with me, *Leviathan* was sent to me from *London*, which I read with much Appetite and Impatience. Yet I had scarce finished it, when Sir *Charles Cavendish* (the noble Brother of the Duke of *Newcastle*, who was then at *Antwerp*, a Gentleman of all the Accomplishments of Mind that he wanted of Body, being in all other Respects a wonderful Person) shewed me a Letter he had

his Motives might be to the writing his *Leviathan*, certain it is, that not long after its Publication he returned to *England*, partly as he himself affirmed, and not without Foundation, from his just Apprehensions of the Consequences that might follow from the Offence taken against him by the *Popish* Clergy, and partly on Account of an Indisposition in his Stomach, from which by the Use of proper Medicines he perfectly recovered.

But it does by no Means appear that he sought for any Favour from the Hands of those then in Power, beyond that of living in Quiet. And finding the Church of *England* subverted, and the Churches filled with those who made no use of any Liturgy, and whose Sermons in his Opinion were often blasphemous, he omitted for three Months communicating with any Body of Christians; but being afterwards carried to a Congregation where the Service of the Church of *England* was with great Privacy used, he joined in Communion with them, and continued to resort thither. This, and his Conduct in his Sickness, he afterwards urged as a Proof that he was no Atheist, but on the contrary a Christian, and sincerely attached to that Church in which he was educated.

After his coming back to his own Country, he passed the Summer commonly at his Patron the Earl of *Devonshire's* Seat in *Derbyshire*, and some of his Winters in Town, where he had for his intimate Friends several of the greatest Men of that, shall I say, or of any Age, such as Dr. *William Hervey*, the great Light and Restorer of Physick, and whose Name is so justly famous for his discovering, explaining, and establishing the Circulation of the Blood; *John Selden*, Esq; that Prodigy

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“ had then received from Mr. *Hobbes*, in which he
 “ desired he would let him know freely what my
 “ Opinion was of his Book; upon which I wished
 “ he would tell him, that I could not enough wonder
 “ that a Man who had so great a Reverence for
 “ civil Government, that he resolved all Wisdom,
 “ and Religion itself, into a simple Obedience and
 “ Submission to it, should publish a Book, for which
 “ by the Constitution of any Government now established
 “ in *Europe*, whether Monarchical or Democratical,
 “ the Author must be punished in the highest Degree,
 “ and with the most severe Penalties. With which
 “ Answer, which Sir *Charles* sent to him, he was not
 “ pleased; and found afterwards when I returned to
 “ the King to *Paris*, that I very much censured his
 “ Book, which he had presented, engrossed in Vellum
 “ in a marvellous fair Hand, to the King, and likewise
 “ found my Judgment so far confirmed, that a few Days
 “ before I came thither; he was compelled secretly to
 “ fly out of *Paris*, the Justice having endeavoured to
 “ apprehend him, and soon after escaped into *England*,
 “ where he never received any Disturbance. After the
 “ King's Return he came frequently to the Court,
 “ where he had too many Disciples, and once visited
 “ me. I received him very kindly, and invited him
 “ to see me often; but he heard from so many Hands
 “ that I had no good Opinion of his Book, that he came
 “ to me only that one Time; and methinks I am in a
 “ degree indebted to him, to let him know some Reasons
 “ why I look with so much Prejudice upon his Book,
 “ which hath gotten him so much Credit and Estimation
 “ with some other Men.” The Earl afterwards observes,
 “ that the Review and Conclusion of the *Leviathan*
 “ is only an Abridgment, and contracting the most
 “ contagious Poison that runs through the Book into
 “ a less Vessel or Volume, lest they who should
 “ not take the Pains to read the Book, or reading
 “ it, may by Inadvertency and Inconsistency not be
 “ hurt enough by it, may here in less room, and
 “ more nakedly, swallow his choicest Doctrine

“ at one Morfel; and is in Truth a sly Address to
 “ *Cromwell*, that being then out of the Kingdom, and
 “ so being neither conquered nor his Subject, he
 “ might by his Return submit to his Government,
 “ and be bound to obey it: Which being uncom-
 “ pelled by any Necessity or Want, but having as
 “ much to sustain him abroad as he had to live upon
 “ at home, could not but proceed from a sincere
 “ Heart and uncorrupted. This Review and Conclusion
 “ he made short enough to hope that *Cromwell*
 “ himself might read it, where he should not
 “ only receive the Pawn of his new Subject's Allegiance,
 “ by declaring his own Obligations and Obedience,
 “ but by publishing such Doctrine, as being diligently
 “ infused by such a Master in the Mystery of Govern-
 “ ment, might secure the People of the Kingdom (over
 “ whom he had no Right to command) to acquiesce
 “ and submit to his brutal Power.” The latter Part
 “ of this Charge, tho' very positively asserted by
 “ many others as well as this noble Peer, cannot be
 “ easily made out, unless Mr. *Hobbes* was a Prophet
 “ as well as a Politician; for *Cromwell* was then
 “ only General of the Forces, and if there had been
 “ any evident Sign of his becoming Master of the
 “ Government, it is more than probable some of
 “ the sharp-sighted People of that Age, would have
 “ been aware of it as soon as Mr. *Hobbes*. But it
 “ is easy to find the Meaning of a Passage after
 “ Events have happened; yet at the Time the
 “ *Leviathan* was published, no Mortal could imagine
 “ that it was a Compliment to General *Cromwell*,
 “ tho' it is very possible that from the Doctrine
 “ contained in it, the Author, had he been so
 “ inclined, (which it does not appear he ever was)
 “ might have found his Account, in paying his
 “ Court to the Protector. But notwithstanding,
 “ Things of this sort were no doubt carried to
 “ the King's Ear, yet they did not make such an
 “ Impression upon him as upon his Ministers,
 “ in complaisance to whom tho' he forbid our
 “ Author his Presence, yet he could not help
 “ declaring at the same Time, that he did not
 “ believe Mr. *Hobbes* intended him any hurt.

digy of Learning; Sir *John Vaughan*, afterwards Chief Justice of the Common Pleas, a Man excellently versed in his Profession, and of uncommon Parts and Knowledge; *Abraham Cowley*, no less distinguished by the Innocency of his Life, than by the Energy and Elegance of his Writings; and not to mention more, Sir *Charles Scarborough*, afterwards the King's Physician, a Man famous for his mathematical Learning, and his exquisite Skill in Physick, and for his open, generous, and communicative Temper.

In 1654, Mr. *Hobbes* published his Letter upon Liberty and Necessity, which occasioned a long Controversy between him and Dr. *Bramhall* Bishop of *Londonderry*, afterwards Lord Primate of *Ireland*. About this Time likewise began the Controversy with Dr. *Wallis*, that famous and excellent Mathematician of *Oxford*, which lasted as long as our Author lived, and in which he had the Misfortune to have all the Mathematicians against him. It is indeed said, that our Author came too late to this kind of Study, for a Man who would excel in it; and that tho' for a Time he maintained his Credit, while he was content to proceed in the same Track with others, and to reason in the accustomed Manner from the established Principles of the Science, yet when he began to digress into new Paths, and set up for a Reformer, Inventor, and Improver of Geometry, he lost himself extremely.

But notwithstanding these Debates took up much of his Time, yet he published several philosophical Treatises in *Latin*, in Compliance with the Promises which he had formerly made, and in which he made it his Rule to be very punctual. Such were his Occupations till the Year 1660, when upon the King's Restoration he quitted the Country, and came up to *London*, where being at *Salisbury* House with his Patron when the King passed by in his Coach, he accidentally saw him, and sent for him, when he gave him his Hand to kiss, and enquired kindly after his Health and Circumstances. Some time after this his Majesty directed that eminent Limner, Mr. *Samuel Cooper*, to go to him and draw his Picture. He likewise afforded our Author another private Audience, spoke to him very kindly, assured him of his Protection, and settled a Pension upon him of one hundred Pounds a Year out of his Privy Purse; which last Circumstance is very particularly mentioned by himself, in his Account of his own Life in *Latin* Verse.

Yet this did not render him entirely safe; for in 1666, his Book of the *Leviathan*, and his Treatise *De Cive*, were censured by Parliament, which alarmed him very much, as did also the bringing in of a Bill in the House of Commons to punish Atheism and Profaneness. It is thought that upon this Occasion he composed his *Historical Narration of Heresy, and the Punishment thereof*, or rather detached it from his *Leviathan*, and added to it some fresh Remarks, with a View of demonstrating that he could not be legally guilty of Heresy in writing or publishing that Book, because the High Commission Court was the only Judicature in *England* that could declare what was Heresy, and that Court being abolished at the Beginning of the Troubles, and not restored afterwards, whatever was contained in his Book written in the interim, could never in a legal Sense be adjudged Heresy.

When this Storm was a little blown over, he began to think of procuring a beautiful Edition of such of his Works, as were either written by himself, or translated into the *Latin* Tongue, to be published in his Lifetime; and finding this to be a Thing impracticable in *England*, he caused it to be undertaken abroad, where they were made publick in Quarto in 1668, from the Press of *John Bleau*. In 1669, he was visited by *Cosmo de Medicis*, then Prince, afterwards Duke of *Tuscany*, who gave him ample Marks of his Esteem and Respect; and having received his Picture, and a compleat Collection of his Writings, caused them to be repositied, the former amongst his Curiosities, the latter in his noble Library at *Florence*. The like Visits he received from foreign Ambassadors, and other Strangers of Distinction, who were curious of seeing a Person, whose singular Opinions, and numerous Writings, had made so much Noise over all *Europe*; which not only gratified the old Man's Passion for Applause, which, to say the Truth, was his

greatest Foible, but really raised his Reputation very high at home, insomuch that some young Men at the Universities began to study his Philosophy with great Application, and embraced, with the Vehemence natural to that Season of Life, all his Opinions.

Amongst these there was one *Daniel Scargil*, Batchelor of Arts, and Fellow of *Corpus Christi* College in *Cambridge*, who undertook to defend some Positions extracted from the *Leviathan*, which drew upon him a very severe academical Prosecution, that ended in Imprisonment, depriving him of his Degree, removing him from his Fellowship, and expelling him the University. The Man himself afterwards published a very full Recantation, in which he acknowledged himself to have been drawn into the grossest Errors and Impieties by the Study of our Author's Books. This induced Mr. *Hobbes* to write a Vindication of himself, in Reference to this Matter, as he had often done upon other Occasions, which notwithstanding was never published.

In 1670, there was committed to the Press in *Latin*, the History and Antiquities of *Oxford*, by *Anthony a Wood*; which Book was written by the Author in *English*, but was translated and published at the Expence of Dr. *Fell* Bishop of *Oxford*, who caused some considerable Alterations to be made, as well as many Things to be left out in the Account given of Mr. *Hobbes* and his Writings. Upon this *Anthony a Wood*, in Justification of himself, acquainted Mr. *Hobbes* with the whole of that Transaction, pointing out the several Alterations and Omissions; and Mr. *Hobbes* in a *Latin* Letter dated *April 20, 1674*, addressed to the said Mr. *Wood*, published all this to the World, with very warm and bitter Complaints against Dr. *John Fell*. To this that great Man vouchsafed to publish a Reply, in which he asserted, that the Article contained in Mr. *Wood's English* Book, was not composed by himself, but was transmitted to him either by Mr. *Hobbes* himself, or by his great Friend and Disciple *John Aubrey*, Esq; justifying likewise his Corrections and Omissions, in as high and strong Terms as those which had been made use of by Mr. *Hobbes* in his Charge; and this Vindication of himself he caused to be annexed to the History and Antiquities of *Oxford* ^e. In order to avoid Repetition and Prolixity, we have treated this Affair at once, tho' there were some Years Difference between the Commencement and End of this Dispute, and therefore we must now return back a little, in order to consider some other of his Performances.

In 1672, he wrote his Life in *Latin* Verse, when, as he observes, he had compleated his eighty-fourth Year, in which, whatever may be thought of the Poetry, there is certainly a great deal of Spirit, and it may be a little Stroke of Vanity also. He mentions at the Close of it, that when he retired to *France*, his whole Stock was five hundred Pounds, as also the Addition made to it by the Legacy of two hundred Pounds, from *Sidney Godolphin*, Esq; a Man whom Virtue, Loyalty, and Learning, equally commended to the Reverence of Posterity. He takes Notice likewise of an Annuity granted him of fourscore Pounds a Year, by his Patron the Earl of *Devonshire*, and the Pension given him by the King of one hundred Pounds *per Annum*, which Provision he declares exceeded his Wants, and came up to the very Height of his Wishes; and adds very pleasantly, that by computing his Effects in *French* Sols, or *Spanish* Marvedies, he could persuade himself that neither *Cræsus* nor *Crassus* were at all richer Men than he.

In 1674, he published in *English* Verse four Books of *Homer's Odyssey*, which were very well received by the Publick, and this inspired him with a Resolution of translating not only the *Odyssey* entire, but the *Iliad*, tho' in so advanced an Age. The same Year

^e We have this Matter very fairly stated by Mr. *Anthony Wood* in his *English* Work, containing *The History of the Oxford Writers*, where in the Catalogue he gives us of our Author's Treatises, he mentions this Letter to himself, and then adds: "It was written to Mr. *Wood*, upon his Complaint made to Mr. *Hobbes* of several Deletions and Additions made in, and to his Life and Character, which he had written of him in that Book, by the Publisher (Dr. *John Fell*) of the said History and Antiquities,

"to the great Dishonour and Disparagement of the said Mr. *Hobbes*. Whereupon when that History was finished, came out a scurrilous Answer to the said Epistle, written by Dr. *Fell*, which is at the End of that History." The Reader will observe, that in this Passage Mr. *Wood* contradicts what is alleged by Dr. *Fell*, that the Article of Mr. *Hobbes* was written by himself, or his Friend Mr. *Aubrey*, and sent to Mr. *Wood*; whereas he who must know this best, affirms that it was of his own writing.

Year he took his Leave of *London*, and went to spend the Remainder of his Days in *Derbyshire*, but without the least Abatement of his natural Spirit and Vivacity, which together with his Parts, he preserved till within a very few Days of his Death. In 1675, he sent abroad his *English* Version of the *Iliad* and *Odyssey*, together with a short Discourse prefixed to them, which were in those Days generally liked, tho' they have been censured by a modern Poet, and an excellent Judge, as if they were as much below the Reputation of Mr. *Hobbes*, as of the *Grecian* Bard himself ^h.

In 1676, he caused his Dispute with Dr. *Benjamin Laney*, Bishop of *Ely*, concerning *Liberty and Necessity* to be printed; for he loved not only to shew that he was living by the Exercise of his Pen, but also to make the World take Notice of it, by publishing annually one or other of his Writings. In 1678, appeared his *Decameron Physiologicum*, or *ten Dialogues of Natural Philosophy*; to which he added a Book composed some Years before, at the Request of a Person of great Distinction, entituled, *A Dialogue between a Philosopher and a Student of the Common Law of England*, which is a very singular Performance, and very evidently proves, that if Mr. *Hobbes* had betaken himself early to that, or indeed any other learned Profession, he could not have failed of making a great Figure therein, tho' for Want of that early Application, there is in it an Air of Positiveness, which does not by any Means do Honour to the Author's Abilities.

In the Month of *June* the same Year, he sent another Book of his, entituled *Behemoth*, or *a History of the Civil Wars from 1640 to 1660*, to an eminent Bookseller, with a Letter shewing the Reasons for his Communication, as well as for his Request, that he would not publish it till a proper Occasion offered. At that Time, when Things were fresh in Memory, (for notwithstanding this Injunction, there were three Editions of the Book within the Space of two Years) it was much read and admired. Indeed the Author gives his Opinion very freely upon Abundance of delicate and important Subjects, and lays open very roundly the Faults of some great Bodies of Men, who in his Judgment made but an indifferent Use of that high and general Respect which the World paid them. This was in some Measure Mr. *Hobbes's* Legacy to the Publick, since it was the last Piece of his that went to the Press during his Life ⁱ.

About the middle of *October* he was afflicted with a Suppression of Urine, for which he had the Assistance of one of the Faculty, who promised to do all that was in his Power to give him Ease, but told him plainly, that on account of his great Age he had little hopes of making a perfect Cure. On the 20th of *November*, his Patron the Earl of *Devonshire* removing from *Chatsworth* to another Seat of his called *Hardwick*, Mr. *Hobbes* obstinately persisted in desiring that he might be carried too,

^h The modern Poet mentioned in the Text, is the celebrated Mr. *Pope*; who in the *Preface* to his own Translation of *The Iliad of Homer*, has given us the following free and fair Character of our Author's Performance; " Mr. *Hobbes* in his Version, says he, " has given a correct Explanation of the Sense in general, but for Particulars and Circumstances lops " them, and often omits the most beautiful. As " for its being esteemed a close Translation, I doubt " not many have been led into that Error by the " Shortness of it, which proceeds not from the following the Original Line by Line, but from the " Contractions abovementioned. He sometimes " omits whole Similes and Sentences, and is now " and then guilty of Mistakes, into which no Writer of his Learning could have fallen, but through " Carelessness. His Poetry, as well as *Ogilby's*, is too " mean for Criticism.

ⁱ When Mr. *Crooke* thought fit to print the genuine Edition of our Author's *History of the Civil War*, he published the following Extract of Mr. *Hobbes's* Letter to him, which is that mentioned in the Text. " I would fain have published my Dialogue of *The*

Civil Wars of England long ago, and to that end " I presented it to his Majesty, and some Days after " when I thought he had read it, I humbly besought " him to let me print it; but his Majesty (though " he heard me graciously, yet he) flatly refused to " have it published. Therefore I brought away the " Book, and gave you leave to take a Copy of it, " which when you had done, I gave the Original " to an honourable and learned Friend, who about " a Year after died. The King knows better, and " is more concerned in publishing of Books than I " am: Therefore I dare not venture to appear in the " Business, lest it should offend him. Therefore " I pray you not to meddle in the Business. Rather than to be thought any way to further or " countenance the printing, I would be content " to lose twenty times the Value of what you can " expect to gain by it, &c.— I pray you somewhat " ill, it may be, I may live to send you somewhat " else as vendible as that, and without Offence. " I rest " Your very humble Servant, " *Chatsworth,* " June 19. 1679. " THOMAS HOBBS.

too, tho' this could be no other way done, than as he lay upon a Feather Bed. He did not seem to be much discomposed with this Journey, and yet within six or seven Days afterwards he lost by a stroke of the Palsy the use of Speech, and of his right Side entirely; in this Condition he remained for some Days, taking little Nourishment and sleeping much. He sometimes endeavoured to speak, but was not able. There did not appear in the course of his last Illness any Symptoms of a Fever, so that he seemed to be quite worn out; and Nature being no longer able to furnish wherewith to feed the Flame of Life, he expired *December 4th. 1679*, in the Ninety-second Year of his Age.

Mr. *Wood* tells us, that after he received the Answer which has been before mentioned, from the Person who attended him, he made use of this Expression, *Then I shall be glad to find a Hole to creep out of the World at.* The same Author observes, that his not desiring the Company of a Minister, to receive the Sacrament before he died, ought in Charity to be imputed to his being so suddenly seized, and being afterwards deprived of his Senses, the rather because the Earl of *Devonshire's* Chaplain declared, that within the two last Years of his Life he had often received the Sacrament from his Hands with seeming Devotion. Two Days after his Decease, his Corps was removed from the House of his noble Patron, and decently attended to the Parish Church of *Hault Hucknall*, where in an Isle he was interred, with the Service in the Common-Prayer Book, close to the Rail of the Monument of the Grandmother of the then Earl of *Devonshire*; and over his Grave a Black Marble Stone was laid with an Inscription, mentioning the Place and Time of his Birth, and of his Decease.

After this Detail of his Conduct and Writings, it may perhaps afford some Entertainment to the Reader, if we enter also a little into his private Life, and give some Account of his Person, Temper and Manners. In his Stature he was pretty tall, of a spare Habit of Body, his Skin remarkably tender, so that to defend himself from the Injuries of Cold, he went commonly in warm Cloaths. His Face was comely enough, his Brow large and open, but in the more advanced Part of his Life deeply wrinkled; his Eyes very quick and sparkling; his Sight strong, penetrating, and tolerably good even to the last; his Nose somewhat long, with a lively Colour in his Cheeks; his Hair, before Age turn'd it grey, was of a bright Black; but his Beard of a yellowish Red, a little of which he preserved on his Chin; but on his Lip he wore his Mustachoes, thick and turning upwards. His Complexion was a sanguine-melancholy as some stile it, that is, he was strong and vigorous, but withal of a calm and grave Deportment.

In his Youth his Health was somewhat tender, and he was frequently threatened with the Jaundice; but by that Time he was forty, he came to have more settled Health; however he kept his Bed but rarely through his whole Life, and dealt still moer sparingly in Physick. When he was about threescore, his Hand shook pretty much, which was a forerunner of that Palsy with which he was taken towards his End. He was no way nice or particular in his Eating, on the contrary, there was hardly any kind of Food commonly eaten came amiss to him. When he grew in Years, he dined at a certain Hour, smok'd a little Tobacco, but generally speaking eat no Suppers. In the Vigour of his Age, he was not exempt from Failings common to other Men, but persisted nevertheless in the Resolution he had taken to continue a Batchelor for the sake of his Studies. He used a great deal of Exercise, on the score of his Health; he played often at Hand-ball, even after he was turned of seventy; when occasion required somewhat still more stirring, he would take long Walks, and at his Return cause his Limbs to be rubbed till he fell asleep; when Age made Walking painful to him, he contented himself with having his Chamber artificially heated, and the Circulation promoted by the same kind of Frictions. The Cheerfulness, Activity, and Soundness of Mind, which he maintained to ninety and upwards, make even these trivial Circumstances worthy of being remembered.

In reference to his Manners, Religion claims the first Place. He acknowledged *GOD* the Author of all Things, but thought too reverently of him, to believe his Nature could be comprehended within the narrow Limits of human Understanding. But what gave a handle to some to treat him as an Atheist, was the Contempt he expressed for many of those scholastick Terms invented by assuming Men, who would impose their own crude Notions of the Divine Being on their fellow Creatures, as Articles of Faith. Neither was it with any greater Foundation that they reported he was afraid to be alone, from an Apprehension of Spectres, Ghosts, &c. all Notions of which were driven away from him, by the clear Light of Philosophy. Yet it is very possible he might not affect Solitude, that he might avoid unnecessarily exposing himself to the Violence or the Frauds of the Numbers that had declared themselves his Enemies. He embraced the Christian Religion, as taught in the reformed Church of *England* as by Law established, and was equally ready to defend her Tenets when attacked by Papists or Sectaries. He had a great Aversion to Theological Controversies, but was much inclined to whatever tended to promote Piety, or sound Morals. He thought it more pious and reverent to believe in *GOD*, than to pretend to comprehend him. He would often blame such (whatever their Profession might be) as pretended to innovate the Simplicity of the Christian Faith, by intermixing therewith vain, and sometimes profane Speculations of their own. He thought it would turn much more to the Benefit of Society, if after establishing a due Reverence for the Supreme Being, Men instead of contesting together about these Speculations, would apply themselves to Study, and perform the several Offices to which they are called in civil Life. Of this he was himself a good Example; always concerned for the Welfare of his Country; most observant in his Duty to his Sovereign; religiously faithful in his Friendships; and truly beneficent to his Relations. The hereditary Estate of the Family, which was of some Value, he made over to his Brother some Years before his Death. Several other Acts of Kindness he did in his Life-time to those who were of Kin to him, and distributed his little Fortune very prudently amongst them at his Death. To the Poor he was compassionate and charitable, to the Extent of his Abilities, and to the rest of the World in general, strictly just and observant, as far as became him. In his Conversation his Custom was to mingle with that sound Language which is suitable to grave Subjects, a peculiar kind of Pleasantry, that prevented the Hearer from becoming weary. He had naturally a wonderful Readiness in answering whatever was propounded to him, but this was corrected, or rather regulated by his Judgment, which taught him to deliberate, and to think well with himself before he spoke. He was of a simple and open Disposition, desirous of instructing others, and very willing to communicate whatever he knew; mild and complaisant to every Body, except perhaps to some impertinent Pretenders to Learning, who under Pretence of displaying their Abilities, came purely to cavil with, and contradict him. He never attacked others, but when attacked himself, he shewed Spirit enough in his own Defence, yet was withal a little too tenacious of his own Opinions.

His Capacity was vast, so that he went to the very Bottom of whatever he undertook to examine; his Genius lively and penetrating, but at the same Time he was very studious in his Enquiries; and in the Prosecution of the Labours he once began, indefatigable. His great Age considered, he was a Man of no great Reading; *Homer, Virgil, Thucydides, Euclid*, were Authors with whom he was most delighted. He would say himself upon this Subject, that if he had read as much as others, he should have been as ignorant as they were. Such is the Character, and such were the Manners of the Philosopher of *Malmesbury*, if we may depend upon the Account given by Dr. *Blackbourne*, who is said to have been assisted with the best Materials. But as the Reader may be inclined to see the same Facts stated by a learned Person of very different Sentiments, he will find them in the Author's

own

own Words in the Notes^k. As to our Author's Sentiments in Politicks and Divinity, they were such as raised him a Multitude of Enemies, some of whom were very desirous that he should have been refuted by Authority; or in other Words, that he should have been punished for advancing Doctrines destructive to all Religion, and tending to subvert the Liberties of Mankind. This obliged Mr. *Hobbes* to write several Apologies for himself, and one more especially directed to the King, in which he declared that none of these Designs ever entered into his Thoughts, and that if any of his Writings were in reality repugnant to the Laws of the Land, or to the Doctrines of the established Church, it was not his Intention to maintain, but to retract them; which Disposition of his, tho' it was far from giving Satisfaction

^k The Author referred to in the Text is Dr. *White Kennett*, afterwards Bishop of *Peterborough*, who in his Memoirs of the *Cavendish* Family, p. 107. writes thus, "The Earl for his whole Life entertained Mr. *Hobbes* in his Family, as his old Tutor, rather than as his Friend or Confident; he let him live under his Roof in Ease and Plenty, and in his own Way, without making use of him in any publick, or so much as domestick Affairs. He would often express an Abhorrence of some of his Principles in Policy and Religion, and both he, and his Lady, would frequently put off the Mention of his Name, and say, he was an Humorist, and that no Body could account for him. There is a Tradition in the Family, of the Manners and Customs of Mr. *Hobbes* somewhat observable. His professed Rule of Health, was to dedicate the Morning to his Exercise, and the Afternoon to his Studies. And therefore at his first rising he walked out, and climbed any Hill within his Reach; or if the Weather was not dry, he fatigued himself within Doors by some Exercise or other, to be in a Sweat, recommending that Practice upon this Opinion, that an old Man had more Moisture than Heat, and therefore by such Motion Heat was to be acquired, and Moisture expelled. After this he took a comfortable Breakfast, and then went round the Lodgings to wait upon the Earl, the Countess, and the Children, and any considerable Strangers, paying some short Addresses to all of them. He kept these Rounds till about twelve a Clock, when he had a little Dinner provided for him, which he eat always by himself without Ceremony. Soon after Dinner he retired to his Study, and had his Candle, with ten or twelve Pipes of Tobacco laid by him, then shutting his Door, he fell to smoaking, thinking, and writing for several Hours. He retained a Friend or two at Court, and especially the Lord *Arlington*, to protect him if Occasion should require. He used to say, that it was lawful to make use of ill Instruments to do ourselves good. If I were cast, says he, into a deep Pit, and the Devil should put down his cloven Foot, I would take hold of it to be drawn out by it. Towards the End of his Life he had very few Books, and those he read but very little, thinking he was now able only to digest what formerly he had fed upon. If Company came to visit him, he would be free in Discourse till he was pressed or contradicted, and then he had the Infirmities of being short and peevish, and referring to his Writings for better Satisfaction. His Friends who had the

Liberty of introducing Strangers to him, made these Terms with them before their Admission, that they should not dispute with the old Man, nor contradict him."—After mentioning the Apprehensions Mr. *Hobbes* was under when the Parliament censured his Book, and the Methods he took to escape Persecution, he proceeds in the following Terms. "It is not much to be doubted, that upon this Occasion, he began to make a more open Shew of Religion and Church Communion. He now frequented the Chapel, joined in the Service, and was generally a Partaker of the Holy Sacrament. And whenever any Strangers in Conversation with him seemed to question his Belief, he would always appeal to his Conformity in Divine Services, and referred them to the Chaplain for a Testimony of it. Others thought it a mere Compliance to the Orders of the Family, and observed that in City and Country he never went to any Parish Church, and even in the Chapel upon *Sundays*, he went out after Prayers, and turned his Back upon the Sermon, and when any Friend asked the Reason of it, he gave no other but this, *They could teach him nothing but what he knew*. He did not conceal his Hatred to the Clergy, but it was visible that the Hatred was owing to his Fear of their Civil Interest and Power. He had often a Jealousy that the Bishops would burn him, and of all the Bench he was most afraid of the Bishop of *Sarum*, because he had most offended him, thinking every Man's Spirit to be Remembrance and Revenge.—After the Restoration, he watched all Opportunities to ingratiate himself with the King and his Prime Ministers, and looked upon his Pension to be more valuable, as an Earnest of Favour and Protection, than upon any other Account. His following Course of Life was to be free from Danger: He could not endure to be left in an empty House; whenever the Earl removed, he would go along with him, even to his last Stage, from *Chatsworth* to *Hardwick*. When in a very weak Condition, he dared not be left behind, but made his Way upon a Feather Bed in a Coach, tho' he survived the Journey but a few Days. He could not bear any Discourse of Death, and seemed to cast off all Thoughts of it: He delighted to reckon upon longer Life. The Winter before he died, he made a warm Coat, which he said must last him three Years, and then he would have such another. In his last Sickness, his frequent Questions were, Whether his Disease was curable? and when Intimations were given that he might have Ease, but no Remedy, he used this Expression, *I shall*

faction to his Opponents, might very probably defend him from suffering for his Opinions, for which it is very certain he was never judicially called in question¹.

He was however attacked from the Press by many eminent Persons of different Parties, who loaded him with heavy Imputations. Against very few of these he wrote in his own Defence, but whenever he did write, he had much Attention paid to him, and was not always thought in the wrong. It is very certain, that notwithstanding those very extraordinary Liberties which were taken with him by his Antagonists, who made no Scruple of affirming, that he meant Things which he never

“ shall be glad then to find a Hole to creep out of the
 “ World at, which are reported to have been his
 “ last sensible Words; and his lying some Days
 “ following in a silent Stupefaction, did seem owing
 “ to his Mind, more than to his Body. The only
 “ Thought of Death that he appeared to entertain
 “ in time of Health, was to take care of some In-
 “ scription on his Grave. He would suffer some
 “ Friends to dictate an Epitaph, among which he
 “ was best pleased with this Humour: *This is the*
 “ *true Philosopher's Stone*, which indeed would have
 “ had as much Religion in it, as that which now
 “ remains.” Whoever reads the *Preface* that stands
 before Mr. *Hobbes's Discourse on Liberty and Necessi-*
ty, will find our Prelate had great Provocation to be-
 stow this Character upon the Philosopher of *Malmes-*
bury, more especially when he was dead, and had it
 not in his Power to reply to it. Some things there
 are in it, which at first sight are not very reconcileable;
 such as the Earl of *Devonshire's* detesting Mr. *Hobbes's*
 Opinions, and yet accepting the Dedication; of his
 Life; burying his Body close to that of his Grand-
 mother; and giving an hundred Pounds to answer
 the Dispositions made by Mr. *Hobbes's* Will. This
 has not much the Air of of Detestation, but that the
 noble Lord detested the Opinions ascribed to Mr.
Hobbes is very certain, nor is it less so that Mr.
Hobbes detested them himself. One thing is very
 remarkable, there is not a Syllable in this Account
 of the Declaration made by the Earl's Chaplain, to
 which honest *Anthony Wood* gave a Place in his Arti-
 cle, as being desirous to represent Things as they
 were, without employing any Exaggeration or Arti-
 fice on either Side.

¹ In the last Note, notice has been taken of Mr. *Hobbes's* Apologies, the largest of which, entitled *Considerations on the Reputation, Loyalty, &c.* is inserted in this Collection, where the Reader will find that Mr. *Hobbes* could defend himself with great Strength and Spirit, against all the Accusations of his Adversaries, and retort many upon themselves. The other Apology is contained in his Dedication to the King, of a short Treatise of his, entitled *Seven Philosophical Problems, and two Propositions of Geometry*. This not falling within the Compass of the present Design, that Apology, for the Reader's Satisfaction, shall be inserted here: “ The Doctrine of natural
 “ Causes hath not infallible and evident Principles.
 “ For there is no Effect which the Power of God
 “ cannot produce by many several Ways. But seeing all
 “ Effects are produced by Motion, he that supposing
 “ some one or more Motions can derive from them
 “ the Necessity of that Effect whose Cause is requir-
 “ ed, has done all that is to be expected from natu-
 “ ral Reason. And though he prove not that the
 “ Thing was thus produced, yet he proves that thus
 “ it may be produced, when the Materials and the
 “ Power of moving is in our Hands, which is as
 “ useful as if the Causes themselves were known.
 “ And notwithstanding the absence of rigorous De-

“ monstration, this Contemplation of Nature, if not
 “ rendered obscure by empty Terms, is the most
 “ noble Employment of the Mind that can be, to
 “ such as are at leisure from their necessary Business.
 “ This that I have done, I know is an unworthy
 “ Present to be offered to a King, though considered
 “ (as God considers Offerings) together with the
 “ Mind and Fortune of the Offerer, I hope will not
 “ be to your Majesty unacceptable. But that which
 “ I chiefly consider in it is, that my Writing should
 “ be tried by your Majesty's excellent Reason, un-
 “ tainted with the Language that has been invented,
 “ or made use of by Men when they were puzzled,
 “ and who is acquainted with all the Experiments of
 “ the Time, and whose Approbation if I have the
 “ good Fortune to obtain, it will protect my Rea-
 “ soning from the Contempt of my Adversaries. I
 “ will not break the Custom of joining to my Offer-
 “ ing a Prayer; and it is, that your Majesty will be
 “ pleased to pardon this following short Apology
 “ for my *Leviathan*; not that I rely upon Apologies,
 “ but upon your Majesty's most gracious general
 “ Pardon. That which is in it of Theology, cen-
 “ trary to the general Current of Divines, is not
 “ put there as my Opinion, but propounded with
 “ submission to those that have the Power Ecclesi-
 “ astical. I did never after either in Writing or
 “ Discourse maintain it. There is nothing in it
 “ against Episcopacy. I cannot therefore imagine
 “ what reason any Episcopal Man can have to speak
 “ of me, as I hear some of them do, as of an Atheist,
 “ or Man of no Religion, unless it be for making the
 “ Authority of the Church depend wholly upon the Re-
 “ gal Power, which I hope your Majesty will think
 “ is neither Atheism nor Heresy. But what had I to
 “ do to meddle with Matters of that Nature, seeing
 “ Religion is not Philosophy, but Law? It was
 “ written in a Time when the Pretence of Christ's
 “ Kingdom was made use of for the most horrid
 “ Actions that can be imagined; and it was in just
 “ Indignation of that, that I desired to see the bottom
 “ of that Doctrine of the Kingdom of Christ, which
 “ divers Ministers then preached, for a Pretence to
 “ their Rebellion, which may reasonably extenuate,
 “ tho' not excuse the Writing of it. There is
 “ therefore no ground for so great a Calumny in
 “ my Writings; there is no Sign of it in my Life;
 “ and for my Religion, when I was at the point of
 “ Death at *St. Germans*, the Bishop of *Durham* can
 “ bear witness of it, if he be asked. Therefore I
 “ most humbly beseech your sacred Majesty, not to
 “ believe so ill of me, upon Reports that proceed of-
 “ ten (and may do so now) from the Displeasure
 “ which commonly ariseth from Difference in Opi-
 “ nion, nor to think the worse of me, if snatching
 “ up all the Weapons to fight against your Enemies,
 “ I lighted upon one that had a double Edge.

“ Your Majesty's poor,
 “ and most loyal Subject,
 THOMAS HOBBES.

never said, as well as interpreting what he really said to Purposes he never meant; yet instead of lessening, they contributed to raise his Credit, and have so twisted their own with his, that the History of Mr. *Hobbes*, and his Philosophy, is very necessary to be known, in order to the right understanding the Writings of our best Authors, which whatever their Intention might be, will not fail to keep up his Reputation ^m.

As the moral and political Writings of our Author were published in *Latin*, as well as in our own Language, his Fame was far from being
g confined

^m As soon as Mr. *Hobbes* began to publish his first Treatises in reference to Politicks, he was attacked by several considerable Persons, and which is very strange, by such as wrote against each other. As for instance, *James Harrington*, Esq; in his *Oceana*, falls very often upon our Author's Writings, with great Freedom and Spirit, which was natural enough. But one would however scarce have imagined, that Sir *Robert Filmer*, in his *Observations concerning the Original of Government*, should spend a whole Section in refuting the Doctrines contained in the *Leviathan*, which however he has done, tho' he confesses Mr. *Hobbes's* Book to be right in the main, only it did not agree with his Notions laid down in his *Patriarcha*. Doctor *Matthew Wren* in an excellent Book of his, entitled *Monarchy asserted*, just mentions Mr. *Hobbes*, but that at the bottom he, who opposed *Harrington* in every Thing, was still far from Mr. *Hobbes's* Sentiments, appears from the Pains taken by the Earl of *Clarendon*, to engage that worthy Person to write against him. There was a furious Paper War between our Author and Dr. *Wallis*, which lasted all the Life-time of the former; and it was in Answer to a Treatise which the Doctor published, entitled *Hobbius Heautontimoromenos, sive contra Dialogos ejus Physicos dissertatio*, that he wrote his *Considerations on the Reputation and Loyalty, &c.* which is addressed to the Doctor. We have already mentioned the Primate of *Ireland*, *Bramhall*, who was one of our Author's most early Opponents, and the Bishop of *Ely*, as also Dr. *Seth Ward*, who is thought to be the Person mentioned by Mr. *Wood*, when he says, that one who was made a Bishop soon after the Restoration, would say, that he had rather be the Author of one of Mr. *Hobbes's* Books, than be King of England. At the time he said this, he could not surely think Mr. *Hobbes* an Atheist. Dr. *William Lucy*, afterwards Bishop of *St. David's*, wrote two Treatises against the *Leviathan*, under the assumed Name of *William Pyke*; as did also Dr. *Sharrock*, whose Books, tho' in other Respects esteemed, were not thought to have effected the End for which they were written. Archbishop *Tenison* published a small Octavo in 1671, under the Title of *The Creed of Mr. Hobbes examined*, dedicated to the Earl of *Manchester*. It is written by way of Dialogue between Mr. *Hobbes* and a Student in Divinity at *Buxton-Wells*, and is penned with the utmost Perspicuity and Politeness, as well as great Judgment and Learning; but above all, is remarkable for its Impartiality, there being nothing put in the Mouth of Mr. *Hobbes* but what is taken out of his own Writings, and expressed in his own Words. Dr. *Cumberland's* excellent Treatise of the *Laws of Nature*, was likewise written against our Author's System, and is deservedly esteemed the closest and the best Book of its kind; indeed he is the only one of all Mr. *Hobbes's*

Antagonists, that understood the Advantages the old Man had, as appears by his chusing a fresh Ground, and disputing in a manner quite different from the rest. The famous Dr. *Henry Moore* has, in different Parts of his Works, canvassed and refuted several Positions of Mr. *Hobbes*, and the Philosopher of *Malmesbury* is said to have been so ingenuous, as to own that whenever he discovered his own Philosophy to be unsustainable, he would embrace the Opinions of Dr. *Moore*. Dr. *John Templar* of *Cambridge* published in 1673 a *Latin* Treatise against our Author, entitled *Idea Theologiæ Leviathanis*; and Mr. *Sbafto* wrote likewise a *Vindication of the great Law of Nature* the same Year in *English*, in Opposition to the Notions of Mr. *Hobbes*. Neither must we forget the two Dialogues of Dr. *John Echard*, between *Timothy* and *Philalethes*, or Dr. *Parker's* (afterwards Bishop of *Oxford*) large Work, entitled *Disputationes de Deo et Providentiâ Divinâ*, in which our Author is very roughly handled, tho' in very elegant *Latin*. His Notions are likewise combated in Dr. *Cudworth's* *intellectual System*, tho' there is no mention made of his Name. There was one Mr. *Whitehall* of the *Inner-Temple* who wrote against his *Behemoth*; and we find several Parts of his Philosophy examined, and refuted by the Honourable *Robert Boyle*. But in the midst of these Contentions, as we have already shewn, he wanted not either Patrons or Friends who expressed a great Esteem for him, and for his Writings; the Names of many of these we have already mentioned, to which we may add the famous Sir *Kenelm Digby*, who was himself a great Philosopher; the judicious Mr. *Chillingworth*; *Edmond Waller* of *Beconsfield*, Esq; whose Poetry will live as long as our Language is understood; Sir *Henry Blunt*; *Francis Osborne*, Esq; whose Writings are sufficiently known; Mr. *Samuel Butler*, who wrote that admirable Poem, entitled *Hudibras*; Sir *William Davenant*, Poet-Laureat in two Reigns; Dr. *Walter Charlton*, distinguished for his extensive Knowledge in every Branch of useful Literature; and Dr. *Ralph Bathurst*, who together with Mr. *Jasper Maine*, Canon of *Christ-Church*, were his constant Admirers. Among later Writers there have been two eminent Prelates, who tho' they have hardly agreed in any thing else, have each had a Stroke at the Character of Mr. *Hobbes*. Bishop *Burnet*, who in his History of his own Times has given a dreadful Character of the *Leviathan*; and Bishop *Aterbury*, who in one of his Sermons has vouchsafed to assign the Reasons why Mr. *Hobbes* was continually terrified with the Apprehensions of Ghosts and Apparitions. There might have been much more said upon this Subject, but that we are unwilling to fatigue the Reader, and have therefore mentioned such only as readily occurred, and whose Writings are in every Body's hands.

confined within the Limits of his native Country; on the contrary, his Notions are as well known, and have excited as much Attention abroad as at home. Some great Men have censured him as a dangerous, and even as an impious Writer; others again, putting a milder Construction upon what he has advanced, acquit him of the Charge of *Atheism* and *Irreligion*, believing that when he refers the Authority of Theological Systems entirely to the Civil Power, he meant no more thereby, than that the Forms of religious Worship might be prescribed by the Sovereign Authority in every Country, and that according to the Principles of Equity, private Men ought not be at Liberty to excite Sedition and Dissention, under Colour of establishing their particular Notions about divine Worship. In short, there is as great Variety and Difference in the Sentiments of learned Foreigners concerning this Man and his Writings, as amongst our own, as will be readily confessed by such as shall take the Pains to consult the Works of those eminent Writers who have mentioned themⁿ. It has been thought a very strong Presumption of the Malignity of his Opinions, that his Writings were attacked not only as erroneous and heretical, but as impious and atheistical, by many able and famous Divines of different Countries, and

ⁿ It would require a Volume, and that of no inconsiderable Size, barely to enumerate the several foreign Writers of Note, who have either censured or commended the Writings of *Thomas Hobbes*. We shall therefore content ourselves with mentioning a few only of the most considerable. To begin then with those who wrote in his Lifetime. *Adam Oslander*, a German Divine, in his Treatise *De Typo Legis Naturæ*, inveighed against him with great Bitterness. *Regnerus a Mansvelt*, Professor of Philosophy in the University of *Utrecht*, in a Book written against *Spinoza*, takes Occasion to fall very severely upon the Writings of Mr. *Hobbes*. *Samuel Rachelius*, an eminent Lawyer of *Holstein*, in his large Work concerning the Law of Nature and Nations, declares also with great Warmth against the Sentiments of our Author. Dr. *Gilbert Cocquius*, a Dutch Divine, wrote a Book under the Title of *Vindiciæ pro Lege & Imperio*, expressly against *Hobbes's* Treatise *De Cive*; out of which, if there be taken what he borrows from the Writings of *Calvin* and *Beza*, very little worth Notice will be left. The same Author wrote another Treatise, entitled *Hobbesianismi Anatome*, in which he attacked most of our Author's Writings, and pretended to prove that *Hobbes* had apostatized from the Christian Religion; by which however he gained no great Reputation to himself, nor does it appear that he has done much Hurt to that of our Author, in the Sentiments of candid and impartial Readers, who will always distinguish between Assertions and Evidence. The learned and laborious *John George Morhoff*, in his great and useful Work, entitled *Polyhistor*, makes frequent Mention of *Thomas Hobbes* and his Writings, but speaks of them always with Severity and Dislike, from a Persuasion, that exclusive of their plain and natural Import, they have another and concealed Meaning of a dark and dangerous Tendency. Dr. *Francis Buddeus* places *Thomas Hobbes* after Sir *Thomas Brown* in his Catalogue of *English Atheists*, but is so modest as not to fix that Character absolutely upon either of them. *Frederick Reimmannus*, in his *Universal History of Atheism and Atheists*, places him before Sir *Thomas Brown*, and immediately after *Edward Lord Herbert of Cherbury*, adding, that as he was shrewder, and more learned, so he was also better versed in

Philosophy than that noble Person, which is a Character that very possibly Mr. *Hobbes* may no better deserve than he does that of an Atheist. It is not however from all Foreigners, or even from all the German Writers, that Mr. *Hobbes* has received such bad Treatment; on the contrary, the judicious and indefatigable *Gundlingius*, in his excellent *Observations on Matters relative to Learning*, has written a long and curious Dissertation in Defence of *Hobbes*, in which, with great Judgment, and by dint of strong Arguments, he shews that he is unjustly accused of Atheism. And indeed if we consider how many great and good Men are aspersed by the same Writers, with the same Imputations that are cast upon *Hobbes*, we cannot but believe that this knowing and disinterested Critick is in the right. The celebrated *Leibnitz* seems to be however of a contrary Opinion, to whose Judgment notwithstanding we may oppose that of the no less famous Mr. *Bayle*, who in the long Article that he has given us of our Author, treats him with Candour and Decency. In fine, we may conclude these Remarks with observing, that it is the Deductions which others have made from Mr. *Hobbes's* Writings, that render them dangerous, by their finding in them Positions which the Author absolutely denied, and drawing from them Consequences which he never meant, at least if he knew his own Meaning. There is therefore good Reason to wish, that in this learned and impartial Age, his Philosophy might be again reviewed, those Things that are good in him fevered and collected from whatever there may be amiss, and the rest rejected; for surely so many great and able Judges as have given publick Testimonies of their Esteem for him and his Writings, could not be absolutely deceived, and bestow their Applause on a Man altogether void of Merit. On the other hand, there can now no Mischief happen from collecting and publishing his Writings, even supposing there was any Foundation for those Suspicions insinuated, of there being some Opinions hidden under plausible Expressions which deserve the severest Censure, since these have been detected, exposed, and refuted by so many learned and able Men. The Reader will perceive I make myself no Party in this Dispute, nor am at all inclined to defend Mr. *Hobbes* farther than

and different Churches. But this Objection, when thoroughly examined, will not be found by any Means so pressing or conclusive as at first Sight it seems. For whatever Way the Question be determined in reference to the Impiety of Mr. *Hobbes's* Writings, it is very easy to perceive, that he had offered unpardonable Injuries to Divines, of which he was so sensible himself, that he did not so much as disavow it. It is not therefore at all improbable, that the Dislike he expressed to the Claims of so learned, so numerous, and so powerful a Body of Men, might incline them to entertain a very bad Opinion of his Sentiments; and this being once framed, it was not at all difficult to lay the Blame upon Mr. *Hobbes's* Principles, and to doubt of the Piety of one who had found fault with their Power. This Account of the Matter is so far from being singular or strange, that in reality it is very easy and natural, since whoever consults the many historical Treatises concerning Atheism and Atheists, will find that the very same Crime, I mean contemning the Power of the Clergy, has been the true Cause why many other great Names have been inserted in those black Lists. Besides, while the Church was oppressed, Mr. *Hobbes* was not very loudly accused of Atheism here at home, but when its Power was restored, a great Clamour was raised against his Opinions, even by some who were well enough pleased with them before. When this was once done, it is not at all strange, that the Number of his Adversaries daily increased; for those who were his Enemies on other Accounts, and more especially such as disliked his political Sentiments, were willing enough to join in the Cry, as knowing very well, that if the World was once persuaded that he was an irreligious Man, they would pay very little Respect to his Notions about other Things; and as they were desirous of having his Notions exploded and condemned by the highest Authority, they could not but be well pleased with having so fair an Opportunity of running them down; and in this it must be allowed that they were very successful, since there are very few Writers against whom the Stream of Authority has been stronger than against him of whom we are speaking.

Another Thing often insisted upon to the Prejudice of Mr. *Hobbes*, and his Writings, is, that he wrote no ample Defence of his System when attacked, and that very few great or good Men have attempted to vindicate his Sentiments either at Home or Abroad; but to this also a tolerable Answer may be given. He was very far from deserting his own Cause, as appears from those Apologies which have been more than once mentioned, and indeed from the whole Stream of his Writings, after his publishing his *Leviathan*; but he was obliged to write with great Caution, since his Adversaries not only threatened him with Ecclesiastical Censures, but with that sort of Conviction by the secular Arm, which no Arguments either strong or weak can resist. Besides, he saw it was in vain for him to write upon the most important Articles, concerning his Sense of which he was attacked, because his Opponents made every Thing criminal that he said; and this even when they said the very same Thing themselves. He contented himself therefore with denying their Imputations, and asserting that the impious System about which they made such a Noise, was not at all contained in his Writings, as he meant, and desired they should be understood. He appealed to matters of Fact, to prove his Innocence of many Things with which he was charged; such as, that *Cromwell* was but a private Man, when he published his *Leviathan*, so that he could not possibly write it to obtain

than his Works are consistent with themselves and with *Truth*. I know very well how vain such an Attempt would be, with all the Skill and Learning possible, and how ridiculous in so weak Hands as mine; but at the same Time I am satisfied that the Spirit of Prejudice and Prepossession which pursued him living, is in a good Measure extinct, and that before he is condemned he will be allowed a Hear-

ing, and not receive Sentence according to the Representations given of his Writings by his Enemies, who perhaps have done more Hurt to the Christian Religion by their Surmises, and publishing atheistical Notions extracted, as they pretended, out of his Books, than ever he did by his Philosophy or Politicks, when read unaccompanied by such Comments.

obtain his Protection ; that he adhered to the Church of *England* in Popish Countries, which was visibly against his Interest ; that he remained in Communion with that Church when subverted at home, which he could not do from a Principle of Interest ; that he never courted any of the usurped Powers, as most of his Opponents did ; and that the whole Tenor of his Life and Actions was such, as did not by any means dispose him to have a secret Desire of freeing himself from the great Truths of Religion. On the other hand, it is very certain that some very learned and pious Persons had a very good Opinion of Mr. *Hobbes*, and of his Sentiments ; notwithstanding which, it is very far from being surprizing, they did not draw their Pens in their Defence. They might be afraid of drawing Clamour upon themselves, they might doubt of their own Abilities, or they might question whether those were sincere who attacked Mr. *Hobbes*, since there wanted not some who attacked others of distinguished Reputation for Piety and Virtue, in the very same manner they did *Hobbes*, that is, insidiously, and by pretending to take for their Notions, things which they never advanced. But the Reader will see in the Notes, that some have defended Mr. *Hobbes*, and that with great Force and Warmth. *Bayle*, in several Parts of his Works, shews frequently, that those who undertook to refute Mr. *Hobbes* did not understand him ; and that when for instance, *Poiret* charged *Hobbes* with contradicting himself in his Notions of the Deity, the real Fact was, that he did not himself attend sufficiently to the Expressions which Mr. *Hobbes* used. I take the Liberty of adding to all this, that a very late Writer, Baron *Holberg*, who is deservedly admired, not only in his own Country of *Denmark*, but over all the North of *Europe*, has published (tho' without naming our Author) a very judicious and sensible Apology for his Sentiments, in which he professes, that Men of true Piety are much more scandaliz'd at hearing the bold and free Discourses of those, who pretend to explain the Divine Nature and Attributes, than at the decent Reserve of such as acknowledge a want of Capacity to penetrate into Divine Secrets, and who are humble enough to declare they are willing to hold only such Notions of God, as are revealed to them by his Works and in his Word. Upon the whole, it must be allowed, that notwithstanding the Paradoxical Notions he has maintained, the Vanity that appeared manifestly in some of his Writings, and that Obstinacy with which he contended for the Truth of whatever he advanced, even against such as were esteemed ablest in their respective Professions, yet he was after all a Man of prodigious Parts, one who scrutinized deeply into Things and Men, wrote with great Freedom and Fluency even upon the most abstracted Subjects, and one who, whatever Errors there might be in his Speculations, was in respect to his moral Character without any considerable Blemish.

Human Nature :

O R

The Fundamental Elements

O F

P O L I C Y .

B E I N G

A Discovery of the *Faculties, Acts* and
Passions of the

S O U L of M A N ,

From their Original Causes ;

According to such

Philosophical Principles

As are not commonly known or asserted.

To the Right Honourable,

W I L L I A M

E A R L O F

N E W C A S T L E.

Governor to the Prince his Highness, one of His Majesty's Most Honourable Privy Council.

My most Honour'd Lord,

FROM the principal Parts of Nature, Reason and Passion, have proceeded two kinds of Learning, *Mathematical* and *Dogmatical*: the former is free from Controversy and Dispute, because it consisteth in comparing Figure and Motion only; in which things, *Truth*, and *the Interest of Men*, oppose not each other: but in the other there is nothing undisputable, because it compareth Men, and medleth with their Right and Profit; in which, as oft as Reason is against a Man, so oft will a Man be against Reason. And from hence it cometh, that they who have written of Justice and Policy in general, do all invade each other and themselves with Contradictions. To reduce this Doctrine to the Rules and Infallibility of Reason, there is no way but, first, to put such Principles down for a Foundation, as Passion, not mistrusting, may not seek to displace; and afterwards to build thereon the Truth of Cases in the Law of Nature (which hitherto have been built in the Air) by Degrees, till the whole have been inexpugnable. Now, my Lord, the Principles fit for such a Foundation, are those which heretofore I have acquainted your Lordship withal in private Discourse, and which by your Command I have here put into a Method. To examine Cases thereby between *Sovereign* and *Sovereign*, or between *Sovereign* and *Subject*, I leave to them that shall find Leisure and Encouragement thereto: For my part, I present this to your Lordship for the true and only Foundation of such Science. For the Stile, it is therefore

fore the worſe, becauſe, whiſt I was writing, I conſulted more with Logick than with Rhetorick: But for the Doctrine, it is not flightly proved; and the Concluſions thereof are of ſuch Nature, as, for want of them, Government and Peace have been nothing elſe, to this Day, but mutual Fears: And it would be an incomparable Benefit to Common-wealth, that every one held the Opinion concerning *Law* and *Policy* here delivered. The Ambition therefore of this Book, in ſeeking by your Lordſhip's Countenance to inſinuate itſelf with thoſe whom the Matter it containeth moſt nearly concerneth, is to be excuſed. For myſelf, I deſire no greater Honour than I enjoy already in your Lordſhip's Favour, unleſs it be that you would be pleaſed, in continuance thereof, to give me more Exerciſe in your Commands; which, as I am bound by your many great Favours, I ſhall obey, being,

My moſt honoured Lord,

Your moſt humble,

and moſt obliged

Servant,

May 9, 1640.

THO. HOBBS.

Human Nature :
OR THE
Fundamental Elements
OF
POLICY.

CHAP. I.

THE true and perspicuous Explication of the Elements of *Laws Natural and Politick* (which is my present Scope) dependeth upon the Knowledge of what is *Human Nature*, what is *Body Politick*, and what it is we call a *Law*; concerning which Points, as the *Writings* of Men from Antiquity downwards have still increased, so also have the *Doubts* and *Controversies* concerning the same: And seeing that true Knowledge begetteth not Doubt nor Controversy, but Knowledge; it is manifest from the present Controversies, that they which have heretofore written thereof, have not well understood their own Subject.

2. Harm I can do none, though I err no less than they; for I leave Men but as they are, in Doubt and Dispute: but, intending not to take any Principle upon *Trust*, but only to put Men in mind of what they *know already*, or *may know* by their own Experience, I hope to err the less; and when I do, it must proceed from too *hasty Concluding*, which I will endeavour as much as I can to avoid.

3. On the other Side, if *Reasoning aright* win not *Consent*, which may very easily happen, from them that being confident of their own Knowledge weigh not what is said, the *Fault* is not mine but theirs; for as it is my Part to *shew* my Reasons, so it is theirs to bring *Attention*.

4. Man's *Nature* is the *Sum of his natural Faculties and Powers*, as the Faculties of *Nutrition, Motion, Generation, Sense, Reason, &c.* These Powers we do unanimously call *Natural*, and are contained in the Definition of Man, under these Words, *Animal and Rational*.

5. According to the two principal Parts of Man, I divide his Faculties into two Sorts, Faculties of the *Body*, and Faculties of the *Mind*.

6. Since the minute and distinct Anatomy of the Powers of the *Body* is nothing necessary to the present Purpose, I will only sum them up in these three Heads, *Power Nutritive, Power Motive, and Power Generative*.

7. Of the Powers of the *Mind* there be two Sorts, *Cognitive, Imaginative, or Conceptive and Motive*; and first of *Cognitive*.

For the Understanding of what I mean by the Power *Cognitive*, we must remember and acknowledge that there be in our Minds continually certain *Images*

(or such as are affected with internal Motion of their own that may alter it) then we call it *Colour*; Colour and Light differing only in this, that the one is *pure*, and the other *perturbed* Light. By that which hath been said, not only the Truth of the third Proposition, but also the whole Manner of producing Light and Colour, is apparent.

9. As Colour is not inherent in the Object, but an Effect thereof upon us, caused by such Motion in the Object, as hath been described: so neither is *Sound* in the Thing we hear, but in ourselves. One manifest Sign thereof, is, that as a Man may see, so also he may hear double or treble, by Multiplication of *Echoes*, which Echoes are Sounds as well as the Original; and *not* being in one and the same Place, cannot be *inherent* in the Body that maketh them: Nothing can make any Thing which is not in itself: the Clapper hath no *Sound* in it, but *Motion*, and maketh Motion in the internal Parts of the Bell; so the Bell hath Motion, and not Sound, that imparteth *Motion* to the *Air*; and the *Air* hath Motion, but not Sound; the *Air* imparteth Motion by the *Ear* and *Nerve* unto the *Brain*; and the Brain hath Motion, but not Sound: from the *Brain*, it reboundeth back into the Nerves *outward*, and thence it becometh an *Apparition without*, which we call *Sound*. And to proceed to the rest of the *Senses*, it is apparent enough, that the *Smell* and *Taste* of the same Thing, are *not* the same to every Man; and therefore are *not* in the Thing smelt or tasted, but in the Men. So likewise the *Heat* we feel from the Fire is manifestly in us, and is quite *different* from the Heat which is in the Fire: for our Heat is *Pleasure* or *Pain*, according as it is *great* or *moderate*; but in the *Coal* there is no such Thing. By this the fourth and last Proposition is proved, *viz.* That as in Vision, so also in Conceptions that arise from other Senses, the Subject of their Inherence is not in the Object, but in the Sentient.

10. And from hence also it followeth, that *whatsoever Accidents* or *Qualities* our Senses make us think there be in the *World*, they be *not* there, but are *Seeming* and *Apparitions* only: the Things that really are in the World without us, are those *Motions* by which these Seemings are caused. And this is the *great Deception of Sense*, which also is to be by Sense corrected: for as Sense telleth me, when I see *directly*, that the Colour seemeth to be in the Object; so also Sense telleth me, when I see by *Reflexion*, that Colour is not in the Object.

C H A P. III.

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| 1. <i>Imagination defined.</i> | 8. <i>Why in a Dream a Man never thinks he dreams.</i> |
| 2. <i>Sleep and Dreams defined.</i> | 9. <i>Why few Things seem strange in Dreams.</i> |
| 3. <i>Causes of Dreams.</i> | 10. <i>That a Dream may be taken for Reality and Vision.</i> |
| 4. <i>Fiction defined.</i> | |
| 5. <i>Phantasms defined.</i> | |
| 6. <i>Remembrance defined.</i> | |
| 7. <i>Wherein Remembrance consisteth.</i> | |

1. **A**S standing Water put into Motion by the Stroke of a Stone, or Blast of Wind, doth not presently give over moving as soon as the Wind ceaseth, or the Stone setteth: so neither doth the *Effect* cease which the *Object* hath wrought upon the *Brain*, so soon as ever by turning aside of the Organs the *Object* ceaseth to work; that is to say, though the *Sense* be *past*, the *Image* or *Conception* remaineth; but more obscure while we are awake, because some *Object* or other continually plieth and solliciteth our Eyes, and Ears, keeping the Mind in a stronger Motion, whereby the weaker doth not easily appear. And this obscure Conception is that we call *Phantasy* or *Imagination*: *Imagination* being (to define it) *Conception remaining, and by little and little decaying from and after the Act of Sense.*

2. But

2. But when *present* Sense is *not*, as in *Sleep*, there the *Images* remaining after Sense (when there be many) as in *Dreams*, are *not obscure*, but *strong* and *clear*, as in Sense itself. The Reason is, that which obscured and made the Conceptions weak, namely Sense, and present *Operation* of the Object, is *removed*: for *Sleep* is the *Privation of the Act of Sense*, (the Power remaining) and *Dreams* are the *Imagination* of them that *sleep*.

3. The *Causes* of *Dreams* (if they be natural) are the *Actions* or Violence of the *inward* Parts of a Man upon his *Brain*, by which the *Passages* of Sense by *Sleep* *benumbed*, are *restored* to their Motion. The Signs by which this appeareth to be so, are the *Differences* of *Dreams* (old Men commonly dream oftener, and have their *Dreams* more painful than young) proceeding from the *different* Accidents of Man's Body; as *Dreams* of *Lust*, as *Dreams* of *Anger*, according as the Heart, or other Parts within, work more or less upon the Brain, by more or less *Heat*; so also the Descents of different *Sorts of Flegm* maketh us a *Dream* of different Tastes of Meats and Drinks; and I believe there is a *Reciprocation* of Motion from the Brain to the Vital Parts, and back from the Vital Parts to the Brain; whereby not only *Imagination* begetteth *Motion* in those Parts, but also Motion in those Parts begetteth *Imagination* like to that by which it was begotten. If this be true, and that *sad* *Imaginations* nourish the *Spleen*, then we see also a Cause, why a strong *Spleen* reciprocally causeth *fearful Dreams*, and why the Effects of *Lasciviousness* may in a *Dream* produce the Image of some Person that had *caused* them. Another Sign that *Dreams* are caused by the Action of the inward Parts, is the *Disorder* and casual Consequence of one Conception or Image to another: for when we are *waking*, the *Antecedent* thought or Conception introduceth, and is Cause of the *Consequent*, (as the Water followeth a Man's dry Finger upon a dry and level Table) but in *Dreams* there is commonly *no Coherence* (and when there is, it is by Chance) which must needs proceed from this, that the *Brain* in *Dreams* is not restored to its Motion in every Part alike; whereby it cometh to pass, that our Thoughts appear like the Stars between the flying Clouds, not in the Order which a Man would chuse to observe them, but as the uncertain Flight of broken Clouds permits.

4. As when the *Water*, or any liquid Thing moved at once by *divers* Movents, receiveth *one* Motion compounded of them all; so also the *Brain* or Spirit therein, having been stirred by *divers* Objects, composeth an *Imagination* of *divers* Conceptions that appeared single to the Sense. As for Example, the Sense sheweth at one Time the Figure of a *Mountain*, and at another Time the Colour of *Gold*; but the *Imagination* afterwards hath them both at once in a *golden Mountain*. From the same Cause it is, there appear unto us *Castles* in the *Air*, *Chimæra's*, and other Monsters which are not in *Rerum Natura*, but have been conceived by the Sense in Pieces at several Times. And this Composition is that which we commonly call *Fiction* of the Mind.

5. There is yet another Kind of *Imagination*, which for *Clearness* contendeth with *Sense*, as well as a *Dream*; and that is, when the *Action* of Sense hath been *long* or *vehement*: and the Experience thereof is more frequent in the Sense of seeing, than the rest. An Example whereof is, the *Image* remaining before the *Eye* after looking upon the *Sun*. Also, those little Images that appear before the Eyes in the *dark*; whereof I think every Man hath Experience, (but they most of all, who are *timorous* or superstitious) are Examples of the same. And these, for Distinction-sake, may be called *Phantasms*.

6. By the *Senses*, which are numbered according to the *Organs* to be *five*, we take Notice (as hath been said already) of the Objects *without* us; and that Notice is our *Conception* thereof: but we take Notice also some Way or other of *our Conceptions*: for when the Conception of the same Thing cometh *again*, we take Notice that it is *again*; that is to say, that we have had the same Conception *before*; which is as much as to imagine a Thing *past*; which is impossible to the

Sense, which is only of Things *present*. This therefore may be accounted a *sixth Sense*, but *internal*, (not *external*, as the rest) and is commonly called *Remembrance*.

7. For the *Manner* by which we take Notice of a Conception *past*, we are to remember, that in the *Definition* of *Imagination*, it is said to be a Conception by *little* and *little decaying*, or growing more *obscure*. An *obscure* Conception is that which representeth the *whole Object* together, but *none* of the *smaller Parts* by themselves; and as *more* or *fewer* Parts be represented, so is the Conception or Representation said to be *more* or *less clear*. Seeing then the *Conception*, which when it was *first* produced by *Sense*, was *clear*, and represented the *Parts* of the Object *distinctly*, and when it cometh *again* is *obscure*, we find *missing* somewhat that we expected; by which we judge it *past* and *decayed*. For Example, a Man that is present in a foreign *City*, seeth not only *whole* Streets, but also can distinguish particular *Houses*, and *Parts* of *Houses*; but departed thence, he cannot distinguish them so particularly in his Mind as he did, some *House* or *Turning* escaping him: yet is this to *remember*; when *afterwards* there escape him *more* Particulars, this is also to *remember*, but *not so well*. In Process of Time, the *Image* of the *City* returneth but as a *Mass* of Building *only*, which is *almost* to have *forgotten* it. Seeing then Remembrance is *more* or *less*, as we find more or less *Obscurity*, why may not we well think *Remembrance* to be nothing else but the *missing of Parts*, which every Man expecteth should succeed after they have a Conception of the whole? To see at a great Distance of Place, and to remember at a great Distance of Time, is to have like Conceptions of the Thing: for there wanteth Distinction of Parts in both; the one Conception being weak by Operation at Distance, the other by Decay.

8. And from this that hath been said, there followeth, that a Man can *never know* he *dreameth*; he may dream he *doubteth* whether it be a Dream or no: but the Clearness of the Imagination representeth every Thing with as many Parts as doth *Sense* itself, and consequently, he can take Notice of nothing but as present; whereas to think he dreameth, is to think those his Conceptions, that is to say Dreams, *obscurer* than they were in the *Sense*: so that he must think them both as clear, and not as clear as *Sense*; which is impossible.

9. From the same Ground it proceedeth, that Men *wonder not* in their Dreams at Place and Persons, as they would do waking: for waking, a Man would think it strange to be in a Place where he never was before, and remember nothing of how he came there; but in a Dream, there cometh little of that kind into Consideration. The *Clearness* of Conception in a Dream, taketh away *Distrust*, unless the *Strangeness* be *excessive*, as to think himself fallen from on high without Hurt, and then most commonly he *waketh*.

10. Nor is it *impossible* for a Man to be so far deceived, as when his Dream is *past*, to think it real: for if he dream of such Things as are ordinarily in his Mind, and in such Order as he useth to do waking, and withal that he laid him down to sleep in the Place where he findeth himself when he awaketh; all which may happen: I know no *Κριτήριον* or Mark, by which he can discern whether it were a Dream or not; and therefore do the less wonder to hear a Man sometimes tell his Dream for a Truth, or to take it for a Vision.

C H A P. IV.

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| 1. <i>Discourse.</i> | 7. <i>Expectation.</i> |
| 2. <i>The Cause of Coherence of Thoughts.</i> | 8. <i>Conjecture.</i> |
| 3. <i>Ranging.</i> | 9. <i>Signs.</i> |
| 4. <i>Sagacity.</i> | 10. <i>Prudence.</i> |
| 5. <i>Reminiscence.</i> | 11. <i>Caveats of concluding from Experience.</i> |
| 6. <i>Experience.</i> | |

1. **T**HE *Succession* of Conceptions in the Mind, Series or Consequence of one after another, may be *casual* and incoherent, as in Dreams for the most part; and it may be *orderly*, as when the former Thought introduceth the latter; and this is *Discourse* of the Mind. But because the Word *Discourse* is commonly taken for the *Coherence* and Consequence of Words, I will, to avoid Equivocation, call it *Discursion*.

2. The *Cause* of the *Coherence* or Consequence of one Conception to another, is their first *Coherence* or Consequence at that *Time* when they are produced by Sense: As for Example, from St. *Andrew* the Mind runneth to St. *Peter*, because their Names are read together; from St. *Peter* to a *Stone*, from the same Cause; from *Stone* to *Foundation*, because we see them together; and for the same Cause, from *Foundation* to *Church*, and from *Church* to *People*, and from *People* to *Tumult*: and according to this Example, the Mind may run almost from any Thing to any Thing. But as in the *Sense* the Conception of Cause and Effect may succeed one another; so may they after Sense in the *Imagination*: And for the most part they do so; the *Cause* whereof is the *Appetite* of them, who, having a Conception of the *End*, have next unto it a Conception of the next *Means* to that *End*: As, when a Man, from a Thought of *Honour* to which he hath an Appetite, cometh to the Thought of *Wisdom*, which is the next Means thereunto; and from thence to the Thought of *Study*, which is the next Means to *Wisdom*.

3. To omit that kind of *Discursion* by which we proceed from any Thing to any Thing, there are of the *other* Kind *divers* Sorts: As first, in the *Senses* there are certain *Coherences* of Conceptions, which we may call *Ranging*: Examples whereof are: A Man casteth his *Eye* upon the *Ground*, to look about him for some *small* Thing lost; the *Hounds* casting about at a Fault in hunting; and the *Ranging* of *Spaniels*: and herein we take a Beginning arbitrary.

4. Another sort of *Discursion* is, when the *Appetite* giveth a Man his Beginning, as in the Example before, where *Honour* to which a Man hath Appetite, maketh him think upon the next Means of attaining it, and that again of the next, &c. And this the *Latines* call *Sagacitas*, and We may call *Hunting* or *Tracing*, as Dogs trace Beasts by the Smell, and Men hunt them by their Footsteps; or as Men hunt after Riches, Place, or Knowledge.

5. There is yet another kind of *Discursion* beginning with the Appetite to *recover* something lost, proceeding from the *present backward*, from Thought of the Place where we *miss* at, to the Thought of the Place from whence we came *last*; and from the Thought of that, to the Thought of a Place *before*, till we have in our Mind some Place, wherein we had the Thing we miss: and this is called *Reminiscence*.

6. The *Remembrance* of Succession of one Thing to another, that is, of what was *antecedent*, and what *consequent*, and what *concomitant*, is called an *Experiment*; whether the same be made by us *voluntarily*, as when a Man putteth any Thing into the Fire, to see what Effect the Fire will produce upon it: or *not* made by us, as when we remember a fair Morning after a red Evening. To have had many *Experiments*, is that we call *Experience*, which is nothing else but *Remembrance* of what Antecedents have been followed by what Consequents.

7. No Man can have in his Mind a Conception of the *future*; for the future is *not yet*: but of our Conceptions of the *past*, we make a *future*; or rather, call *past*, *future* relatively. Thus after a Man hath been accustomed to see like Antecedents to follow by like Consequents, whensoever he seeth the like come to pass to any Thing he had seen before, he looks there should follow it the same that followed then: As for Example, because a Man hath often seen Offences followed by Punishment, when he seeth an Offence in present, he thinketh Punishment to be consequent thereto; but consequent unto that which is present, Men call future: And thus we make *Remembrance* to be the *Prevision* of Things to come, or *Expectation* or *Presumption* of the future.

8. In the same Manner, if a Man seeth in present that which he hath seen before, he thinks that that which was antecedent to that which he saw before, is also antecedent to that he presently seeth: As for Example, he that hath seen the Ashes remain after the Fire, and now again seeth Ashes, concludeth again there hath been Fire: And this is called again *Conjecture* of the past, or *Presumption* of the Fact.

9. When a Man hath *so often* observed like Antecedents to be followed by like Consequents, that *whensoever* he seeth the Antecedent, he looketh again for the Consequent; or when he seeth the Consequent, maketh account there hath been the like Antecedent; then he calleth both the Antecedent and the Consequent, *Signs* one of another, as Clouds are Signs of Rain to come, and Rain of Clouds past.

10. This taking of Signs by *Experience*, is that wherein Men do ordinarily think, the Difference stands between Man and Man in *Wisdom*, by which they commonly understand a Man's whole Ability or *Power cognitive*; but this is an *Error*: For the Signs are but *conjectural*; and according as they have often or seldom failed, so their *Affurance* is more or less; but *never full* and *evident*: For though a Man have always seen the Day and Night to follow one another hitherto, yet can he not thence conclude they shall do so, or that they have done so eternally: *Experience concludeth nothing universally*. If the Signs hit twenty Times for one missing, a Man may lay a Wager of Twenty to One of the Event; but may not conclude it for a Truth. But by this it is plain, that they shall *conjecture best*, that have *most Experience*, because they have most Signs to conjecture by; which is the Reason *old Men* are *more prudent*, that is, conjecture better, *cæteris paribus*, than young: for, being old, they remember more; and Experience is but Remembrance. And *Men of quick Imagination*, *cæteris paribus*, are *more prudent* than those whose Imaginations are slow; for they observe *more* in *less* Time. Prudence is nothing but Conjecture from Experience, or taking of Signs from Experience warily, that is, that the Experiments from which he taketh such Signs be all remembered; for else the Cases are not alike that seem so.

11. As in Conjecture concerning Things past and future, it is Prudence to conclude from Experience, what is like to come to pass, or to have passed already; so it is an Error to conclude from it, that *it is* so or so *called*; that is to say, we cannot from Experience conclude, that any Thing is to be called *just* or *unjust*, *true* or *false*, or any Proposition *universal* whatsoever, except it be from Remembrance of the Use of Names imposed arbitrarily by Men: For Example, to have heard a Sentence given in the like Case, the like Sentence a thousand times is not enough to conclude that the Sentence is just; though most Men have no other Means to conclude by: But it is *necessary*, for the drawing of such Conclusion, to *trace* and *find out*, by many Experiences, what Men do mean by calling Things just and unjust. Further, there is another *Caveat* to be taken in concluding by Experience, from the tenth Section of the second Chapter; that is, that we conclude such Things to be without, that are within us.

C H A P. V.

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| 1. <i>Of Marks.</i> | 10. <i>Truth, Falsity.</i> |
| 2. <i>Names or Appellations.</i> | 11. <i>Ratiocination.</i> |
| 3. <i>Names positive and privative.</i> | 12. <i>According to Reason, against Reason.</i> |
| 4. <i>Advantage of Names maketh us capable of Science.</i> | 13. <i>Names Causes of Knowledge, so of Error.</i> |
| 5. <i>Names universal and singular.</i> | 14. <i>Translation of the Discourse of the Mind into the Discourse of the Tongue, and of the Errors thence proceeding.</i> |
| 6. <i>Universals not in Rerum Natura.</i> | |
| 7. <i>Equivocal Names.</i> | |
| 8. <i>Understanding.</i> | |
| 9. <i>Affirmation, Negation, Proposition.</i> | |

1. **S**EEING the *Succeſſion* of the Conceptions in the *Mind* are cauſed, as hath been ſaid before, by the *Succeſſion* they *had* one to another when they were produced by the *Senſes*, and that there is no Conception that hath not been produced immediately before or after innumerable others, by the innumerable Acts of Senſe; it muſt needs follow, that one *Conception* followeth *not* another, according to our *Election*, and the need we have of them, *but* as it *chanceth* us to hear or ſee ſuch Things as ſhall bring them to our *Mind*. The Experience we have hereof, is in ſuch Brute Beaſts, which, having the Providence to hide the Remains and Superfluity of their Meat, do nevertheleſs want the Remembrance of the Place where they hid it, and thereby make no Benefit thereof in their Hunger: But Man, who in this Point beginneth to rank himſelf ſomewhat above the Nature of Beaſts, hath obſerved and remembered the Cauſe of this Defect, and to amend the ſame, hath imagined or deviſed to ſet up a viſible or other ſenſible Mark, the which, when he ſeeth it again, may bring to his *Mind* the Thought when he ſet it up. A *Mark* then is a *ſenſible Object* which a Man erecteth voluntarily to himſelf, to the End to *remember* thereby ſomewhat paſt, when the ſame is objected to his Senſe again: As Men that have paſt by a Rock at Sea, ſet up ſome Mark, thereby to remember their former Danger, and avoid it.

2. In the Number of theſe *Marks*, are thoſe *human Voices*, which we call the *Names* or *Appellations* of Things ſenſible by the Ear, by which we recall into our *Mind* ſome Conceptions of the Things to which we gave thoſe Names or *Appellations*; as the *Appellation White* bringeth to Remembrance the *Quality* of ſuch Objects as produce that Colour or Conception in us. A *Name* or *Appellation* therefore is the *Voice* of a Man *arbitrary*, impoſed for a *Mark* to bring into his *Mind* ſome Conception concerning the Thing on which it is impoſed.

3. Things named, are either the *Objects* themſelves, as a Man; or the *Conception* itſelf that we have of Man, as Shape and Motion: or ſome *Privation*, which is when we conceive that there is ſomething which we conceive not, in him; as when we conceive he is not juſt, not finite, we give him the Name of unjuſt, of infinite, which ſignify *Privation* or *Defect*; and to the *Privations* themſelves we give the Names of *Injuſtice* and *Infiniteneſs*: So that here be *two Sorts* of Names; one of *Things*, in which we conceive ſomething; or of the *Conceptions* themſelves, which are called *positive*: the other of Things wherein we conceive *Privation* or *Defect*, and thoſe Names are called *privative*.

4. By the Advantage of *Names* it is that we are capable of *Science*, which Beaſts, for want of them, are not; nor Man, without the Uſe of them: For as a Beaſt miſſeth not one or two out of many her young ones, for want of thoſe Names of Order, One, Two, and Three, and which we call *Number*; ſo neither would a Man, without repeating orally or mentally the Words of *Number*, know how many Pieces of Money or other Things lie before him.

5. Seeing there be *many* Conceptions of *one* and the same Thing, and for *every* Conception we give it a *several* Name; it followeth that for one and the same Thing, we have many Names or Attributes; as to the same Man we give the Appellations of *Just, Valiant, &c.* for divers *Virtues*; of *Strong, Comely, &c.* for divers *Qualities* of the *Body*. And again, because from divers Things we receive like Conceptions, many Things must needs have the same Appellation: as to all Things we *see*, we give the same Name of *Visible*; and to all Things we *see moveable*, we give the Appellation of *Moveable*: and those Names we give to *many*, are called *universal* to them all; as the Name of Man to every Particular of Mankind: Such Appellation as we give to *one* only Thing, we call *individual*, or singular; as *Socrates*, and other proper Names: or, by Circumlocution, he that writ the *Iliads*, for *Homer*.

6. The Universality of *one Name* to many Things, hath been the Cause that Men think the *Things* are themselves universal; and so seriously contend, that besides *Peter* and *John*, and all the rest of the Men that are, have been, or shall be in the World, there is yet something else that we call *Man*, viz. *Man in general*, deceiving themselves, by taking the universal, or general Appellation, for the Thing it signifieth: For if one should desire the Painter to make him the Picture of a Man, which is as much as to say, of a Man in general; he meaneth no more, but that the Painter should chuse what Man he pleaseth to draw, which must needs be some of them that are, or have been, or may be, none of which are *universal*. But when he would have him to draw the Picture of the King, or any particular Person, he limiteth the Painter to that one Person he chuseth. It is plain therefore, that there is *nothing universal* but *Names*; which are therefore called *indefinite*; because we limit them not ourselves, but leave them to be applied by the Hearer: whereas a singular Name is limited and restrained to one of the many Things it signifieth; as when we say, *This Man*, pointing to him, or giving him his proper Name, or by some such other Way.

7. The Appellations that be *universal*, and common to many Things, are *not* always given to all the *Particulars*, (as they ought to be) for like Conceptions, and like Considerations in them all; which is the Cause that many of them are *not* of *constant* Signification, but bring into our Mind other Thoughts than those for which they were ordained, and these are called *equivocal*. As for Example, the Word *Faith* signifieth the same with *Belief*; sometimes it signifieth particularly that *Belief* which maketh a *Christian*; and sometimes it signifieth the keeping of a *Promise*. Also all *Metaphors* are by Profession *equivocal*: and there is scarce any Word that is not made *equivocal* by divers Contextures of Speech, or by Diversity of Pronunciation and Gesture.

8. This *Equivocation* of Names maketh it *difficult* to recover those Conceptions for which the Name was ordained; and that not only in the Language of other Men, wherein we are to consider the *Drift* and *Occasion*, and *Contexture* of the Speech, as well as the *Words* themselves; but also in our Discourse, which being derived from the Custom and common Use of Speech, representeth unto us not our own Conceptions. It is therefore a great Ability in a Man, out of the Words, Contexture, and other Circumstances of Language, to deliver himself from *Equivocation*, and to find out the true Meaning of what is said: and this is it we call *Understanding*.

9. Of two *Appellations*, by the Help of this little Verb *is*, or something equivalent, we make an *Affirmation* or *Negation*, either of which in the Schools we call also a *Proposition*, and consisteth of two Appellations joined together by the said Verb *is*: As for Example, *Man is a living Creature*; or thus, *Man is not righteous*: whereof the former is called an *Affirmation*, because the Appellation, *Living Creature*, is *Positive*; the latter a *Negative*, because *not righteous* is *Privative*.

10. In every *Proposition*, be it Affirmative or Negative, the latter Appellation either comprehendeth the former, as in this Proposition, *Charity is Virtue*, the
Name

Name of Virtue comprehendeth the Name of Charity, and many other Virtues beside; and then is the Proposition said to be *true*, or *Truth*: for *Truth*, and a *true Proposition*, is all one. Or *else* the *latter* Appellation comprehendeth *not* the former: As in this Proposition, Every Man is just; the Name of Just comprehendeth not every Man; for Unjust is the Name of the far greater Part of Men: And the Proposition is said to be *false*, or *Falsity*: *Falsity* and a *false Proposition* being also the same Thing.

11. In what manner of two Propositions, whether *both* Affirmative, or *one* Affirmative, the *other* Negative, is made a *Syllogism*, I forbear to write. All this that hath been said of Names or Propositions, though *necessary*, is but *dry* Discourse: and this Place is not for the whole Art of Logick, which if I enter further into, I ought to pursue: Besides, it is not needful; for there be few Men which have not so much natural Logick, as thereby to discern well enough, whether any Conclusion I shall make in this Discourse hereafter, be well or ill collected: only thus much I say in this Place, that *making of Syllogisms* is that we call *Ratiocination* or *Reasoning*.

12. Now when a Man *reasoneth* from *Principles* that are *found* indubitable by Experience, all Deceptions of Sense and Equivocation of Words avoided, the Conclusion he maketh is said to be *according to right Reason*: But when from his Conclusion a Man may, by good Ratiocination, derive that which is *contradictory* to any evident Truth whatsoever, then he is said to have concluded *against Reason*: and such a Conclusion is called *Absurdity*.

13. As the *Invention* of Names hath been *necessary* for the drawing Men *out of Ignorance*, by calling to their Remembrance the necessary *Coherence* of one Conception to another; so also hath it on the other side precipitated Men into *Error*: inasmuch, that whereas by the Benefit of *Words* and Ratiocination they exceed *brute Beasts* in Knowledge, and the Commodities that accompany the same; so they exceed them also in *Error*: For, *true* and *false* are Things not incident to Beasts, because they adhere not to Propositions and Language; nor have they Ratiocination, whereby to multiply one Untruth by another, as Men have.

14. It is the *Nature* almost of every *Corporal* Thing, being *often moved* in one and the same manner, to receive continually a *greater and greater Easiness* and Aptitude to the *same* Motion, inasmuch as in Time the same becometh so *habitual*, that, to *beget* it, there needs no more than to *begin* it. The *Passions* of Man, as they are the Beginning of *voluntary* Motions; so are they the Beginning of *Speech*, which is the Motion of the Tongue. And Men desiring to shew others the Knowledge, Opinions, Conceptions and Passions which are in themselves, and to that End having invented *Language*, have by that means transferred all that *Discursion* of their *Mind* mentioned in the former Chapter, by the *Motion* of their *Tongues*, into *Discourse* of *Words*: And *Ratio* now is but *Oratio*, for the most part, wherein Custom hath so great a Power, that the Mind suggesteth only the first Word; the rest follow *habitually*, and are not followed by the Mind; as it is with Beggars, when they say their *Pater noster*, putting together such Words, and in such manner, as in their Education they have learned from their Nurfes, from their Companies, or from their Teachers, having *no Images* or *Conceptions* in their Mind, answering to the Words they speak: and as they have learned themselves, so they teach Posterity. Now if we consider the Power of those *Deceptions* of the Sense, mentioned Chap. II. Sect. 10. and also how *unconstantly* Names have been settled, and how subject they are to *Equivocation*, and how *diversified* by *Passion*, (scarce two Men agreeing what is to be called Good, and what Evil; what Liberality, what Prodigality; what Valour, what Temerity) and how subject Men are to Paralogism or Fallacy in Reasoning, I may in a Manner conclude, that it is impossible to rectify so many Errors of any one Man, as must needs proceed from those Causes, without beginning a-new from the very first Grounds of all our Knowledge and Sense; and instead of Books, reading over orderly ones own Conceptions: In which Meaning, I take *Nesce teipsum* for a Precept worthy the Reputation it hath gotten.

C H A P. VI.

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| 1. <i>Of the two Kinds of Knowledge.</i> | 6. <i>Opinion defined.</i> |
| 2. <i>Truth and Evidence necessary to Knowledge.</i> | 7. <i>Belief defined.</i> |
| 3. <i>Evidence defined.</i> | 8. <i>Conscience defined.</i> |
| 4. <i>Science defined.</i> | 9. <i>Belief, in some Cases, no less from Doubt than Knowledge.</i> |
| 5. <i>Supposition defined.</i> | |

1. **T**HERE is a Story somewhere, of one that pretends to have been miraculously cured of Blindness (wherewith he was born) by St. *Albane* or other Saints, at the Town of St. *Albans*; and that the Duke of *Glocester* being there, to be satisfied of the Truth of the Miracle, asked the Man, What Colour is this? Who, by answering, It was Green, discovered himself, and was punished for a Counterfeit: For though by his Sight newly received he might distinguish between Green, and Red, and all other Colours, as well as any that should interrogate him, yet he could not possibly know at first Sight which of them was called Green, or Red, or by any other Name. By this we may understand, there be *two Kinds* of Knowledge, whereof the *one* is nothing else but *Sense*, or Knowledge *original*, as I have said in the Beginning of the second Chapter, and Remembrance of the same; the *other* is called *Science* or Knowledge of the *Truth of Propositions*, and how Things are called; and is derived from *Understanding*. Both of these Sorts are but *Experience*; the former being the Experience of the Effects of Things that work upon us from *without*; and the latter Experience Men have from the most proper Use of *Names* in Language: and all Experience being, as I have said, but Remembrance, all Knowledge is Remembrance: and of the *former*, the Register we keep in Books, is called *History*; but the Registers of the *latter* are called the *Sciences*.

2. There are *two Things* necessarily implied in this Word *Knowledge*; the one is *Truth*, the other *Evidence*: for what is not Truth, can never be known. For, let a Man say he knoweth a Thing never so well, if the same shall afterwards appear false, he is driven to Confession, that it was not Knowledge, but Opinion. Likewise, if the Truth be not evident, though a Man holdeth it, yet is his Knowledge thereof no more than theirs who hold the contrary: for if Truth were enough to make it Knowledge, all Truth were known; which is not so.

3. What *Truth* is, hath been defined in the *precedent* Chapter; what *Evidence* is, I *now* set down: and it is the Concomitance of a Man's *Conception* with the *Words* that signify such Conception in the Act of Ratiocination: for when a Man reasoneth with his Lips only, to which the Mind suggesteth only the Beginning, and followeth not the Words of his Mouth with the Conceptions of his Mind, out of Custom of so speaking; though he begin his Ratiocination with true Propositions, and proceed with certain Syllogisms, and thereby make always true Conclusions; yet are not his Conclusions *evident* to him, for want of the *Concomitance* of *Conception* with his Words: for if the Words alone were sufficient, a *Parrot* might be taught as well to know Truth, as to speak it. Evidence is to Truth, as the Sap to the Tree, which, so far as it creepeth along with the Body and Branches, keepeth them alive; where it forsaketh them, they die: for this Evidence, which is Meaning with our Words, is the Life of Truth.

4. Knowledge therefore which we call *Science*, I define to be *Evidence of Truth*, from some Beginning or Principle of *Sense*: For the Truth of a Proposition is never evident, until we conceive the Meaning of the Words or Terms whereof it consisteth, which are always Conceptions of the Mind: Nor can we remember those Conceptions, without the Thing that produced the same by our Senses. The *first* Principle of Knowledge is, that we have such and such *Conceptions*; the *second*, that we have thus and thus *named* the Things whereof they are Conceptions;

tions; the *third* is, that we have *joined* those *Names* in such manner as to make true Propositions; the *fourth* and last is, that we have *joined* those *Propositions* in such manner as they be concluding, and the Truth of the Conclusion said to be known. And of these two kinds of Knowledge, whereof the former is *Experience of Fact*, and the latter *Evidence of Truth*; as the former, if it be great, is called *Prudence*; so the latter, if it be much, hath usually been called, both by ancient and modern Writers, *Sapience* or *Wisdom*: and of this latter, *Man* only is capable; of the former, *brute Beasts* also participate.

5. A Proposition is said to be *supposed*, when, being *not evident*, it is nevertheless *admitted for a Time*, to the End, that, joining to it other Propositions, we may *conclude* something; and *proceed* from Conclusion to Conclusion, for a *Trial* whether the same will lead us into any *absurd* or impossible Conclusion; which if it do, then we know such Supposition to have been false.

6. But if, running through *many* Conclusions, we come to *none* that are *absurd*, then we think the Proposition *probable*: likewise we think probable whatsoever Proposition we *admit* for Truth by Error of Reasoning, or from trusting to other Men: And all such Propositions as are admitted by *Trust* or Error, we are not said to *know*, but to *think* them to be true; and the Admittance of them is called *Opinion*.

7. And particularly, when the Opinion is admitted out of *Trust* to other Men, they are said to *believe* it; and their Admittance of it is called *Belief*, and sometimes *Faith*.

8. It is either *Science* or *Opinion* which we commonly mean by the Word *Conscience*: for Men say that such and such a Thing is true in or upon their Conscience; which they *never* do, when they think it *doubtful*; and therefore they *know*, or *think* they know it to be true. But Men, when they say Things upon their Conscience, are not therefore presumed certainly to know the Truth of what they say: It remaineth then, that that Word is used by them that have an *Opinion*, not only of the *Truth* of the Thing, but also of their *Knowledge* of it, to which the *Truth* of the Proposition is consequent. *Conscience* I therefore define to be *Opinion of Evidence*.

9. *Belief*, which is the admitting of Propositions upon *Trust*, in many Cases is no less free from *Doubt* than perfect and manifest *Knowledge*: for as there is nothing whereof there is not some Cause; so, when there is *Doubt*, there must be some Cause thereof conceived. Now there be many Things which we receive from *Report of others*, of which it is impossible to imagine any Cause of *Doubt*: for what can be opposed against the Consent of all Men, in Things they can know, and have no Cause to report otherwise than they are, (such as is great part of our *Histories*) unless a Man would say that all the World had *conspired* to deceive him? And thus much of *Sense*, *Imagination*, *Discursion*, *Ratiocination*, and *Knowledge*, which are the Acts of our *Power cognitive*, or *conceptive*. That Power of the *Mind* which we call *motive*, differeth from the *Power motive* of the *Body*: for the *Power motive* of the *Body* is that by which it *moveth other Bodies*, and we call *Strength*; but the *Power motive* of the *Mind*, is that by which the *Mind* giveth *animal Motion* to the *Body* wherein it existeth: the Acts hereof are our *Affections* and *Passions*, of which I am to speak in general.

C H A P. VII.

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| 1. Of Delight, Pain, Love, Hatred. | 5. Profitable, Use, Vain. |
| 2. Appetite, Aversion, Fear. | 6. Felicity. |
| 3. Good, Evil, Pulchritude, Turpitude. | 7. Good and Evil mixt. |
| 4. End, Fruition. | 8. Sensual Delight, and Pain; Joy and Grief. |

I N the eighth Section of the second Chapter is shewed, that *Conceptions* and *Apparitions* are nothing *really*, but *Motion* in some internal Substance of the *Head*; which Motion *not stopping* there, but proceeding to the *Heart*, of Necessity must

must there either *help* or *bind* the Motion which is called *Vital*: When it *helpeth*, it is called *Delight*, *Contentment*, or *Pleasure*, which is nothing really but Motion about the Heart, as Conception is nothing but Motion in the Head; and the *Objects* that cause it are called *pleasant* or *delightful*, or by some Name equivalent: The *Latins* have *Jucundum*, à *juvando*, from helping; and the same Delight, with Reference to the Object, is called *Love*: but when such Motion *weakeneth* or *hindereth* the vital Motion, then it is called *Pain*; and in relation to that which causeth it, *Hatred*; which the *Latins* express sometimes by *Odium*, and sometimes by *Tædium*.

2. This Motion in which consisteth *Pleasure* or *Pain*, is also a *Solicitation* or Provocation either to draw *near* to the Thing that pleaseth, or to *retire* from the Thing that displeaseth; and this Solicitation is the *Endeavour* or internal Beginning of *animal* Motion, which, when the Object *delighteth*, is called *Appetite*; when it *displeaseth*, it is called *Aversion*, in respect of the Displeasure *present*; but in respect of the Displeasure *expected*, *Fear*. So that *Pleasure*, *Love*, and *Appetite*, which is also called *Desire*, are *divers Names* for *divers Considerations* of the *same Thing*.

3. Every Man, for his own Part, calleth that which *pleaseth*, and is delightful to himself, *Good*; and that *Evil* which *displeaseth* him: insomuch that while every Man *differeth* from other in *Constitution*, they differ also from one another concerning the common Distinction of Good and Evil. Nor is there any such Thing as absolute Goodness, considered without Relation: for even the Goodness which we apprehend in God Almighty, is *his Goodness to us*. And as we call *Good* and *Evil* the *Things* that please and displease, so we call *Goodness* and *Badness* the *Qualities* or Powers whereby they do it: And the Signs of that Goodness are called by the *Latins* in one Word *Pulchritudo*, and the Signs of Evil, *Turpitude*, to which we have no Words precisely answerable.

As all Conceptions we have immediately by the *Sense*, are *Delight*, or *Pain*, or *Appetite*, or *Fear*; so are all the *Imaginations* after Sense. But as they are weaker Imaginations, so are they also weaker Pleasures, or weaker Pain.

4. As *Appetite* is the Beginning of *animal* Motion towards something that pleaseth us, so is the *attaining* thereof the *End* of that Motion, which we also call the *Scope*, and Aim, and final Cause of the same: and when we attain that End, the Delight we have thereby is called the *Fruition*: So that *Bonum* and *Finis* are different Names, but for different Considerations of the same Thing.

5. And of *Ends*, some of them are called *propinqui*, that is, near at Hand; others *remoti*, far off: but when the Ends that are nearer attaining, be compared with those that be further off, they are called not Ends, but *Means*, and the *Way* to those. But for an *utmost* End, in which the ancient *Philosophers* have placed *Felicity*, and disputed much concerning the Way thereto, there is no such Thing in this World, nor Way to it, more than to *Utopia*: for while we live, we have Desires, and Desire presupposeth a further End. Those Things which please us, as the Way or *Means* to a further End, we call *profitable*; and the *Fruition* of them, *Use*; and those Things that profit not, *vain*.

6. Seeing all *Delight* is *Appetite*, and presupposeth a *further* End, there can be no *Contentment* but in *proceeding*: and therefore we are not to marvel, when we see, that as Men attain to more Riches, Honour, or other Power; so their *Appetite* continually groweth more and more; and when they are come to the utmost Degree of some Kind of Power, they pursue some other, as long as in any Kind they think themselves behind any other: of those therefore that have attained to the highest Degree of Honour and Riches, some have affected Mastery in some Art; as *Nero* in Music and Poetry, *Commodus* in the Art of a Gladiator; and such as affect not some such Thing, must find *Diversion* and *Recreation* of their Thoughts in the Contention either of Play or Business: and Men justly complain of a great Grief, that they know not what to do. *Felicity* therefore, by which we mean continual Delight, consisteth *not* in *having* prospered, but in *prospering*.

7. There

7. There are few Things in this World, but *either* have *Mixture* of Good and Evil, *or* there is a Chain of them so necessarily linked together, that the one cannot be taken without the other: As for Example, the Pleasures of Sin, and the Bitterness of Punishment, are inseparable; as is also Labour and Honour, for the most part. Now when in the *whole Chain*, the *greater Part* is good, the *whole* is called *Good*; and when the *Evil* overweigheth, the *whole* is called *Evil*.

8. There are two Sorts of Pleasure, whereof the *one* seemeth to affect the *corporeal* Organ of the Sense, and that I call *sensual*; the *greatest* Part whereof, is that by which we are invited to give Continuance to our *Species*; and the *next*, by which a Man is invited to Meat, for the Preservation of his *individual* Person: The *other Sort* of Delight is not particular to any Part of the Body, and is called the Delight of the *Mind*, and is that which we call *Joy*. Likewise of *Pains*, some affect the *Body*, and are therefore called the *Pains* of the Body; and some *not*, and those are called *Grief*.

CHAP. VIII.

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| 1,2. <i>Wherein consist the Pleasures of Sense.</i> | 5. <i>Honour, honourable, Worth.</i> |
| 3,4. <i>Of the Imagination, or Conception of Power in Man.</i> | 6. <i>Signs of Honour.</i> |
| | 7. <i>Reverence.</i> |
| | 8. <i>Passions.</i> |

1. **H**AVING in the first Section of the precedent Chapter presupposed, that Motion and *Agitation of the Brain* which we call Conception, to be continued to the *Heart*, and there to be called *Passion*; I have therefore obliged myself, as far forth as I am able, to search out and declare *from what* Conception *proceedeth* every one of those *Passions* which we commonly take notice of: for, seeing the Things that please and displease, are innumerable, and work innumerable Ways, Men have not taken notice but of a very few, which also are many of them without Name.

2. And first, we are to consider, that of Conceptions there are *three Sorts*, whereof one is of that which is *present*, which is *Sense*; another, of that which is *past*, which is *Remembrance*; and the third, of that which is *future*, which we call *Expectation*: all which have been manifestly declared in the second and third Chapters; and every of these Conceptions is *Pleasure* or *Pain present*. And first for the Pleasures of the *Body* which affect the Sense of *Touch* and *Taste*, as far forth as they be *Organical*, their Conceptions are *Sense*: so also is the Pleasure of all *Exonerations* of Nature: All which Passions I have before named, *Sensual Pleasures*; and their contrary, *Sensual Pains*: to which also may be added the Pleasures and Displeasures of *Odours*, if any of them shall be found *Organical*, which for the most Part they are not, as appeareth by this Experience which every Man hath, that the same Smells, when they seem to proceed from others, displease, though they proceed from ourselves; but when we think they proceed from ourselves, they displease not, though they come from others: the Displeasure of this is a Conception of Hurt thereby from those Odours, as being unwholesome, and is therefore a Conception of Evil to come, and not present. Concerning the Delight of *Hearing*, it is diverse, and the Organ itself not affected thereby: *Simple Sounds* please by *Equality*, as the Sound of a Bell or Lute: insomuch as it seems, an Equality continued by the Percussion of the Object upon the Ear, is Pleasure; the contrary is called *Harshness*, such as is grating, and some other Sounds, which do not always affect the Body, but only sometimes, and that with a Kind of Horror beginning at the Teeth. *Harmony*, or many Sounds together, agreeing, please by the same Reason as the *Unison*, which is the Sound of equal Strings equally stretched. Sounds that

that differ in any *Height*, please by *Inequality and Equality alternate*, that is to say, the higher Note striketh twice, for one Stroke of the other, whereby they strike together every second Time ; as is well proved by *Galileo*, in the first Dialogue concerning local Motion : where he also sheweth, that two Sounds differing a *fifth*, delight the Ear by an *Equality* of striking *after two Inequalities* ; for the higher Note striketh the Ear thrice, while the other strikes but twice. In like Manner he sheweth wherein consisteth the Pleasure of Concord, and the Displeasure of Discord, in other Difference of Notes. There is yet *another* Pleasure and Displeasure of Sounds, which consisteth in *Consequence of one Note after another, diversified* both by *Accent* and *Measure* ; whereof that which pleaseth is called an *Air* ; but for what Reason one Succession in Tone and Measure is a more pleasing Air than another, I confess I know not ; but I conjecture the Reason to be, for that some of them imitate and revive some Passion which otherwise we take no Notice of, and the other not ; for *no Air pleaseth but for a time*, no more doth Imitation. Also the Pleasures of the *Eye* consist in a certain *Equality of Colour* : for *Light*, the most glorious of all Colours, is made by *equal* Operation of the Object ; whereas *Colour* is *perturbed*, that is to say, unequal Light, as hath been said, *Chap. II. Sect. 8*. And therefore Colours, the more Equality is in them, the more resplendent they are : and as *Harmony* is Pleasure to the *Ear*, which consisteth of *divers Sounds* ; so perhaps may some Mixture of *divers Colours* be *Harmony* to the *Eye*, more than another Mixture. There is yet another Delight by the *Ear*, which happeneth only to Men of Skill in Music, which is of another Nature, (and not as these) Conception of the present, but rejoicing in their own Skill ; of which Nature are the Passions of which I am to speak next.

3. Conception of the *future*, is but a *Supposition* of the *same*, proceeding from *Remembrance* of what is past ; and we so far *conceive* that any Thing *will be hereafter*, as we *know* there is *something at the present* that hath Power to produce it : and that any Thing hath Power to produce another Thing hereafter, we cannot conceive, but by Remembrance that it hath produced the like heretofore. Wherefore all Conception of future, is Conception of Power able to produce something. Whosoever therefore expecteth Pleasure to come, must conceive withal some Power in himself by which the same may be attained. And because the Passions, whereof I am to speak next, consist in Conception of the future, that is to say, in Conception of the Power past, and the Act to come ; before I go any further, I must in the next place speak somewhat concerning this Power.

4. By this Power I mean the same with the Faculties of the *Body, Nutritive, Generative, Motive*, and of the *Mind, Knowledge* ; and besides these, such *further* Power as by them is acquired, *viz. Riches, Place of Authority, Friendship or Favour*, and *good Fortune* ; which last is really nothing else but the Favour of God Almighty. The *Contraries* of these are *Impotencies, Infirmities, or Defects* of the said Powers respectively. And because the Power of one Man resisteth and hindereth the Effects of the Power of another, *Power* simply is no more, but the *Excess* of the Power of one above that of another : for equal Powers opposed, destroy one another ; and such their Opposition is called Contention.

5. The *Signs* by which we know our own *Power*, are those *Actions* which proceed from the same ; and the Signs by which *other Men* know it, are such *Actions, Gesture, Countenance and Speech*, as usually such Powers produce : and the *Acknowledgment* of Power is called Honour ; and to honour a Man inwardly, is to conceive or acknowledge that that Man hath the Odds or Excess of that Power above him with whom he contendeth or compareth himself. And honourable are those Signs for which one Man acknowledgeth Power or Excess above his Concurrent in another : As for Example, *Beauty* of Person, consisting in a lively Aspect of the Countenance, and other *Signs* or *natural Heat*, are honourable, being Signs precedent of Power *generative*, and much Issue ; as also, general Reputation among those of the other Sex, because Signs consequent of the same. And Actions proceeding from *Strength of Body*, and open Force, are honourable, as Signs consequent

sequent of Power *motive*, such as are Victory in Battle or Duel; *A d'avoir tué son homme*. Also to adventure upon great Exploits and Danger, as being a Sign consequent of Opinion of our own Strength, and that Opinion a Sign of the Strength itself. And to teach or persuade are honourable, because they are Signs of *Knowledge*. And Riches are honourable; as Signs of the Power that acquired them: And Gifts, Cost, and Magnificence of Houses, Apparel, and the like, are honourable, as Signs of Riches. And *Nobility* is honourable by Reflexion, as a Sign of Power in the Ancestors: And *Authority*, because a Sign of the Strength, Wisdom, Favour or Riches by which it is attained. And *good Fortune* or casual Prosperity is honourable, because a Sign of the Favour of God, to whom is to be ascribed all that cometh to us by Fortune, no less than that we attain unto by Industry. And the Contraries and Defects of these Signs are dishonourable; and according to the Signs of Honour and Dishonour, so we estimate and make the Value or Worth of a Man: for so much worth is every Thing, as a Man will give for the Use of, all it can do.

6. The *Signs of Honour* are those by which we perceive that one Man acknowledgeth the Power and Worth of another; such as these, to *praise, magnify, to bless, to call happy, to pray or supplicate to, to thank, to offer unto or present, to obey, to hearken unto with Attention, to speak to with Consideration, to approach unto in a decent Manner, to keep Distance from, to give way to, and the like, which are the Honour the Inferior giveth to the Superior.*

But the *Signs of Honour* from the Superior to the Inferior, are such as these; to *praise* or prefer him before his Concurrent, to hear more willingly, to speak to him more familiarly, to admit him nearer, to employ him rather, to ask his Advice rather, to take his Opinions, and to give him *any Gifts rather than Money*; or if Money, so much as may *not* imply his *Need* of a *little*: for Need of a little is greater Poverty than Need of much. And this is enough for Examples of the Signs of Honour and Power.

7. *Reverence* is the Conception we have concerning another, that he hath the *Power* to do unto us both *Good* and *Hurt*, but *not* the *Will* to do us *Hurt*.

8. In the Pleasure Men have, or Displeasure from the Signs of Honour or Dishonour done unto them, consisteth the Nature of the Passions, whereof we are to speak in the next Chapter.

C H A P IX.

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| 1. <i>Glory aspiring, false Glory, Vain Glory.</i> | 12. <i>Emulation and Envy.</i> |
| 2. <i>Humility and Dejection.</i> | 13. <i>Laughter.</i> |
| 3. <i>Shame.</i> | 14. <i>Weeping.</i> |
| 4. <i>Courage.</i> | 15. <i>Lust.</i> |
| 5. <i>Anger.</i> | 16. <i>Love.</i> |
| 6. <i>Revengefulness.</i> | 17. <i>Charity.</i> |
| 7. <i>Repentance.</i> | 18. <i>Admiration and Curiosity.</i> |
| 8. <i>Hope, Despair, Diffidence.</i> | 19. <i>Of the Passion of them that flock to see Danger.</i> |
| 9. <i>Trust.</i> | 20. <i>Of Magnanimity and Pusillanimity.</i> |
| 10. <i>Pity and Hardness of Heart.</i> | 21. <i>A View of the Passions represented in a Race.</i> |
| 11. <i>Indignation.</i> | |

G L O R Y, or internal Gloriation or Triumph of the Mind, is the Passion which proceedeth from the Imagination or Conception of our *own Power* above the Power of him that contendeth with us; the *Signs* whereof, besides those in the Countenance and other Gestures of the Body which cannot be described, are,

Ostentation in Words, and *Insolency* in Actions : and this Passion, of them whom it displeaseth, is called *Pride* ; by them whom it pleaseth, it is termed a *just Valuation* of himself. This Imagination of our Power or Worth, may be from an assured and certain *Experience* of our own Actions ; and then is that *Glory just*, and well-grounded, and begetteth an Opinion of *increasing* the same by other Actions to follow ; in which consisteth the Appetite which we call *aspiring*, or proceeding from one Degree of Power to another. The same Passion may proceed *not* from any *Conscience* of our own Actions, but from Fame and Trust of *others*, whereby one may think well of himself, and yet be deceived ; and this is *false Glory*, and the *Aspiring* consequent thereto procureth ill Success. Further, the *Fiction* (which is also Imagination) of Actions done by ourselves, which never were done, is *Glorifying* ; but because it begetteth no Appetite nor Endeavour to any further Attempt, it is meerly *vain* and unprofitable ; as when a Man imagineth himself to do the Actions whereof he readeth in some *Romance*, or to be like unto some other Man whose Acts he admireth : And this is called *Vain Glory* ; and is exemplified in the Fable, by the Fly sitting on the Axle-tree, and saying to himself, What a Dust do I make rise ? The Expression of *Vain Glory* is that *Wish*, which some of the Schools mistaking for some Appetite distinct from all the rest, have called *Velleity*, making a new Word, as they made a new Passion which was not before. *Signs* of *Vain Glory* in the *Gesture*, are *Imitation* of others, counterfeiting and usurping the Signs of *Virtue* they have not ; *Affectation* of Fashions, *Captation* of Honour from their Dreams, and other little Stories of themselves, from their Country, from their Names, and from the like.

2. The Passion *contrary to Glory*, proceeding from Apprehension of our own *Infirmity*, is called *Humility* by those by whom it is approved ; by the rest, *Dejection* and *Poorness* : which Conception may be well or ill grounded ; if well, it produceth *Fear* to attempt any Thing rashly ; if ill, it utterly crows a Man, that he neither dares speak publicly, nor expect good Success in any Action.

3. It happeneth sometimes, that he that hath a *good* Opinion of himself, and upon good Ground, may nevertheless, by Reason of the *Forwardness* which that Passion begetteth, discover in himself some *Defect* or *Infirmity*, the Remembrance whereof dejecteth him ; and this Passion is called *Shame* ; by which being cooled and checked in his *Forwardness*, he is more wary for the Time to come. This Passion, as it is a Sign of *Infirmity*, which is *Dishonour* ; so also it is a Sign of *Knowledge*, which is *Honour*. The Sign of it is *blushing*, which appeareth less in Men conscious of their own Defect, because they less betray the *Infirmities* they acknowledge.

4. *Courage*, in a *large* Signification, is the *Absence* of *Fear* in the Presence of any Evil whatsoever : but in a *strict* and more common Meaning, it is *Contempt* of *Wounds* and *Death*, when they oppose a Man in the Way to his End.

5. *Anger* or sudden *Courage* is nothing but the *Appetite* or Desire of *overcoming present* Opposition. It hath been defined commonly to be *Grief* proceeding from an Opinion of *Contempt* ; which is confuted by the often *Experience* which we have of being moved to *Anger* by Things inanimate, and without Sense, and consequently incapable of contemning us.

6. *Revengefulness* is that Passion which ariseth from an Expectation or *Imagination* of making him that hath *hurt* us, find his own *Action hurtful* to himself, and to acknowledge the same ; and this is the Height of *Revenge* : for though it be not hard, by returning Evil for Evil, to make ones Adversary displeas'd with his own Fact ; yet to make him acknowledge the same, is so difficult, that many a Man had rather die than do it. *Revenge* aimeth not at the *Death*, but at the *Captivity* or *Subjection* of an *Enemy* ; which was well expressed in the Exclamation of *Tiberius Cæsar*, concerning one, that, to frustrate his *Revenge*, had killed himself in Prison ; *Hath he escaped me ? To kill*, is the Aim of them that *hate*, to rid themselves out of *Fear* : *Revenge* aimeth at *Triumph*, which over the Dead is not.

7. *Repentance* is the Passion which proceedeth from *Opinion* or Knowledge that the *Action* they have done is *out of the Way* to the *End* they would attain: the Effect whereof is, to pursue that Way no longer, but, by the Consideration of the End, to direct themselves into a better. The first Motion therefore in this Passion is *Grief*; but the Expectation or Conception of returning again into the Way, is *Joy*; and consequently, the Passion of *Repentance* is compounded and allayed of both: but the *predominant* is *Joy*; else were the whole *Grief*, which cannot be, forasmuch as he that proceedeth towards the End, he conceiveth Good, proceedeth with Appetite; and Appetite is Joy, as hath been said, Chap. VII. Sect. 2.

8. *Hope* is *Expectation* of Good to come, as Fear is the Expectation of Evil: But when there be Causes, some that make us expect Good, and some that make us expect Evil, alternately working in our Mind; if the Causes that make us expect Good, be greater than those that make us expect Evil, the whole Passion is Hope; if contrarily, the whole is Fear. Absolute *Privation* of Hope is *Despair*, a Degree whereof is *Diffidence*.

9. *Trust* is a Passion proceeding from the *Belief* of him from whom we *expect* or *hope* for Good, so free from *Doubt* that upon the same we pursue no other Way to attain the same Good: as *Distrust* or *Diffidence* is *Doubt* that maketh him endeavour to provide himself by other Means. And that this is the Meaning of the Words *Trust* and *Distrust*, is manifest from this, that a Man never provideth himself by a second Way, but when he mistrusteth that the first will not hold.

10. *Pity* is *Imagination* or *Fiction* of future Calamity to ourselves, proceeding from the Sense of another Man's Calamity. But when it lighteth on such as we think have not deserved the same, the Compassion is greater, because then there appeareth more Probability that the same may happen to us: for, the Evil that happeneth to an innocent Man, may happen to every Man. But when we see a Man suffer for great Crimes, which we cannot easily think will fall upon ourselves, the Pity is the less. And therefore Men are apt to pity those whom they love: for, whom they love, they think worthy of Good, and therefore not worthy of Calamity. Thence it is also, that Men pity the Vices of some Persons at the first Sight only, out of Love to their Aspect. The contrary of Pity is *Hardness of Heart*, proceeding either from *Slowness* of Imagination, or some extreme great *Opinion* of their own *Exemption* from the like Calamity, or from Hatred of all or most Men.

11. *Indignation* is that *Grief* which consisteth in the Conception of good *Success* happening to them whom they think *unworthy* thereof. Seeing therefore Men think all those unworthy whom they hate, they think them not only unworthy of the good Fortune they have, but also of their own Virtues. And of all the Passions of the Mind, these two, Indignation and Pity, are most raised and increased by Eloquence: for, the *Aggravation* of the Calamity, and *Extenuation* of the Fault, augmenteth *Pity*; and the *Extenuation* of the *Worth* of the Person, together with the magnifying of his Success, which are the Parts of an Orator, are able to turn these two Passions into *Fury*.

12. *Emulation* is *Grief* arising from seeing *ones self* exceeded or excelled by his *Concurrent*, together with *Hope* to equal or exceed him in time to come, by his own Ability. But, *Envy* is the same *Grief* joined with *Pleasure* conceived in the Imagination of some *ill* Fortune that may befall him.

13. There is a Passion that hath *no Name*; but the Sign of it is that Distortion of the Countenance which we call *Laughter*, which is always *Joy*: but what Joy, what we think, and wherein we triumph when we laugh, is not hitherto declared by any. That it consisteth in *Wit*, or as they call it, in the *Jest*, Experience *confuteth*: for Men laugh at Mischances and Indecencies, wherein there lieth no Wit nor Jest at all. And forasmuch as the same Thing is no more ridiculous when it groweth stale or usual, whatsoever it be that moveth Laughter, it must be *new* and *unexpected*. Men laugh often (especially such as are greedy of Applause from every Thing they do well) at their *own* Actions performed never so little beyond their own Expectations; as also at their own *Jests*: and in this Case it is manifest, that

the Passion of Laughter proceedeth from a *sudden Conception* of some *Ability* in himself that laugheth. Also Men laugh at the *Infirmities* of others, by Comparison wherewith their own Abilities are set off and illustrated. Also Men laugh at *Jests*, the *Wit whereof* always consisteth in the elegant *discovering* and conveying to our Minds some *Absurdity* of another : And in this Case also the Passion of Laughter proceedeth from the *sudden* Imagination of our own Odds and Eminency : for what is else the recommending of ourselves to our own good Opinion, by Comparison with another Man's Infirmity or Absurdity ? For when a Jest is broken upon ourselves, or Friends of whose Dishonour we participate, we never laugh thereat. I may therefore conclude, that the Passion of Laughter is nothing else but *sudden Glory* arising from a *sudden Conception* of some *Eminency* in ourselves, by *Comparison* with the *Infirmity* of others, or with our own formerly : for Men laugh at the Follies of themselves past, when they come suddenly to Remembrance, except they bring with them any present Dishonour. It is no Wonder therefore that Men take heniously to be laughed at or derided, that is, triumphed over. Laughing *without Offence*, must be at *Absurdities* and *Infirmities abstracted* from Persons, and when all the Company may laugh together : for, laughing to ones self putteth all the rest into Jealousy, and Examination of themselves. Besides, it is Vain Glory, and an Argument of little Worth, to think the Infirmity of another sufficient Matter for his Triumph.

14. The Passion opposite hereunto, (whose Signs are another Distortion of the Face with Tears) called *Weeping*, is the *sudden falling out with* ourselves, or sudden Conception of Defect ; and therefore *Children* weep : for seeing they think that every Thing ought to be given them which they desire, of Necessity every Repulse must be a Check of their Expectation, and puts them in mind of their too much Weakness to make themselves Masters of all they look for. For the same Cause *Women* are more apt to weep than Men, as being not only more accustomed to have their Wills, but also to measure their Powers by the Power and Love of others that protect them. Men are apt to weep that prosecute Revenge, when the Revenge is suddenly stopt or frustrated by the Repentance of their Adversary ; and such are the Tears of *Reconciliation*. Also revengeful Men are subject to this Passion upon the beholding those Men they pity, and suddenly remember they cannot help. Other weeping in Men proceedeth for the most part from the Cause it proceedeth from in Women and Children.

15. The Appetite which Men call *Lust*, and the Fruition that appertaineth thereunto, is a *Sensual* Pleasure, but *not only* that ; there is in it also a Delight of the Mind : for it consisteth of two Appetites together, to *please*, and to *be pleased* ; and the Delight Men take in delighting, is not sensual, but a Pleasure or Joy of the Mind consisting in the Imagination of the Power they have so much to please. But the Name *Lust* is used where it is condemned ; otherwise it is called by the general Word *Love* : for the Passion is one and the same indefinite Desire of different Sex, as natural as Hunger.

16. Of *Love*, by which is understood the Joy Man taketh in the Fruition of any *present* Good, hath been already spoken of in the first Section, Chap. VII. under which is contained the *Love* Men bear to one another, or Pleasure they take in one another's Company ; and by which Nature, Men are said to be sociable. But there is another Kind of Love, which the Greeks call *Ἔρως*, and is that which we mean, when we say that a Man is in Love : Forasmuch as this Passion cannot be without Diversity of Sex, it cannot be denied but that it *participateth* of that indefinite *Love* mentioned in the former Section. But there is a great Difference betwixt the Desire of a Man *indefinite*, and the same Desire *limited ad hunc* ; and this is that *Love* which is the great Theme of Poets : But notwithstanding their Praises, it must be defined by the Word *Need* : for it is a Conception a Man hath of his Need of *that one Person* desired. The Cause of this Passion is *not* always, *nor* for the most part *Beauty*, or other Quality in the beloved, unless there be withal *Hope* in the Person that loveth : which may be gathered from this, that in great Difference

of Persons, the *greater* have often fallen in Love with the *meaner*; but not contrary. And from hence it is, that for the most part they have much better Fortune in Love whose Hopes are built upon something *in their Person*, than those that trust to their *Expressions* and *Service*; and they that *care less*, than they that *care more*: which not perceiving, many Men cast away their Services, as one Arrow after another, till, in the End, together with their Hopes, they lose their Wits.

17. There is yet another Passion sometimes called *Love*, but more properly *Good-will* or *Charity*. There can be no greater Argument to a Man, of his own Power, than to find himself able not only to accomplish his own Desires, but also to *assist* other Men in theirs: and this is that Conception wherein consisteth *Charity*. In which, first, is contained that *natural Affection* of Parents to their Children, which the *Greeks* call *Στοργή*, as *also*, that Affection wherewith Men seek to *assist* those that adhere unto them. But the Affection wherewith Men many times bestow their Benefits on *Strangers*, is not to be called Charity, but either *Contract*, whereby they seek to purchase Friendship; or *Fear*, which maketh them to purchase Peace. The Opinion of *Plato* concerning honourable Love, delivered according to his Custom in the Person of *Socrates*, in the Dialogue intituled *Convivium*, is this, That a Man full and pregnant with Wisdom and other Virtues, naturally seeketh out some beautiful Person, of Age and Capacity to conceive, in whom he may, without sensual Respects, ingender and produce the like. And this is the *Idea* of the then noted *Love* of *Socrates* wife and continent, to *Alcibiades* young and beautiful: In which, Love is not the sought Honour, but the Issue of his Knowledge; contrary to the common Love, to which though Issue sometimes follows, yet Men seek not that, but to please, and to be pleased. It should be therefore this Charity, or Desire to assist and advance others. But why then should the wise seek the ignorant, or be more charitable to the beautiful than to others? There is something in it favouring of the Use of that time: in which Matter though *Socrates* be acknowledged for continent, yet the *Continent* have the Passion they *contain*, as *much* and more than they that *satiare* the Appetite; which maketh me suspect this *Platonic* Love for meerly sensual; but with an honourable Pretence for the old to haunt the Company of the young and beautiful.

18. Forasmuch as all *Knowledge* beginneth from *Experience*, therefore also *new Experience* is the Beginning of *new Knowledge*, and the Increase of Experience, the Beginning of the Increase of Knowledge. Whatsoever therefore happeneth new to a Man, giveth him Matter of *Hope of knowing* somewhat that he knew *not before*. And this Hope and Expectation of future Knowledge from any thing that happeneth new and strange, is that Passion which we commonly call *Admiration*; and the same considered as Appetite, is called *Curiosity*, which is Appetite of Knowledge. As in the discerning of Faculties, *Man leaveth* all Community with *Beasts* at the Faculty of *imposing Names*; so also doth he surmount their Nature at this *Passion of Curiosity*. For when a Beast seeth any thing new and strange to him, he considereth it so far only as to discern whether it be likely to serve his Turn, or hurt him, and accordingly approacheth nearer to it, or fleeth from it: Whereas Man, who in most Events remembereth in what manner they were caused and begun, looketh for the Cause and Beginning of every Thing that ariseth new unto him. And from this Passion of Admiration and Curiosity, have arisen not only the Invention of Names, but also Supposition of such Causes of all Things as they thought might produce them. And from this Beginning is derived all *Philosophy*; as *Astronomy* from the Admiration of the Course of Heaven; *Natural Philosophy* from the strange Effects of the Elements and other Bodies. And from the Degrees of Curiosity, proceed also the Degrees of Knowledge amongst Men: For, to a Man in the Chace of Riches or Authority, (which in respect of Knowledge are but Sensuality) it is a Diversity of little Pleasure, whether it be the Motion of the Sun or the Earth that maketh the Day, or to enter into other Contemplations of any strange Accident, otherwise than whether it conduce or not to the End he pursueth. Because

Curiosity is *Delight*, therefore also *Novelty* is so, but especially that *Novelty* from which a Man conceiveth an *Opinion* true or false of *bettering* his own Estate; for, in such Case, they stand affected with the Hope that all Gamesters have while the Cards are shuffling.

19. Divers other Passions there be, but they want Names: whereof some nevertheless have been by most Men observed: for Example; from what Passion proceedeth it, that Men take *pleasure* to *behold* from the Shore the *Danger* of them that are at Sea in a Tempest, or in Fight, or from a safe Castle to behold two Armies charge one another in the Field? It is certainly, in the whole Sum, *Joy*; else Men would never flock to such a Spectacle. Nevertheless there is in it both *Joy* and *Grief*: for as there is *Novelty* and Remembrance of our own Security present, which is *Delight*: so there is also *Pity*, which is *Grief*: But the *Delight* is so far predominant, that Men usually are content in such a Case to be Spectators of the Misery of their Friends.

20. *Magnanimity* is no more than *Glory*, of the which I have spoken in the first Section; but *Glory well grounded* upon certain Experience of a Power sufficient to attain his End in open Manner. And *Puffillanimity* is the *Doubt* of that. Whatsoever therefore is a Sign of *Vain Glory*, the same is also a Sign of *Puffillanimity*: for sufficient Power maketh *Glory* a Spur to one's End. To be *pleased* or *displeased* with *Fame true* or *false*, is a Sign of the same, because he that relieth on *Fame* hath not his Success in his own Power. Likewise *Art* and *Fallacy* are Signs of *Puffillanimity*, because they depend not upon our own Power, but the Ignorance of others. Also *Proneness* to *Anger*, because it argueth Difficulty of proceeding. Also *Ostentation* of *Ancestors*, because all Men are more inclined to make shew of their own Power when they have it, than of others. To be at *Enmity* and Contention with *Inferiors*, is a Sign of the same, because it proceedeth from Want of Power to end the War. To *laugh* at others, because it is an Affectation of *Glory* from other Men's Infirmities, and not from any Ability of their own. Also *Irresolution*, which proceedeth from want of Power enough to contemn the little Difficulties that make Deliberations hard.

21. The Comparifon of the Life of Man to a Race, though it hold not in every Part, yet it holdeth so well for this our Purpose, that we may thereby both see and remember almost all the Passions before mentioned. But this *Race* we must suppose to have no other *Goal*, nor other *Garland*, but being foremost and in it.

To endeavour, is *Appetite*,

To be remiss, is *Sensuality*.

To consider them behind, is *Glory*.

To consider them before, is *Humility*.

To lose Ground with looking back,
Vain Glory.

To be holden, *Hatred*.

To turn back, *Repentance*.

To be in Breath, *Hope*.

To be weary, *Despair*.

To endeavour to overtake the next,
Emulation.

To supplant or overthrow, *Envy*.

To resolve to break through a Stop
foreseen, *Courage*.

To break through a sudden Stop,
Anger.

To break through with Ease, *Magnanimity*.

To lose Ground by little Hindrances,
Puffillanimity.

To fall on the sudden, is Disposition to
weep.

To see another fall, is Disposition to
laugh.

To see one out-gone whom we would
not, is *Pity*.

To see one out-go whom we would
not, is *Indignation*.

To hold fast by another, is to *love*.

To carry him on that so holdeth, is
Charity.

To hurt ones self for Haste, is *Shame*.

Continually to be out-gone is *Misery*.

Continually to out-go the next before,
is *Felicity*.

And to forsake the Course, is to
die.

C H A P. X.

1. **H**AVING shewed in the precedent Chapters, that Sense proceedeth from the Action of external Objects upon the *Brain*, or some internal *Substance* of the *Head*; and that the *Passions* proceed from the Alteration there made, and continued to the *Heart*: It is consequent in the next place, seeing the Diversity of Degrees in Knowledge in divers Men, to be greater than may be ascribed to the divers *Temper*s of their *Brain*, to declare *what other Causes* may produce such *Odds*, and Excess of *Capacity*, as we daily observe in one Man above another. As for that Difference which ariseth from *Sickness*, and such accidental Distempers, I omit the same, as impertinent to this Place, and consider it only in such as have their *Health*, and *Organs* well-disposed. If the Difference were in the natural Temper of the *Brain*, I can imagine no Reason why the same should not appear first and most of all in the Senses, which being equal both in the wise and less wise, infer an equal Temper in the common Organ (namely the *Brain*) of all the Senses.

2. But we see by Experience, that *Joy* and *Grief* proceed *not* in *all* Men from the *same Causes*, and that Men differ very much in the Constitution of the *Body*; whereby, that which helpeth and furthereth *vital Constitution* in one, and is therefore delightful, hindereth it and croseth it in another, and therefore causeth Grief. The *Difference* therefore of *Wits* hath its Original *from* the *different Passions*, and from the *Ends* to which the Appetite leadeth them.

3. And first, those Men whose Ends are *sensual Delight*, and generally are addicted to *Ease*, *Food*, *Onerations* and *Exonerations* of the *Body*, must needs be the *less* thereby delighted with those *Imaginations* that *conduce not* to those Ends, such as are Imaginations of *Honour* and *Glory*, which, as I have said before, have Respect to the future: For Sensuality consisteth in the Pleasure of the Senses, which please only for the present, and take away the Inclination to observe such Things as conduce to Honour, and consequently maketh Men less curious, and less ambitious, whereby they less consider the Way either to Knowledge or other Power: in which two consisteth all the Excellency of Power cognitive. And this is it which Men call *Dulness*, and proceedeth from the Appetite of sensual or bodily Delight. And it may well be conjectured, that such Passion hath its Beginning from a *Grossness* and *Difficulty* of the *Motion* of the *Spirit* about the *Heart*.

4. The contrary hereunto, is that *quick Ranging* of Mind, described Chap. IV. Sect. 3. which is joined with *Curiosity* of comparing the Things that come into the Mind, one with another: in which Comparison, a Man delighteth himself either with finding unexpected *Similitude* of Things, otherwise much unlike, in which Men place the Excellency of *Fancy*, and from whence proceed those grateful Similies, Metaphors, and other Tropes, by which both *Poets* and *Orators* have it in their Power to make Things please and displease, and shew well or ill to others, as they like themselves; or else in discerning suddenly *Dissimilitude* in Things that otherwise appear the same. And this Virtue of the Mind is that by which Men attain to exact and perfect *Knowledge*; and the Pleasure thereof consisteth in continual Instruction, and in Distinction of Places, Persons, and Seasons, and is commonly termed by the Name of *Judgment*: for, to judge is nothing else, but to distinguish or discern: And both *Fancy* and *Judgment* are commonly comprehended under the Name of *Wit*, which seemeth to be a Tenuity and Agility of Spirits, contrary to that Restiness of the Spirits supposed in those that are dull.

5. There is another Defect of the Mind, which Men call *Levity*, which betrayeth also *Mobility* in the Spirits, but in Excess. An Example whereof is in them that in the midst of any serious Discourse, have their Minds diverted to every little Jest or witty Observation; which maketh them depart from their Discourse by a Parenthesis, and from that Parenthesis by another, till at length

they either lose themselves, or make their Narration like a Dream, or some studied Nonsense. The Passion from whence this proceedeth, is *Curiosity*, but with *too much Equality* and Indifference: for when all Things make equal Impression and Delight, they equally throng to be expressed.

6. The Virtue opposite to this Defect, is *Gravity*, or Steadiness; in which the End being the great and Master-Delight, directeth and keepeth in the Way thereto all other Thoughts.

7. The *Extremity* of Dulness is that *natural Folly* which may be called *Stolidity*: But the Extreme of *Levity*, though it be natural Folly distinct from the other, and obvious to every Man's Observation, I know *not* how to call it.

8. There is a Fault of the Mind called by the *Greeks* *Ἀπαθία*, which is *Indocibility*, or *Difficulty* of being taught; the which must needs arise from a *false Opinion* that they *know already* the Truth of that is called in question: for certainly Men are not otherwise so unequal in Capacity, as the *Evidence* is unequal between what is taught by the Mathematicians, and what is commonly discoursed of in other Books: and therefore if the Minds of Men were all of white Paper, they would all most equally be disposed to acknowledge whatsoever should be in right Method, and by right Ratiocination delivered to them: But when Men have once acquiesced in untrue Opinions, and registered them as authentical Records in their Minds, it is no less impossible to speak intelligibly to such Men, than to write legibly upon a Paper already scribbled over. The immediate *Cause* therefore of *Indocibility*, is *Prejudice*; and of *Prejudice*, false Opinion of our own Knowledge.

9. Another, and a principal Defect of the Mind, is that which Men call *Madness*, which appeareth to be nothing else but some *Imagination* of some such *Predominancy* above the *rest*, that we have *no Passion but from it*; and this Conception is nothing else but excessive *Vain Glory*, or *vain Dejection*: which is most probable by these Examples following, which proceed in Appearance every one of them from *Pride*, or some *Dejection* of Mind. As first, we have had the Example of one that preached in *Cheapside* from a Cart there, instead of a Pulpit, that he himself was Christ, which was *spiritual Pride* or Madness. We have had also divers Examples of learned Madness, in which Men have manifestly been distracted upon any Occasion that hath put them in Remembrance of their own Ability. Amongst the learned Men, may be remembered (I think also) those that determine of the Time of the World's End, and other such the Points of Prophecy. And the gallant Madness of *Don Quixote* is nothing else but an Expression of such Height of *Vain Glory*, as reading of *Romance* may produce in pusillanimous Men. Also Rage and Madness of Love, are but great Indignations of them in whose Brains is predominant Contempt from their Enemies, or their Mistresses. And the *Pride* taken in *Form* and *Behaviour*, had made divers Men run mad, and to be so accounted, under the Name of *Fantastic*.

10. And as these are the Examples of Extremities, so also are there Examples too many of the Degrees, which may therefore be well accounted *Follies*; as it is a Degree of the *first*, for a Man, without certain Evidence, to think himself to be *inspired*, or to have any other Effect of God's Holy Spirit than other godly Men have. Of the *second*, for a Man continually to speak his Mind in a *Cento* of other Mens *Greek* or *Latin* Sentences. Of the *third*, much of the present Gallantry in Love and Duel. Of *Rage*, a Degree is *Malice*; and of *fantastic* Madness, *Affectation*.

11. As the former Examples exhibit to us Madness, and the Degrees thereof, proceeding from the Excess of Self-Opinion; so also there be other Examples of Madness, and the Degrees thereof, proceeding from *too much vain Fear* and *Dejection*; as in those melancholy Men that have imagined themselves brittle as Glass, or have had some other like Imagination: and Degrees hereof are all those exorbitant and causeless Fears, which we commonly observe in melancholy Persons.

C H A P. XI.

1. **H**itherto of the Knowledge of Things *natural*, and of the Passions that arise naturally from them. Now forasmuch as we give Names not only to Things natural, but also to *supernatural*; and by all Names we ought to have some Meaning and Conception: It followeth in the next Place, to consider what Thoughts and Imaginations of the Mind we have, when we take into our Mouths the most blessed Name of G O D, and the Names of those Virtues we attribute unto him; as also, what *Image* cometh into the Mind at hearing the Name of *Spirit*, or the Name of *Angel*, good or bad.

2. And forasmuch as God Almighty is *incomprehensible*, it followeth, that we can have *no* Conception or *Image* of the *Deity*; and consequently, all *his Attributes* signify our *Inability* and Defect of Power to *conceive* any thing concerning his Nature, and not any Conception of the same, excepting only this, That *there is a God*: For the Effects we acknowledge naturally, do include a Power of their producing, before they were produced; and that Power presupposeth something existent that hath such Power: And the Thing so existing with Power to produce, if it were not eternal, must needs have been produced by somewhat before it, and that again by something else before that, till we come to an eternal (that is to say, the first) Power of all Powers, and first Cause of all Causes: And this is it which all Men conceive by the Name of G O D, implying Eternity, Incomprehensibility, and Omnipotency. And thus all that will consider, may know *that* God is, though not *what* he is: even a Man that is born blind, though it be not possible for him to have any Imagination what kind of thing Fire is; yet he cannot but know that something there is that Men call Fire, because it warmeth him.

3. And whereas we attribute to God Almighty, *Seeing, Hearing, Speaking, Knowing, Loving*, and the like, by which Names we understand something in *Men* to whom we attribute them, we understand *nothing* by them in the Nature of God: For, as it is well reasoned, *Shall not the God that made the Eye, see; and the Ear, hear?* So it is also, if we say, Shall God, which made the Eye, not see without the Eye; or that made the Ear, not hear without the Ear; or that made the Brain, not know without the Brain; or that made the Heart, not love without the Heart? The *Attributes* therefore given unto the *Deity*, are such as signify either our *Incapacity* or our *Reverence*: Our *Incapacity*, when we say *Incomprehensible* and *Infinite*; our *Reverence*, when we give him those Names, which amongst us are the Names of those Things we most magnify and commend, as *Omnipotent, Omniscient, Just, Merciful, &c.* And when God Almighty giveth those Names to himself in the Scriptures, it is but *ἀνθρώπου κατὰ ὄψιν*, that is to say, by descending to our manner of speaking; without which we are not capable of understanding him.

4. By the Name of *Spirit*, we understand a *Body natural*, but of such *Subtilty*, that it worketh not upon the Senses; but that filleth up the Place which the Image of a visible Body might fill up. Our Conception therefore of Spirit consisteth of *Figure without Colour*; and in Figure is understood Dimension, and consequently, to conceive a Spirit, is to conceive something that hath Dimension. But *Spirits supernatural* commonly signify some *Substance without Dimension*; which two Words do flatly contradict one another: and therefore when we attribute the Name of Spirit unto God, we attribute it not as the Name of any Thing we conceive, no more than we ascribe unto him Sense and Understanding; but, as a Signification of our Reverence, we desire to abstract from him all corporal Grossness.

5. Concerning other Things, which some Men call *Spirits incorporeal*, and some *corporeal*, it is not possible by *natural Means* only, to come to the *Knowledge* of so much,

as that *there are such Things*. We that are Christians *acknowledge* that there be Angels good and evil, and that there are Spirits, and that the Soul of Man is a Spirit, and that those Spirits are immortal: *but*, to *know* it, that is to say, to have natural Evidence of the same, it is *impossible*: For, all *Evidence* is *Conception*, as is said, Chap. VI. Sect. 3. and all *Conception* is *Imagination*, and proceedeth from *Sense*, Chap. III. Sect. 1. And *Spirits* we suppose to be those Substances which work *not* upon the *Sense*; and therefore not conceivable. But though the Scripture acknowledges Spirits, yet doth it no where say, that they are incorporeal, meaning thereby, without Dimension and Quality: Nor, I think, is that Word Incorporeal at all in the Bible; but it is said of the Spirit, that it abideth in Men; sometimes that it dwelleth in them, sometimes that it cometh on them, that it descendeth, and goeth, and cometh; and that Spirits are Angels, that is to say, Messengers: all which Words do imply *Locality*; and *Locality* is *Dimension*; and whatsoever hath Dimension, is *Body*, be it never so subtil. To me therefore it seemeth, that the Scripture favoureth them more, who hold Angels and Spirits corporeal, than them that hold the contrary. And it is a plain *Contradiction* in natural Discourse, to say of the Soul of Man, that it is *tota in toto, & tota in qualibet Parte Corporis*, grounded neither upon Reason nor Revelation, but proceeding from the Ignorance of what those Things are which are called *Spectra*, Images that appear in the Dark to Children, and such as have strong Fears, and other strange Imaginations, as hath been said, Chap. III. Sect. 5. where I call them Phantasms: For, taking them to be Things real, without us, like Bodies, and seeing them to come and vanish so strangely as they do, unlike to Bodies; what could they call them else, but *incorporeal Bodies*? which is not a Name, but an Absurdity of Speech.

6. It is true, that the Heathens, and all Nations of the World, have acknowledged that there be *Spirits*, which for the most part they hold to be incorporeal; whereby it might be thought, that a Man by natural Reason, may arrive, without the Scriptures, to the Knowledge of this, *That Spirits are*: But the erroneous Collection thereof by the Heathens, may proceed, as I have said before, from the Ignorance of the Cause of Ghosts and Phantasms, and such other Apparitions. And from thence had the *Grecians* their Number of Gods, their Number of *Dæmons* good or bad, and for every Man his *Genius*; which is not the acknowledging of this Truth, *That Spirits are*; but a false Opinion concerning the Force of Imagination.

7. And seeing the *Knowledge* we have of *Spirits*, is *not natural Knowledge*, but *Faith* from supernatural Revelation given to the holy Writers of the Scriptures; it followeth, that of Inspirations also, which is the Operation of Spirit in us, the Knowledge which we have, must all proceed from Scripture. The *Signs* there set down of *Inspiration*, are *Miracles*, when they be great, and manifestly above the Power of Men to do by Imposture: As for Example, the Inspiration of *Elias* was known by the miraculous burning of the Sacrifice. But the *Signs* to *distinguish* whether a *Spirit* be *good* or *evil*, are the same by which we distinguish whether a Man or a Tree be good or evil, namely, *Actions* and *Fruit*: For there are *lying* Spirits, wherewith Men are inspired sometimes, as well as with *Spirits* of *Truth*. And we are commanded in Scripture, to judge of the Spirits by their Doctrine, and not of the Doctrine by the Spirits. For Miracles, our Saviour hath forbidden us to rule our Faith by them, *Matth. xxiv. 24.* And Saint Paul saith, *Gal. i. 8. Though an Angel from Heaven preach to you otherwise, &c. let him be accursed.* Where it is plain, that we are not to judge whether the Doctrine be true or not, by the Angel; but whether the Angel say true or no, by the Doctrine. So likewise, *1 John iv. 1. Believe not every Spirit: for false Prophets are gone out into the World.* Verse 2. *Hereby shall ye know the Spirit of God.* Verse 3. *Every Spirit that confesseth not that Jesus Christ is come in the Flesh, is not of God: and this is the Spirit of Antichrist.* Verse 15. *Whosoever confesseth that Jesus is the Son of God, in him dwelleth God, and he in God.* The Knowledge therefore we have

have of *good* and *evil* Inspiration, cometh *not* by *Vision* of an Angel that may teach it, *nor* by a *Miracle* that may seem to confirm it; *but* by *Conformity* of Doctrine with this Article and fundamental Point of Christian Faith, which also Saint Paul saith is the sole Foundation, *That Jesus Christ is come in the Flesh*, 1 Cor. iii. 11.

8. But if *Inspiration* be discerned by *this* Point, and *this* Point be acknowledged and believed upon the *Authority* of the *Scriptures*; how (may some Men ask) know we that the *Scripture* *deserveth* so great *Authority*, which must be no less than that of the lively Voice of God; that is, how we know the *Scriptures* to be the *Word* of God? And first, it is manifest, that if by Knowledge we understand Science infallible and natural, as is defined, Chap. VI. Sect. 4. proceeding from Sense, we cannot be said to know it, because it proceedeth not from the Conceptions ingendered by Sense. And if we understand Knowledge as supernatural, we cannot have it but by Inspiration: And of that *Inspiration* we cannot judge, but by the *Doctrine*: It followeth, that we have not any Way, natural or supernatural, of the *Knowledge* thereof, which can properly be called *infallible Science* and *Evidence*. It remaineth, that the Knowledge that we have that the *Scriptures* are the Word of God, is only *Faith*, which Faith therefore is also by Saint Paul defined, *Heb. xi. 1.* to be *the Evidence of Things not seen*; that is to say, not otherwise evident but by Faith: For, whatsoever either is evident by natural Reason, or Revelation supernatural, is not called Faith; else should not Faith cease, no more than Charity, when we are in Heaven; which is contrary to the Doctrine of the Scripture. And, we are *not* said to *believe*, *but* to *know* those Things that be *evident*.

9. Seeing then the Acknowledgment of *Scriptures* to be the Word of God, is not Evidence, but Faith, and Faith (Chap. VI. Sect. 7.) consisteth in the Trust we have of other Men, it appeareth plain, that the Men so trusted, are the holy Men of God's Church succeeding one another from the Time of those that saw the wondrous Works of God Almighty in the Flesh. Nor doth this imply that God is not the Worker or Efficient Cause of Faith, or that Faith is begotten in Man without the Spirit of God: for, all those good Opinions which we admit and believe, though they proceed from Hearing, and Hearing from Teaching, both which are natural, yet they are the Work of God: for, all the Works of Nature are his, and they are attributed to the Spirit of God: As for Example, *Exod. xxviii. 3.* *Thou shalt speak unto all cunning Men, whom I have filled with the SPIRIT of Wisdom, that they may make Aaron's Garments for his Consecration, that he may serve me in the Priest's Office.* Faith therefore wherewith we believe, is the Work of the Spirit of God in that Sense, by which the Spirit of God giveth to one Man Wisdom and Cunning in Workmanship more than another, and by which he effecteth also in other Points pertaining to our ordinary Life; that one Man believeth that, which, upon the same Grounds, another doth not; and one Man reverenceth the Opinion, and obeyeth the Commands of his Superior, and others not.

10. And seeing our Faith, that the *Scriptures* are the Word of God, began from the Confidence and Trust we repose in the *Church*; there can be no doubt but that their *Interpretation* of the same *Scriptures* (when any Doubt or Controversy shall arise, by which this Fundamental Point, *That Jesus Christ is come in the Flesh*, may be called in Question) is *safer* for any Man to trust to, than his *own*, whether *Reasoning* or *Spirit*, that is to say, his own *Opinion*.

11. Now concerning Men's *Affections* to *God-ward*, they are not the same always that are described in the Chapter concerning *Passions*. There, to love, is to be delighted with the Image or Conception of the Thing loved; but God is unconceivable: *To love God* therefore, in the Scripture, is to *obey his Commandments*, and to *love one another*. Also to *trust God* is different from our *trusting* one another: for, when a Man trusteth a Man, (Chap. IX. Sect 8.) he layeth aside his own Endeavours: but if we do so in our Trust to God Almighty, we disobey him; and how shall we trust to him whom we know we disobey? *To trust to God Almighty,*

mighty, therefore, is to refer to his good Pleasure all that is above our own Power to effect: and this is all one with acknowledging one only God, which is the first Commandment. And to trust in Christ, is no more but to acknowledge him for God; which is the fundamental Article of our Christian Faith: And consequently, to trust, rely, or, as some express it, to cast and roll ourselves on Christ, is the same Thing with the fundamental Point of Faith, namely, that *Jesus Christ is the Son of the living God*.

12. To honour God internally in the Heart, is the same Thing with that we ordinarily call Honour amongst Men: for it is nothing but the acknowledging of his Power; and the Signs thereof are the same with the Signs of the Honour due to our Superiors, mentioned Chap. VIII. Sect. 6. viz. to praise, to magnify, to bless; to pray to him, to thank him, to give Oblations and Sacrifices to him, to give Attention to his Word, to speak to him in Prayer with Consideration, to come into his Presence with humble Gesture, and in decent Manner, and to adorn his Worship with Magnificence and Cost: and these are natural Signs of our honouring him internally: And therefore the contrary hereof, to neglect Prayer, to speak to him extempore, to come to Church slovenly, to adorn the Place of his Worship worse than our own Houses, to take up his Name in every idle Discourse, are the manifest Signs of Contempt of the Divine Majesty. There be other Signs which are arbitrary; as, to be uncovered (as we be here;) to put off their Shoes, as Moses at the fiery Bush, and some other of that Kind, which in their own Nature are indifferent, till, to avoid Indecency and Discord, it be otherwise determined by common Consent.

C H A P. XII.

1. **I**T hath been declared already how external Objects cause Conceptions, and Conceptions, Appetite and Fear, which are the first unperceived Beginnings of our Actions: for either the Actions immediately follow the first Appetite, as when we do any Thing upon a sudden; or else to our first Appetite there succeedeth some Conception of Evil to happen to us by such Actions, which is Fear, and which holdeth us from proceeding. And to that Fear may succeed a new Appetite, and to that Appetite another Fear alternately, till the Action be either done, or some Accident come between, to make it impossible; and so this alternate Appetite and Fear ceaseth. This alternate Succession of Appetite and Fear during all the Time the Action is in our Power to do or not to do, is that we call *Deliberation*; which Name hath been given it for that Part of the Definition wherein it is said that it lasteth so long as the Action, whereof we deliberate, is in our Power: for, so long we have Liberty to do or not to do; and Deliberation signifieth a taking away of our Liberty.

2. *Deliberation* therefore requireth in the Action deliberated two Conditions; one, that it be future; the other, that there be Hope of doing it, or Possibility of not doing it; for, Appetite and Fear are Expectations of the future; and there is no Expectation of Good without Hope; or of Evil, without Possibility: of Necessaries therefore there is no *Deliberation*. In *Deliberation*, the last Appetite, as also the last Fear is called *Will*, viz. the last Appetite, Will to do, or Will to omit. It is all one therefore to say *Will*, and last *Will*: for, though a Man express his present Inclination and Appetite concerning the disposing of his Goods, by Words or Writings; yet shall it not be counted his Will, because he hath still Liberty to dispose of them otherwise: but when Death taketh away that Liberty, then it is his Will.

3. *Voluntary* Actions and Omissions are such as have Beginning in the Will; all other are *involuntary*, or *mixed voluntary*, such as a Man doth upon Appetite or Fear; *involuntary*, such as he doth by Necessity of Nature, as when he is pushed, or falleth, and thereby doth Good or Hurt to another: *mixed*, such as participate of both;

as when a Man is carried to Prison, going is voluntary, to the Prison is involuntary: The Example of him, that throweth his Goods out of a Ship into the Sea, to save his Person, is of an Action altogether voluntary; for there is nothing therein involuntary, but the Hardness of the Choice, which is not his Action, but the Action of the Winds: what he himself doth, is no more against his Will than to flee from Danger is against the Will of him that seeth no other Means to preserve himself.

4. *Voluntary* also are the Actions that proceed from sudden *Anger*, or other sudden *Appetite* in such Men as can discern Good or Evil: for, in them the Time precedent is to be judged Deliberation; for then also he deliberateth in what Cases it is good to strike, deride, or do any other Action proceeding from Anger or other such sudden Passion.

5. *Appetite*, *Fear*, *Hope*, and the rest of the Passions, are *not* called *voluntary*; for they proceed *not from, but are the Will*, and the Will is not voluntary: for, a Man can no more say he will will, than he will will will, and so make an infinite Repetition of the Word [*will*]; which is absurd, and insignificant.

6. Forasmuch as *Will to do* is *Appetite*, and *Will to omit*, *Fear*; the Cause of *Appetite* and *Fear* is the Cause also of our *Will*: But the propounding of the Benefits and of Harms, that is to say, of Reward and Punishment, is the Cause of our *Appetite*, and of our *Fears*, and therefore also of our *Wills*, so far forth as we believe that such Rewards and Benefits as are propounded, shall arrive unto us; and consequently, our *Wills* follow our *Opinions*, as our *Actions* follow our *Wills*; in which Sense they say truly, and properly, that say the World is governed by Opinion.

7. When the *Wills* of many concur to one and the same Action and Effect, this *Concourse* of their *Wills* is called *Consent*; by which we must not understand one Will of many Men (for every Man hath his several Will) but many *Wills* to the producing of one Effect: But when the *Wills* of divers Men produce such Actions as are reciprocally *resistant* one to the other, this is called *Contention*; and, being upon the Persons one of another, *Battle*: whereas Actions proceeding from *Consent*, are mutual *Aid*.

8. When many *Wills* are involved or included in the Will of one or more consenting, (which how it may be, shall be hereafter declared) then is that involving of many *Wills* in one or more, called *Union*.

9. In *Deliberations* interrupted, as they may be by *Diversion* of other Business, or by *Sleep*, the last *Appetite* of such Part of the Deliberation is called *Intention*, or *Purpose*.

C H A P. XIII.

1. **H**AVING spoken of the Powers and Acts of the Mind, both cognitive and motive, considered in every Man by *himself*, *without Relation to others*; it will fall fitly into *this* Chapter, to speak of the Effects of the same Power *one upon another*; which Effects are also the Signs, by which one taketh Notice what another conceiveth and intendeth. Of these Signs, *some* are such as *cannot* easily be *counterfeited*; as Actions and Gestures, especially if they be sudden, whereof I have mentioned some; (for Example, look in Chap. IX.) with the several Passions whereof they are Signs: *Others* there are which *may* be *counterfeited*; and those are *Words* or *Speech*; of the Use and Effects whereof, I am to speak in this Place.

2. The first Use of Language, is the *Expression* of our *Conceptions*; that is, the begetting in another the same *Conceptions* that we have in ourselves; and this is called *Teaching*; wherein, if the *Conception* of him that teacheth continually accompany his *Words*, *beginning* at something true in *Experience*, then it begetteth

the like Evidence in the Hearer that understandeth them, and maketh him to *know* something, which he is therefore said to *learn*: but if there be *not such Evidence*, then such teaching is called *Persuasion*, and begetteth no more in the Hearer, than what is in the Speaker's bare *Opinion*. And the *Signs* of two Opinions contradictory one to another, namely, *Affirmation* and *Negation* of the same Thing, is called *Controversy*: but *both Affirmations*, or *both Negations*, *Consent in Opinion*.

3. The *infallible* Sign of *teaching exactly*, and without Error, is this, that *no Man* hath ever taught the *contrary*: Not that few, how few soever, if any; for commonly Truth is on the side of a few, rather than of the Multitude: But when in Opinions and Questions considered and discussed by many, it happeneth that not any one of the Men that so discuss'd them differ from another, then it may be justly inferred, they know what they teach, and that otherwise they do not. And this appears most manifestly to them that have considered the divers Subjects wherein they have exercised their Pens, and the divers Ways in which they have proceeded, together with the Diversity of the Success thereof: for, those Men who have taken in hand to consider nothing else but the Comparison of *Magnitudes*, *Numbers*, *Times*, and *Motions*, and how their Proportions are to one another, have thereby been the Authors of all those Excellencies by which we differ from such savage People as now inhabit divers Places in *America*; and as have been the Inhabitants heretofore of those Countries where at this Day Arts and Sciences do most flourish: for, from the Studies of these Men, have proceeded whatsoever cometh to us for Ornament by *Navigation*, and whatsoever we have beneficial to human Society by the *Division*, *Distinction*, and *Portraiting the Face of the Earth*; whatsoever we have also by the *Account of Times*, and *Foresight of the Course of Heaven*; whatsoever by *measuring Distances*, *Plains*, and *Solids* of all Sorts; and whatsoever either *elegant* or *defensible* in *Building*: All which supposed away, what do we differ from the wildest of the *Indians*? Yet to this day was it never heard of, that there was any *Controversy* concerning any Conclusion in this Subject; the Science whereof hath nevertheless been continually amplified and enriched by Conclusions of most difficult and profound Speculation. The *Reason* whereof is apparent to every Man that looketh into their Writings; for they proceed from most *low* and *humble* Principles, evident even to the meanest Capacity; going on *slowly*, and with most *scrupulous Ratiocination*; viz. from the Imposition of Names, they infer the Truth of their *first* Propositions; and from two of the first, a *Third*; and from any two of the three, a *fourth*; and so on, according to the Steps of Science, mentioned Chap. VI. Sect. 4. On the other side, those Men who have written concerning the Faculties, Passions, and Manners of Men, that is to say, of *Moral Philosophy*; and of *Policy*, *Government*, and *Laws*, whereof there be infinite Volumes; have been so far from removing Doubt and Controversy in the Questions they have handled, that they have very much multiplied the same. Nor doth any Man at this day so much as pretend to *know* more than hath been delivered two thousand Years ago by *Aristotle*: and yet every Man thinks that in this Subject he knoweth as much as any other; supposing there needeth thereunto no Study but what accrueth unto them by natural Wit; though they play, or employ their Mind otherwise in the Purchase of Wealth or Place. The Reason whereof is no other, than that in their Writings and Discourses they take for Principles those Opinions which are already vulgarly received, whether true or false, being for the most part false. There is therefore a great deal of *Difference* between *teaching* and *persuading*; the Sign of *this* being *Controversy*; the Sign of the former, *no Controversy*.

4. There be *two sorts* of Men that commonly be called *learned*: One is that sort that proceedeth *evidently* from humble Principles, as is described in the last Section; and those Men are called *Mathematici*: The other are they that take up Maxims from their *Education*, and from the *Authority* of Men, or of Custom, and take the habitual Discourse of the Tongue for *Ratiocination*; and these are called

Dogmatici. Now seeing in the last Section those we call *Mathematici* are absolved of the Crime of breeding Controversy, and they that pretend not to Learning cannot be accused, the Fault lieth altogether in the *Dogmatics*, that is to say, those that are imperfectly learned, and with Passion press to have their Opinions pass every where for Truth, without any evident Demonstration either from Experience, or from Places of Scripture of uncontroverted Interpretation.

5. The Expression of those Conceptions which *cause* in us the *Experience* of Good while we deliberate, as also of those which cause our Expectation of Evil, is that which we call *Counselling*, and is the internal Deliberation of the Mind concerning what we ourselves are to do, or not to do. The *Consequences* of our Actions are our *Counsellors*, by *alternate Succession* in the Mind. So in the Counsel which a Man taketh from *other* Men, the *Counsellors* *alternately* do *make appear the Consequences* of the Action, and do not any of them deliberate, but furnish among them all, him that is counselled with Arguments whereupon to deliberate with himself.

6. Another Use of Speech is *Expression* of *Appetite*, *Intention*, and *Will*; as the Appetite of Knowledge by *Interrogation*; Appetite to have a Thing done by another, as *Request*, *Prayer*, *Petition*: Expressions of our Purpose or Intention, as *Promise*, which is the Affirmation or Negation of some Action to be done in the future: *Threatning*, which is the Promise of Evil; and *Commanding*, which is that Speech by which we signify to another our *Appetite* or Desire to have any thing done, or left undone, for Reasons contained in the Will itself: For it is not properly said, *Sic volo, sic jubeo*, without that other Clause, *Stet pro Ratione Voluntas*: And when the Command is a sufficient Reason to move us to Action, then is that Command called a *Law*.

7. Another Use of Speech is *Instigation* and Appeasing, by which we increase or diminish one another's Passion: It is the same Thing with *Persuasion*; the Difference not being real; for, the Begetting of *Opinion* and *Passion* is the same. But whereas in *Persuasion* we aim at *getting Opinion from Passion*; here, the End is, *to raise Passion from Opinion*. And as in raising an Opinion from Passion, any Premises are good enough to enforce the desired Conclusion; so, in raising Passion from Opinion, it is no matter whether the Opinion be true or false, or the Narration historical or fabulous: for, *not the Truth*, but the *Image*, maketh Passion: and a Tragedy, well acted, affecteth no less than a Murther.

8. Tho' Words be the *Signs* we have of one another's *Opinions* and Intentions, because the *Equivocation* of them is so frequent according to the *Diversity of Contexture*, and of the Company wherewith they go, which, the Presence of him that speaketh, our *Sight* of his *Actions*, and *Conjecture* of his *Intentions*, must help to discharge us of; it must therefore be *extreme hard* to find the *Opinions* and Meaning of those *Men* that are *gone from us long ago*, and have left us no other Signification thereof than their Books, which cannot possibly be understood without *History*, to discover those aforementioned Circumstances, and also without great Prudence to *observe* them.

9. When it happeneth that a Man signifieth unto us two *contradictory* Opinions, whereof the *one* is *clearly* and directly *signified*, and the *other* either *drawn* from that by *Consequence*, or not known to be contradictory to it; then (when he is not present to explicate himself better) we are to take the *former* for his Opinion; for that is clearly signified to be his, and directly; whereas the other might proceed from Error in the Deduction, or Ignorance of the Repugnancy. The like also is to be held in two contradictory Expressions of a Man's Intention and Will, for the same Reason.

10. Forasmuch as whosoever *speaketh* to another, intendeth thereby to *make* him *understand* what he saith, if he speak unto him either in a Language which he that heareth understandeth not, or use any Word in other Sense than he believeth is the Sense of him that heareth, he *intendeth also not* to make him understand

stand what he saith; which is a *Contradiction* of himself. It is therefore always to be supposed, that he which intendeth not to deceive, alloweth the private Interpretation of his Speech to him to whom it is addressed.

II. *Silence*, in him that *believeth* that the same shall be taken for a *Sign of his Intent*, is a Sign thereof indeed: for, if he did not consent, the Labour of speaking so much as to declare the same, is so little, as it is to be presumed he would have done it.

C O N C L U S I O N.

THUS have we considered the Nature of Man so far as was requisite for the finding out the first and most simple Elements, wherein the Compositions of Politic Rules and Laws are lastly resolved; which was my present Purpose.

De Corpore Politico:
OR THE
ELEMENTS
OF
LAW,
MORAL and POLITIC.
WITH
Discourses upon several Heads;

VIZ.

Of { *The Law of Nature.*
Oaths and Covenants.
Several Kinds of Government.

With the Changes and Revolutions of them.

D E.

CORPORE POLITICO.

C H A P. I.

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|--|---|
| 1,2. <i>Men by Nature equal.</i> | 9. <i>Every Man's Strength and Knowledge for his own Use.</i> |
| 3. <i>By Vain Glory indisposed to allow Equality with themselves, to others.</i> | 10. <i>Every Man by Nature hath Right to all Things.</i> |
| 4. <i>Apt to provoke one another by Comparisons.</i> | 11. <i>War and Peace defined.</i> |
| 5. <i>Apt to incroach one upon another.</i> | 12. <i>Men by Nature in the State of War.</i> |
| 6. <i>Right defined.</i> | 13. <i>In manifest Inequality Might is Right.</i> |
| 7. <i>Right to the End, implieth Right to the Means.</i> | 14. <i>Reason dictateth Peace.</i> |
| 8. <i>Every Man his own Judge by Nature.</i> | |

I. **I**N a former Treatise of Human Nature already printed, hath been set forth the whole Nature of Man, consisting in the Powers natural of his Body and Mind, and may all be comprehended in these four, *Strength of Body, Experience, Reason, and Passion.*

2. In this, it will be expedient to consider in what Estate of Security this our Nature hath placed us, and what Probability it hath left us, of continuing and preserving ourselves against the Violence of one another. And first, if we consider how little Odds there is of Strength or Knowledge, between Men of mature Age; and with how great Facility he that is the weaker in Strength or in Wit, or in both, may utterly destroy the Power of the stronger; since there needeth but little Force to the taking away of a Man's Life, we may conclude, that Men considered in meer Nature, ought to admit amongst themselves Equality; and that he that claimeth no more, may be esteemed moderate.

3. On the other side, considering the great Difference there is in Men, from the Diversity of their Passions, how some are vainly glorious, and hope for Precedency and Superiority above their Fellows, not only when they are equal in Power, but also when they are inferior; we must needs acknowledge that it must necessarily follow, that those Men who are moderate, and look for no more but Equality of Nature, shall be obnoxious to the Force of others, that will attempt to subdue them. And from hence shall proceed a general Diffidence in Mankind, and mutual Fear one of another.

4. Farther, since Men by natural Passion are divers Ways offensive one to another, every Man thinking well of himself, and hating to see the same in others, they must needs provoke one another by Words, and other Signs of Contempt and Hatred, which are incident to all Comparison, till at last they must determine the Preheminence by Strength and Force of Body.

5. Moreover, considering that many Men's Appetites carry them to one and the same End, which End sometimes can neither be enjoyed in common, nor divided, it followeth, that the stronger must enjoy it alone, and that it be decided by Battle who is the stronger. And thus the greatest Part of Men, upon no Assurance of Odds, do nevertheless through Vanity, or Comparison, or Appetite, provoke the rest, that otherwise would be contented with Equality.

6. And forasmuch as Necessity of Nature maketh Men to will and desire *Bonum sibi*, that which is good for themselves, and to avoid that which is hurtful; but most of all, the terrible Enemy of Nature, Death, from whom we expect both the Loss of all Power, and also the greatest of bodily Pains in the Losing; it is not against Reason, that a Man doth all he can to preserve his own Body and Limbs both from Death and Pain. And that which is not against Reason, Men call *Right*, or *Jus*, or *Blameless*; *Liberty* of using our own natural Power and Ability. It is therefore a Right of Nature, that every Man may preserve his own Life and Limbs, with all the Power he hath.

7. And because where a Man hath Right to the End, and the End cannot be attained without the Means, that is, without such Things as are necessary to the End, it is consequent that it is not against Reason, and therefore right for a Man to use all Means, and do whatsoever Action is necessary for the Preservation of his Body.

8. Also every Man by Right of Nature, is Judge himself of the Necessity of the Means, and of the Greatness of the Danger. For if it be against Reason, that I be Judge of my own Danger myself, then it is Reason, that another Man be Judge thereof. But the same Reason that maketh another Man Judge of those Things that concern me, maketh me also Judge of that that concerneth him. And therefore I have Reason to judge of his Sentence, whether it be for my Benefit, or not.

9. As a Man's Judgment in Right of Nature is to be employed for his own Benefit, so also the Strength, Knowledge, and Art of every Man is then rightly employed, when he useth it for himself; else must not a Man have Right to preserve himself.

10. Every Man by Nature hath Right to all Things, that is to say, to do whatsoever he listeth to whom he listeth, to possess, use, and enjoy all things he will and can. For seeing all things he willeth, must therefore be good unto him in his own Judgment, because he willeth them, and may tend to his Preservation some time or other, or he may judge so, and we have made him Judge thereof, Sect. 8. it followeth, that all things may rightly also be done by him. And for this Cause it is rightly said, *Natura dedit omnia omnibus*, that Nature hath given all Things to all Men; insomuch, that *Jus* and *Utile*, Right and Profit, is the same thing. But that Right of all Men to all things, is in Effect no better than if no Man had Right to any Thing. For there is little Use and Benefit of the Right a Man hath, when another as strong, or stronger than himself, hath Right to the same.

11. Seeing then to the Offensiveness of Man's Nature one to another, there is added a Right of every thing, whereby one Man invadeth with Right, and another Man with Right resisteth, and Men live thereby in perpetual Diffidence, and study how to preoccupate each other; the Estate of Men in this natural Liberty, is the Estate of War. For *War* is nothing else but that Time wherein the Will and Intention of contending by Force, is either by Words or Actions sufficiently declared; and the Time which is not War, is *Peace*.

12. The Estate of Hostility and War being such, as thereby Nature itself is destroyed, and Men kill one another; (as we know also that it is, both by the Experience of Savage Nations that live at this Day, and by the Histories of our Ancestors the old Inhabitants of *Germany*, and other now civil Countries, where we find the People few, and short-lived, and without the Ornaments and Comforts of Life, which by Peace and Society are usually invented and procured) he therefore that

that desireth to live in such an Estate as is the Estate of Liberty and Right of all to all, contradicteth himself. For every Man by natural Necessity desireth his own Good, to which this Estate is contrary, wherein we suppose Contention between Men by Nature equal, and able to destroy one another.

13. Seeing this Right of protecting ourselves by our own Discretion and Force, proceedeth from Danger, and that Danger from the Equality between Men's Forces, much more Reason is there, that a Man prevent such Equality before the Necessity of Battle. A Man therefore that hath another Man in his Power to rule or govern, to do good to, or harm, hath Right, by the Advantage of this his present Power, to take Caution at his Pleasure, for his Security against that other in Time to come. He therefore that hath already subdued his Adversary, or gotten into his Power any other, that either by Infancy, or Weakness, is unable to resist him, by Right of Nature may take the best Caution, that such Infant, or such feeble and subdued Person can give him, of being ruled and governed by him for the Time to come. For seeing we intend always our own Safety and Preservation, we manifestly contradict that our Intention, if we willingly dismiss such a one, and suffer him at once to gather Strength and be our Enemy. Out of which may also be collected, that irresistible Might in the State of Nature, is Right.

14. But since it is supposed by the Equality of Strength, and other natural Faculties of Men, that no Man is of Might sufficient to assure himself for any long Time, of preserving himself thereby, whilst he remaineth in the State of Hostility and War; Reason therefore dictateth to every Man for his own Good, to seek after Peace, as far forth as there is Hope to attain the same: and strengthen himself with all the Help he can procure, for his own Defence against those, from whom such Peace cannot be obtained: and to do all those Things which necessarily conduce thereunto.

C H A P. II.

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| <p>1. <i>The Law of Nature consisteth not in Consent of Men, but Reason.</i></p> <p>2. <i>That every Man divest himself of the Right he hath to all Things, is one Precept of Nature.</i></p> <p>3. <i>What it is to relinquish and transfer one's Right.</i></p> <p>4. <i>The Will to transfer, and the Will to accept, both necessary to the passing away of Right.</i></p> <p>5. <i>Right not transferred by Words de Futuro, only.</i></p> <p>6. <i>Words de Futuro, together with other Signs of the Will, may transfer Right.</i></p> <p>7. <i>Free Gift defined.</i></p> <p>8. <i>Contract, and the Sorts of it.</i></p> | <p>9. <i>Covenant defined.</i></p> <p>10. <i>Contract of mutual Trust, is of no Validity in the Estate of Hostility.</i></p> <p>11. <i>No Covenant of Men but with one another.</i></p> <p>12. <i>Covenant how dissolved.</i></p> <p>13. <i>Covenant extorted by Fear, in the Law of Nature valid.</i></p> <p>14. <i>Covenant contrary to former Covenant, void.</i></p> <p>15. <i>An Oath defined.</i></p> <p>16. <i>Oath to be administered to every Man in his own Religion.</i></p> <p>17. <i>Oath addeth not to the Obligation.</i></p> <p>18. <i>Covenants bind but to endeavour.</i></p> |
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1. **W**HAT it is we call the Law of Nature, is not agreed upon by those, that have hitherto written. For the most part, such Writers as have Occasion to affirm, that any thing is against the Law of Nature, do alledge no more than this, that it is against the Consent of all Nations, or the wisest and most civil Nations. But it is not agreed upon, who shall judge which Nations are the wisest. Others make that against the Law of Nature, which is contrary to the Consent of all Mankind; which Definition cannot be allowed, because then no

Man could offend against the Law of Nature ; for the Nature of every Man is contained under the Nature of Mankind. But forasmuch as all Men are carried away by the Violence of their Passions, and by evil Customs do those Things which are commonly said to be against the Law of Nature ; it is not the Consent of Passions, or Consent in some Error gotten by Custom, that makes the Law of Nature. Reason is no less of the Nature of Man than Passion, and is the same in all Men, because all Men agree in the Will to be directed and governed in the Way to that which they desire to attain, namely, their own Good, which is the Work of Reason : There can therefore be no other Law of Nature than Reason, nor no other Precepts of *Natural Law*, than those which declare unto us the Ways of Peace, where the same may be obtained, and of Defence where it may not.

2. One Precept of the Law of Nature therefore is this, *that every Man divest himself of the Right he hath to all Things by Nature*. For when divers Men having Right not only to all Things else, but to one another's Persons, if they use the same, there ariseth thereby Invasion on the one Part, and Resistance on the other, which is *War*, and therefore contrary to the Law of Nature, the Sum whereof consisteth in making Peace.

3. When a Man divesteth and putteth from himself his Right, he either simply relinquisheth it, or transferreth the same to another Man. To *relinquish* it, is by sufficient Signs to declare, that it is his Will no more to do that Action, which of Right he might have done before. To *transfer* Right to another, is by sufficient Signs to declare to that other accepting thereof, that it is his Will not to resist, or hinder him, according to that Right he had thereto before he transferred it. For seeing that by Nature every Man hath Right to every Thing, it is impossible for a Man to transfer unto another any Right that he had not before. And therefore all that a Man doth in transferring of Right, is no more but a declaring of the Will, to suffer him, to whom he hath so transferred his Right, to make Benefit of the same, without Molestation. As for Example, when a Man giveth his Lands or Goods to another, he taketh from himself the Right to enter into, and make use of the said Lands or Goods, or otherwise to hinder him of the Use of what he hath given.

4. In transferring of Right, two Things therefore are required : One on the Part of him that transferreth, which is a sufficient Signification of his Will therein ; the other, on the Part of him to whom it is transferred, which is a sufficient Signification of his Acceptation thereof. Either of these failing, the Right remaineth where it was : nor is it to be supposed, that he which giveth his Right to one that accepteth it not, doth thereby simply relinquish it, and transfer it to whomsoever will receive it : inasmuch as the Cause of transferring the same to one, rather than to another, is in the one, rather than in the rest.

5. When there appear no other Signs that a Man hath relinquished, or transferred his Right, but only Words, it behoveth that the same be done in Words that signify the present Time, or the Time past, and not only the Time to come. For he that saith of the Time to come, (as for Example) *To-morrow, I will give*, declareth evidently, that he hath not yet given. The Right therefore remaineth in him *To-day*, and so continues, till he have given actually. But he that saith, *I give*, presently, or have given to another any thing, to have and enjoy the same *To-morrow*, or any other Time further, hath now actually transferred the said Right, which otherwise he should have had at the Time that the other is to enjoy it.

6. But because Words alone are not a sufficient Declaration of the Mind, as hath been shewed, Chap. XIII. Sect. 8. Words spoken *de Futuro* when the Will of him that speaketh them may be gathered by other Signs, may be taken very often as if they were meant *de Prasenti* : For when it appeareth, that he that giveth, would have his Words so understood by him to whom he giveth, as if he did actually transfer his Right, then he must needs be understood to will all that is necessary to the same.

7. When a Man transferreth any Right of his to another, without Consideration of reciprocal Benefit past, present, or to come, this is called *Free Gift*. And in Free Gift, no other Words can be binding, but those which are *de Præsenti*, or *de Præterio*: For being *de Futuro* only, they transfer nothing, nor can they be understood, as if they proceeded from the Will of the Giver; because being a free Gift, it carrieth with it no Obligation greater than that which is enforced by the Words. For he that promiseth to give, without any other Consideration but his own Affection, so long as he hath not given, deliberateth still, according as the Causes of his Affections continue, or diminish: And he that deliberateth, hath not yet willed, because the Will is the last Act of his Deliberation. He that promiseth therefore, is not thereby a *Donor*, but *Dofon*; which Name was given to that *Antiochus*, that promised often, but seldom gave.

8. When a Man transferreth his Right upon Consideration of reciprocal Benefit, this is not Free Gift, but Mutual *Donation*, and is called *Contract*. And in all Contracts, either both Parties presently perform, and put each other into a Certainty and Assurance of enjoying what they contract for; as when Men buy or sell, or barter: or one Party performeth presently, and the other promiseth; as when one selleth upon Trust; or else neither Party performeth presently, but trust one another. And it is impossible there should be any kind of Contract besides these three. For either both the Contractors trust, or neither; or else one trusteth, and the other not.

9. In all Contracts where there is Trust, the Promise of him that is trusted is called a *Covenant*. And this though it be a Promise, and of the Time to come, yet it doth transfer the Right, when that Time cometh, no less than an actual Donation. For it is a manifest Sign, that he which did perform, understood it was the Will of him that was trusted, to perform also. Promises therefore, upon Consideration of reciprocal Benefit, are Covenants and Signs of the Will, or last Act of Deliberation, whereby the Liberty of performing, or not performing, is taken away, and consequently are obligatory. For where Liberty ceaseth, there beginneth Obligation.

10. Nevertheless, in Contracts that consist of such mutual Trust, as that nothing be by either Party performed for the present, when the Contract is between such as are not compellable, he that performeth first, considering the Disposition of Men to take Advantage of every Thing for their Benefit, doth but betray himself thereby to the Covetousness or other Passion of him with whom he contracteth. And therefore such Covenants are of none Effect. For there is no Reason why the one should perform first, if the other be likely not to perform afterward. And whether he be likely or not, he that doubteth, shall be Judge himself, as hath been said, Chap. I. Sect. 8. as long as they remain in the Estate and Liberty of Nature. But when there shall be such Power coercive over both the Parties, as shall deprive them of their private Judgments in this Point, then may such Covenants be effectual, seeing he that performeth first shall have no reasonable Cause to doubt of the Performance of the other, that may be compelled thereunto.

11. And forasmuch as in all Covenants, and Contracts, and Donations, the Acceptance of him to whom the Right is transferred, is necessary to the Essence of those Covenants, Donations, &c. it is impossible to make a Covenant or Donation to any, that by Nature, or Absence, are unable; or if able, do not actually declare their Acceptation of the same. First of all therefore, it is impossible for any Man to make a Covenant with God Almighty, farther than it hath pleased him to declare who shall receive and accept of the said Covenant in his Name. Also it is impossible to make Covenant with those living Creatures, of whose Wills we have no sufficient Sign, for want of common Language.

12. A Covenant to do any Action at a certain Time or Place, is then dissolved by the Covenanter, when that Time cometh, either by the Performance, or by the Violation. For a Covenant is void that is once impossible. But a Covenant

to do without Time limited, which is as much as to say, a Covenant never to do, is dissolved by the Covenanter then only, when he violateth it, or dieth. And generally, all Covenants are dischargeable by the Covenantee, to whose Benefit, and by whose Right, he that maketh the Covenant is obliged. This Right therefore of the Covenantee relinquished, is a Release of the Covenant. And universally, for the same Reason, all Obligations are determinable at the Will of the Obliger.

13. It is a Question often moved, whether such Covenants oblige, as are extorted from Men by Fear? As for Example, Whether if a Man for Fear of Death, hath promised to give a Thief an hundred Pounds the next day, and not discover him; whether such Covenant be obligatory or not? And though in some Cases such Covenant may be void, yet it is not therefore void, because extorted by Fear. For there appeareth no Reason, why that which we do upon Fear, should be less firm than that which we do for Covetousness: For both the one and the other maketh the Action voluntary. And if no Covenant should be good, that proceedeth from Fear of Death, no Conditions of Peace between Enemies, nor any Laws, could be of Force, which are all consented to from that Fear. For who would lose the Liberty that Nature hath given him, of governing himself by his own Will and Power, if they feared not Death in the retaining of it? What Prisoner in War might be trusted to seek his Ransom, and ought not rather to be killed, if he were not tied by the Grant of his Life, to perform his Promise? But after the Introduction of Policy and Laws, the Case may alter; for if by the Law the Performance of such a Covenant be forbidden, then he that promiseth any thing to a Thief, not only may, but must refuse to perform it. But if the Law forbid not the Performance, but leave it to the Will of the Promiser, then is the Performance still lawful: and the Covenant of Things lawful is obligatory, even towards a Thief.

14. He that giveth, promiseth, or covenanteth to one, and after, giveth, promiseth, or covenanteth the same to another, maketh void the latter Act. For it is impossible for a Man to transfer that Right which he himself hath not; and that Right he hath not, which he himself hath before transferred.

15. An *Oath* is a Clause annexed to a Promise, containing a Renunciation of God's Mercy by him that promiseth, in case he perform not as far as is lawful and possible for him to do. And this appeareth by the Words which make the Essence of the Oath, *So help me God*. So also was it amongst the Heathen. And the Form of the Romans was, *Thou Jupiter kill him that breaketh, as I kill this Beast*. The Intention therefore of an Oath being to provoke Vengeance upon the Breakers of Covenant, it is to no Purpose to swear by Men, be they never so great, because their Punishment by divers Accidents may be avoided, whether they will or no, but God's Punishment not. Though it were a Custom of many Nations, to swear by the Life of their Princes; yet those Princes being ambitious of divine Honour, give sufficient Testimony, that they believed, nothing ought to be sworn by but the Deity.

16. And seeing Men cannot be afraid of the Power they believe not, and an Oath is to no Purpose, without Fear of him they swear by, it is necessary that he that sweareth, do it in that Form which himself admitteth in his own Religion, and not in that Form which he useth, that putteth him to the Oath. For though all Men may know by Nature, that there is an Almighty Power, nevertheless they believe not, that they swear by him in any other Form or Name, than what their own (which they think the true) Religion teacheth them.

17. And by the Definition of an Oath, it appeareth that it addeth not a greater Obligation to perform the Covenant sworn, than the Covenant carried in itself, but it putteth a Man into greater Danger, and of greater Punishment.

18. Covenants and Oaths are *de Voluntariis*, that is, *de Possibilibus*. Nor can the Covenantee understand the Covenanter to promise *Impossibles*; for they fall not

under Deliberation : and consequently, (by Chap. XIII. Sect. 10. which maketh the Covenanter Interpreter) no Covenant is understood to bind further, than to our best Endeavour either in Performance of the Thing promised, or in something equivalent.

C H A P. III.

1. *That Men stand to their Covenants.*
2. *Injury defined.*
3. *That Injury is done only to the Covenantee.*
4. *The Signification of those Names, Just, Unjust.*
5. *Justice not rightly divided into Commutative, and Distributive.*
6. *It is a Law of Nature, that he that is trusted, turn not that Trust to the Damage of him that trusteth.*
7. *Ingratitude defined.*
8. *It is a Law of Nature, to endeavour to accommodate one another.*
9. *And that Man forgive upon Caution for the future.*
10. *And that Revenge ought to respect the future only.*
11. *That Reproach and Contempt declared, is against the Law of Nature.*
12. *That Indifference of Commerce is of the Law of Nature.*
13. *That Messengers employed to procure or maintain Peace, ought to be safe by the Law of Nature.*

1. **I**T is a common Saying that Nature maketh nothing in vain. And it is most certain, that as the Truth of a Conclusion is no more but the Truth of the Premises that make it ; so the Force of the Command, or Law of Nature, is no more than the Force of the Reasons inducing thereunto. Therefore the Law of Nature mentioned in the former Chapter, Sect. 2. namely, *That every Man should divest himself of the Right, &c.* were utterly vain, and of none Effect, if this also were not a Law of the same Nature, *That every Man is obliged to stand to, and perform, those Covenants he maketh.* For what Benefit is it to a Man, that any thing be promised, or given unto him, if he that giveth, or promiseth, performeth not, or retaineth still the Right of taking back what he hath given ?

2. The Breach or Violation of Covenant, is that which Men call *Injury*, consisting in some Action or Omission, which is therefore called *Unjust*. For it is Action or Omission, without *Jus*, or Right, which was transferred or relinquished before. There is a great Similitude between that we call *Injury*, or *Injustice* in the Actions and Conversations of Men in the World, and that which is called *Absurd* in the Arguments and Disputations of the Schools. For as he which is driven to contradict an Assertion by him before maintained, is said to be reduced to an Absurdity ; so he that through Passion doth, or omitteth that which before by Covenant he promised to do, or not to omit, is said to commit Injustice ; and there is in every Breach of Covenant a Contradiction properly so called. For he that covenanteth, willeth to do, or omit, in the time to come. And he that doth any Action, willeth it in that present, which is part of the future Time contained in the Covenant. And therefore he that violateth a Covenant, willeth the Doing and the not Doing of the same Thing at the same Time, which is a plain Contradiction. And so *Injury* is an *Absurdity* of Conversation, as *Absurdity* is a Kind of Injustice in Disputation.

3. In all Violation of Covenant, (to whomsoever accrueth the Damage) the Injury is done only to him to whom the Covenant was made. For Example : If a Man covenant to obey his Master, and the Master command him to give Money to a third, which he promiseth to do, and doth not, though this be to the Damage of the third, yet the Injury is done to the Master only. For he could violate

no Covenant with him, with whom none was made, and therefore doth him no Injury. For Injury consisteth in Violation of Covenant by the Definition thereof.

4. The Names of *Just*, *Unjust*, *Justice*, *Injustice*, are equivocal, and signify diversly. For Justice and Injustice, when they be attributed to Actions, signify the same Thing with *no Injury*, and *Injury*, and denominate the Action *Just*, or *Unjust*, but not the Man so. For they denominate him *Guilty*, or *not Guilty*. But when Justice or Injustice, are attributed to Men, they signify *Proneness*, and Affection and Inclination of Nature, that is to say, Passions of the Mind, apt to produce just and unjust Actions. So that when a Man is said to be *Just*, or *Unjust*; not the Action, but the Passion and Aptitude to do such Actions, is considered. And therefore a just Man may have committed an unjust Act; and an unjust Man may have done justly, not only in one, but most of his Actions. For there is an *oderunt peccare* in the unjust, as well as in the just, but from different Causes. For the unjust Man who abstaineth from Injuries for Fear of Punishment, declareth plainly, that the Justice of his Actions dependeth upon Civil Constitution, from whence Punishments proceed, which would otherwise in the Estate of Nature be unjust, according to the Fountain from whence they spring. This Distinction therefore of *Justice* and *Injustice*, ought to be remembered, and when Injustice is taken for guilty, the Action is unjust, but not therefore the Man; and when Justice is taken for *Guiltlessness*, the Actions are just, and yet not always the Man. Likewise when Justice and Injustice are taken for Habits of the Mind, the Man may be just, or unjust, and yet not all his Actions so.

5. Concerning the Justice of Actions, the same is usually divided into two Kinds, whereof Men call the one *Commutative*, and the other *Distributive*; and are said to consist, the one in Proportion *Arithmetical*, the other in *Geometrical*: and *Commutative* Justice they place in Permutation, as Buying, Selling, Bartering; *Distributive*, in giving to every Man according to their Deserts. Which Distinction is not well made, inasmuch as Injury, which is the Injustice of Action, consisteth not in the Inequality of the Things changed, or distributed, but in the Inequality that Men (contrary to Nature and Reason) assume unto themselves above their Fellows. Of which Inequality, shall be spoken hereafter. And for *Commutative* Justice, placed in Buying and Selling, though the Thing bought be unequal to the Price given for it, yet forasmuch as both the Buyer and the Seller are made Judges of the Value, and are thereby both satisfied, there can be no Injury done on either Side, neither Party having trusted or covenanted with the other. And for *Distributive* Justice, which consisteth in the Distribution of our own Benefits, seeing a Thing is therefore said to be our own, because we may dispose of it at our own Pleasure, it can be no Injury to any Man, though our Liberality be farther extended towards another, than towards him; unless we be thereto obliged by Covenant: and then the Injustice consisteth in the Violation of that Covenant, and not in the Inequality of Distribution.

6. It happeneth many times that Man benefiteth, or contributeth, to the Power of another, without any Covenant, but only upon Confidence and Trust of obtaining the Grace and Favour of that other, whereby he may procure a greater, or no less Benefit and Assistance to himself. For by Necessity of Nature, every Man doth in all his voluntary Actions intend some Good unto himself. In this Case it is a Law of Nature, *That no Man suffer him, that thus trusteth to his Charity, or good Affection towards him, to be in the worse Estate for his Trusting*. For if he shall so do, Men will not dare to confer mutually to each other's Defence, nor put themselves into each other's Mercy upon any Terms whatsoever, but rather abide the utmost and worst Event of Hostility; by which great Diffidence, Men will not only be enforced to War, but also afraid to come so much within the Danger of one another, as to make any Overture of Peace. But this is to be understood of those only, that confer their Benefits (as I have said) upon Trust only, and not for Triumph or Ostentation. For as when they do it upon Trust,

the End they aimed at, namely, to be well used, is the Reward; so also when they do it for Ostentation, they have the Reward in themselves.

7. But seeing in this Case there passeth no Covenant, the Breach of this Law of Nature is not to be called *Injury*. It hath another Name, to wit, *Ingratitude*.

8. It is also a Law of Nature, *That every Man do help and endeavour to accommodate each other as far as may be, without Danger of their Persons, and Loss of their Means to maintain and defend themselves.* For seeing the Causes of War and Desolation proceed from those Passions, by which we strive to accommodate ourselves, and to leave others as far as we can behind us, it followeth, that that Passion by which we strive mutually to accommodate each other, must be the Cause of Peace. And this Passion is that Charity defined, Chap. IX. Sect. 17.

9. And in this Precept of Nature is included and comprehended also this, *That a Man forgive and pardon him that hath done him wrong, upon his Repentance and Caution for the future.* For Pardon is Peace granted to him, that (having provoked to War) demandeth it. It is not therefore Charity, but Fear, when a Man giveth Peace to him that repenteth not, nor giveth Caution for maintaining thereof in the Time to come. For he that repenteth not, remaineth with the Affection of an Enemy; as also doth he that refuseth to give Caution, and consequently, is presumed not to seek for Peace, but Advantage. And therefore to forgive him is not commanded in this Law of Nature, nor is Charity, but may sometimes be Prudence. Otherwise, not to pardon upon Repentance and Caution, considering Men cannot abstain from provoking one another, is never to give *Peace*. And that is against the general Definition of the Law of Nature.

10. And seeing the Law of Nature commandeth Pardon, when there is Repentance and Caution for the future, it followeth, that the same Law ordaineth, *That no Revenge be taken upon the Consideration only of the Offence past, but of the Benefit to come,* that is to say, That all Revenge ought to tend to Amendment, either of the Person offending, or of others, by the Example of his Punishment; which is sufficiently apparent, in that the Law of Nature commandeth Pardon, where the future Time is secured. The same is also apparent by this, That Revenge when it considereth the Offence past, is nothing else, but present Triumph and Glory, and directeth to no End: and what is directed to no End, is therefore unprofitable; and consequently the Triumph of Revenge is Vain Glory: and whatsoever is vain, is against Reason; and to hurt one another without Reason, is contrary to that, which by Supposition is every Man's Benefit, namely Peace; and what is contrary to Peace, is contrary to the Law of Nature.

11. And because all Signs which we shew to one another of Hatred and Contempt, provoke in the highest Degree to Quarrel and Battle, (inasmuch as Life itself, with the Condition of enduring Scorn, is not esteemed worth the enjoying, much less Peace) it must necessarily be implied as a Law of Nature, *That no Man reproach, revile, deride, or any otherwise declare his Hatred, Contempt, or Disesteem of any other.* But this Law is very little practised. For what is more ordinary than Reproaches of those that are rich, towards them that are not? or of those that sit in Place of Judicature, towards those that are accused at the Bar? altho' to grieve them in that Manner, be no Part of the Punishment for their Crime, nor contained in their Office. But Use hath prevailed, That what was lawful in the Lord towards the Servant whom he maintaineth, is also practised as lawful in the more Mighty towards the Less; though they contribute nothing towards their Maintenance.

12. It is also a Law of Nature, *That one Man allow Commerce and Traffick indifferently to one another.* For he that alloweth that to one Man, which he denieth to another, declareth his Hatred to him to whom he denieth. And to declare Hatred, is War. And upon this Title was grounded the great War between the *Athenians* and the *Peloponnesians*. For would the *Athenians* have condescended to suffer the *Megareans*, their Neighbours, to traffick in their Ports and Markets, that War had not begun.

13. And this also is a Law of Nature, *That all Messengers of Peace, and such as are employed to procure and maintain Amity between Man and Man, may safely come and go.* For seeing Peace is the general Law of Nature, the Means thereto (such as are these Men) must in the same Law be comprehended.

C H A P IV.

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| <p>1. <i>A Law of Nature, That every Man acknowledge other for his Equal.</i></p> <p>2. <i>Another, That Men allow Æqualia Æqualibus.</i></p> <p>3. <i>Another, That those Things which cannot be divided, be used in common.</i></p> <p>4. <i>Another, That Things indivisible and incommunicable, be divided by Lot.</i></p> <p>5. <i>Natural Lot, Primogeniture, and first Possession.</i></p> <p>6. <i>That Men submit to Arbitration.</i></p> <p>7. <i>Of an Arbitrator.</i></p> <p>8. <i>That no Man press his Counsel upon any Man against his Will.</i></p> <p>9. <i>How to know suddenly what is the Law of Nature.</i></p> | <p>10. <i>That the Law of Nature taketh place after Security from others to observe the same.</i></p> <p>11. <i>The Right of Nature not to be taken away by Custom, nor the Law of Nature abrogated by any Act.</i></p> <p>12. <i>Why the Dictates of Nature are called Laws.</i></p> <p>13. <i>Whatsoever is against Conscience in a Man that is his own Judge, is against the Law of Nature.</i></p> <p>14. <i>Of Malum Pœnæ, Malum Culpæ; Virtue and Vice.</i></p> <p>15. <i>Aptitude to Society, fulfilleth the Law of Nature.</i></p> |
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1. **T**HE Question, Which is the better Man? is determinable only in the Estate of Government and Policy, though it be mistaken for a Question of Nature, not only by ignorant Men, that think one Man's Blood better than another's by Nature, but also by him, whose Opinions are at this Day, and in these Parts, of greater Authority than any other human Writings. For he putteth so much Difference between the Powers of Men by Nature, that he doubteth not to set down, as the Ground of all his Politics, That some Men are by Nature worthy to govern, and others by Nature ought to serve. Which Foundation hath not only weakened the whole Frame of his Politics, but hath also given Men Colour and Pretences, whereby to disturb and hinder the Peace of one another. For though there were such a Difference of Nature, that Master and Servant were not by Consent of Men, but by inherent Virtue; yet who hath that Eminency of Virtue above others, and who is so stupid as not to govern himself, shall never be agreed upon amongst Men, who do every one naturally think himself as able, at the least, to govern another, as another to govern him. And when there was any Contention between the finer and the coarser Wits, (as there hath been often in Times of Sedition and Civil War) for the most part these latter carried away the Victory; and as long as Men arrogate to themselves more Honour than they give to others, it cannot be imagined, how they can possibly live in Peace: and consequently we are to suppose, that for Peace sake, Nature hath ordained this Law, *That every Man acknowledge other for his Equal.* And the Breach of this Law, is that we call *Pride.*

2. As it was necessary that a Man should not retain his Right to every Thing, so also was it, that he should retain his Right to some Things: To his own Body (for Example) the Right of defending whereof he could not transfer; to the Use of Fire, Water, free Air, and Place to live in, and to all Things necessary for Life. Nor doth the Law of Nature command any divesting of other Rights, than

of those only which cannot be retained without the Loss of Peace. Seeing then many Rights are retained, when we enter into Peace one with another, Reason and the Law of Nature dictateth, *Whatsoever Right any Man requireth to retain, he allow every other Man to retain the same.* For he that doth not so, alloweth not the Equality mentioned in the other Section. For there is no Acknowledgment of Worth, without Attribution of the Equality of Benefit and Respect. And this Allowance of *Æqualia Æqualibus*, is the same thing with the allowing of *Proportionalia Proportionalibus*. For when a Man alloweth to every Man alike, the Allowance he maketh will be in the same Proportion in which are the Numbers of Men to whom they are made. And this is it Men mean by *distributive Justice*, and is properly termed *Equity*. The Breach of the Law is that which the *Greeks* call *Πλεονεξία*, which is commonly rendered *Covetousness*, but seemeth to be more precisely expressed by the word *Incroaching*.

3. If there pass no other Covenant, the Law of Nature is, *That such Things as cannot be divided, be used in common, proportionably to the Numbers of them that are to use the same, or without Limitation, when the Quantity thereof sufficeth.* For first supposing the Thing to be used in common, not sufficient for them that are to use it without Limitation, if a few shall make more Use thereof than the rest, that Equality is not observed, which is required in the second Section. And this is to be understood, as all the rest of the Laws of Nature, without any other Covenant antecedent: for a Man may have given away his Right of Common, and so the Case be altered.

4. In those Things which neither can be divided, nor used in common, the Rule of Nature must needs be one of these, *Lot*, or *alternate Use*: for besides these two ways, there can no other Equality be imagined; and for alternate Use, he that beginneth hath the Advantage; and to reduce that Advantage to Equality, there is no other way but *Lot*. In Things therefore indivisible and incommunicable, it is the Law of Nature, *That the Use be alternate, or the Advantage given away by Lot*; because there is no other way of Equality; and Equality is the Law of Nature.

5. There be two sorts of Lots; one arbitrary, made by Men, and commonly known by the Names of *Lot*, *Chance*, *Hazard*, and the like; and there is *natural Lot*, such as is *Primogeniture*, which is no more but the Chance or Lot of being first born, which it seemeth they considered, that call Inheritance by the Name of *Κληρονομία*, which signifieth *Distribution* by Lot. Secondly, *prima Occupatio*, first seizing, or finding a Thing, whereof no Man made use before, which for the most part is merely *Chance*.

6. Although Men agree upon these Laws of Nature, and endeavour to observe the same; yet considering the Passions of Men, that make it difficult to understand by what Actions, and Circumstances of Actions, those Laws are broken; there must needs arise many great Controversies about the Interpretation thereof, by which the Peace must needs be dissolved, and Men return again to their former Estate of Hostility. For the taking away of which Controversies, it is necessary that there be some common *Arbitrator* and *Judge*, to whose Sentence both the Parties in Controversies ought to stand. And therefore it is a Law of Nature, *That in every Controversy, the Parties thereto ought mutually to agree upon an Arbitrator, whom they both trust; and mutually to covenant to stand to the Sentence he shall give therein.* For where every Man is his own *Judge*, there properly is no Judge at all; as where every Man carveth out his own Right, it hath the same Effect, as if there were no Right at all: and where is no Judge, there is no End of Controversy: And therefore the Right of Hostility remaineth.

7. An *Arbitrator* therefore, or he that is *Judge*, is trusted by the Parties to any Controversy, to determine the same by the Declaration of his own Judgment therein. Out of which followeth first, that the Judge ought not to be concerned in the Controversy he endeth; for in that Case he is a Party, and ought by the same Reason to be judged by another. Secondly, that he make no Covenant

with either of the Parties, to pronounce Sentence for the one, more than for the other. Nor covenant so much, as that his Sentence shall be just; for that were to make the Parties Judges of the Sentence, whereby the Controversy would remain still undecided. Nevertheless for the Trust reposed in him, and for the Equality which the Law of Nature requireth him to consider in the Parties, he violateth that Law, if for Favour or Hatred to either Party, he give other Sentence than he thinketh right. And thirdly, that no Man ought to make himself Judge in any Controversy between others, unless they consent and agree thereto.

8. It is also the Law of Nature, *That no Man obtrude or press his Advice or Counsel to any Man, that declareth himself unwilling to bear the same.* For seeing a Man taketh Counsel concerning what is Good or Hurt of himself only, and not of his Counsellor, and that Counsel is a voluntary Action, and therefore tendeth also to the Good of the Counsellor, there may be often just Cause to suspect the Counsellor: and though there be none, yet seeing Counsel unwillingly heard, is a needless Offence to him that is not willing to hear it, and Offences tend all to the Breach of Peace, it is therefore against the Law of Nature to obtrude it.

9. A Man that shall see these Laws of Nature set down and inferred with so many Words, and so much ado, may think there is yet much more Difficulty and Subtilty required to acknowledge and do according to the said Laws in every sudden Occasion, when a Man hath but a little Time to consider: And while we consider Man in most Passions, as of *Anger, Ambition, Covetousness, Vain-Glory,* and the like, that tend to the excluding of natural Equality, it is true. But without these Passions, there is an easy Rule to know upon a sudden, whether the Action I be to do, be against the Law of Nature or not. And it is but this; *That a Man imagine himself in the Place of the Party with whom he hath to do, and reciprocally him in his.* Which is no more but a changing (as it were) of the Scales. For every Man's Passion weigheth heavy in his own Scale, but not in the Scale of his Neighbour. And this Rule is very well known and expressed in this old Dictate, *Quod tibi fieri non vis, alteri ne feceris.*

10. These Laws of Nature, the Sum whereof consisteth, in forbidding us to be our own Judges, and our own Carvers, and in commanding us to accommodate one another; in case they should be observed by some, and not by others, would make the Observers but a Prey to them that should neglect them, leaving the Good both without Defence against the Wicked, and also with a Charge to assist them: which is against the Scope of the Laws, that are made only for the Protection and Defence of them that keep them. Reason therefore, and the Law of Nature over and above all these particular Laws, doth dictate this Law in general, *That those particular Laws be so far observed, as they subject us not to any Incommodity, that in our own Judgments may arise, by the Neglect thereof in those towards whom we observe them;* and consequently requireth no more but the Desire and constant Intention to endeavour and be ready to observe them, unless there be Cause to the contrary in other Mens Refusal to observe them towards us. The Force therefore of the Law of Nature, is not *in Foro externo*, till there be Security for Men to obey it, but is always *in Foro interno*, wherein the Action of Obedience being unsafe, the Will and Readiness to perform is taken for the Performance.

11. Amongst the Laws of Nature, Customs and Prescriptions are not numbered. For whatsoever Action is against Reason, though it be reiterated never so often, or that there be never so many Precedents thereof, is still against Reason, and therefore not a Law of Nature, but contrary to it. But Consent and Covenant may so alter the Cases, which in the Law of Nature may be put, by changing the Circumstances, that that which was Reason before, may afterwards be against it; and yet is Reason still the Law. For though every Man be bound to allow Equality to another, yet if that other shall see Cause to renounce the same, and make himself inferior, then, if from thenceforth he consider him as inferior, he breaketh not thereby that Law of Nature, that commandeth to allow Equality.

lity. In sum, *A Man's own Consent may abridge him of the Liberty which the Law of Nature leaveth him, but Custom not*; nor can either of them abrogate either these, or any other Law of Nature.

12. And forasmuch as Law (to speak properly) is a Command; and these Dictates, as they proceed from Nature, are not Commands; they are not therefore called Laws, in Respect of Nature, but in Respect of the Author of Nature, God Almighty.

13. And seeing the Laws of Nature concern the Conscience, not he only breaketh them that doth any Action contrary, but also he whose Action is conformable to them, in case he think it contrary. For tho' the Action chance to be right, yet in his Judgment he despiseth the Law.

14. Every Man by natural Passion, calleth that Good which pleaseth him for the present, or so far forth as he can foresee; and in like Manner, that which displeaseth him, Evil. And therefore he that foreseeth the whole Way to his Preservation, (which is the End that every one by Nature aimeth at) must also call it Good, and the contrary Evil. And this is that Good and Evil, which not every Man in Passion calleth so, but all Men by Reason. And therefore the Fulfilling of all these Laws is good in Reason, and the breaking of them evil. And so also the Habit, or Disposition, or Intention to fulfil them good; and the Neglect of them evil. And from hence cometh that Distinction of *Malum Pœnæ*, and *Malum Culpæ*; for *Malum Pœnæ* is any Pain or Molestation of the Mind whatsoever; but *Malum Culpæ* is that Action which is contrary to Reason, and the Law of Nature: As also the Habit of doing according to these and other Laws of Nature, that tend to our Preservation, is what we call *Virtue*; and the Habit of doing the contrary, *Vice*. As for Example, Justice is that Habit by which we stand to Covenants, Injustice the contrary Vice; Equity that Habit by which we allow Equality of Nature, Arrogancy the contrary Vice; Gratitude the Habit whereby we requite the Benefit and Trust of others, Ingratitude the contrary Vice; Temperance the Habit, by which we abstain from all Things that tend to our Destruction, Intemperance the contrary Vice; Prudence the same with Virtue in general. As for the common Opinion, that Virtue consisteth in Mediocrity, and Vice in Extremes, I see no Ground for it, nor can find any such Mediocrity. Courage may be Virtue, when the Daring is extreme, if the Cause be good; and extreme Fear no Vice, when the Danger is extreme. To give a Man more than his Due, is no Injustice, though it be to give him less: and in Gifts it is not the Sum that maketh Liberality, but the Reason. And so in all other Virtues and Vices. I know that this Doctrine of Mediocrity is *Aristotle's*, but his Opinions concerning Virtue and Vice, are no other than those, which were received then, and are still by the Generality of Men, unstudied, and therefore not very likely to be accurate.

15. The Sum of Virtue is to be sociable to them who will be sociable, and formidable to them that will not. And the same is the Sum of the Law of Nature: For in being sociable, the Law of Nature taketh Place by the Way of Peace and Society; and to be formidable, is the Law of Nature in War, where to be feared is a Protection a Man hath from his own Power: and as the former consisteth in Actions of Equity and Justice, the latter consisteth in Actions of Honour. And Equity, Justice, and Honour, contain all Virtues whatsoever.

C H A P. V.

A Confirmation out of Holy Scripture of the principal Points mentioned in the two last Chapters concerning the Law of Nature.

1. **T**HE Laws mentioned in the former Chapters, as they are called the Laws of Nature, for that they are the Dictates of Natural Reason; and also Moral Laws, because they concern the Manners and Conversation of Men, one towards

wards another : so are they also Divine Laws in Respect of the Author thereof, God Almighty ; and ought therefore to agree, or at least, not to be repugnant to the Word of God revealed in Holy Scripture. In this Chapter therefore I shall produce such Places of Scripture, as appear to be most consonant to the said Laws.

2. And first, the Word of God seemeth to place the Divine Law in Reason, by all such Texts as ascribe the same to the Heart and Understanding ; as *Psal.* xl. 8. *Thy Law is in my Heart.* *Heb.* viii. 10. *After those Days, saith the Lord, I will put my Laws in their Mind :* And *Heb.* x. 16. The same, *Psal.* xxxvii. 39. speaking of the Righteous Man, he saith, *The Law of God is in his Heart.* *Psal.* xix. 7, 8. *The Law of God is perfect, converting the Soul. It giveth Wisdom to the Simple, and Light unto the Eyes.* *Jer.* xxxi. 33. *I will put my Law in their inward Parts, and write it in their Hearts.* And *John* i. the Law-giver himself, God Almighty, is called by the Name $\Lambda\omicron\gamma\omicron\varsigma$, which is also called *ver.* 4. *The Light of Men ;* and *ver.* 9. *The Light which lighteth every Man, which cometh into the World.* All which are Descriptions of Natural Reason.

3. And that the Law Divine, for so much as is Moral, are those Precepts which tend to Peace, seemeth to be much confirmed by such Places of Scripture as these, *Rom.* iii. 17. Righteousness (which is the fulfilling of the Law) is called, *The Way of Peace.* And *Psal.* lxxxv. 10. *Righteousness and Peace shall kiss each other.* And *Matth.* v. 9. *Blessed are the Peace-makers.* And *Heb.* vii. 2. *Melchisedec King of Salem* is interpreted *King of Righteousness,* and *King of Peace.* And *ver.* 21. our Saviour Christ is said to be *a Priest for ever after the Order of Melchisedec :* Out of which may be inferred, That the Doctrine of our Saviour Christ annexeth the fulfilling of the Law to Peace.

4. That the Law of Nature is unalterable, is intimated by this, That the Priesthood of *Melchisedec* is everlasting ; and by the Words of our Saviour, *Matth.* v. 18. *Heaven and Earth shall pass away, but one jot or Tittle of the Law shall not pass till all Things be fulfilled.*

5. That Men ought to stand to their Covenants, is taught, *Psal.* xv. where the Question being asked, *ver.* 1. *Lord who shall dwell in thy Tabernacle, &c.* it is answered, *ver.* 4. *He that sweareth to his own Hindrance, and yet changeth not.* And that Men ought to be gratified, where no Covenant passeth, *Deut.* xxv. 4. *Thou shalt not muzzle the Ox that treadeth out the Corn,* which *St. Paul,* *1 Cor.* ix. 9. interpreteth not of Oxen but of Men.

6. That Men content themselves with Equality, as it is the Foundation of Natural Law, so also is it of the second Table of the Divine Law, *Matth.* xxii. 39, 40. *Thou shalt love thy Neighbour as thyself.* On these two Laws depend the whole Law and the Prophets ; which is not so to be understood, as that a Man should study so much his Neighbour's Profit as his own, or that he should divide his Goods amongst his Neighbours ; but that he should esteem his Neighbour worthy all Rights and Privileges that himself enjoyeth ; and attribute unto him whatsoever he looketh should be attributed unto himself : which is no more, but that he should be humble, meek, and content with Equality.

7. And that in Distributing of Right amongst Equals, that Distribution is to be made according to the Proportion of the Numbers, which is the giving of *equalia equalibus, & proportionalia proportionalibus ;* we have, *Numb.* xxvi. 53, 54. the Commandment of God to *Moses ; Thou shalt divide the Land according to the Number of Names ; to many thou shalt give more, to few thou shalt give less, to every one according to his Number.* That Decision by Lot is a Means of Peace, *Prov.* xviii. 18. *The Lot causeth Contention to cease, and maketh Partition among the Mighty.*

8. That the Accommodation and Forgiveness of one another, which have before been put for Laws of Nature, are also Law Divine, there is no Question. For they are the Essence of Charity, which is the Scope of the whole Law. That we ought not to reproach, or reprehend one another, is the Doctrine of our Saviour, *Matth.* vii. 1. *Judge not, that ye be not judged.* *Ver.* 3. *Why seekest thou the Mote that*

that is in thy Brother's Eye, and see'st not the Beam that is in thine own Eye? Also the Law that forbiddeth us to press our Counsel upon others further than they admit, is a Divine Law. For after our Charity and Desire to rectify one another is rejected, to press it farther, is to reprehend him, and condemn him, which is forbidden in the Text last recited; as also *Rom. xiv. 12. Every one of us shall give Account of himself to God. Let us not therefore judge one another any more, but use your Judgment rather in this, that no Man put an Occasion to fall, or a Stumbling Block before his Brother.*

9. Farther, the Rule of Men concerning the Law of Nature, *Quod tibi fieri non vis, alteri ne feceris*, is confirmed by the like, *Matth. vii. 12. Whatsoever therefore you would have Men do unto you, that do you unto them: for this is the Law and the Prophets.* And *Rom. ii. 1. In that thou judgest another, thou condemnest thy self, &c.*

10. It is also manifest by the Scriptures, that these Laws concern only the Tribunal of our Conscience; and that the Actions contrary to them, shall be no farther punished by God Almighty, than as they proceed from Negligence, or Contempt. And first, that these Laws are made to the Conscience, appeareth, *Matth. v. 20. For I say unto you, Except your Righteousness exceed the Righteousness of the Scribes and Pharisees, ye shall not enter into the Kingdom of Heaven.* Now the Pharisees were the most exact amongst the Jews in the external Performance; they therefore must want the Sincerity of Conscience; else could not our Saviour have required a greater Righteousness than theirs. For the same Reason our Saviour Christ saith, *The Publican departed from the Temple justified rather than the Pharisee.* And Christ saith, *His Yoke is easy, and his Burthen light;* which proceedeth from this, that Christ required no more than our best Endeavour. And *Rom. xiv. 23. He that doubteth, is condemned, if he eat.* And in innumerable Places both in the Old and New Testament, God Almighty declareth, that he taketh the Will for the Deed, both in good and evil Actions. By all which it plainly appears, that the Divine Law is dictated to the Conscience. On the other side it is no less plain, that how many and heinous Actions soever a Man commit through Infirmity, he shall nevertheless, whensoever he shall condemn the same in his own Conscience, be freed from the Punishments that to such Actions otherwise belong. For, *At what Time soever a Sinner doth repent him of his Sins from the Bottom of his Heart, I will put all his Iniquities out of my Remembrance, saith the Lord.*

11. Concerning Revenge, which by the Law of Nature ought not to aim (as I have said, Chap. III. Sect. 10.) at present Delight, but future Profit, there is some Difficulty made, as if the same accorded not with the Law Divine, by such as object the Continuance of Punishment after the Day of Judgment, when there shall be no Place, neither for Amendment, nor for Example. This Objection had been of some Force, if such Punishment had been ordained after all Sins were past; but considering the Punishment was instituted before Sin, it serveth to the Benefit of Mankind, because it keepeth Men in peaceable and virtuous Conversation by the Terror. And therefore such Revenge was directed to the future only.

12. Finally, there is no Law of Natural Reason, that can be against the Law Divine: for God Almighty hath given Reason to a Man to be a Light unto him. And I hope it is no Impiety to think, that God Almighty will require a strict Account thereof, at the Day of Judgment, as of the Instructions, which we were to follow in our Peregrination here, notwithstanding the Opposition and Affronts of Supernaturalists now-a-days to rational and moral Conversation.

C H A P. VI.

1. That Men, notwithstanding these Laws, are still in the State of War, till they have Security one against another.
2. The Law of Nature in War, is nothing but Honour.
3. No Security without the Concord of many.
4. That Concord of many cannot be maintained without Power to keep them all in Awe.
5. The Cause why Concord remaineth in a Multitude of some irrational Creatures, and not of Men.
6. That Union is necessary for the maintaining of Concord.
7. How Union is made.
8. Body Politic defined.
9. Corporation defined.
10. Sovereign and Subject defined.
11. Two Sorts of Bodies Politic, Patrimonial and Commonwealth.

1. **I**N Chap. XII. Sect. 16. of the Treatise of *Human Nature*, it hath been shewed, that the Opinions Men have of the Rewards and Punishments which are to follow their Actions, are the Causes that make and govern the Will to those Actions. In this Estate of Man therefore, wherein all Men are equal, and every Man allowed to be his own Judge, the Fears they have one of another are equal, and every Man's Hopes consist in his own Sleight and Strength: and consequently when any Man by his natural Passion is provoked to break these Laws of Nature, there is no Security in any other Man of his own Defence but *Anticipation*. And for this Cause, every Man's Right (howsoever he may be inclined to Peace) of doing whatsoever seemeth good in his own Eyes, remaineth with him still, as the necessary Means of his Preservation. And therefore till there be Security amongst Men for the keeping of the Law of Nature one towards another, Men are still in the Estate of War, and nothing is unlawful to any Man that tendeth to his own Safety or Commodity: And this Safety and Commodity consisteth in the mutual Aid and Help of one another, whereby also followeth the mutual Fear of one another.

2. It is a Proverbial Saying, *Inter Arma silent Leges*. There is little therefore to be said concerning the Laws that Men are to observe one towards another in Time of War, wherein every Man's Being and Well-being is the Rule of his Actions. Yet thus much the Law of Nature commandeth in War, That Men satiate not the Cruelty of their present Passions, whereby in their own Conscience they foresee no Benefit to come. For that betrayeth not a Necessity, but a Disposition of the Mind to War, which is against the Law of Nature. And in old Time we read, that Rapine was a Trade of Life, wherein nevertheless, many of them that used it, did not only spare the Lives of those they invaded, but left them also such Things as were necessary to preserve that Life which they had given them; as namely their Oxen and Instruments for Tillage, though they carried away all their other Cattle and Substance. And as the Rapine itself was warranted in the Law of Nature, by the Want of Security otherwise to maintain themselves; so the Exercise of Cruelty was forbidden by the same Law of Nature, unless Fear suggested any thing to the contrary. For nothing but Fear can justify the taking away of another's Life. And because Fear can hardly be made manifest, but by some Action dishonourable, that bewrayeth the Conscience of one's own Weakness, all Men, in whom the Passion of Courage or Magnanimity have been predominant, have abstained from Cruelty; insomuch, that though there be in War no Law, the Breach whereof is Injury, yet there are in War those Laws, the Breach whereof is Dishonour. In one Word therefore, the only Law of Actions in War, is *Honour*; and the Right of War, *Providence*.

3. And seeing Natural Aid is necessary for Defence, as mutual Fear is necessary for Peace, we are to consider how great Aids are required for such Defence, and for the causing of such mutual Fear, as Men may not easily adventure on one another.

another. And first it is evident, that the mutual Aid of two or three Men is of very little Security. For the Odds on the other side, of a Man or two, giveth sufficient Encouragement to an Assault. And therefore before Men have sufficient Security in the Help of one another, their Number must be so great, that the Odds of a few which the Enemy may have, be no certain and sensible Advantage.

4. And supposing how great a Number soever of Men assembled together for their mutual Defence, yet shall not the Effect follow, unless they all direct their Actions to one and the same End; which Direction to one and the same End is that which, Chap. XII. Sect. 7. is called *Consent*. This *Consent* (or Concord) amongst so many Men, though it may be made by the Fear of a present Invader, or by the Hope of a present Conquest, or Booty, and endure as long as that Action endureth, nevertheless by the Diversity of Judgments and Passions in so many Men contending naturally for Honour and Advantage one above another, it is impossible, not only that their Consent to aid each other against an Enemy, but also that the Peace should last between themselves, without some mutual and common Fear to rule them.

5. But contrary hereunto may be objected, the Experience we have of certain living Creatures irrational, that nevertheless continually live in such good Order and Government for their common Benefit, and are so free from Sedition and War amongst themselves, that for Peace, Profit, and Defence, nothing more can be imaginable. And the Experience we have in this, is in that little Creature the Bee, which is therefore reckoned amongst *Animalia politica*. Why wherefore may not Men that foresee the Benefit of Concord, continually maintain the same without Compulsion, as well as they? To which I answer, That amongst other living Creatures, there is no Question of Precedence in their own Species, nor Strife about Honour, or Acknowledgment of another's Wisdom, as there is amongst Men, from whence arise Envy and Hatred of one towards another, and from thence Sedition and War. Secondly, those living Creatures aim every one at Peace and Food common to them all; Men aim at Dominion, Superiority, and private Wealth, which are distinct in every Man, and breed Contention. Thirdly, those living Creatures that are without Reason, have not Learning enough to espy, or to think they espy any Defect in the Government; and therefore are contented therewith. But in a Multitude of Men, there are always some that think themselves wiser than the rest, and strive to alter what they think amiss, and divers of them strive to alter divers ways, and that causeth War. Fourthly, they want Speech, and are therefore unable to instigate one another to Faction, which Men want not. Fifthly, they have no Conception of Right and Wrong, but only of Pleasure and Pain, and therefore also no Censure of one another, nor of their Commander, as long as they are themselves at Ease; whereas Men that make themselves Judges of Right and Wrong, are then least at Quiet, when they are most at Ease. Lastly, natural Concord, such as is amongst those Creatures, is the Work of God by the Way of Nature; but Concord amongst Men is artificial, and by Way of Covenant. And therefore no Wonder, if such irrational Creatures as govern themselves in Multitude, do it much more firmly than Mankind, that do it by arbitrary Institution.

6. It remaineth therefore still, that Consent (by which I understand the Concurrence of many Mens Wills to one Action) is not sufficient Security for their common Peace, without the Erection of some common Power, by the Fear whereof, they may be compelled both to keep the Peace amongst themselves, and to join their Strengths together against a common Enemy. And that this may be done, there is no Way imaginable, but only Union, which is defined Chap. XII. Sect. 8. to be the involving, or including the Wills of many in the Will of one Man, or in the Will of the greatest Part of any one Number of Men, that is to say, in the Will of one Man, or of one *Council*. For a Council is nothing else, but an *Assembly* of Men deliberating concerning something common to them all.

7. The

7. The making of Union consisteth in this; That every Man by Covenant oblige himself to some one and the same Man, or to some one and the same Council, by them all named and determined, to do those Actions, which the said Man or Council shall command them to do, and to do no Action, which he or they shall forbid, or command them not to do. And farther, in case it be a Council, whose Commands they covenant to obey; that then also they covenant, that every Man shall hold that for the Command of the whole Council, which is the Command of the greater Part of those Men, whereof such Council consisteth. And tho' the Will of Man being not voluntary, but the Beginning of voluntary Actions, is not subject to Deliberation and Covenant; yet when a Man covenanteth to subject his Will to the Command of another, he obligeth himself to this, that he resign his Strength and Means to him, whom he covenanteth to obey. And hereby he that is to command, may by the Use of all their Means and Strength, be able by the Terror thereof to frame the Will of them all to Unity and Concord amongst themselves.

8. This Union so made, is that which Men call now-a-days a *Body Politic*, or Civil Society; and the *Greeks* call it Πόλις, that is to say, a City; which may be defined to be a Multitude of Men, united as one Person, by a common Power, for their common Peace, Defence and Benefit.

9. And as this Union into a City or Body Politic, is instituted with common Power over all the particular Persons, or Members thereof, to the common Good of them all; so also may there be amongst a Multitude of those Members instituted, a subordinate Union of certain Men, for certain common Actions to be done by those Men for some common Benefit of theirs, or of the whole City; as for subordinate Government, for Counsel, for Trade, and the like. And these subordinate Bodies Politic are usually called *Corporations*; and their Power such over the Particulars of their own Society, as the whole City, whereof they are Members, have allowed them.

10. In all Cities, or Bodies Politic not subordinate, but independent, that one Man, or one Council, to whom the particular Members have given that common Power, is called their *Sovereign*; and his Power, the Sovereign Power; which consisteth in the Power and the Strength, that every of the Members have transferred to him from themselves by Covenant. And because it is impossible for any Man really to transfer his own Strength to another, or for that other to receive it; it is to be understood, that to transfer a Man's Power and Strength, is no more but to lay by, or relinquish his own Right of resisting him to whom he so transferreth it. And every Member of the Body Politic, is called a *Subject*, to wit, to the *Sovereign*.

11. The Cause in general, which moveth a Man to become subject to another, is (as I have said already) the Fear of not otherwise preserving himself. And a Man may subject himself to him that invadeth, or may invade him, for Fear of him; or Men may join amongst themselves, to subject themselves to such as they shall agree upon for Fear of others. And when many Men subject themselves the former Way, there ariseth thence a Body Politic, as it were naturally. From whence proceedeth *Dominion*, *Paternal* and *Despotic*. And when they subject themselves the other Way, by mutual Agreement amongst many, the Body Politic they make, is for the most part called a Commonwealth, in Distinction from the former, though the Name be the general Name for them both. And I shall speak in the first Place of Commonwealths, and afterwards of Bodies Politic, Patrimonial and Despotical.

T H E

Second P A R T.

C H A P. I.

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| <p>1. <i>Introduction.</i></p> <p>2. <i>A Multitude before their Union, &c.</i></p> <p>3. <i>Express Consent of every Particular, &c.</i></p> <p>4. <i>Democratical, Aristocratical and Monarchical Union may be instituted for ever, or, &c.</i></p> <p>5. <i>Without Security no private Right relinquished.</i></p> <p>6. <i>Covenants of Government without Power of Coercion, are no Security.</i></p> <p>7. <i>Power Coercive, &c.</i></p> <p>8. <i>The Sword of War, &c.</i></p> <p>9. <i>Decision in all Debates, &c. annexed to the Sword.</i></p> | <p>10. <i>Laws Civil, &c.</i></p> <p>11. <i>Appointment of Magistrates, &c.</i></p> <p>12. <i>Sovereign Power includeth Impunity.</i></p> <p>13. <i>A supposed Commonwealth, where Laws are made first, and the Commonwealth after.</i></p> <p>14. <i>The same refelled.</i></p> <p>15. <i>Mixt Forms of Government supposed in Sovereignty.</i></p> <p>16. <i>That refelled.</i></p> <p>17. <i>Mixt Government, &c.</i></p> <p>18. <i>Reason and Experience to prove absolute Sovereignty somewhere in all Commonwealths.</i></p> <p>19. <i>Some principal, &c. Marks of Sovereignty.</i></p> |
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1. **T**HAT Treatise of *Human Nature*, which was formerly printed, hath been wholly spent in the Consideration of the natural Power, and the natural Estate of Man; namely, of his Cogitation and Passions in the first Eleven Chapters, and how from thence proceed his Actions; in the Twelfth, how Men know one another's Minds: In the last, in what Estate Mens Passions fet them. In the first, second, third, fourth, and fifth Chapters of the former Part of this Treatise is shewed, what Estate they are directed unto by the Dictates of Reason, that is to say, what be the principal Articles of the Law of Nature. And lastly, how a Multitude of Persons Natural, are united by Covenants into one Person Civil, or Body Politic. In this Part therefore shall be considered, the Nature of a Body Politic, and the Laws thereof, otherwise called Civil Laws. And whereas it hath been said in the last Chapter, and last Section of the former Part, that there be two Ways of erecting a Body Politic; one by arbitrary Institution of many Men assembled together, which is like a Creation out of nothing by Human Wit; the other by Compulsion, which is as it were a Generation thereof out of natural Force; I shall first speak of such Erection of a Body Politic, as proceedeth from the Assembly and Consent of a Multitude.

2. Having in this Place to consider, a Multitude of Men about to unite themselves into a Body Politic for their Security, both against one another, and against

common Enemies, and that by Covenants; the Knowledge of what Covenants they must needs make, dependeth on the Knowledge of the Persons, and the Knowledge of their End. First, for their Persons they are many, and (as yet) not one; nor can any Action done in a Multitude of People met together, be attributed to the Multitude, or truly called the Action of the Multitude, unless every Man's Hand, and every Man's Will, (not so much as one excepted) have concurred thereto. For Multitude, though in their Persons they run together, yet they concur not always in their Designs. For even at that Time when Men are in Tumult, though they agree a Number of them to one Mischiefe, and a Number of them to another; yet in the whole, they are amongst themselves in the State of Hostility, and not of Peace; like the seditious *Jews* besieged in *Jerusalem*, that could join against their Enemies, and fight amongst themselves. Whensoever therefore any Man saith, that a Number of Men hath done any Act; it is to be understood, that every particular Man in that Number hath consented thereunto, and not the greatest Part only. Secondly, though thus assembled with Intention to unite themselves, they are yet in that Estate in which every Man hath Right to every thing, and consequently, as hath been said, Chap. I. Sect. 10. in an Estate of enjoying nothing. And therefore *Meum* and *Tuum* hath no Place amongst them.

3. The first Thing therefore they are to do, is expressly every Man to consent to something, by which they may come near to their Ends, which can be nothing else imaginable, but this, that they allow the Wills of the major Part of their whole Number, or the Wills of the major Part of some certain Number of Men by them determined and named; or lastly, the Will of some one Man, to involve and be taken for the Wills of every Man. And this done, they are united, and a *Body Politic*. And if the major Part of their whole Number be supposed to involve the Wills of all the Particulars, then are they said to be a *Democracy*, that is to say, a Government wherein the whole Number, or so many of them as please, being assembled together, are the Sovereign, and every particular Man a Subject. If the major Part of a certain Number of Men named or distinguished from the rest, be supposed to involve the Wills of every one of the Particulars, then are they said to be an *Oligarchy*, or *Aristocracy*, which two Words signify the same Thing, together with the divers Passions of those that use them. For when the Men that be in that Office please, they are called an Aristocracy, or otherwise an Oligarchy, wherein those, the major Part of which declare the Wills of the whole Multitude being assembled, are the Sovereign, and every Man severally a Subject. Lastly, if their Consent be such, that the Will of one Man, whom they name, shall stand for the Wills of them all, then is their Government or Union called a *Monarchy*, and that one Man a Sovereign, and every of the rest a Subject.

4. And those several Sorts of Unions, Governments, and Subjections of Man's Will, may be understood to be made, either absolutely, that is to say, for all future Time, or for a Time limited only. But forasmuch as we speak here of a Body Politic, instituted for the perpetual Benefit and Defence of them that make it; which therefore Men desire should last for ever, I will omit to speak of those that be temporary, and consider of those that be for ever.

5. The End for which one Man giveth up, and relinquisheth to another, or others, the Right of protecting and defending himself by his own Power, is the Security which he expecteth thereby, of Protection and Defence from those to whom he doth so relinquish it; and a Man may then account himself in the Estate of Security, when he can foresee no Violence to be done unto him, from which the Doer may not be deterred by the Power of that Sovereign, to whom they have every one subjected themselves: and without that Security, there is no Reason for a Man to deprive himself of his own Advantages, and make himself a Prey to others. And therefore when there is not such a Sovereign Power erected, as may afford this Security, it is to be understood, that every Man's Right of doing whatsoever seemeth good in his own Eyes, remaineth still with him; and contrariwise, where any Subject hath Right by his own Judgment and Discretion, to make use

of his Force, it is to be understood, that every Man hath the like, and consequently, that there is no Commonwealth at all established. How far therefore in the making of a Commonwealth, Man subjecteth his Will to the Power of others, must appear from the End, namely, Security. For whatsoever is necessary to be by Covenant transferred, for the attaining thereof, so much is transferred, or else every Man is in his natural Liberty to secure himself.

6. Covenants agreed upon by every Man assembled for the making of a Commonwealth, and put in Writing without erecting of a Power of Coercion, are no reasonable Security for any of them that so covenant, nor are to be called Laws, and leave Men still in the Estate of Nature and Hostility. For seeing the Wills of most Men are governed only by Fear, and where there is no Power of Coercion there is no Fear, the Wills of most Men will follow their Passions of Covetousness, Lust, Anger, and the like, to the breaking of those Covenants, whereby the rest also, who otherwise would keep them, are set at Liberty, and have no Law, but from themselves.

7. This Power of Coercion, as hath been said, Chap. II. Sect. 3. of the former Part, consisteth in the transferring of every Man's Right of Resistance against him, to whom he hath transferred the Power of Coercion. It followeth therefore, that no Man in any Commonwealth whatsoever, hath Right to resist him, or them, on whom they have transferred this Power coercive, or (as Men use to call it) the Sword of Justice, supposing the Not-Resistance possible. For Part I. Chap. II. Sect. 18. Covenants bind but to the utmost of our Endeavour.

8. And forasmuch as they who are amongst themselves in Security, by the Means of this Sword of Justice, that keeps them all in Awe, are nevertheless in Danger of Enemies from without, if there be not some Means found to unite their Strengths and natural Forces, in the Resistance of such Enemies, their Peace amongst themselves is but in vain. And therefore it is to be understood as a Covenant of every Member to contribute their several Forces for the Defence of the whole, whereby to make one Power as sufficient as is possible for their Defence. Now seeing that every Man hath already transferred the Use of his Strength to him, or them, that have the Sword of Justice, it followeth, that the Power of Defence, that is to say, the Sword of War, be in the same Hands wherein is the Sword of Justice; and consequently those two Swords are but one, and that inseparably and essentially annexed to the sovereign Power.

9. Moreover, seeing to have the Right of the Sword, is nothing else but to have the Use thereof depending only on the Judgment and Discretion of him or them that have it; it followeth, that the Power of Indenture in all Controversies, wherein the Sword of Justice is to be used, and in all Deliberations concerning War, (wherein the Use of that Sword is required) the Right of resolving and determining what is to be done, belong to the same Sovereign.

10. Farther, considering it is no less, but much more necessary to prevent Violence and Rapine, than to punish the same when it is committed; and all Violence proceedeth from Controversies that arise between Men concerning *Meum* and *Tuum*, Right and Wrong, good and bad, and the like, which Men use every one to measure by their own Judgments; it belongeth also to the Judgment of the same sovereign Power, to set forth and make known the common Measure by which every Man is to know what is his, and what another's; what is good, and what bad; and what he ought to do, and what not; and to command the same to be observed. And these Measures of the Actions of the Subjects are those, which Men call *Laws Politic*, or Civil: The making whereof, must of Right belong to him that hath the Power of the Sword, by which Men are compelled to observe them; for otherwise they should be made in vain.

11. Furthermore, seeing it is impossible that any one Man that hath such sovereign Power, can be able, in Person, to hear and determine all Controversies, to be present at all Deliberations concerning common Good, and to execute and perform all those common Actions that belong thereunto, whereby there will be

Necessity

Necessity of Magistrates, and Ministers of public Affairs; it is consequent, that the Appointment, Nomination, and Limitation of the same, be understood as an inseparable Part of the same Sovereignty, to which the Sum of all Judicature, and Execution, hath been already annexed.

12. And forasmuch as the Right to use the Forces of every particular Member, is transferred from themselves to their Sovereign, a Man will easily fall upon this Conclusion of himself, That to sovereign Power (whatsoever it doth) there belongeth Impunity.

13. The Sum of these Rights of Sovereignty, namely, the absolute Use of the Sword in Peace and War, the making and abrogating of Laws, *supreme Judicature and Decision* in all Debates judicial and deliberative, the Nomination of all Magistrates and Ministers, with other Rights contained in the same, make the sovereign Power no less absolute in the Commonwealth, than before Commonwealth every Man was absolute in himself, to do, or not to do, what he thought good; which Men, that have not had the Experience of that miserable Estate, to which Men are reduced by long War, think so hard a Condition, that they cannot easily acknowledge such Covenants, and Subjection on their Parts, as are here set down, to have been ever necessary to their Peace. And therefore some have imagined, that a Commonwealth may be constituted in such Manner, as the sovereign Power may be so limited and moderated, as they shall think fit themselves. For Example, They suppose a Multitude of Men to have agreed upon certain Articles, (which they presently call Laws) declaring how they will be governed, and that done, to agree farther upon some Man, or Number of Men, to see the same Articles performed, and put in execution; and to enable him or them thereunto, they allot unto them a Provision limited, as of certain Lands, Taxes, Penalties, and the like, than which (if mis-spent) they shall have no more, without a new Consent of the same Men that allowed the former. And thus they think they have made a Commonwealth, in which it is unlawful for any private Man to make use of his own Sword for his Security; wherein they deceive themselves.

14. For first, if to the Revenue, it did necessarily follow, that there might be Forces raised and procured at the Will of him that hath such Revenue; yet since the Revenue is limited, so must also the Forces: but limited Forces against the Power of an Enemy, which we cannot limit, are insufficient. Whensoever therefore there happeneth an Invasion greater than those Forces are able to resist, and there be no other Right to levy more, then is every Man by Necessity of Nature allowed to make the best Provision he can for himself; and thus is the private Sword, and the Estate of War again reduced. But seeing Revenue, without the Right of commanding Men, is of no Use, neither in Peace, nor War, it is necessary to be supposed, that he that hath the Administration of those Articles, which are in the former Section supposed, must have also Right to make use of the Strengths of particular Men. And what Reason soever giveth him that Right over any one; giveth him the same over all. And then is his Right absolute. For he that hath Right to all their Forces, hath Right to dispose of the same. Again, supposing those limited Forces and Revenue, either by the necessary or negligent Use of them to fail, and that for a Supply, the same Multitude be again to be assembled, who shall have Power to assemble them, that is, to compel them to come together? If he that demandeth the Supply hath that Right, to wit, the Right to compel them all, then is his Sovereignty absolute; if not, then is every particular Man at Liberty to come or not; to frame a new Commonwealth, or not, and so the Right of the private Sword returneth. But suppose them willingly, and of their own Accord, assembled to consider of this Supply, if now it be still in their Choice, whether they shall give it, or not, it is also in their Choice, whether the Commonwealth shall stand or not. And therefore there lieth not upon any of them any Civil Obligation that may hinder them from using Force, in case they think it tend to their Defence. This Device therefore

of them that will make Civil Laws first, and then a Civil Body afterwards (as if Policy made a Body Politic, and not a Body Politic made Policy) is of no Effect.

15. Others, to avoid the hard Condition, as they take it, of absolute Subjection (which in Hatred thereto they also call Slavery) have despised a Government, as they think, mixed of three Sorts of Sovereignty. As for Example; They suppose the Power of making Laws, given to some great Assembly Democratical, the Power of Judicature to some other Assembly, and the Administration of the Laws to a Third, or to some one Man; and this Policy they call mixt Monarchy, or mixt Aristocracy, or mixt Democracy, according as any of these three Sorts do most visibly predominate. And in this Estate of Government, they think the Use of the Private Sword excluded.

16. And supposing it were so, How were this Condition which they call *Slavery*, eased thereby? For in this Estate they would have no Man allowed, either to be his own Judge or own Carver, or to make any Laws unto himself; and as long as these three agree, they are as absolutely subject to them, as is a Child to the Father, or a Slave to the Master, in the State of Nature. The Ease therefore of this Subjection, must consist in the Disagreement of those amongst whom they have distributed the Rights of Sovereign Power. But the same Disagreement is War. The Division therefore of the Sovereignty, either worketh no Effect to the taking away of simple Subjection, or introduceth War, wherein the Private Sword hath Place again. But the Truth is, as hath been already shewed in the seventh, eighth, ninth, tenth, eleventh, and twelfth precedent Sections, the Sovereignty is indivisible: and that seeming Mixture of several Kinds of Government, is not Mixture of the Things themselves, but Confusion in our Understandings, that cannot find out readily to whom we have subjected ourselves.

17. But though the Sovereignty be not mixt, but be always simple Democracy, or simple Aristocracy, or pure Monarchy; nevertheless in the Administration thereof, all those Sorts of Government may have Place subordinate. For suppose the Sovereign Power be Democracy, as it was sometimes in *Rome*, yet at the same Time they may have a Council Aristocratical, such as was the Senate; and at the same Time they may have a Subordinate Monarch, such as was their Dictator, who had, for a Time, the Exercise of the whole Sovereignty; and such as are all Generals in War. So also in Monarchy there may be a Council Aristocratical of Men, chosen by the Monarch; or Democratical of Men, chosen by the Consent (the Monarch permitting) of all the particular Men of the Commonwealth. And this Mixture is it that imposeth, as if it were the Mixture of Sovereignty. As if a Man should think, because the Great Council of *Venice* doth nothing ordinarily but chuse Magistrates, Ministers of State, Captains and Governors of Towns, Ambassadors, Counsellors, and the like, that therefore their Part of the Sovereignty is only chusing of Magistrates; and that the making of War, and Peace, and Laws, were not theirs, but the Part of such Counsellors as they appointed thereto: whereas it is the Part of *these* to do it but subordinately, the supreme Authority thereof being in the great Council that chuse them.

18. And as Reason teacheth us, that a Man considered out of Subjection to Laws, and out of all Covenants obligatory to others, is free to do and undo, and deliberate as long as he listeth, every Member being obedient to the Will of the whole Man, that Liberty being nothing else but his Natural Power, without which, he is no better than an inanimate Creature, not able to help himself: So also it teacheth us, That a Body Politic, of what Kind soever, not subject to another, nor obliged by Covenants, ought to be free, and in all Actions to be assisted by the Members, every one in their Place, or at least not resisted by them. For otherwise, the Power of a Body Politic (the Essence whereof is the Not-Resistance of the Members) is none, nor a Body Politic of any Benefit. And the same is confirmed by the Use of all Nations and Commonwealths, wherein that Man or Council which is virtually the whole, hath an absolute Power over every

particular Member : Or what Nation or Commonwealth is there, that hath not Power and Right to constitute a General in their Wars? But the Power of a General is absolute ; and consequently there was absolute Power in the Commonwealth, from whom it was derived. For no Person, Natural or Civil, can transfer unto another more Power than himself hath.

19. In every Commonwealth, where particular Men are deprived of their Right to protect themselves, there resideth an absolute Sovereignty, as I have already shewed. But in what Man, or in what Assembly of Men the same is placed, is not so manifest, as not to need some Marks, whereby it may be discerned. And first, it is an infallible Mark of absolute Sovereignty in a Man, or in an Assembly of Men, if there be no Right in any other Person, Natural or Civil, to punish that Man, or dissolve that Assembly. For he that cannot of Right be punished, cannot of Right be resisted ; and he that cannot of Right be resisted, hath coercive Power over all the rest, and thereby can frame and govern their Actions at his Pleasure, which is absolute Sovereignty. Contrariwise, he that in a Commonwealth is punishable by any, or that Assembly that is dissolvable, is not Sovereign. For a greater Power is always required to punish and dissolve, than theirs who are punished or dissolved ; and that Power cannot be called Sovereign, than which there is a greater. Secondly, that Man or Assembly, that by their own Right not derived from the present Right of any other, may make Laws, or abrogate them at his or their Pleasure, have the Sovereignty absolute. For seeing the Laws they make, are supposed to be made by Right, the Members of the Commonwealth, to whom they are made, are obliged to obey them, and consequently not resist the Execution of them ; which Not-Resistance maketh the Power absolute of him that ordaineth them. It is likewise a Mark of this Sovereignty, to have the Right original of appointing Magistrates, Judges, Counsellors, and Ministers of State. For without that Power, no Act of Sovereignty, or Government, can be performed. Lastly, and generally, whosoever by his own Authority independent, can do any Act, which another of the same Commonwealth may not, must needs be understood to have the Sovereign Power. For by Nature Men have equal Right. This Inequality therefore must proceed from the Power of the Commonwealth. He therefore that doth any Act lawfully by his own Authority, which another may not, doth it by the Power of the Commonwealth in himself, which is absolute Sovereignty.

C H A P. II.

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| <p>1. <i>Democracy precedeth all other, &c.</i></p> <p>2. <i>The Sovereign People covenanteth not with the Subjects.</i></p> <p>3. <i>The Sovereign, &c. cannot, &c. do Injury, &c.</i></p> <p>4. <i>The Faults of the Sovereign People, &c.</i></p> <p>5. <i>Democracy, &c. an Aristocracy of Orators.</i></p> <p>6. <i>Aristocracy how made.</i></p> <p>7. <i>The Body of the Optimates not properly said to injure the Subjects.</i></p> | <p>8. <i>The Election of the Optimates, &c.</i></p> <p>9. <i>An Elective King, &c.</i></p> <p>10. <i>A Conditional King, &c.</i></p> <p>11. <i>The Word People Equivocal.</i></p> <p>12. <i>Obedience discharged by Release, &c.</i></p> <p>13. <i>How such Releases are to be understood.</i></p> <p>14. <i>Obedience discharged by Exile.</i></p> <p>15. <i>By Conquest.</i></p> <p>16. <i>By Ignorance of the Right of Succession.</i></p> |
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1. **H**AVING spoken in general concerning instituted Policy in the former Chapter, I come in this to speak of the Sorts thereof in special, how every of them is instituted. The first in Order of Time of these three Sorts is Democracy ; and it must be so of Necessity, because Aristocracy and a Monarchy require Nomination of Persons agreed upon, which Agreement in a great Multitude

tude of Men, must consist in the Consent of the major Part; and where the Votes of the major Part involve the Votes of the rest, there is actually a Democracy.

2. In the making of a Democracy, there passeth no Covenant between the Sovereign and any Subject. For while the Democracy is a making, there is no Sovereign with whom to contract. For it cannot be imagined, that the Multitude should contract with itself, or with any one Man, or Number of Men, Parcel of itself, to make itself Sovereign; nor that a Multitude considered as one Aggregate, can give itself any thing which before it had not. Seeing then that Sovereignty Democratical is not conferred by the Covenant of any Multitude, which supposeth Union and Sovereignty already made, it resteth, that the same be conferred by the particular Covenants of every several Man; that is to say, every Man with every Man, for and in Consideration of the Benefit of his own Peace and Defence, covenanteth to stand to and obey whatsoever the major Part of their whole Number, or the major Part of such a Number of them, as shall be pleased to assemble at a certain Time and Place, shall determine and command. And this is that which giveth Birth to a Democracy, wherein the Sovereign Assembly was called of the *Greeks* by the Name of *Demus*, (that is, the People,) from whence cometh Democracy. So that, where to the supreme and independent Court every Man may come that will, and give his Vote, there the Sovereign is called the People.

3. Out of this that hath been said may readily be drawn, That whatsoever the People doth to any one particular Member or Subject of the Commonwealth, the same by him ought not to be stiled Injury. For first, Injury (by the Definition, Part I. Chap. III. Sect. 2.) is Breach of Covenant; but Covenants (as hath been said in the precedent Section) there passed none from the People to any private Man; and consequently it (to wit, the People) can do him no Injury. Secondly, how unjust soever the Action be, that this Sovereign *Demus* shall do, is done by the Will of every particular Man subject to him, who are therefore guilty of the same. If therefore they stile it *Injury*, they but accuse themselves. And it is against Reason for the same Man, both to do and complain; implying this Contradiction, That whereas he first ratified the People's Acts in general, he now disalloweth the same of them in particular. It is therefore said truly, *Volenti non fit Injuria*. Nevertheless, nothing doth hinder, but that divers Actions done by the People, may be unjust before God Almighty, as Breaches of the Laws of Nature.

4. And when it happeneth, that the People by Plurality of Voices, decree or command any Thing contrary to the Law of God or Nature, though the Decree and Command be the Act of every Man, not only present in the Assembly, but also absent from it; yet is not the Injustice of the Decree, the Injustice of every particular Man, but only of those Men, by whose express Suffrages the Decree or Command was passed. For a Body Politic, as it is a fictitious Body, so are the Faculties and Will thereof fictitious also. But to make a particular Man unjust, which consisteth of a Body and Soul natural, there is required a natural and very Will.

5. In all Democracies, though the Right of Sovereignty be in the Assembly, which is virtually the whole Body; yet the Use thereof is always in one, or a few particular Men. For in such great Assemblies, as those must be, whereinto every Man may enter at his Pleasure; there are no Means or Ways to deliberate and give Counsel what to do, but by long and set Orations, whereby to every Man there is more or less Hope given, to incline and sway the Assembly to their own Ends. In a Multitude of Speakers therefore, where always either one is eminent alone, or a few being equal amongst themselves, are eminent above the rest, that one or few must of Necessity sway the whole. Inasmuch that a Democracy, in Effect, is no more than an Aristocracy of Orators, interrupted sometimes with the temporary Monarchy of one Orator.

6. And seeing a Democracy is by Institution, the Beginning both of Aristocracy and Monarchy, we are to consider next, how Aristocracy is derived from it. When the particular Members of the Commonwealth, growing weary of Attendance at public Courts, as dwelling far off, or being attentive to their private Businesses, and withal, displeas'd with the Government of the People, assemble themselves to make an Aristocracy, there is no more required to the making thereof, but putting to the Question one by one, the Names of such Men as it shall consist of, and assenting to their Election; and by Plurality of Vote, to transfer that Power, which before the People had, to the Number of Men so named and chosen.

7. And from this manner of erecting an Aristocracy, it is manifest, that the Few, or *Optimates*, have entered into no Covenant with any of the particular Members of the Commonwealth, whereof they are Sovereign; and consequently cannot do any Thing to any private Man, that can be called *Injury* to him, howsoever their Act be wicked before Almighty God, according to that which hath been said before, Sect. 3. Farther, it is impossible that the People, as one Body Politic, should covenant with the Aristocracy or *Optimates*, on whom they intend to transfer their Sovereignty. For no sooner is the Aristocracy erected, but the Democracy is annihilated, and the Covenants made unto them void.

8. In all Aristocracies, the Admission of such, as are from Time to Time to have Vote in the sovereign Assembly, dependeth on the Will and Decree of the present *Optimates*. For they being the Sovereign, have the Nomination (by the 11th Section of the former Chapter) of all Magistrates, Ministers, and Counsellors of State whatsoever, and may therefore chuse either to make them elective, or hereditary, at their Pleasure.

9. Out of the same Democracy, the Institution of a Political Monarch proceedeth in the same manner, as did the Institution of the Aristocracy, to wit, by a Decree of the sovereign People, to pass the Sovereignty to one Man named and approved by Plurality of Suffrage. And if this Sovereignty be truly and indeed transferred, the Estate or Commonwealth is an absolute Monarchy, wherein the Monarch is at Liberty to dispose as well of the Succession, as of the Possession, and not an elective Kingdom. For suppose a Decree be made first in this manner, That such a one shall have the Sovereignty for his Life, and that afterward they will chuse a-new. In this Case the Power of the People is dissolved, or not; if dissolved, then after the Death of him that is chosen, there is no Man bound to stand to the Decrees of them that shall, as private Men, run together to make a new Election; and consequently, if there be any Man, who by the Advantage of him that is dead, hath Strength enough to hold the Multitude in Peace and Obedience, he may lawfully, or rather is by the Law of Nature obliged so to do: If this Power of the People were not dissolved at the chusing of their King for Life, then is the People Sovereign still, and the King a Minister thereof only, but so, as to put the whole Sovereignty in Execution; a Great Minister, but no otherwise for his Time, than a Dictator was in *Rome*. In this Case, at the Death of him that was chosen, they that meet for a new Election, have no new, but their old Authority for the same. For they were the Sovereign all the Time, as appeareth by the Acts of those Elective Kings, that have procured from the People, that their Children might succeed them. For it is to be understood, when a Man receiveth any Thing from the Authority of the People, he receiveth it not from the People his Subjects, but from the People his Sovereign. And farther, though in the Election of a King for his Life, the People grant him the Exercise of their Sovereignty for that Time; yet if they see Cause, they may recall the same before the Time. As a Prince that conferreth an Office for Life, may nevertheless upon Suspicion of Abuse thereof, recall it at his Pleasure; inasmuch as Offices that require Labour and Care, are understood to pass from him that giveth them as *Onera*, *Burthens*, to them that have them; the recalling whereof are therefore not *Injury*, but *Favour*. Nevertheless, if in making an Elective King, with Intention

tention to reserve the Sovereignty, they reserve not a Power at certain known and determined Times and Places to assemble themselves, the Reservation of their Sovereignty is of no Effect, inasmuch as no Man is bound to stand to the Decrees and Determinations of those that assemble themselves without the sovereign Authority.

10. In the former Section is shewed, that Elective Kings that exercise their Sovereignty for a Time, which determines with their Life, either are Subjects; and that is, when the People in Election of them, reserve unto themselves the Right of assembling at certain Times and Places limited and made known; or else absolute Sovereigns, to dispose of the Succession at their Pleasure, and that is, when the People in their Election have declared no Time nor Place of their Meeting, or have left it to the Power of the Elected King, to assemble and dissolve them at such Times, as he himself shall think good. There is another Kind of Limitation of Time to him that shall be elected to use the Sovereign Power, (which whether it hath been practised any where, or not, I know not, but it may be imagined, and hath been objected against the Rigour of Sovereign Power) and it is this, that the People transfer their Sovereignty upon Conditions. As for Example, For so long as he shall observe such and such Laws as they then prescribe him. And here as before in elected Kings, the Question is to be made, Whether in the Electing of such a Sovereign, they reserved to themselves a Right of assembling at Times and Places limited and known, or not; if not, then is the Sovereignty of the People dissolved, and they have neither Power to judge of the Breach of the Conditions given him, nor to command any Forces for the Deposing of him, whom on that Condition they had set up, but are in the Estate of War amongst themselves, as they were before they made themselves a Democracy: and consequently, if he that is elected, by the Advantage of the Possession he hath of the Public Means, be able to compel them to Unity and Obedience, he hath not only the Right of Nature to warrant him, but the Law of Nature to oblige him thereunto. But if in Electing him, they reserved to themselves a Right of Assembling, and appointed certain Times and Places to that Purpose, then are they Sovereign still, and may call their conditional King to Account at their Pleasure, and deprive him of his Government, if they judge he deserve it, either by Breach of the Condition set him, or otherwise. For the Sovereign Power can by no Covenant with a Subject be bound to continue him in the Charge he undergoeth by their Command, as a Burden imposed not particularly for his Good, but for the Good of the Sovereign People.

11. The Controversies that arise concerning the Right of the People, proceed from the Equivocation of the Word. For the Word People, hath a double Signification. In one Sense it signifieth only a Number of Men, distinguished by the Place of their Habitation; as the *People of England*, or the *People of France*; which is no more, but the Multitude of those particular Persons that inhabit those Regions, without Consideration of any Contracts or Covenants amongst them, by which any one of them is obliged to the rest. In another Sense, it signifieth a Person Civil, that is to say, either one Man, or one Council, in the Will whereof is included and involved the Will of every one in particular. As for Example, In this latter Sense, the Lower House of Parliament is all the Commons, as long as they sit there with Authority and Right thereto; but after they be dissolved, though they remain, they be no more the People, nor the Commons, but only the Aggregate, or Multitude of the particular Men there sitting, how well soever they agree, or concur, in Opinions amongst themselves; whereupon, they that do not distinguish between these two Significations, do usually attribute such Rights to a dissolved Multitude, as belong only to the People virtually contained in the Body of the Commonwealth or Sovereignty. And when a great Number of their own Authority flock together in any Nation, they usually give them the Name of the whole Nation. In which Sense they say, the People rebelleth, or the People demandeth, when it is no more than a dissolved Multitude, of

which, though any one Man may be said to demand or have Right to something, yet the Heap, or Multitude, cannot be said to demand or have Right to any thing. For where every Man hath his Right distinct, there is nothing left for the Multitude to have Right unto: and when the Particulars say, This is Mine, This is Thine, and This is His, and have shared all amongst them, there can be nothing whereof the Multitude can say, This is Mine; nor are they One Body, as behoveth them to be, that demand any Thing under the Name of Mine, or His: And when they say Ours, every Man is understood to pretend in several, and not the Multitude. On the other side, when the Multitude is united into a Body Politic, and thereby are a People in the other Signification, and their Wills virtually in the Sovereign, there the Rights and Demands of the Particulars do cease; and he or they that have the Sovereign Power, doth for them all, demand, and vindicate under the Name of His, that which before they called in the Plural, Theirs.

12. We have seen how particular Men enter into Subjection, by transferring their Rights; it followeth to consider, how such Subjection may be discharged. And first, if he or they that have the Sovereign Power shall relinquish the same voluntarily, there is no Doubt, but every Man is again at Liberty to obey, or not. Likewise, if he or they retaining the Sovereignty over the rest, do nevertheless exempt some one or more from their Subjection, every Man so exempted is discharged. For he or they to whom any Man is obliged, hath the Power to release him.

13. And here it is to be understood, that when he or they that have the sovereign Power, give such Exemption or Privilege, to a Subject, as is not separable from the Sovereignty, and nevertheless directly retaineth the sovereign Power, not knowing the Consequence of the Privilege they grant, the Person or Persons exempted or privileged, are not thereby released. For in contradictory Significations of the Will, Part I. Chap. XIII. Sect. 9. that which is directly signified, is to be understood for the Will, before that which is drawn from it by Consequence.

14. Also Exile perpetual, is a Release of Subjection, forasmuch as being out of the Protection of the Sovereignty that expelled him, he hath no Means of subsisting but from himself. Now every Man may lawfully defend himself, that hath no other Defence; else there had been no Necessity that any Man should enter into voluntary Subjection, as they do in Commonwealths.

15. Likewise a Man is released of his Subjection by Conquest. For when it cometh to pass, that the Power of a Commonwealth is overthrown, and any particular Man thereby lying under the Sword of his Enemy, yieldeth himself Captive, he is thereby bound to serve him that taketh him, and consequently discharged of his Obligation to the former. For no Man can serve two Masters.

16. Lastly, Ignorance of Succession dischargeth Obedience. For no Man can be understood to be obliged to obey he knoweth not whom.

C H A P III.

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| 1. 2. <i>Titles to Dominion; Master and Servant, &c.</i> | 5. <i>The Master hath Right to alienate his Servant.</i> |
| 3. <i>Chains and other, &c. Bonds, &c. Slave defined.</i> | 6. <i>The Servant of the Servant, &c.</i> |
| 4. <i>Servants have no Property against their Lord, &c.</i> | 7. <i>How Servitude is discharged.</i> |
| | 8. <i>The middle Lord, &c.</i> |
| | 9. <i>The Title of Man, &c. over Beasts.</i> |

I. **H**AVING set forth in the two preceding Chapters, the Nature of a Commonwealth *institutive* by the Consent of many Men together, I come now to speak of Dominion, or a Body Politic by Acquisition, which is commonly called a *Patrimonial* Kingdom. But before I enter thereinto, it is necessary to

make known upon what Title one Man may acquire Right, that is to say, Property or Dominion over the Person of another. For when one Man hath Dominion over another, there is a little Kingdom. And to be a King by Acquisition, is nothing else but to have acquired a Right or Dominion over many.

2. Considering Men therefore again in the State of Nature, without Covenants or Subjection one to another, as if they were but even now all at once created Male and Female, there be three Titles only, by which one Man may have Right and Dominion over another; whereof two may take place presently, and those are, voluntary Offer of Subjection, and yielding by Compulsion: the third is to take place, upon the Supposition of Children begotten amongst them. Concerning the first of these three Titles, it is handled before in the two last Chapters. For from thence cometh the Right of Sovereigns over the Subjects in a Commonwealth institutive. Concerning the second Title, (which is when a Man submitteth to an Assailant for fear of Death) thereby accrueth a Right of Dominion. For where every Man (as it happeneth in this Case) hath Right to all Things, there needs no more for the making of the said Right effectual, but a Covenant from him that is overcome, not to resist him that overcometh. And thus cometh the Victor to have Right of absolute Dominion over the Conquered. By which there is presently constituted a little Body politic, which consisteth of two Persons, the one Sovereign, which is called the *Master*, or Lord; the other Subject, which is called the *Servant*. And when a Man hath acquired Right over a Number of Servants so considerable, as they cannot by their Neighbours be securely invaded, this Body politic is a Kingdom despotical.

3. And it is to be understood, that when a Servant taken in the Wars, is kept bound in natural Bonds, as Chains and the like, or in Prison, there hath passed no Covenant from the Servant to his Master. For those natural Bonds have no need of strengthening by the verbal Bonds of Covenant, and they shew that the Servant is not trusted. But Covenant (Part. I. Chap. XV. Sect. 9.) supposeth Trust. There remaineth therefore in the Servant thus kept bound, or in Prison, a Right of delivering himself, if he can, by what Means soever. This kind of Servant is that which ordinarily, and without Passion, is called a *Slave*. The *Romans* had no such distinct Name, but comprehended all under the Name of *Servus*; whereof such as they loved and durst trust, were suffered to go at Liberty, and admitted to Places of Office, both near to their Persons, and in their Affairs abroad; the rest were kept chained, or otherwise restrained with natural Impediments to their Resistance. And as it was amongst the *Romans*, so it was amongst other Nations, the former sort having no other Bond but a supposed Covenant, without which the Master had no reason to trust them; the latter being without Covenant, and no otherwise tied to Obedience, but by Chains, and other like forcible Custody.

4. A Master therefore is to be supposed to have no less Right over those, whose Bodies he leaveth at Liberty, than over those he keepeth in Bonds and Imprisonment, and hath absolute Dominion over both, and may say of his Servant, that he is his, as he may of any other Thing: And whatsoever the Servant had, and might call his, is now the Master's; for he that disposeth of the Person, disposeth of all the Person could dispose of: insomuch, as though there be *Meum & Tuum* amongst Servants distinct from one another by the Dispensation, and for the Benefit of their Master; yet there is no *Meum & Tuum* belonging to any of them against the Master himself, whom they are not to resist, but to obey all his Commands as Law.

5. And seeing both the Servant and all that is committed to him, is the Property of the Master, and every Man may dispose of his own, and transfer the same at his Pleasure, the Master may therefore alienate his Dominion over them, or give the same by his last Will to whom he list.

6. And if it happen, that the Master himself by Captivity or voluntary Subjection, become Servant to another, then is that other Master *paramount*; and those

Servants

Servants of him that becometh Servant, are no farther obliged, than their Master paramount shall think good; forasmuch as he disposing of the Master subordinate, disposeth of all he hath, and consequently of his Servants. So that the Restriction of absolute Power in Masters, proceedeth not from the Law of Nature, but from the political Law of him that is their Master supreme or sovereign.

7. Servants immediate to the supreme Master, are discharged of their Servitude, or Subjection, in the same manner that Subjects are released of their Allegiance in a Commonwealth institutive. As first, by Release. For he that captiveth, (which is done by accepting what the Captive transferreth to him) setteth again at Liberty, by transferring back the same. And this Kind of Release is called *Manumission*. Secondly, by Exile. For that is no more but Manumission given to a Servant, not in the Way of Benefit, but Punishment. Thirdly, by a new Captivity, where the Servant having done his Endeavour to defend himself, hath thereby performed his Covenant to his former Master, and for the Safety of his Life, entering into new Covenant with the Conqueror, is bound to do his best Endeavour to keep that likewise. Fourthly, Ignorance of who is Successor to his deceased Master, dischargeth him of Obedience: for no Covenant holdeth longer than a Man knoweth to whom he is to perform it. And lastly, that Servant that is no longer trusted, but committed to his Chains and Custody, is thereby discharged of the Obligation *in Foro interno*, and therefore if he can get loose, may lawfully go his way.

8. But Servants subordinate, though manumitted by their immediate Lord, are not thereby discharged of their Subjection to their Lord paramount. For the immediate Master hath no Property in them, having transferred his Right before to another, namely, to his own and supreme Master. Nor if the chief Lord should manumit his immediate Servant, doth he thereby release his Servants of their Obligation to him that is so manumitted. For by this Manumission, he recovereth again the absolute Dominion he had over them before. For after a Release, (which is the Discharge of a Covenant) the Right standeth as it did before the Covenant was made.

9. This Right of Conquest, as it maketh one Man Master over another, so also maketh it a Man to be Master of the irrational Creatures. For if a Man in the State of Nature be in Hostility with Men, and thereby have lawful Title to subdue or kill, according as his own Conscience and Discretion shall suggest unto him for his Safety and Benefit, much more may he do the same to Beasts: that is to say, save and preserve for his own Service, according to his Discretion, such as are of Nature apt to obey, and commodious for Use; and to kill and destroy with perpetual War, all other, as fierce and noisome to him. And this Dominion is therefore of the Law of Nature, and not of the divine Law positive. For if there had been no such Right before the Revealing of God's Will in the Scripture, then should no Man, to whom the Scripture hath not come, have Right to make Use of those his Creatures, either for his Food or Sustainance. And it were a hard Condition of Mankind, that a savage Beast should with more Right kill a Man, than a Man a Beast.

C H A P. IV.

1. *The Dominion over the Child, &c.*
2. *Preheminence of Sex giveth not the Child to the Father, rather than to the Mother.*
3. *The Title of the Father or Mother, &c.*
4. *The Child of a Woman-Servant, &c.*
5. *The Right to the Child given from the Mother, &c.*
6. *The Child of the Concubine, &c.*
7. *The Child of the Husband and the Wife, &c.*
8. *The Father, or he or she that bringeth up the Child, have absolute Power over him.*
9. *Freedom in Subjects what it is.*
10. *A great Family is a patrimonial Kingdom.*
11. *Succession of the Sovereign Power, &c.*
12. *Though the Successor be not declared, yet there is always one to be presumed.*
13. *The Children preferred to the Succession, &c.*
14. *The Males before the Females.*
15. *The eldest before the rest of the Brothers.*
16. *The Brother next to the Children.*
17. *The Succession of the Possessor, &c.*

1. **O**F three Ways by which a Man becometh subject to another, mentioned Sect. 2. Chap. the last, namely, voluntary Offer, Captivity and Birth; the former two have been spoken of, under the Name of Subjects and Servants. In the next Place, we are to set down the third Way of Subjection, under the Name of Children, and by what Title one Man cometh to have Propriety in a Child, that proceedeth from the common Generation of two, (to wit) of Male and Female. And considering Men again dissolved from all Covenants one with another, and that (Part I. Chap. IV. Sect. 2.) every Man by the Law of Nature, hath Right or Propriety to his own Body, the Child ought rather to be the Propriety of the Mother, (of whose Body it is Part, till the Time of Separation) than of the Father. For the understanding therefore of the Right that a Man or Woman hath to his or their Child, two Things are to be considered; First, what Title the Mother, or any other originally hath, to a Child new born: Secondly, how the Father, or any other Man, pretendeth by the Mother.

2. For the first, they that have written of this Subject, have made Generation to be a Title of Dominion over Persons, as well as the Consent of the Persons themselves. And because Generation giveth Title to two, namely, Father and Mother, whereas Dominion is indivisible, they therefore ascribe Dominion over the Child to the Father only, *Ob præstantiam Sexûs*; but they shew not, neither can I find out by what Coherence, either Generation inferreth Dominion, or Advantage of so much Strength, which for the most Part a Man hath more than a Woman, should generally and universally entitle the Father to a Propriety in the Child, and take it away from the Mother.

3. The Title to Dominion over a Child, proceedeth not from the Generation; but from the Preservation of it; and therefore in the Estate of Nature; the Mother, in whose Power it is to save or destroy it, hath Right thereto by that Power, according to that which hath been said, Part I. Chap. I. Sect. 13. And if the Mother shall think fit to abandon, or expose her Child to Death, whatsoever Man or Woman shall find the Child so exposed, shall have the same Right which the Mother had before; and for this same Reason, namely, for the Power not of generating, but preserving. And though the Child thus preserved, do in time acquire Strength, whereby he might pretend Equality with him or her that hath preserved him, yet shall that Pretence be thought unreasonable, both because his Strength was the Gift of him, against whom he pretendeth, and also because it is to be presumed, that he which giveth Sustenance to another, whereby to strengthen him, hath received a Promise of Obedience in Consideration thereof. For else it would

would be Wisdom in Men, rather to let their Children perish, while they are Infants, than to live in their Danger or Subjection, when they are grown.

4. For the Pretences which a Man may have to Dominion over a Child by the Right of the Mother, they be of divers Kinds. One by the absolute Subjection of the Mother; another, by some particular Covenant from her, which is less than a Covenant of such Subjection. By absolute Subjection, the Master of the Mother hath Right to her Child, according to Sect. 6. Chap. III. whether he be the Father thereof, or not. And thus the Children of the Servant are the Goods of the Master *in Perpetuum*.

5. Of Covenants that amount not to Subjection between a Man and Woman, there be some which are made for a Time; they are Covenants of Cohabitation, or else of Copulation only. And in this latter Case, the Children pass by Covenants particular. And thus in the Copulation of the *Amazons* with their Neighbours, the Fathers by Covenant had the Male Children only, the Mothers retaining the Females.

6. And Covenants of Cohabitation are either for Society of Bed, or for Society of all things; if for Society of Bed only, then the Woman is called a *Concubine*. And here also the Child shall be his or hers, as they shall agree particularly by Covenant. For altho' for the most part, a Concubine is supposed to yield up the Right of her Children to the Father, yet doth not Concubinage enforce so much.

7. But if the Covenants of Cohabitation be for Society of all Things, it is necessary that but one of them govern and dispose of all that is common to them both: without which (as hath been often said before) Society cannot last. And therefore the Man, to whom for the most part the Woman yieldeth the Government, hath for the most part also the sole Right and Dominion over the Children. And the Man is called the Husband, and the Woman the Wife. But because sometimes the Government may belong to the Wife only, sometimes also the Dominion over the Children shall be in her only. As in the Case of a Sovereign Queen, there is no Reason that her Marriage should take from her the Dominion over her Children.

8. Children therefore, whether they be brought up and preserved by the Father, or by the Mother, or by whomsoever, are in most absolute Subjection to him or her, that so bringeth them up, or preserveth them. And they may alienate them, that is, assign his or her Dominion, by selling, or giving them in Adoption or Servitude to others; or may pawn them for Hostages, kill them for Rebellion, or sacrifice them for Peace, by the Law of Nature, when he or she, in his or her Conscience, think it to be necessary.

9. The Subjection of them who institute a Commonwealth among themselves, is no less absolute than the Subjection of Servants. And therein they are in equal Estate. But the Hope of those is greater than the Hope of these. For he that subjecteth himself un-compelled, thinketh there is Reason he should be better used, than he that doth it upon Compulsion; and coming in freely, calleth himself, though in Subjection, a *Freeman*; whereby it appeareth, that Liberty is not any Exemption from Subjection and Obedience to the Sovereign Power, but a State of better Hope than theirs, that have been subjected by Force and Conquest. And this was the Reason, that the Name which signifieth Children in the Latin Tongue, is *Liberi*, which also signifieth *Freemen*. And yet in *Rome*, nothing at that time was so obnoxious to the Power of others, as Children in the Family of their Fathers. For both the State had Power over their Life without Consent of their Fathers, and the Father might kill his Son by his own Authority, without any Warrant from the State. Freedom therefore in Commonwealths is nothing but the Honour of Equality of Favour with other Subjects, and Servitude the Estate of the rest. A Freeman therefore may expect Employments of Honour, rather than a Servant. And this is all that can be understood by the Liberty of the Subject. For in all other Senses, Liberty is the State of him that is not subject.

10. Now when a Father that hath Children, hath Servants also, the Children (not by the Right of the Child, but by the natural Indulgence of the Parents) are such Freemen. And the whole consisting of the Father or Mother, or both, and of the Children, and of the Servants, is called a *Family*, wherein the Father or Mother of the Family is Sovereign of the same, and the rest (both Children and Servants equally) Subjects. The same Family, if it grow by Multiplication of Children, either by Generation, or Adoption; or of Servants, either by Generation, Conquest, or voluntary Submission, to be so great and numerous, as in Probability it may protect itself, then is that Family called a *Patrimonial Kingdom*, or Monarchy by Acquisition, wherein the Sovereignty is in one Man, as it is in a Monarch made by *Political Institution*. So that whatsoever Rights be in the one, the same also be in the other. And therefore I shall no more speak of them as distinct, but of Monarchy in general.

11. Having shewed by what Right the several sorts of Commonwealths, Democracy, Aristocracy, and Monarchy, are erected, it followeth, to shew by what Right they are continued. The Right by which they are continued, is called the Right of Succession to the sovereign Power; whereof there is nothing to be said in a Democracy, because the Sovereign dieth not, as long as there be Subjects alive: Nor in an Aristocracy, because it cannot easily fall out, that the *Optimates* should every one fall at once: And if it should so fall out, there is no question, but the Commonwealth is thereby dissolved. It is therefore in a Monarchy only, that there can happen a Question concerning the Succession. And first, forasmuch as a Monarch, which is absolute Sovereign, hath the Dominion in his own Right, he may dispose thereof at his own Will. If therefore by his Last-will, he shall name his Successor, the Right passeth by that Will.

12. Nor if the Monarch die without any Will concerning the Succession declared, it is not therefore to be presumed, it was his Will, his Subjects, which are to him as his Children and Servants, should return again to the State of Anarchy, that is, to War and Hostility. For that were expressly against the Law of Nature, which commandeth to procure Peace, and to maintain the same. It is therefore to be conjectured with Reason that it was his Intention to bequeath them Peace, that is to say, a Power coercive, whereby to keep them from Sedition amongst themselves; and rather in the Form of a Monarchy, than any other Government; forasmuch as he, by the Exercise thereof in his own Person, hath declared that he approveth the same.

13. Farther, it is to be supposed his Intention was, that his own Children should be preferred in the Succession (when nothing to the contrary is expressly declared) before any other. For Men naturally seek their own Honour, and that consisteth in the Honour of their Children after them.

14. Again, seeing every Monarch is supposed to desire to continue the Government in his Successors, as long as he may; and that generally Men are indued with greater Parts of Wisdom and Courage, by which all Monarchies are kept from Dissolution, than Women are; it is to be presumed, where no express Will is extant to the contrary, he preferreth his Male Children before the Female. Not but that Women may govern, and have in divers Ages and Places governed wisely, but are not so apt thereto in general, as Men.

15. Because the sovereign Power is indivisible, it cannot be supposed, that he intended the same should be divided, but that it should descend intirely upon one of them, which is to be presumed, should be the eldest, assigned thereto by the Lot of Nature, because he appointed no other Lot for the Decision thereof. Besides, what Difference of Ability soever there may be amongst the Brethren, the Odds shall be adjudged to the elder, because no Subject hath Authority otherwise to judge thereof.

16. And for want of Issue in the Possessor, the Brother shall be presumed Successor. For by the Judgment of Nature, next in Blood, is next in Love; and next in Love, is next to Preferment.

17. And

17. And as the Succession followeth the first Monarch, so also it followeth him or her that is in Possession; and consequently, the Children of him in Possession, shall be preferred before the Children of his Father or Predecessor.

C H A P. V.

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| 1. <i>The Utility of the Commonwealth,</i>
&c. | 5. 6. <i>Subjects in Monarchy, &c.</i> |
| 2. <i>The Loss of Liberty, &c.</i> | 7. <i>Laws in Monarchy less changeable,</i>
&c. |
| 3. <i>Monarchy approved by, &c.</i> | 8. <i>Monarchies less subject to Dissolution.</i> |
| 4. <i>Monarchy less subject to Passion, &c.</i> | |

1. **H**AVING set forth the Nature of a Body Politic, and the three Sorts thereof, of Democracy, Aristocracy, and Monarchy; in this Chapter shall be declared, the *Conveniencies* and *Inconveniencies* that arise from the same, both in general; and of the said several Sorts in particular. And first, seeing a Body Politic is erected only for the ruling and governing of particular Men, the Benefit and Damage thereof consisteth in the Benefit or Damage of being ruled. The Benefit is that, for which a Body Politic was instituted, namely, the Peace and Preservation of every particular Man, than which it is not possible there can be a greater, as hath been touched before, Part. I. Chap. I. Sect. 12. And this Benefit extendeth equally both to the *Sovereign*, and to the *Subjects*. For he or they that have the Sovereign Power, have but the Defence of their Persons, by the Assistance of the Particulars; and every particular Man hath his Defence by their Union in the Sovereign. As for other Benefits, which pertain not to their Safety and Sufficiency, but to their well and delightful Being, such as are superfluous Riches, they so belong to the Sovereign, as they must also be in the Subject; and so to the Subject, as they must also be in the Sovereign. For the Riches and Treasure of the Sovereign, is the Dominion he hath over the Riches of his Subjects. If therefore the Sovereign provide not so as that particular Men may have Means, both to preserve themselves, and also to preserve the Public; the Common or Sovereign Treasure can be none. And on the other side, if it were not for a Common and Public Treasure belonging to the Sovereign Power, Mens private Riches would sooner serve to put them into Confusion and War, than to secure and maintain them. Infomuch as the Profit of the Sovereign and the Subject goeth always together. That Distinction therefore of Government, that there is one Government for the Good of him who governeth, and another for the Good of them that be governed, whereof the former is *Despotical* (that is Lordly) the other a Government of *Freemen*, is not right. No more is the Opinion of them that hold it to be no City, which consisteth of a Master and his Servants. They might as well say, it were no City that consisted in a Father and his own Issue, how numerous soever they were. For to a Master that hath no Children, the Servants have in them all those Respects, for which Men love their Children. For they are his Strength, and his Honour. And his Power is no greater over them, than over his Children.

2. The Inconvenience arising from Government in general, to him that governeth, consisteth partly in the continual Care and Trouble about the Business of other Men, that are his Subjects; and partly in the Danger of his Person. For the Head always is that Part, not only where the Care resideth, but also against which the Stroke of an Enemy most commonly is directed. To balance this Incommodity, the Sovereignty, together with the Necessity of this Care and Danger, comprehendeth so much Honour, Riches, and Means, whereby to delight the Mind, as no private Man's Wealth can attain unto. The Inconveniencies of Go-

vernment in general to a Subject are none at all, if well considered, but in Appearance. There be two Things that may trouble his Mind; or two general Grievances: The one is Loss of Liberty; the other the Uncertainty of *Meum & Tuum*. For the first, it consisteth in this, That a Subject may no more govern his own Actions according to his own Discretion and Judgment, or (which is all one) Conscience, as the present Occasions from Time to Time shall dictate to him; but must be tied to do according to that Will only, which once for all he had long ago laid up, and involved in the Wills of the major Part of an Assembly, or in the Will of some one Man. But this is really no Inconvenience. For, as it hath been shewed before, it is the only Means, by which we have any Possibility of preserving ourselves: For if every Man were allowed this Liberty of following his Conscience, in such Difference of Consciences, they would not live together in Peace an Hour. But it appeareth a great Inconvenience to every Man in particular, to be debarred of this Liberty, because every one apart considereth it as in himself, and not as in the rest; by which Means, Liberty appeareth in the Likeness of Rule and Government over others. For where one Man is at Liberty, and the rest bound, there that one hath Government; which Honour, he that understandeth not so much, demanding by the Name simply of Liberty, thinketh it a great Grievance and Injury to be denied it. For the second Grievance concerning *Meum & Tuum*, it is also none, but in Appearance only; it consisteth in this, That the Sovereign Power taketh from him that which he used to enjoy, knowing no other Propriety, but Use and Custom. But without such Sovereign Power, the Right of Men is not Propriety to any Thing, but a Community, no better than to have no Right at all, as hath been shewed, Part I. Chap. I. Sect. 10. Propriety therefore being derived from the Sovereign Power, is not to be pretended against the same, especially, when by it every Subject hath his Propriety against every other Subject, which when Sovereignty ceaseth, he hath not, because in that Case they return to War among themselves. Those Levies therefore which are made upon Men's Estates, by the Sovereign Authority, are no more but the Price of that Peace and Defence which the Sovereignty maintaineth for them. If this were not so, no Money nor Forces for the Wars, nor any other public Occasion, could justly be levied in the World. For neither King, nor Democracy, nor Aristocracy, nor the Estates of any Land, could do it, if the Sovereignty could not. For in all those Cases, it is levied by Virtue of the Sovereignty. Nay more, by the three Estates here, the Land of one Man may be transferred to another, without Crime of him from whom it was taken, and without Pretence of public Benefit, as hath been done; and this without Injury, because done by the Sovereign Power. For the Power whereby it is done, is no less than Sovereign, and cannot be greater. Therefore this Grievance for *Meum & Tuum* is not real, unless more be exacted than is necessary; but it seemeth a Grievance, because to them that either know not the Right of Sovereignty, or to whom that Right belongeth, it seemeth an Injury; and Injury, how little soever the Damage, is always grievous, as putting us in mind of our Disability to help ourselves, and into Envy of the Power to do us Wrong.

3. Having spoken of the Inconveniencies of the Subject by Government in general, let us consider the same in the three several Sorts thereof, namely, *Democracy*, *Aristocracy*, and *Monarchy*; whereof the two former are in effect but one. For (as I have shewed before) Democracy is but the Government of a few Orators. The Comparison therefore will be between Monarchy and Aristocracy: And to omit, that the World as it was created, so also it is governed by one God Almighty; and that all the Ancients have preferred Monarchy before other Governments, both in Opinion, because they feigned a Monarchical Government amongst their Gods; and also by their Custom, for that in the most ancient Times all People were so governed: And that Paternal Government, which is Monarchy, was instituted in the Beginning from the Creation; and that other Governments have proceeded from the Dissolution thereof, caused by the rebellious Nature of Mankind, and be but

Pieces of broken Monarchies cemented by human Wit ; I will insist only on this Comparison, upon the Inconveniencies that may happen to the Subjects in Consequence to each of these Governments.

4. And first, it seemeth inconvenient there should be committed so great a Power to one Man, as that it might be lawful to no other Man or Men to resist the same ; and some think it inconvenient *eo Nomine*, because he hath the Power. But this Reason we may not by any Means admit ; for it maketh it inconvenient to be ruled by Almighty God, who without Question hath more Power over every Man, than can be conferred upon any Monarch. This Inconvenience therefore must be derived not from the Power, but from the Affections and Passions which reign in every one, as well Monarch, as Subject, by which the Monarch may be swayed to use that Power amiss : And because Aristocracy consisteth of Men, if the Passions of many Men be more violent when they are assembled together, than the Passions of one Man alone, it will follow, that the Inconvenience arising from Passions will be greater in an *Aristocracy*, than a *Monarchy*. But there is no Doubt, when Things are debated in great Assemblies, but every Man delivering his Opinion at large without Interruption, endeavoureth to make whatsoever he is to set forth for Good, better ; and what he would have apprehended as Evil, worse, as much as is possible, to the End his Counsel may take place : which Counsel also is never without Aim at his own Benefit, or Honour ; every Man's End being some Good to himself. Now this cannot be done without working on the Passions of the rest. And thus the Passions of these that are singly moderate, are altogether vehement ; even as a great many Coals, though but warm asunder, being put together, inflame one another.

5. Another Inconvenience of Monarchy, is this, That the Monarch, besides the Riches necessary for the Defence of the Commonwealth, may take so much more from the Subjects, as may enrich his Children, Kindred and Favourites, to what Degree he pleaseth ; which though it be indeed an Inconvenience, if he should so do, yet is the same both greater in an Aristocracy, and also more likely to come to pass ; for there not one only, but many have Children, Kindred, and Friends to raise. And in that Point they are as Twenty Monarchs for one, and likely to set forward one another's Designs mutually, to the Oppression of all the rest. The same also happeneth in a Democracy, if they all do agree ; otherwise they bring a worse Inconvenience, to wit, Sedition.

6. Another Inconvenience of Monarchy, is the Power of dispensing with the Execution of Justice, whereby the Family and Friends of the Monarch, may with Impunity commit Outrages upon the People, or oppress them with Extortion. But in Aristocracies, not only one, but many have Power of taking Men out of the Hands of Justice, and no Man is willing his Kindred or Friends should be punished according to their Demerits. And therefore they understand amongst themselves without further speaking, as a tacit Covenant, *Hodie mihi, cras tibi*.

7. Another Inconvenience of Monarchy, is the Power of altering Laws. Concerning which, it is necessary that such a Power be, that Laws may be altered, according as Men's Manners change, or as the Conjunction of all Circumstances within and without the Commonwealth shall require ; the Change of Law being then inconvenient, when it proceedeth from the Change, not of the Occasion, but of the Minds of him or them, by whose Authority the Laws are made. Now it is manifest enough of itself, that the Mind of one Man is not so variable in that Point, as are the Decrees of an Assembly. For not only they have all their natural Changes, but the Change of any one Man may be enough with Eloquence and Reputation, or by Solicitation and Faction, to make that Law to-day, which another by the very same Means shall abrogate to-morrow.

8. Lastly, the greatest Inconvenience that can happen to a Commonwealth, is the Aptitude to dissolve into civil War ; and to this are Monarchies much less subject, than any other Governments. For where the Union, or Band of a Commonwealth is one Man, there is no Distraction ; whereas in Assemblies, those that are

of different Opinions, and give different Counsel, are apt to fall out amongst themselves, and to cross the Designs of the Commonwealth for one another's Sake: and when they cannot have the Honour of making good their own Devices, they yet seek the Honour to make the Counsels of their Adversaries prove vain. And in this Contention, when the opposite Factions happen to be any Thing equal in Strength, they presently fall to War. Wherein Necessity teacheth both Sides, that an absolute Monarch, to wit, a General, is necessary both for their Defence against one another, and also for the Peace of each Faction within itself. But this Aptitude to Diffolution is to be understood for an Inconvenience in such Aristocracies only, where the Affairs of State are debated in great and numerous Assemblies, as they were anciently in *Athens* and in *Rome*; and not in such as do nothing else in great Assemblies, but chuse Magistrates and Counsellors, and commit the handling of State Affairs to a few; such as is the Aristocracy of *Venice* at this Day. For these are no more apt to dissolve from this Occasion, than Monarchies, the Council of State being both in the one and the other alike.

C H A P. VI.

1. *A Difficulty concerning absolute Subjection to Man, arising from our absolute Subjection to God Almighty, propounded.*
2. *That this Difficulty is only amongst those Christians that deny the Interpretation of Scripture, to depend upon the Sovereign Authority of the Commonwealth.*
3. *That Human Laws are not made to govern the Consciences of Men, but their Words and Actions.*
4. *Places of Scripture to prove Obedience due from Christians to their Sovereign in all Things.*
5. *A Distinction propounded between a Fundamental Point of Faith, and a Superstruction.*
6. *An Explication of the Points of Faith that be Fundamental.*
7. *That the Belief of those Fundamental Points, is all that is required to Salvation, as of Faith.*
8. *That other Points not Fundamental, are not necessary to Salvation as Matter of Faith; and that no more is required by way of Faith to the Salvation of one Man, than to the Salvation of another.*
9. *That Superstructions are not Points of the Faith necessary to a Christian.*
10. *How Faith and Justice concur to Salvation.*
11. *That in Christian Commonwealths, Obedience to God and Man stand well together.*
12. *This Tenet, Whatsoever is against the Conscience is Sin, interpreted.*
13. *That all Men do confess the Necessity of submitting of Controversies to some human Authority.*
14. *That Christians under an Infidel are discharged of the Injustice of disobeying him, in that which concerneth the Faith necessary to Salvation, by not resisting.*

1. **H**AVING shewed, that in all Commonwealths whatsoever, the Necessity of Peace and Government requireth, that there be existent some Power, either in one Man, or in one Assembly of Men, by the Name of the Power Sovereign, which it is not lawful for any Member of the same Commonwealth to disobey; there occurreth now a Difficulty, which, if it be not removed, maketh it unlawful for a Man to put himself under the Command of such absolute Sovereignty, as is required thereto. And the Difficulty is this; We have amongst us the Word of God for the Rule of our Actions: Now if we subject ourselves to Men also, obliging ourselves to do such Actions as shall be by them commanded, when the Commands of God and Man shall differ, we are to obey God rather than Man; and consequently, the Covenant of general Obedience to Man is unlawful.

2. This

2. This Difficulty hath not been of very great Antiquity in the World. There was no such *Dilemma* amongst the *Jews*; for their Civil Law, and Divine Law, was one and the same Law of *Moses*; the Interpreters whereof were the Priests, whose Power was subordinate to the Power of the King; as was the Power of *Aaron* to the Power of *Moses*. Nor is it a Controversy that was ever taken notice of amongst the *Grecians*, *Romans*, or other *Gentiles*: for amongst these their several Civil Laws were the Rules whereby not only Righteousness and Virtue, but also Religion, and the external Worship of God, was ordered and approved; that being esteemed the true Worship of God, which was *κατὰ τὰ νόμιμα* according to the Laws Civil. Also those Christians that dwell under the Temporal Dominion of the Bishop of *Rome*, are free from this Question; for that they allow unto him (their Sovereign) to interpret the Scriptures, which are the Law of God, as he in his own Judgment shall think right. This Difficulty therefore remaineth amongst, and troubleth those Christians only, to whom it is allowed, to take for the Sense of the Scripture that which they make thereof, either by their own private Interpretation, or by the Interpretation of such as are not called thereunto by public Authority; they that follow their own Interpretation continually, demanding Liberty of Conscience; and those that follow the Interpretation of others not ordained thereunto by the Sovereign of the Commonwealth, requiring a Power in Matters of Religion either above the Power Civil, or at least not depending on it.

3. To take away this Scruple of Conscience, concerning Obedience to human Laws, amongst those that interpret to themselves the Word of God in the holy Scriptures, I propound to their Consideration, first, That no human Law is intended to oblige the Conscience of a Man, unless it break out into Action, either of the Tongue, or other Part of the Body. The Law made thereupon would be of none Effect, because no Man is able to discern, but by Word or other Action, whether such Law be kept or broken. Nor did the Apostles themselves pretend Dominion over Mens Consciences, concerning the Faith they preached, but only Persuasion and Instruction. And therefore *St. Paul* saith, *2-Cor. i. 24.* writing to the *Corinthians*, concerning their Controversies, that he and the rest of the Apostles had no Dominion over their Faith, but were Helpers of their Joy.

4. And for the Actions of Men which proceed from their Consciences, the regulating of which Actions is the only means of Peace, if they might not stand with Justice, it were impossible that Justice towards God, and Peace amongst Men, should stand together in that Religion that teacheth us, that *Justice and Peace shall kiss each other*, and in which we have so many Precepts of absolute Obedience to human Authority; as *Matth. xxiii. 2, 3.* we have this Precept, *The Scribes and Pharisees sit in Moses Seat; all therefore whatsoever they bid you observe, that observe and do.* And yet were the Scribes and Pharisees not Priests, but Men of temporal Authority. Again, *Luke xi. 17.* *Every Kingdom divided against itself, shall be desolate*; and is not that Kingdom divided against itself, where the Actions of every one shall be ruled by his private Opinion, or Conscience, and yet those Actions such as give Occasion of Offence and Breach of Peace? Again, *Rom. xiii. 5.* *Wherefore you must be subject, not because of Wrath only, but also for Conscience Sake.* *Tit. iii. 1.* *Put them in Remembrance, that they be subject to Principalities and Powers.* *1 Pet. ii. 13, 14.* *Submit yourselves unto all manner of Ordinance of Man, for the Lord's Sake, whether it be unto the King, as unto the Superior, or unto Governors, as unto them that are sent of him for the Punishment of Evil-doers.* *Jude, Verse 8.* *These Dreamers also that defile the Flesh, and despise Government, and speak Evil of them that are in Authority.* And forasmuch as all Subjects in Commonwealths are in the Name of Children and Servants, that which is a Command to them, is a Command to all Subjects. But to these *St. Paul* saith, *Colos. iii. 20, 22.* *Children, obey your Parents in all Things; Servants, be obedient to your Masters according to the Flesh in all Things.* And Verse 23. *Do it heartily, as to the Lord.* These Places considered, it seemeth strange to me, that any Man in a Christian Commonwealth, should have any Occasion to deny his

his Obedience to public Authority, upon this Ground, that *It is better to obey God than Man*. For though St. Peter and the Apostles did so answer the Council of the *Jews*, that forbad them to preach Christ, there appeareth no Reason that Christians should alledge the same against their Christian Governors, that command them to preach Christ. To reconcile this seeming Contradiction of simple Obedience to God, and simple Obedience to Man, we are to consider a Christian Subject as under a Christian Sovereign; or under an Infidel.

5. And under a Christian Sovereign we are to consider, what Actions we are forbidden by God Almighty to obey them in, and what not. The Actions we are forbidden to obey them in; are such only as imply a Denial of that Faith which is necessary to our Salvation: for otherwise there can be no Pretence of Disobedience; for why should a Man incur the Danger of a temporal Death, by displeasing his Superior, if it were not for fear of eternal Death hereafter? It must therefore be inquired, what those Propositions and Articles be, the Belief whereof our Saviour or his Apostles have declared to be such, as without believing them a Man cannot be saved; and then all other Points, that are now controverted, and made Distinction of Sects, *Papists, Lutherans, Calvinists, Arminians, &c.* as in old Time the like made *Paulists, Apollonians, and Cephasians*, must needs be such, as a Man needeth not for the holding thereof, deny Obedience to his Superiors. And for the Points of Faith necessary to Salvation, I shall call them *Fundamental*, and every other Point a *Superstruction*.

9. And without all Controversy, there is not any more necessary Point to be believed for Man's Salvation, than this, That *Jesus is the Messiah*, that is, *the Christ*; which Proposition is explicated in sundry Sorts, but still the same in Effect; as, that *He is God's Anointed*; for that is signified by the Word, *Christ*: that *He was the true and lawful King of Israel, The Son of David, The Saviour of the World, The Redeemer of Israel, The Salvation of God, He that should come into the World, The Son of God*, and (which I desire by the Way to have noted, against the now Sect of *Arians*) *The begotten Son of God*, Acts iii. 13. Heb. v. 5. *The only begotten Son of God*, 1 John i. 14, 18. John iii. 16, 18. 1 John iv. 9. *That he was God*, John i. 1. John xx. 38. *That the Fullness of the Godhead dwelt in him bodily*. Moreover, *The Holy one, The Holy One of God, The Forgiver of Sins, That he is risen from the Dead*. These are Explications, and Parts of that general Article, that *Jesus is the Christ*. This Point therefore, and all the Explications thereof, are Fundamental; as also all such as be evidently inferred from thence; as, *Belief in God the Father*. John xii. 44. *He that believeth in me, believeth not in me, but in him that sent me*. 1 John ii. 23. *He that denieth the Son, hath not the Father*. Belief in God the Holy Ghost, of whom Christ saith, John xiv. 26. *But the Comforter, which is the Holy Ghost, whom the Father will send in my Name*. And John xv. 16. *But when the Comforter shall come, whom I will send unto you from the Father, even the Spirit of Truth*. Belief of the Scriptures, by which we believe those Points and of the Immortality of the Soul, without which we cannot believe he is a Saviour.

7. And as these are the fundamental Points of Faith necessary to Salvation; so also are they only necessary as Matter of Faith, and only essential to the Calling of a Christian; as may appear by many evident Places of Holy Scripture: John v. 39. *Search the Scriptures, for in them ye think ye have eternal Life, and they are they which testify of me*. Now, forasmuch as by the *Scripture*, is meant there the Old Testament, (the New being then not written) the Belief of that which was written concerning our Saviour in the Old Testament, was sufficient Belief for the obtaining of eternal Life: but in the Old Testament, there is nothing revealed concerning Christ, but that he is the Messiah, and such Things as belong to the Fundamental Points thereupon depending. And therefore those *Fundamental Points* are sufficient to Salvation as of Faith. And John vi. 28, 29. *Then said they unto him, What shall we do, that we might work the Works of God? Jesus answered and said unto them, This is the Work of God, that ye believe in him, whom he hath sent*. So that the Point to be believed is, *That Jesus Christ came forth from God, and he which be-*

lieth it, worketh the Works of God. John xi. 26, 27. *Whosoever liveth and believeth in me, shall never die. Believest thou this? She said unto him, Yea, Lord, I believe that thou art the Christ, the Son of God, which should come into the World.* Hence followeth, *He that believeth this, shall never die.* John xx. 31. *But these Things are written, that ye might believe, that Jesus is the Christ, the Son of God, and that in believing, ye might have Life through his Name.* By which appeareth, that this Fundamental Point is all that is required, as of Faith to our Salvation. 1 John iv. 2. *Every Spirit that confesseth that Jesus Christ is come into the Flesh, is of God.* 1 John v. 1. *Whosoever believeth that Jesus is the Christ, is born of God; and ver. 5. Who is it that overcometh the World, but he that believeth, that Jesus is the Son of God? and ver. 13. These Things have I written unto you that believe in the Name of the Son of God, that ye may know that ye have eternal Life.* Acts viii. 36, 37. *The Eunuch said, Here is Water, what doth let me to be baptized? And Philip said unto him, If thou believest with all thy Heart, thou mayest. He answered and said, I believe that Jesus Christ is the Son of God.* This Point therefore was sufficient for the Reception of Man into Baptism, that is to say, to Christianity. And Acts xvi. 30. *The Keeper of the Prison fell down before Paul and Silas, and said, Sirs, What shall I do to be saved? And they said, Believe in the Lord Jesus Christ.* And the Sermon of St. Peter upon the Day of Pentecost, was nothing else but an Explication that *Jesus was the Christ.* And when they had heard him, they asked him, *What shall we do? He said unto them, Acts ii. 38. Amend your Lives, and be baptized every one of you in the Name of Jesus Christ, for the Remission of Sins.* Rom. x. 9. *If thou shalt confess with thy Mouth the Lord Jesus, and shalt believe in thy Heart, that God raised him up from the Dead, thou shalt be saved.* To these Places may be added, That wheresoever our Saviour Christ doth approve the Faith of any Man, the Proposition believed, (if the same be to be collected out of the Text) is always some of these Fundamental Points beforementioned, or something equivalent: As the Faith of the Centurion, Matt. viii. 8. *Speak the Word only, and my Servant shall be healed;* believing he was Omnipotent: The Faith of the Woman, which had an Issue of Blood, Matt. ix. 21. *If I may but touch the Hem of his Garment;* implying, He was the Messiah: The Faith required of the blind Men, Matt. ix. 28. *Believe you that I am able to do this?* The Faith of the Canaanitish Woman, Matt. xv. 22. That he was the *Son of David*, implying the same. And so it is in every one of those Places (none excepted) where our Saviour commendeth any Man's Faith, which because they are too many to insert here, I omit, and refer them to his Inquisition that is not otherwise satisfied. And as there is no other Faith required, so there was no other preaching: for the Prophets of the Old Testament preached no other; and John the Baptist preached only the Approach of the Kingdom of Heaven, that is to say, of the Kingdom of Christ. The same was the Commission of the Apostles, Matt. x. 7. *Go preach, saying, The Kingdom of Heaven is at Hand.* And Paul preaching amongst the Jews, Acts xviii. 5. did but testify unto the Jews, that *Jesus was the Christ.* And the Heathens took notice of Christians no otherwise, but by this Name, that they believed *Jesus to be a King*, crying out, Acts xvii. 6. *These are they that have subverted the State of the World, and here they are, whom Jason hath received. And these all do against the Decrees of Cæsar, saying, That there is another King, One Jesus.* And this was the Sum of the Confessions of them that believed, as well Men as Devils. This was the Title of his Cross, *Jesus of Nazareth, King of the Jews;* This the Occasion of the Crown of Thorns, Scepter of Reed; and a Man to carry his Cross; This was the Subject of the *Hosanna's;* and this was the Title, by which our Saviour, commanding to take another Man's Goods, bad them say, *The Lord hath Need;* and by this Title he purged the Temple of the profane Market kept there. Nor did the Apostles themselves believe any more than that *Jesus was the Messiah*, nor understand so much; for they understood the Messiah to be no more than a Temporal King till after our Saviour's Resurrection. Furthermore, this Point, that *Christ is the Messiah*, is particularly set forth for Fundamental by that Word, or some other equivalent there-

thereunto in divers Places. Upon the Confession of *Peter*, Matth. xvi. 16. *Thou art the Christ, the Son of the living God*, our Saviour, Verse 18. faith, *Upon this Rock will I build my Church*. This Point therefore is the whole Foundation of Christ's Church. Rom. xv. 20. St. Paul faith, *I so inforced myself to preach the Gospel, not where Christ was named, lest I should have built upon another Man's Foundation*, 1 Cor. iii. 10. St. Paul, when he had reprehended the *Corinthians* for their Sects, and curious Doctrines and Questions, he distinguisheth between *fundamental* Points, and *Superstruction*; and faith, *I have laid the Foundation, and another buildeth thereupon; but let every Man take heed how he buildeth upon it. For other Foundation can no Man lay than that which is laid, which is Jesus Christ*. Coloss. ii. 6. *As you have received Christ Jesus the Lord, so walk in him, rooted and builded in him, and stablished in the Faith*.

8. Having shewed this Proposition, *Jesus is the Christ*, to be the only fundamental and necessary Point of Faith, I shall set down a few Places more, to shew, that other Points, though they may be true, are not so necessary to be believed, as that a Man may not be saved, though he believe them not. And first, If a Man could not be saved without Assent of the Heart to the Truth of all Controversies, which are now in Agitation concerning Religion, I cannot see how any Man living can be saved; so full of Subtilty and curious Knowledge it is to be so great a Divine. Why therefore should a Man think that our Saviour, who, Matth. xi. 30. faith, that his *Yoke is easy*, should require a Matter of that Difficulty? or how are little Children said to believe, Matth. xviii. 6? or how could the good Thief be thought sufficiently catechized upon the Cross? or St. Paul so perfect a Christian presently upon his Conversion? and though there may be more Obedience required in him that hath the fundamental Points explicated unto him, than in him that hath received the same but implicitly; yet there is no more Faith required for Salvation in one Man, than in another. For if it be true, that *Whosoever shall confess with his Mouth the Lord Jesus, and believe in his Heart, that God raised him from the Dead, shall be saved*; as it is, Rom. x. 9. and that *Whosoever believeth that Jesus is the Christ, is born of God*; the Belief of that Point is sufficient for the Salvation of any Man whatsoever he be, for as much as concerneth Faith. And seeing he that believeth not that *Jesus is the Christ*, whatsoever he believe else, cannot be saved; it followeth, that there is no more required for the Salvation of one Man, than another, in Matter of Faith.

9. About these Points fundamental, there is little Controversy amongst Christians, though otherwise of different Sects amongst themselves. And therefore the Controversies of Religion, are altogether about Points unnecessary to Salvation; whereof some are Doctrines raised by human Ratiocination, from the Points *fundamental*. As for Example; such Doctrines as concern the Manner of the real Presence, wherein are mingled Tenets of Faith concerning the Omnipotency and Divinity of Christ, with the Tenets of *Aristotle* and the *Peripatetics*, concerning Substance and Accidents, Species, Hypostasis, and the Subsistence and Migration of Accidents from Place to Place; Words some of them without Meaning, and nothing but the Canting of *Grecian* Sophisters. And these Doctrines are condemned expressly, Col. ii. 8. where after St. Paul had exhorted them to *be rooted and builded in Christ*, he giveth them this farther Caveat; *Beware lest there be any Man that spoil you through Philosophy and vain Deceits, through the Traditions of Men, according to the Rudiments of the World*. And such are such Doctrines, as are raised out of such Places of the Scriptures, as concern not the Foundation, by Mens natural Reason; as about the Concatenation of Causes, and the Manner of God's Predestination; which are also mingled with Philosophy: as if it were possible for Men that know not in what Manner God seeth, heareth, or speaketh, to know nevertheless the Manner how he intendeth, and predestinateth. A Man therefore ought not to examine by Reason any Point, or draw any Consequence out of Scripture by Reason, concerning the Nature of God Almighty, of which Reason is not capable. And therefore St. Paul, Rom. xii. 3. giveth a good Rule,

That

That no Man presume to understand above that which is meet to understand, but that he understand according to Sobriety: which they do not, who presume out of Scripture, by their own Interpretation, to raise any Doctrine to the Understanding, concerning those Things which are incomprehensible. And this whole Controversy concerning the Predestination of God, and the Free-Will of Man, is not peculiar to Christian Men. For we have huge Volumes of this Subject, under the Name of *Fate* and *Contingency*, disputed between the *Epicureans* and the *Stoics*, and consequently it is not Matter of Faith, but of Philosophy: and so are also all the Questions concerning any other Point, but the Foundation before named; and God receiveth a Man, which Part of the Question soever he holdeth. It was a Controversy in St. Paul's Time, Whether a Christian Gentile might eat freely of any Thing which the Christian Jews did not; and the Jew condemned the Gentile that he did eat, to whom St. Paul saith, Rom. xiv. 3. *Let not him that eateth not, judge him that eateth; for God hath received him.* And Verse 6. in the Question concerning the observing of Holy Days, wherein the Gentiles and Jews differed, he saith unto them, *He that observeth the Day, observeth it to the Lord; and he that observeth not the Day, observeth it not to the Lord.* And they who strive concerning such Questions, and divide themselves into Sects, are not therefore to be accounted zealous of the Faith, their Strife being but carnal, which is confirmed by St. Paul, 1 Cor. iii. 4. *When one saith, I am of Paul, and another, I am of Apollos, are ye not carnal?* For they are not Questions of Faith, but of Wit, wherein carnally Men are inclined to seek the Mastery of one another. For nothing is truly a Point of Faith, but that *Jesus is the Christ*; as St. Paul testifieth, 1 Cor. ii. 2. *For I esteemed not the Knowledge of any Thing amongst you, save Jesus Christ, and him crucified.* And 1 Tim. vi. 20. *O Timotheus, keep that which is committed unto thee, and avoid profane and vain Babblings, and Opposition of Science falsely so called, which while some profess, they have erred concerning the Faith.* 2 Tim. ii. 16. *Stay profane and vain Babblings, &c.* Verse 17. *Of which Sort is Hymeneus and Philetus, which as concerning the Truth, have erred, saying, That the Resurrection is past already.* Whereby St. Paul shewed, that the raising of Questions by human Ratiocination, though it be from the fundamental Points themselves, is not only not necessary, but most dangerous to the Faith of a Christian. Out of all these Places I draw only this Conclusion in general, That neither the Points now in Controversy amongst Christians of different Sects, or in any Point that ever shall be in Controversy, excepting only those that are contained in this Article, *Jesus is the Christ*, are necessary to Salvation, as of Faith; though in Matter of Obedience, a Man may be bound not to oppose the same.

10. Although to the obtaining of Salvation, there be required no more, as hath been already declared, out of the Holy Scriptures, as Matter of Faith, but the Belief of those fundamental Articles before set forth; nevertheless, there are required other Things, as Matter of Obedience. For, as it is not enough in temporal Kingdoms (to avoid the Punishment which Kings may inflict) to acknowledge the Right and Title of the King, without Obedience also to his Laws: so also it is not enough, to acknowledge our Saviour Christ to be the King of Heaven, in which consisteth Christian Faith, unless also we endeavour to obey his Laws, which are the Laws of the Kingdom of Heaven, in which consisteth Christian Obedience. And forasmuch as the Laws of the Kingdom of Heaven are the Laws of Nature, as hath been shewed, Part I. Chap. V. not only Faith, but also the Observation of the Law of Nature, which is that for which a Man is called Just or Righteous, (in that Sense, in which Justice is taken not for the Absence of Guilt, but for the Endeavour and constant Will to do that which is just) not only Faith, but this Justice, which also from the Effect thereof is called Repentance, and sometimes Works, is necessary to Salvation. So that Faith and Justice do both concur thereto; and in the several Acceptations of the Word [Justification] are properly said both of them to justify; and the Want of either of them is properly said to condemn. For not only he that resisteth a King upon doubt of his Title, but also he that doth

doth it upon the Inordinateness of his Passions, deserveth Punishment. And when Faith and Works are separated, not only the Faith is called Dead, without Works, but also Works are called Dead Works without Faith. And therefore St. *James*, Chap. ii. 27. saith, *Even so the Faith, if it have no Works, is dead in itself*; and Verse 26. *For as the Body without the Spirit is dead, even so Faith without Works is dead*. And St. *Paul*, Heb. vi. 1. calleth Works without Faith, *Dead Works*, where he saith, *Not laying the Foundation of Repentance from Dead Works*. And by these Dead Works, is understood not the Obedience and Justice of the inward Man, but the *Opus operatum*, or external Action, proceeding from Fear of Punishment, or from Vain-glory, and Desire to be honoured of Men: and these may be separated from Faith, and conduce no way to a Man's Justification. And for that Cause, St. *Paul*, Rom. iv. excludeth the Righteousness of the Law from having Part in the Justification of a Sinner. For by the Law of *Moses*, which is applied to Mens Actions, and requireth the Absence of Guilt, all Men living are liable to Damnation; and therefore no Man is justified by Works, but by Faith only. But if Works be taken for the Endeavour to do them, that is, if the Will be taken for the Deed, or internal for external Righteousness, then do Works contribute to Salvation. And then taketh Place that of St. *James*, Chap. ii. 24. *Ye see then, how that of Works a Man is justified, and not of Faith only*. And both of these are joined to Salvation, as in St. *Mark* i. 5. *Repent and believe the Gospel*. And *Luke* xviii. 18. when a certain Ruler asked our Saviour, what he ought to do to inherit eternal Life, he propounded to him the keeping of the Commandments; which when the Ruler said he had kept, he propounded to him the Faith, *Sell all that thou hast, and follow me*. And *John* iii. 36. *He that believeth in the Son, hath everlasting Life*. And *He that obeyeth not the Son, shall not see Life*. Where he manifestly joineth Obedience and Faith together. And *Rom.* i. 17. *The Just shall live by Faith*; not every one, but *the Just*. For also *the Devils believe and tremble*. But though both Faith and Justice (meaning still by Justice, not Absence of Guilt, but the good Intentions of the Mind, which is called Righteousness by God, that taketh the Will for the Deed) be both of them said to justify, yet are their Parts in the Act of Justification to be distinguished. For Justice is said to justify, not because it absolveth, but because it denominates him Just, and setteth him in an Estate or Capacity of Salvation, whensoever he shall have Faith. But Faith is said to justify, that is, to absolve, because by it a just Man is absolved of, and forgiven his unjust Actions. And thus are reconciled the Places of St. *Paul* and St. *James*; that *Faith only justifieth*, and *a Man is not justified by Faith only*; and shewed how Faith and Repentance must concur to Salvation.

11. These Things considered, it will easily appear, That under the Sovereign Power of a Christian Commonwealth, there is no Danger of Damnation from simple Obedience to human Laws; for in that the Sovereign alloweth Christianity, no Man is compelled to renounce that Faith, which is enough for his Salvation, that is to say, the fundamental Points. And for other Points, seeing they are not necessary to Salvation, if we conform our Actions to the Laws, we do not only what we are allowed, but also what we are commanded by the Law of Nature, which is the Moral Law taught by our Saviour himself. And it is Part of that Obedience which must concur to our Salvation.

12. And though it be true, whatsoever a Man doth against his Conscience, is Sin; yet the Obedience in these Cases, is neither Sin, nor against the Conscience. For the Conscience being nothing else but a Man's settled Judgment and Opinion, when he hath once transferred his Right of Judging to another, that which shall be commanded is no less his Judgment, than the Judgment of that other. So that in Obedience to Laws, a Man doth still according to his own Conscience, but not his private Conscience. And whatsoever is done contrary to private Conscience, is then a Sin, when the Laws have left him to his own Liberty, and never else.

And then whatsoever a Man doth, not only believing it is ill done, but doubting whether it be ill or not, is done ill, in case he may lawfully omit the doing.

13. And as it hath been proved, that a Man must submit his Opinions in Matter of Controversy to the Authority of the Commonwealth; so also is the same confess'd by the Practice of every one of them that otherwise deny it. For who is there differing in Opinion from another, and thinking himself to be in the Right, and the other in the Wrong, that would not think it reasonable, if he be of the same Opinion that the whole State alloweth, that the other should submit his Opinion also thereunto; or that would not be content, if not that one or a few Men, yet all the Divines of a whole Nation, or at least an Assembly of all those he liketh, should have the Power to determine all the Controversies of Religion? or, who is there that would not be content to submit his Opinions, either to the Pope, or to a general Council, or to a Provincial Council, or to a Presbytery of his own Nation? And yet in all these Cases he submitteth himself to no greater than human Authority. Nor can a Man be said to submit himself to Holy Scripture, that doth not submit himself to some or other for the Interpretation thereof. Or, why should there be any Church Government at all instituted, if the Scripture itself could do the Office of a Judge in Controversies of Faith? But the Truth is apparent, by continual Experience, that Men seek not the Liberty of Conscience, but of their Actions; nor that only, but a farther Liberty of persuading others to their Opinions; nor that only, for every Man desireth, that the Sovereign Authority should admit no other Opinions to be maintained, but such as he himself holdeth.

14. The Difficulty therefore of obeying both God and Man in a Christian Commonwealth is none: All the Difficulty resteth in this Point, Whether he that hath received the Faith of Christ, having before subjected himself to the Authority of an Infidel, be discharged of his Obedience thereby, or not, in Matters of Religion. In which Case it seemeth reasonable to think, that since all Covenants of Obedience are entered into for the Preservation of a Man's Life, if a Man be content without Resistance to lay down his Life, rather than obey the Commands of an Infidel, in so hard a Case he hath sufficiently discharged himself thereof. For no Covenant bindeth farther than to endeavour; and if a Man cannot assure himself to perform a just Duty, when thereby he is assured of present Death, much less can it be expected that a Man should perform that, for which he believeth in his Heart he shall be damned eternally. And thus much concerning the Scruple of Conscience, that may arise concerning Obedience to human Laws, in them that interpret the Law of God to themselves. It remaineth, to remove the same Scruple from them, that submit their Controversies to others not ordained thereunto by the Sovereign Authority. And this I refer to the Chapter following.

C H A P. VII.

1. *The Question propounded, who are the Magistrates in the Kingdom of Christ.*
2. *The Question exemplified, in the Controversies between Moses and Aaron, and between Moses and Corah.*
3. *Amongst the Jews, the Power Temporal and Spiritual in the same Hand.*
4. *Parallel of the twelve Princes of Israel, and the twelve Apostles.*
5. *Parallel of seventy Elders, and seventy Disciples.*
6. *The Hierarchy of the Church in our Saviour's Time, consisted in the Twelve, and in the Seventy.*
7. *Why Christ ordained no Priests for Sacrifices, as Moses did.*
8. *The Hierarchy of the Church in the Apostles Time, Apostles, Bishops, and Priests,*
9. *The Preaching of the Gospel was not commanding, but persuading.*
10. *Excommunication. Sovereigns immediate Rulers Ecclesiastical under Christ.*
11. *That no Man hath any just Pretence of Religion against Obedience to Commonwealth. God speaketh to Man by his Vicegerents.*

I. IN the former Chapter have been removed those Difficulties opposing our Obedience to human Authority, which arise from misunderstanding of our Saviour's Title and Laws: in the former whereof, namely, his Title, consisteth our Faith; and in the latter, our Justice. Now they who differ not amongst themselves concerning his Title and Laws, may nevertheless have different Opinions concerning his Magistrates, and the Authority he hath given them. And this is the Cause, why many Christians have denied Obedience to their Princes, pretending that our Saviour Christ hath not given this Magistracy to them but to others. As for Example; some say, to the Pope universally; some, to a Synod Aristocratical; some, to a Synod Democratical in every several Commonwealth; and the Magistrates of Christ being they by whom he speaketh, the Question is, Whether he speak unto us by the Pope, or by Convocations of Bishops and Ministers, or by them that have the Sovereign Power in every Commonwealth?

2. This Controversy was the Cause of those two Mutinies, that happened against Moses in the Wilderness. The first by Aaron and his Sister Miriam, who took upon them to censure Moses, for marrying an *Ethiopian* Woman. And the State of the Question between them and Moses, they set forth, Numb. xii. 2. in these Words, *What hath the Lord spoken but only by Moses? hath he not spoken also by us? And the Lord heard this, &c.* and punished the same in Miriam, forgiving Aaron upon his Repentance. And this is the Case of all them that set up the Priesthood against the Sovereignty. The other was of Corah, Dathan and Abiram, who with two hundred and fifty Captains gathered themselves together against Moses and against Aaron. The State of their Controversy was this, Whether God were not with the Multitude, as well as with Moses, and every Man as holy as he? For Numb. xvi. 3. thus they say, *Ye take too much upon you, seeing all the Congregation is holy, every one of them, and the Lord is amongst them: Wherefore then lift ye up yourselves above the Congregation of the Lord?* And this is the Case of them that set up their private Consciences, and unite themselves to take the Government of Religion out of the Hands of him or them, that have the Sovereign Power of the Commonwealth: which how well it pleaseth God, may appear by the hideous Punishment of Corah and his Accomplices.

3. In the Government therefore of Moses there was no Power, neither Civil, nor Spiritual, that was not derived from him. Nor in the State of Israel under Kings, was there any earthly Power, by which those Kings were compellable to

any Thing, or any Subject allowed to resist them in any Case whatsoever. For though the Prophets by extraordinary Calling, did often admonish and threaten them, yet they had no Authority over them. And therefore amongst the *Jews*, the Power Spiritual and Temporal was always in the same Hand.

4. Our Saviour Christ, as he was the rightful King of the *Jews* in particular, as well as King of the Kingdom of Heaven, in the ordaining of Magistrates, received that Form of Policy which was used by *Moses*. According to the Number of the Children of *Jacob*, *Moses* took unto him by the Appointment of God, *Numb. i. 4.* twelve Men, every one of the Chief of their Tribe, which were to assist him in the Muster of *Israel*. And these twelve, *Verse 24.* are called the *Princes of Israel, twelve Men, every one for the House of their Fathers*; which are said also, *Numb. vii. 2.* to be *Heads over the Houses of their Fathers, and Princes of the Tribes, and over them that were numbered.* And these were every one equal amongst themselves. In like manner our Saviour took unto him twelve Apostles to be next unto him in Authority, of whom he saith, *Matth. xix. 28.* *When the Son of Man shall sit in the Throne of his Majesty, ye which follow me in the Regeneration, shall sit also upon twelve Thrones, and judge the twelve Tribes of Israel.* And concerning the Equality of the twelve Apostles amongst themselves, our Saviour saith, *Matth. xx. 25.* *Ye know that the Lords of the Gentiles have Dominion over them, &c. Verse 26.* *But it shall not be so amongst you, but whosoever will be greatest among you, let him be your Servant.* And *Matth. xxiii. 11.* *He that is greatest among you, let him be your Servant.* And a little before, *Verse 8.* *Be not called Rabbi; for one is your Doctor, Christ, and all ye are Brethren.* And *Acts i.* in the chusing of *Matthias* to be an Apostle, though *St. Peter* used the Part of a *Prolocutor*, yet did no Man take upon him the Authority of Election, but referred the same to *Lot*.

5. Again, *Moses* had the Command of God, *Numb. xi. 16.* *Gather to me seventy Men of the Elders of Israel, whom thou knowest that they are the Elders of the People, and Governors over them, and bring them unto the Tabernacle, &c.* And *Moses* did accordingly, *Verse 24.* And these were chosen to help *Moses* in bearing the Burthen of the Government, as appeareth, *Verse 17.* of the same Chapter. And as the twelve Princes of the Tribes were according to the Number of *Jacob's* Children, so were the seventy Elders according to the Number of the Persons that went down with *Jacob* into *Egypt*. In like manner our Saviour in his Kingdom of Heaven the Church, out of the whole Number of those that believed in him, ordained seventy Persons, which peculiarly were called the seventy Disciples, to whom he gave the Power to preach the Gospel and baptize.

6. In our Saviour's Time therefore, the Hierarchy of the Church consisted (besides himself that was the Head) of twelve Apostles, who were equal amongst themselves, but ordained over others, as were the Twelve Heads of the Tribes, and seventy Disciples, who had every one of them Power to baptize and teach, and help to govern the whole Flock.

7. And whereas in the Commonwealth instituted by *Moses*, there was not only an High-Priest for the present, but also a Succession and Order of Priests; it may be demanded, Why our Saviour did not ordain the like? To which may be answered, That the High-Priesthood, forasmuch as concerneth the Authority thereof, was in the Person of Christ, as he was Christ, that is, King. So also was it in *Moses*, *Aaron* having the ministerial part only. For notwithstanding that *Aaron* was the High-Priest, yet the Consecration of him belonged to *Moses*, *Exod. xxix. 1.* All the Utensils of Sacrifice, and other holy Things, were ordered by *Moses*; and in sum, the whole *Levitical* Law was delivered by God by the Hand of *Moses*, who was to *Aaron* a God, and *Aaron* to him a Mouth. And for the ministerial Part, there could no High-Priest be ordained but himself; for seeing our Saviour was himself the Sacrifice, who but himself could offer him up? And for the Celebration of that Sacrifice ever after, our Saviour annexed the Priesthood to those whom he had appointed to govern in the Church,

8. After

8. After the Ascension of our Saviour, the Apostles dispersed themselves for the spreading of the Gospel; and continually as they converted any Number of Men, in any City, or Region, to the Faith, they chose out such as they thought fittest, to direct them in Matter of Conversation and Life, according to Christ's Law, and to explicate unto them that Mystery of Christ come in the Flesh, that is to say, to unfold unto them at large the Office of the Messiah. And of those Elders, some were subordinate to others, according as the Apostles, who ordained them, thought meet. So St. Paul gave Power unto Titus, to ordain Elders in Crete, and to redress Things that were amiss. So that Titus was both an Elder, and ordained Elders. Tit. i. 5. *For this Cause I left thee in Crete, that thou shouldest continue to redress the Things that remain, and ordain Elders in every City*; where the Word is *καταστήσεις*, that is constitute; whereby it appeareth, that in the Apostles Times, one Elder had Authority over another, to ordain and rule them. For 1 Tim. v. 16. *Timothy an Elder, is made Judge of Accusations against other Elders.* And Acts xiv. 23. the Disciples are said to ordain Elders, for all the Congregations of the Cities they had preached in. And though the Word there be *χειροτονήσαντες*, yet it signifieth not Election by holding up of Hands, but simply and absolutely Ordination. For the ordinary chusing of Magistrates amongst the Grecians, which were all either popularly governed, or else by *Oligarchy*, being performed by holding up of Hands, made that Word be taken simply, for an Election or Ordination, howsoever made. And thus in the primitive Church, the Hierarchy of the Church, was Apostles; Elders that governed other Elders; and Elders that ruled not, but their Office was to preach, to administer the Sacraments, to offer up Prayer and Thanksgiving in the Name of the People. But at that Time there appeared no Distinction between the Names of Bishop and Elder. But immediately after the Apostles Time, the Word Bishop was taken to signify such an Elder as had the Government of Elders; and other Elders were called by the Name of Priests, which signifieth the same that Elder doth. And thus the Government of Bishops hath a Divine Pattern in the twelve Rulers and seventy Elders of *Israel*, in the twelve Apostles and seventy Disciples of our Saviour, in the Ruling-Elders and not Ruling Elders, in the Time of the Apostles.

9. And thus much of the Magistrates over Christ's Flock in the primitive Church. For the Office of a Minister or Ministress was to be subject to the Flock, and to serve them in those Things which appertained to their temporal Business. The next Thing to be considered is the Authority which our Saviour gave to them, either over those whom they had converted, or those whom they were about to convert. And for these latter, which as yet were without the Church, the Authority which our Saviour gave to his Apostles was no more but this, To preach unto them that Jesus was the Christ, and to explicate the same in all Points, that concern the Kingdom of Heaven, and to persuade Men to embrace our Saviour's Doctrine, but by no means to compel any Man to be subject to them: For seeing the Laws of the Kingdom of Heaven, as hath been shewed, Part I. Chap. V. Sect. 10. are dictated to the Conscience only, which is not subject to Compulsion and Constraint, it was not congruent to the Style of the King of Heaven to constrain Men to submit their Actions to him, but to advise them only; nor for him that professeth the Sum of his Law to be Love, to extort any Duty from us with Fear of temporal Punishment. And therefore as the mighty Men in the World, that hold others in Subjection by Force, are called in Scripture by the Name of *Hunters*; so our Saviour calleth those whom he appointed to draw the World unto him, by subduing their Affections, *Fishers*. And therefore he saith to Peter and Andrew, Matth. iv. 19. *Follow me, and I will make ye Fishers of Men.* And Luke x. 3. *Behold (saith Christ) I send ye forth as Lambs amongst Wolves.* And it were to no end to give them the Right of compelling without strengthening the same with greater Power than of *Lambs amongst Wolves*. Moreover, Matth. x. where our Saviour giveth a Commission to his twelve Apostles,

to go forth and convert the Nations to the Faith, he giveth them no Authority of Coercion and Punishment, but only faith, Verse 14. *Whosoever shall not receive you, nor bear your Words, when ye depart out of that House, or that City, shake off the Dust from your Feet. It shall be easier for the Land of Sodom and Gomorrha in the Day of Judgment, than for that City.* Whereby it is manifest, that all that the Apostles could do by their Authority, was no more than to renounce Communion with them, and leave their Punishment to God Almighty, in the Day of Judgment. Likewise the Comparisons of the Kingdom of Heaven to the Seed, *Matt. xiii. 3.* and to the Leaven, *Matt. xiii. 33.* doth intimate unto us that the Increase thereof ought to proceed from internal Operation of God's Word preached, and not from any Law or Compulsion of them that preach it. Moreover our Saviour himself saith, *John xviii. 36. That his Kingdom is not of this World*; and consequently his Magistrates derive not from him any Authority of punishing Men in this World. And therefore also, *Matt. xxvi. 52.* After St. Peter had drawn his Sword in his Defence, our Saviour saith, *Put up thy Sword into his Place. For all that take the Sword, shall perish by the Sword.* And, Verse 54. *How then shall the Scriptures be fulfilled, which say, That it must be so?* shewing out of the Scriptures, that the Kingdom of Christ was not to be defended by the Sword.

10. But concerning the Authority of the Apostles or Bishops over those who were already converted and within the Church, there be that think it greater than over them without. For some have said, *Though the Law of Christ deprive no Prince of his Dominion, and Paul did rightly appeal unto Cæsar, whilst Kings were Infidels and out of the Church; yet when they became Christians, and of their own accord underwent the Laws of the Gospel, presently as Sheep to a Shepherd, and as Members to the Head, they became subject to the Prelate of the Ecclesiastical Hierarchy.* Bell. Lib. de Rom. Pont. Cap. xxix. Which whether it be true or not, is to be considered by that Light which we have from the holy Scripture, concerning the Power of our Saviour and his Apostles, over such as they had converted. But our Saviour, as he imitated the Commonwealth of the Jews in his Magistrates, the Twelve and the Seventy, so did he also in the Censure of the Church, which was *Excommunication*; but amongst the Jews, the Church did put the excommunicated Persons from the Congregation, which they might do by their Power Temporal; but our Saviour and his Apostles, who took upon them no such Power, could not forbid the excommunicated Person to enter into any Place and Congregation, into which he was permitted to enter by the Prince, or Sovereign of the Place. For that had been to deprive the Sovereign of his Authority. And therefore the Excommunication of a Person subject to an earthly Power, was but a Declaration of the Church, which did excommunicate, that the Person so excommunicated was to be reputed still as an Infidel, but not to be driven by their Authority out of any Company, he might otherwise lawfully come into. And this is it our Saviour saith, *Matt. xviii. 17. If he refuse to bear the Church, let him be unto thee as an Heathen Man, and a Publican.* So that the whole Effect of excommunicating a Christian Prince, is no more than he or they that so excommunicate him depart and banish themselves out of his Dominion. Nor can they thereupon discharge any of his Subjects of their Obedience to him; for that were to deprive him of his Dominion; which they may not do, for being out of the Church. It is confessed by them that make this Objection, and proved in the former Section, that our Saviour gave no Authority to his Apostles to be Judges over them. And therefore in no Case can the Sovereign Power of a Commonwealth be subject to any Authority Ecclesiastical, besides that of Christ himself. And though he be informed concerning the Kingdom of Heaven, and subject himself thereto at the Persuasions of Persons Ecclesiastical, yet is he not thereby subject to their Government and Rule. For if it were by their Authority he took that Yoke upon him, and not by their Persuasion, then by the same Authority he might cast it off. But this is unlawful. For if all the Churches in the World should renounce the Christian Faith, yet is not this sufficient Authority for any of the Members to do the same.

It is manifest therefore, that they who have Sovereign Power, are immediate Rulers of the Church under Christ, and all other but subordinate to them. If that were not, but Kings should command one Thing upon Pain of Death, and Priests another, upon Pain of Damnation, it would be impossible that Peace and Religion should stand together.

11. And therefore there is no just Cause for any Man to withdraw his Obedience from the Sovereign State, upon Pretence that Christ hath ordained any State Ecclesiastical above it. And though Kings take not upon them the Ministerial Priesthood, yet are they not so merely Laick, as not to have Sacerdotal Jurisdiction. To conclude this Chapter; since God speaketh not in these Days to any Man by his private Interpretation of the Scriptures, nor by the Interpretation of any Power above, or not depending on the Sovereign Power of every Commonwealth, it remaineth, that he speaketh by his Vice-Gods, or Lieutenants here on Earth, that is to say, by Sovereign Kings, or such as have Sovereign Authority as well as they.

C H A P. VIII.

1. *The Things that dispose to Rebellion, Discontent, Pretence, and Hope of Success.*
2. *Discontent that disposeth to Sedition, consisteth partly in Fear of Want, or Punishment:*
3. *Partly in Ambition.*
4. *Six Heads of Pretences to Rebellion.*
5. *The first of them, That Men ought to do nothing against Conscience, confuted.*
6. *The second, That Sovereigns are subject to their own Laws, confuted.*
7. *The third, That the Sovereignty is divisible, confuted.*
8. *The fourth, That Subjects have a Propriety distinct from the Dominion of the Sovereign,, confuted.*
9. *The fifth, That the People is a Person distinct from the Sovereign, confuted.*
10. *The sixth, That Tyrannicide is lawful, confuted.*
11. *Four Heads of Hope of Success in Rebellion.*
12. *Two Things necessary to an Author of Rebellion, much Eloquence, and little Wisdom.*
13. *That the Authors of Rebellion necessarily are to be Men of little Wisdom.*
14. *That the same are necessarily eloquent.*
15. *In what Manner they concur to their common Effects.*

1. **H**itherto of the Causes why, and the Manner how, Men have made Commonwealth. In this Chapter I shall shew briefly by what Causes, and in what Manner they be again destroyed; not meaning to say any Thing concerning the Dissolution of a Commonwealth, from foreign Invasions, which is as it were the violent Death thereof. I shall speak only of Sedition, which is also the Death of the Commonwealth, but like to that which happeneth to a Man from Sickness and Distemper. To dispose Men to Sedition, three Things concur. The first is Discontent; for as long as a Man thinketh himself well, and that the present Government standeth not in his Way to hinder his Proceeding from well to better, it is impossible for him to desire the Change thereof. The second is Pretence of Right; for though a Man be discontent, yet if in his own Opinion there be no just Cause of stirring against, or resisting the Government established, nor any Pretence to justify his Resistance, and to procure Aid, he will never shew it. The third is Hope of Success: For it were Madness to attempt without Hope, when to fail, is to die the Death of a Traitor. Without these three, Discontent, Pretence and Hope, there can be no Rebellion: and when the same are all together, there wanteth nothing

nothing thereto, but a Man of Credit to set up the Standard, and to blow the Trumpet.

2. And as for Discontent, it is of two Sorts: For it consisteth either in bodily Pain present or expected, or else in Trouble of the Mind; (which is the general Division of Pleasure and Pain, Part I. Chap. VII. Sect. 9.) The Presence of bodily Pain disposeth not to Sedition; the Fear of it doth. As for Example; when a great Multitude, or Heap of People, have concurred to a Crime worthy of Death, they join together, and take Arms to defend themselves for Fear thereof. So also the Fear of Want, or in present Want, the Fear of Arrests and Imprisonment dispose to Sedition. And therefore great Exactions, though the Right thereof be acknowledged, have caused great Seditions. As in the Time of *Henry VII.* the Seditions of the *Cornish* Men, that refused to pay a Subsidy, and under Conduct of the Lord *Audley*, gave the King Battle upon *Black Heath*; and that of the *Northern People*, who in the same King's Time, for demanding a Subsidy granted in Parliament, murdered the Earl of *Northumberland* in his House.

3. Thirdly, The other Sort of Discontent which troubleth the Mind of them who otherwise live at Ease, without Fear of Want, or Danger of Violence, ariseth only from a Sense of their Want of that Power, and that Honour and Testimony thereof, which they think is due unto them. For all Joy and Grief of Mind consisteth (as hath been said Part I. Chap. IX. Sect. 21.) in a Contention for Precedence to them with whom they compare themselves; such Men must needs take it ill, and be grieved with the State, as finding themselves postponed to those in Honour, whom they think they excel in Virtue and Ability to govern. And this is it for which they think themselves regarded but as Slaves. Now seeing Freedom cannot stand together with Subjection, Liberty in a Commonwealth is nothing but Government and Rule, which because it cannot be divided, Men must expect in common; and that can be no where but in the popular State, or Democracy. And *Aristotle* saith well, Lib. VI. C. II. of his Politics, *The Ground or Intention of a Democracy is Liberty.* Which he confirmeth in these Words: *For Men ordinarily say this, That no Man can partake of Liberty, but only in a Popular Commonwealth.* Whosoever therefore in a Monarchical Estate, where the Sovereign Power is absolutely in one Man, claimeth Liberty, claimeth (if the hardest Construction should be made thereof) either to have the Sovereignty in his Turn, or to be Colleague with him that hath it, or to have the Monarchy to be changed into a Democracy. But if the same be construed (with Pardon of that unskillful Expression) according to the Intention of him that claimeth, then doth he thereby claim no more but this, That the Sovereign should take Notice of his Ability and Deserving, and put him into Employment and Place of subordinate Government, rather than others that deserve less. And as one claimeth, so doth another, every Man esteeming his own Desert greatest. Amongst all those that pretend to, or are ambitious of such Honour, a few only can be served, unless it be in a *Democracy*; the rest therefore must be discontent. And so much of the first Thing that disposeth to Rebellion, namely, Discontent, consisting in Fear and Ambition.

4. The second Thing that disposeth to Rebellion, is *Pretence of Right.* And that is, when Men have an Opinion, or pretend to have an Opinion, that in certain Cases they may lawfully resist him or them that have the Sovereign Power, or deprive him or them of the Means to execute the same. Of which Pretences there be six special Cases. One is, when the Command is against their Conscience, and they believe it is unlawful for a Subject at the Command of the Sovereign Power to do any Action, which he thinketh in his Conscience not lawful for him to do, or to omit any Action, which he thinketh not lawful for him to omit. Another is, when the Command is against the Laws, and they think the Sovereign Power in such Sort obliged to his own Laws, as the Subject is; and that when he performeth not his Duty, they may resist his Power. A third is, when they

they receive Commands from some Man or Men, and a *Supersedeas* to the same from others, and think the Authority is equal, as if the Sovereign Power were divided. A fourth is, when they are commanded to contribute their Persons or Money to the Public Service, and think they have a Propriety in the same distinct from the Dominion of the Sovereign Power; and that therefore they are not bound to contribute their Goods and Persons, no more than every Man shall of himself think fit. A fifth, when the Commands seem hurtful to the People; and they think every one of them, that the Opinion and Sense of the People is the same with the Opinion of himself, and those that consent with him; calling by the Name of People, any Multitude of his own Faction. The sixth is, when the Commands are grievous; and they account him that commandeth grievous Things, a Tyrant; and Tyrannicide, that is, the killing of a Tyrant, not only lawful, but also laudable.

5. All these Opinions are maintained in the Books of the *Dogmatics*, and divers of them taught in public Chairs, and nevertheless are most incompatible with Peace and Government, and contradictory to the necessary and demonstrable Rules of the same. And for the first, namely, That a Man may lawfully do or omit any thing against his Conscience, and from whence arise all Seditions concerning Religion and Ecclesiastical Government, it hath been plainly declared in the two last Chapters, that such Opinion is erroneous. For those two Chapters have been wholly spent to prove, That Christian Religion not only forbiddeth not, but also commandeth, that in every Commonwealth, every Subject should in all Things, to the uttermost of his Power, obey the Commands of him or them that is the Sovereign thereof; and that a Man in so obeying, doth according to his Conscience and Judgment, as having deposited his Judgment in all Controversies in the Hands of the Sovereign Power; and that this Error proceedeth from the Ignorance of what and by whom God Almighty speaketh.

9. As for the second Opinion, which is this, That the Sovereign is in such Sort obliged to his own Laws, as the Subject is; the contrary thereof hath been shewed, Part II. Chap. I. Sect. 7, 8, 9, 10, 11, 12, by which it appeareth, that the Sovereign Power is not to be resisted; that it carrieth the Sword both of War and Justice; that it hath the Right of deciding all Controversies both judicial and deliberative; that it hath the making of all the Laws Civil; that it appointeth Magistrates and Public Ministers, and that it implieth an universal Impunity. How then can he or they be said to be subject to the Laws which they may abrogate at their Pleasure, or break without Fear of Punishment? And this Error seemeth to proceed from this, That Men ordinarily understand not aright, what is meant by this Word *Law*, confounding Law and Covenant, as if they signify the same Thing. But Law implieth a Command; Covenant is but a Promise. And not every Command is a Law, but only (Part. I. Chap. XIII. Sect. 6.) when the Command is the Reason of our doing the Action commanded. And then only is the Reason of our Actions in the Command, when the omitting is therefore hurtful, because the Action was commanded, not because it was hurtful of itself; and doing contrary to a Command, were not at all hurtful, if there were not a Right in him that commandeth to punish him that so doth. He or they that have all Punishments in their own disposing, cannot be so commanded as to receive Hurt for disobeying, and consequently no Command can be a Law unto them. It is an Error therefore to think, that the Power which is virtually the whole Power of the Commonwealth, and which in whomsoever it resideth, is usually called Supreme, or Sovereign, can be subject to any Law but that of God Almighty.

7. The third Opinion, *That the Sovereign Power may be divided*, is no less an Error than the former, as hath been proved, Part II. Chap. I. Sect. 15. And if there were a Commonwealth, wherein the Rights of Sovereignty were divided, we must confess with *Bodin*, Lib. II. Chap. I. *de Repub.* That they are not rightly to be called Commonwealths, but the Corruption of Commonwealths. For if

one Part should have Power to make Laws for all, they would by their Laws at their Pleasure forbid others to make Peace or War, to levy Taxes, or to yield Fealty and Homage without their Leave; and they that had the Right to make Peace and War, and command the *Militia*, would forbid the making of other Laws than what themselves liked. And though Monarchies stand long, wherein the Right of Sovereignty hath seemed so divided, because Monarchy of itself is a durable kind of Government, yet Monarchs have been thereby divers times thrust out of their Possession. But the Truth is, that the Right of Sovereignty is such, as he or they that have it cannot (though they would) give away any Part thereof, and retain the rest. As for Example: If we should suppose the People of *Rome* to have had the absolute Sovereignty of the *Roman State*, and to have chosen them a Council of State by the Name of the Senate, and that to this Senate they had given the supreme Power of making Laws, reserving nevertheless to themselves in direct and express Terms, the whole Right and Title of the Sovereignty; (which may easily happen amongst them that see not the inseparable Connexion between the Sovereign Power, and the Power of making Laws): I say, this Grant of the People to the Senate is of no Effect, and the Power of making Laws is in the People still. For the Senate understanding it to be the Will and Intention of the People to retain the Sovereignty, ought not to take that for granted, which was contradictory thereto, and passed by Error. For Part I. Chap. XIII. Sect. 9. in contradictory Promises, that which is directly promised, is preferred before that which is opposite thereunto by Consequence; because the Consequence of a Thing is not always so clear, as is the Thing itself. The Error concerning mixt Government hath proceeded from want of understanding what is meant by this Word *Body Politic*, and how it signifieth not the Concord, but the Union of many Men. And though in the Chapters of subordinate Corporations, a Corporation being declared to be one Person in Law, yet the same hath not been taken notice of in the Body of Commonwealth or City, nor have any of those innumerable Writers, of Politics observed any such Union.

8. The fourth Opinion, to wit, That Subjects have their *Meum*, *Tuum*, and *Suum*, in Property, not only by Virtue of the Sovereign Power over them all, distinct from one another, but also against the Sovereign himself, by which they would pretend to contribute nothing to the Public but what they please, hath been already confuted, by proving the Absoluteness of the Sovereignty, and more particularly, Part II. Chap. V. Sect. 2. and ariseth from this, That they understand not ordinarily that before the Institution of Sovereign Power, *Meum* and *Tuum* implied no Propriety, but a Community, where every Man had Right to every Thing, and was in a State of War with every Man.

9. The fifth Opinion, *That the People is a distinct Body from him or them that have the Sovereignty over them*, is an Error already confuted Part II. Chap. II. Sect. 11. where is shewed, that when Men say, *The People rebelleth*, it is to be understood of those particular Persons only, and not of the whole Nation. And when the People claim any Thing otherwise than by the Voice of the Sovereign Power, it is not the Claim of the People, but only of those particular Men, that claim in their own Persons. And this Error ariseth from the Equivocation of the Word *People*.

10. Lastly, for the Opinion, *That Tyrannicide is lawful*, meaning by a Tyrant, any Man in whom resideth the Right of Sovereignty, it is no less false and pernicious to human Society, than frequent in the Writings of those Moral Philosophers, *Seneca* and others, so greatly esteemed amongst us. For when a Man hath the Right of Sovereignty, he cannot justly be punished, as hath been often shewed already, and therefore much less deposed, or put to Death. And howsoever he might deserve Punishment, yet Punishment is unjust without Judgment preceding, and Judgment unjust without Power of Judicature, which a Subject hath not over a Sovereign. But this Doctrine proceedeth from the Schools of *Greece*, and from those that writ in the *Roman State*, in which not only the Name of a Tyrant, but of a King, was hateful:

11. Besides *Discontent* to the disposing of a Man to Rebellion, and *Pretence*, there is required in the third Place, *Hope of Success*, which consisteth in four Points. 1. That the Discontented have mutual Intelligence. 2. That they have sufficient Number. 3. That they have Arms. 4. That they agree upon an Head. For these four must concur to the making of one Body of Rebellion, in which Intelligence is the Life, Number the Limbs, Arms the Strength, and an Head the Unity, by which they are directed to one and the same Action.

12. The Authors of Rebellion, that is, the Men that breed these Dispositions to rebel in others, of Necessity must have in them these three Qualities. 1. To be discontented themselves. 2. To be Men of mean Judgment and Capacity. And 3, to be eloquent Men or good Orators. And as for their Discontent, from whence it may proceed, hath been already declared. And for the second and third, I am to shew now, first, how they may stand together; for it seemeth a Contradiction, to place small Judgment and great Eloquence, or (as they call it) powerful Speaking, in the same Man. And then in what Manner they concur, to dispose other Men to Sedition.

13. It was noted by *Sallust*, That in *Catiline* (who was Author of the greatest Sedition that ever was in *Rome*) there was *Eloquentiæ satis, Sapientiæ parum; Eloquence sufficient, but little Wisdom*. And perhaps this was said of *Catiline*, as he was *Catiline*: But it was true of him as an Author of Sedition. For the Conjunction of these two Qualities made him not *Catiline*, but Seditious. And that it may be understood, how Want of *Wisdom*, and Store of *Eloquence* may stand together, we are to consider, what it is we call *Wisdom*, and what *Eloquence*. And therefore I shall here again remember some things, that have been said already, Part. I. Chap. V. VI. It is manifest, that *Wisdom* consisteth in Knowledge. Now of Knowledge there are two Kinds; whereof the one is the Remembrance of such Things, as we have conceived in our Senses, and of the Order, in which they follow one another. And this *Knowledge* is called *Experience*; and the *Wisdom* that proceedeth from it, is that Ability to conjecture by the present, of what is past, and to come, which Men call *Prudence*. This being so, it is manifest presently, that the Author of Sedition, whosoever he be, must not be prudent. For if he consider and take his *Experience* aright, concerning the Success which they have had, who have been the Movers and Authors of Sedition, either in this or any other State, he shall find, that for one Man that hath thereby advanced himself to Honour, twenty have come to a reproachful End. The other Kind of Knowledge, is the Remembrance of the Names or Appellations of Things, and how every Thing is called, which is in Matters of common Conversation, a Remembrance of Pacts and Covenants of Men made amongst themselves, concerning how to be understood of one another. And this Kind of Knowledge is generally called *Science*, and the Conclusions thereof *Truth*. But when Men remember not how Things are named, by general Agreement, but either mistake and mis-name Things, or name them aright by chance, they are not said to have *Science*, but *Opinion*, and the Conclusions thence proceeding, are uncertain, and for the most part erroneous. Now that *Science* in particular, from which proceed the true and evident Conclusions of what is right and wrong, and what is good and hurtful to the Being and Well-being of Mankind, the Latins call *Sapientia*, and we by the general Name of *Wisdom*. For generally, not he that hath Skill in *Geometry*, or any other *Science* Speculative, but only he that understandeth what conduceth to the good Government of the People, is called a wise Man. Now that no Author of Sedition can be wise in this Acceptation of the Word, is sufficiently proved, in that it hath been already demonstrated, that no Pretence of Sedition can be right or just. And therefore the Authors of Sedition must be ignorant of the Right of State, that is to say, unwise. It remaineth therefore, that they be such, as name Things, not according to their true and generally agreed upon Names, but call Right and Wrong, Good and Bad, according to their Passions, or according to the Authorities of such as they admire, as *Aristotle*, *Cicero*, *Seneca*, and others of like Authority,

Authority, who have given the Names of Right and Wrong, as their Passions have dictated ; or have followed the Authority of other Men, as we do theirs. It is required therefore in an Author of Sedition, that he think right, that which is wrong ; and profitable, that which is pernicious ; and consequently that there be in him *Sapientiæ parum*, little Wisdom.

14. Eloquence is nothing else but the Power of winning Belief of what we say. And to that End we must have Aid from the Passions of the Hearer. Now to Demonstration and Teaching of the Truth, there are required long Deductions and great Attention, which is unpleasant to the Hearer. Therefore they which seek not Truth, but Belief, must take another Way, and not only derive what they would have to be believed, from somewhat believed already, but also by Aggravations and Extenuations, make Good and Bad, Right and Wrong, appear great or less, according as it shall serve their Turns. And such is the Power of Eloquence, as many times a Man is made to believe thereby, that he sensibly feelth Smart and Damage, when he feelth none ; and to enter into Rage and Indignation, without any other Cause than what is in the Words and Passion of the Speaker. This considered, together with the Business that he hath to do, who is the Author of Rebellion, namely, to make Men believe that their Rebellion is just, their Discontents grounded upon great Injuries, and their Hopes great ; there needeth no more to prove, there can be no Author of Rebellion that is not an eloquent and powerful Speaker, and withal, (as hath been said before) a Man of little Wisdom. For the Faculty of speaking powerfully, consisteth in an Habit gotten of putting together passionate Words, and applying them to the present Passions of the Hearer.

15. Seeing then Eloquence and Want of Discretion concur to the stirring of Rebellion, it may be demanded, What Part each of these acteth therein ? The Daughters of *Pelias* King of *Thessaly*, desiring to restore their old decrepid Father to the Vigour of his Youth, by the Counsel of *Medea* chopped him in Pieces, and set him a boiling with I know not what Herbs in a Cauldron, but could not revive him again. So when Eloquence and Want of Judgment go together, Want of Judgment, like the Daughters of *Pelias*, consenteth through Eloquence, which is as the Witchcraft of *Medea*, to cut the Commonwealth in Pieces, upon Pretence, or Hope of Reformation, which when Things are in Combustion, they are not able to effect.

C H A P. IX.

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| 1. <i>The Law over Sovereigns, Salus populi.</i> | <i>other, &c. a Duty of Sovereigns by the Law of Nature.</i> |
| 2. <i>That Sovereigns ought to establish the Religion they hold, for best.</i> | 6. <i>An extraordinary Power for judging the Abuses of Magistrates, necessary, &c.</i> |
| 3. <i>That to forbid unnatural Copulation, promiscuous Use of Women, &c. is the Law of Nature.</i> | 7. <i>The suppressing of Popularity, &c. necessary, &c.</i> |
| 4. <i>That to leave Man as much Liberty as may be, &c. is the Duty of a Sovereign by the Law of Nature.</i> | 8. <i>The Instruction of Youth, &c. necessary, &c.</i> |
| 5. <i>Meum and Tuum, to be set out to the Subjects, distinct from one an-</i> | 9. <i>Avoiding of unnecessary War, a necessary Duty of the Sovereign, &c.</i> |

1. **H**AVING hitherto set forth how a Body Politic is made, and how it may be destroyed, this Place requireth to say something concerning the Preservation of the same, not purposing to enter into the Particulars of the Art of Government,

ment, but to sum up the general Heads, wherein such Art is to be employ'd, and in which consisteth the Duty of him or them that have the sovereign Power. For the Duty of a Sovereign consisteth in the good Government of the People. And although the Acts of sovereign Power be no Injuries to the Subjects who have consented to the same by their implicit Wills, yet when they tend to the Hurt of the People in general, they be Breaches of the Law of Nature, and of the Divine Law; and consequently, the contrary Acts are the Duties of Sovereigns, and required at their Hands to the utmost of their Endeavour, by God Almighty, under the Pain of eternal Death. And as the Art and Duty of Sovereigns consist in the same Acts, so also doth their Profit. For the End of Art, is Profit; and governing to the Profit of the Subjects, is governing to the Profit of the Sovereign; as hath been shewed, Part II. Chap. V. Sect. 1. And these three, 1. The Law over them that have sovereign Power: 2. Their Duty: 3. Their Profit: are one and the same Thing, contained in this Sentence, *Salus Populi Suprema Lex*. By which must be understood, not the mere Preservation of their Lives, but generally their Benefit and Good. So that this is the general Law for Sovereigns, *That they procure to the uttermost of their Endeavour, the Good of the People*.

2. And forasmuch as eternal is better than temporal Good, it is evident, that they who are in sovereign Authority, are by the Law of Nature obliged to further the establishing of all such Doctrines and Rules, and the commanding of all such Actions, as in their Conscience they believe to be the true Way thereunto. For unless they do so, it cannot be said truly, that they have done the uttermost of their Endeavour.

3. For the temporal Good of the People, it consisteth in four Points: 1. Multitude: 2. Commodity of Living: 3. Peace amongst themselves: 4. Defence against foreign Power. Concerning Multitude, it is the Duty of them that are in sovereign Authority to increase the People, inasmuch as they are Governors of Mankind under God Almighty, who having created but one Man and one Woman, declared, that it was his Will they should be multiplied and increased afterwards. And seeing this is to be done by Ordinances concerning Copulation, they are by the Law of Nature bound to make such Ordinances concerning the same, as may tend to the Increase of Mankind. And hence it cometh, that in them who have sovereign Authority, not to forbid such Copulations as are against the Use of Nature; not to forbid the promiscuous Use of Women; not to forbid one Woman to have many Husbands; not to forbid Marriages within certain Degrees of Kindred and Affinity, are against the Law of Nature. For though it be not evident, that a private Man living under the Law of natural Reason only, doth break the same; by doing any of the Things aforesaid; yet it is manifestly apparent, that being so prejudicial as they are to the Improvement of Mankind, that not to forbid the same, is against the Law of natural Reason, in him that hath taken into his Hands any Portion of Mankind to improve.

4. The Commodity of living consisteth in Liberty and Wealth. By Liberty, I mean, that there be no Prohibition without Necessity, of any Thing to any Man, which was lawful to him in the Law of Nature; that is to say, That there be no Restraint of natural Liberty, but what is necessary for the Good of the Commonwealth; and that well-meaning Men may not fall into the Danger of Laws, as into Snares, before they be aware. It appertaineth also to this Liberty, that a Man may have commodious Passage from Place to Place, and not be imprisoned or confined with the Difficulty of Ways, and Want of Means for Transportation of Things necessary. And for the Wealth of People, it consisteth in three Things: The well ordering of Trade; procuring of Labour; and forbidding the superfluous consuming of Food and Apparel. All those therefore that are in sovereign Authority, and have taken upon them the Government of the People, are bound by the Law of Nature to make Ordinances consisting in the Points afore-named, it being contrary to the Law of Nature, unnecessarily, either for one's own Fancy, to in-

thral, or tye Men so, as they cannot move without Danger; or to suffer them whose Maintenance is our Benefit, to want any Thing necessary for them, by our Negligence.

5. For maintaining of Peace at Home, there be so many Things necessarily to be considered, and taken order in, as there be several Causes concurring to Sedition. And first, it is necessary to set out to every Subject, his Propriety, and distinct Lands and Goods, upon which he may exercise, and have the Benefit of his own Industry, and without which, Men would fall out among themselves, as did the Herdsmen of *Abraham* and *Lot*, every Man incroaching and usurping as much of the common Benefit as he can, which tendeth to Quarrel and Sedition. Secondly, to divide the Burthens and Charges of the Commonwealth proportionably. Now there is a *Proportionably* to every Man's Ability, and there is a *Proportionably* to his Benefit by Commonwealth: And this latter is it, which is according to the Law of Nature. For the Burdens of the Commonwealth being the Price that we pay for Benefit thereof, they ought to be measured thereby. And there is no Reason, when two Men equally enjoying by the Benefit of the Commonwealth, their Peace and Liberty, to use their Industry to get their Livings, whereof one spareth, and layeth up somewhat, the other spendeth all he gets, why they should not equally contribute to the common Charge. That seemeth therefore to be the most equal Way of dividing the Burden of public Charge, when every Man shall contribute according to what he spendeth, and not according to what he gets. And this is then done, when Men pay the Commonwealth's Part in the Payments they make for their own Provision. And this seemeth not only most equal, but also least sensible, and least to trouble the Mind of them that pay it. For there is nothing so aggravateth the Grief of parting with Money to the Public, as to think they are over-rated, and that their Neighbours whom they envy, do thereupon insult over them, and this disposeth them to Resistance, and (after that such Resistance hath produced a Mischief) to Rebellion.

6. Another Thing necessary for the maintaining of Peace, is the due Execution of Justice, which consisteth principally in the right Performance of their Duties, which are the Magistrates, ordained for the same by and under the Authority of the Sovereign Power; which being private Men in Respect of the Sovereign, and consequently such as may have private Ends, whereby they may be corrupted with Gifts, or Intercession of Friends, ought to be kept in awe by an higher Power, lest People (grieved by their Injustice) should take upon them to make their own Revenges, to the Disturbance of the common Peace: which no Way can be avoided in the principal Magistrates, without the Judicature of the Sovereign himself, or some extraordinary Power delegated by him. It is therefore necessary, that there be a Power extraordinary, as there shall be Occasion from Time to Time, for the Syndication of Judges and other Magistrates, that shall abuse their Authority, to the Wrong and Discontent of the People; and a free and open Way for the presenting of Grievances to him or them that have the Sovereign Authority.

7. Besides these Considerations, by which are prevented the Discontents that arise from Oppression, there ought to be some Means for the keeping under of those, that are disposed to Rebellion by Ambition; which consist principally in the Constancy of him that hath the sovereign Power, who ought therefore constantly to grace and encourage such, as being able to serve the Commonwealth, do nevertheless contain themselves within the Bounds of Modesty, without repining at the Authority of such as are employ'd, and without aggravating the Errors, which (as Men) they may commit, especially, when they suffer not in their own Particular; and constantly to shew Displeasure and Dislike of the contrary. And not only so, but also to ordain severe Punishments for such, as shall by Reprehension of public Actions, affect Popularity and Applause amongst the Multitude, by which they may be enabled to have a Faction in the Commonwealth at their Devotion.

8. Another Thing necessary, is the rooting out of the Consciences of Men, all those Opinions which seem to justify and give Pretence of Right to rebellious Actions; such as are the Opinions, That a Man can do nothing lawfully against his private Conscience; that they who have the Sovereignty are subject to the Civil Laws; that there is any Authority of Subjects, whose Negative may hinder the Affirmative of the Sovereign Power; that any Subject hath a Propriety distinct from the Dominion of the Commonwealth; that there is a Body of the People without him or them that have the Sovereign Power; and that any lawful Sovereign may be resisted under the Name of a Tyrant; which Opinions are they, which, Part II. Chap. VIII. Sect. 5, 6, 7, 8, 9, 10, have been declared to dispose Men to Rebellion. And because Opinions which are gotten by Education, and in length of Time are made habitual, cannot be taken away by Force, and upon the sudden; they must therefore be taken away also by Time and Education. And seeing the said Opinions have proceeded from private and public Teaching, and those Teachers have received them from Grounds and Principles, which they have learned in the Universities, from the Doctrine of *Aristotle* and others, who have delivered nothing concerning Morality and Policy demonstratively, but being passionately addicted to popular Government, have insinuated their Opinions by eloquent Sophistry. There is no Doubt, if the true Doctrine concerning the Law of Nature, and the Properties of a Body Politic, and the Nature of Law in general, were perspicuously set down and taught in the Universities, but that young Men, who come thither void of Prejudice, and whose Minds are as white Paper, capable of any Instruction, would more easily receive the same, and afterward teach it to the People, both in Books and otherwise, than now they do the contrary.

9. The last Thing contained in that supreme Law *Salus Populi*, is their Defence, and consisteth partly in the Obedience and Unity of the Subjects, of which hath been already spoken, and in which consisteth the Means of levying Soldiers, and of having Money, Arms, Ships, and fortified Places in Readiness for Defence; and partly, in the avoiding of unnecessary Wars. For such Commonwealths, or such Monarchs as affect War for itself, that is to say, out of Ambition or of Vain-glory, or that make account to revenge every little Injury, or Disgrace done by their Neighbours, if they ruin not themselves, their Fortune must be better than they have Reason to expect.

C H A P. X.

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| <p>1. <i>All Expressions, &c. concerning future Actions, are either Covenant, Counsel, or Command.</i></p> <p>2. <i>The Difference between a Law and a Covenant.</i></p> <p>3. <i>The Command of him whose Command is Law in one Thing, is Law in every Thing.</i></p> <p>4. <i>The Difference between Law and Counsel.</i></p> | <p>5. <i>The Difference between Jus and Lex.</i></p> <p>6. <i>The Division of Laws, &c.</i></p> <p>7. <i>That the Divine Moral Law, and the Law of Nature, is the same.</i></p> <p>8. <i>That the Civil Laws are the common Measure of Right and Wrong, &c.</i></p> <p>9. <i>Martial Law in Civil Law.</i></p> <p>10. <i>Written Laws, &c. Unwritten, &c. Customs and Opinions, &c.</i></p> |
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1. **T**HUS far concerning the Nature of Man, and the Constitution and Properties of a Body Politic. There remaineth only for the last Chapter, to speak of the Nature and Sorts of Law. And first, it is manifest, that all Laws are Declarations of the Mind, concerning some Action future to be done, or omitted. And all Declarations and Expressions of the Mind concerning some future

future Actions and Omissions, are either *promissive*, as *I will do, or not do*; or *provisive*, as for Example, *If this be done or not done, this will follow*; or *imperative*, as *Do this, or do it not*. In the first Sort of these Expressions, consisteth the Nature of a Covenant; in the second, consisteth Counsel; in the third, Command.

2. It is evident when a Man doth, or forbeareth to do any Action, if he be moved thereto by this only Consideration, that the same is good or evil in itself; and that there be no Reason why the Will or Pleasure of another should be of any Weight in his Deliberation, that then neither to do nor omit the Action deliberated, is any Breach of Law. And consequently, whatsoever is a Law to a Man, respecteth the Will of another, and the Declaration thereof. But a Covenant is a Declaration of a Man's own Will. And therefore a Law and a Covenant differ; and though they be both obligatory, and a Law obligeth no otherwise than by Virtue of some Covenant made by him who is subject thereunto, yet they oblige by several Sorts of Promises. For a Covenant obligeth by Promise of an Action, or Omission especially named and limited; but a Law bindeth by a Promise of Obedience in general, whereby the Action to be done, or left undone, is referred to the Determination of him, to whom the Covenant is made. So that the Differences between a Covenant, and a Law, standeth thus: In simple Covenant, the Action to be done, or not done, is first limited and made known, and then followeth the Promise to do or not do; but in a Law, the Obligation to do or not do, precedeth, and the Declaration what is to be done, or not done, followeth after.

3. And from this may be deduced, that which to some may seem a *Paradox*, *That the Command of him whose Command is a Law in one Thing, is a Law in every Thing*. For seeing a Man is obliged to Obedience before what he is to do be known, he is obliged to obey in general, that is to say, in every Thing.

4. That the Counsel of a Man is no Law to him that is counselled, and that he who alloweth another to give him Counsel, doth not thereby oblige himself to follow the same, is manifest enough. And yet Men usually call Counselling, by the Name of Governing; not that they are not able to distinguish between them, but because they envy many Times those Men that are called to Counsel, and are therefore angry with them that they are counselled. But if to Counsellors there should be given a Right to have their Counsel followed, then are they no more Counsellors, but Masters of them whom they counsel; and their Counsels no more Counsels, but Laws. For the Difference between a Law and a Counsel being no more but this, that in Counsel the Expression is, *Do, because it is best*; in a Law, *Do, because I have a Right to compel you*; or *Do, because I say, Do*; then Counsel should give the Reason of the Action it adviseth to, because the Reason thereof itself, is no more Counsel, but a Law.

5. The Names *Lex* and *Jus*, that is to say, Law and Right, are often confounded, and yet scarce are there any two Words of more contrary Signification. For Right is that Liberty which Law leaveth us, and Laws those Restraints by which we agree mutually to abridge one another's Liberty. Law and Right therefore are no less different than Restraint and Liberty, which are contrary; and whatsoever a Man doth, that liveth in a Commonwealth *Jure*, he doth it *Jure Civili*, *Jure Naturæ*, and *Jure Divino*. For whatsoever is against any of these Laws, cannot be said to be *Jure*. For the Civil Law cannot make that to be done *Jure*, which is against the Law *Divine*, or of *Nature*. And therefore whatsoever any Subject doth, if it be contrary to the Civil Law, and whatsoever a Sovereign doth, if it be not against the Law of Nature, he doth it *Jure Divino*, by *Divine Right*. But to say *Lege Divinâ*, by *Divine Law*, is another Thing. For the Laws of God and Nature allowing greater Liberty than is allowed by the Law Civil; (for subordinate Laws do still bind more than superior Laws, the Essence of Law being not to loose, but to bind) a Man may be commanded that by a Law Civil, which is not commanded by the Law of Nature, nor by the Law Divine. So that of Things done *Lege*, that is to say, by Command of the Law, there is some Place for a Distinction between

tween *Lege Divinâ*, and *Lege Civili*. As when a Man giveth an Alms, or helpeth him that is in need, he doth it not *Lege Civili*, but *Lege Divinâ*, by the Divine Law, the Precept whereof is *Charity*. But for Things that are done *Jure*, nothing can be said to be done *Jure Divino*, that is not also *Jure Civili*, unless it be done by them that having Sovereign Power, are not subject to the Civil Law.

6. The Differences of Laws, are according to the Differences, either of the Authors and Lawmakers, or of the Promulgation, or of those that are subject to them. From the Difference of the Authors, or Lawgivers, cometh the Division of Law into *Divine*, *Natural*, and *Civil*. From the Difference of Promulgation, proceedeth the Division of Laws into *written* and *unwritten*. And from the Difference of the Persons to whom the Law appertaineth, it proceedeth, that some Laws are called simply Laws, and some Penal. As for example, *Thou shalt not steal*, is simply a Law; but this, *He that stealeth an Ox, shall restore four-fold*, is a Penal, or as others call it, a Judicial Law. Now in those Laws which are simply Laws, the Commandment is addressed to every Man; but in Penal Laws the Commandment is addressed to the Magistrate, who is only guilty of the Breach of it, when the Penalties ordained are not inflicted; to the rest appertaineth nothing, but to take notice of their Danger.

7. As for the first Division of Law into *Divine*, *Natural*, and *Civil*, the first two Branches are one and the same Law. For the Law of Nature, which is also the Moral Law, is the Law of the Author of Nature, God Almighty; and the Law of God taught by our Saviour Christ, is the Moral Law. For the Sum of God's Law is, *Thou shalt love God above all, and thy Neighbour as thy self*; and the same is the Sum of the Law of Nature, as hath been shewed, Part. I. Chap. V. And although the Doctrine of our Saviour be of three Parts, *Moral*, *Theological*, and *Ecclesiastical*; the former Part only, which is the Moral, is of the Nature of a Law Universal; the latter Part is a Branch of the Law Civil; and the Theological, which containeth those Articles concerning the Divinity and Kingdom of our Saviour, without which there is no Salvation, is not delivered in the Nature of Laws, but of Counsel and Direction, how to avoid the Punishment, which by the Violation of the Moral Law, Men are subject to. For it is not Infidelity that condemneth, (though it be Faith that saveth) but the Breach of the Law and Commandments of God, written first in Man's Heart, and afterwards in Tables, and delivered to the *Jews* by the Hands of *Moses*.

8. In the State of Nature wherein every Man is his own Judge, and differeth from other concerning the Names and Appellations of Things, and from those Differences arise Quarrels and Breach of Peace, it was necessary there should be a common Measure of all Things, that might fall in Controversy. As for Example, of what is to be called Right, what Good, what Virtue, what Much, what Little, what *Meum* and *Tuum*, what a Pound, what a Quart, &c. For in these Things private Judgment may differ, and beget Controversy. This common Measure, some say, is *Right Reason*, with whom I should consent, if there were any such Thing to be found or known *in Rerum Natura*. But commonly they that call for *Right Reason* to decide any Controversy, do mean their own. But this is certain, seeing *Right Reason* is not existent, the Reason of some Man or Men must supply the Place thereof; and that Man or Men is he or they, that have the sovereign Power, as hath been already proved; and consequently the Civil Laws are to all Subjects the Measures of their Actions, whereby to determine, whether they be right or wrong, profitable or unprofitable, virtuous or vicious; and by them the Use and Definition of all Names not agreed upon, and tending to Controversy, shall be established. As for Example, upon the Occasion of some strange and deformed Birth; it shall not be decided by *Aristotle*, or the Philosophers, whether the same be a Man, or no, but by the Laws, the Civil Law containing in it the Ecclesiastical, as a Part thereof, proceeding from the Power of Ecclesiastical Government, given by our Saviour to all Christian Sovereigns, as his immediate Vicars, as hath been said, Part II. Chap. VII. Sect. 10.

9. But seeing it hath been said, that all Laws are either Natural or Civil, it may be demanded, to which of these shall be referred that Law, which is called Martial Law, and by the *Romans*, *Disciplina Militaris*? And it may seem to be the same with the Law of Nature; because the Laws by which a Multitude of Soldiers are governed in an Army are not constant, but continually changing with the Occasion; and that is still a Law, which is Reason for the present, and Reason is the Law of Nature. It is nevertheless true, that Martial Law is Civil Law, because an Army is a Body Politic, the whole Power whereof is in the General, and the Laws thereof made by him; and though they still follow and change as Reason requireth, yet it is not, as the Reason of every private Man, but as the Reason of the General requireth.

10. When he or they in whom is the Sovereign Power of Commonwealth, are to ordain Laws for the Government and good Order of the People, it is not possible they should comprehend all Cases of Controversy that may fall out, or perhaps any considerable Diversity of them; but as Time shall instruct them by the rising of new Occasions, so are also Laws from time to time to be ordained: and in such Cases where no special Law is made, the Law of Nature keepeth its Place, and the Magistrates ought to give Sentence according thereunto, that is to say, according to natural Reason. The Constitutions therefore of the Sovereign Power, by which the Liberty of Nature is abridged, are written, because there is no other Way to take notice of them, whereas the Laws of Nature are supposed to be written in Men's Hearts. Written Laws therefore are the Constitutions of a Commonwealth expressed; and unwritten, are the Laws of natural Reason. Custom of itself maketh no Laws. Nevertheless when a Sentence hath been once given, by them that judge by their natural Reason, whether the same be right or wrong, it may attain to the Vigour of a Law; not because the like Sentence hath of Custom been given in the like Case, but because the Sovereign Power is supposed tacitly to have approved such Sentence for Right, and thereby it cometh to be a Law, and numbered amongst the written Laws of the Commonwealth. For if Custom were sufficient to introduce a Law, then it would be in the Power of every one that is deputed to hear a Cause, to make his Errors Laws. In the like Manner, those Laws that go under the Title of *Responsa Prudentum*, that is to say, the Opinions of Lawyers, are not therefore Laws, because *Responsa Prudentum*, but because they are admitted by the Sovereign; and from this may be collected, that when there is a Case of private Contract between the Sovereign and the Subject, a Precedent against Reason shall not prejudice the Cause of the Sovereign; no Precedent being made a Law, but upon Supposition that the same was reasonable from the Beginning. And thus much concerning the Elements and general Grounds of Laws Natural and Politic. As for the Law of Nations, it is the same with the Law of Nature. For that which is the Law of Nature between Man and Man before the Constitution of Commonwealth, is the Law of Nations between Sovereign and Sovereign after.

LEVIATHAN:

OR, THE

Matter, Form, and Power

OF A

COMMONWEALTH,

ECCLESIASTICAL and CIVIL.

To my MOST HONOURED FRIEND,

MR. FRANCIS GODOLPHIN,
of GODOLPHIN.

HONOURED SIR,

YOUR most worthy Brother Mr. SIDNEY GODOLPHIN, when he lived, was pleased to think my Studies something, and otherwise to oblige me, as you know, with real Testimonies of his good Opinion, great in themselves, and the greater for the Worthiness of his Person. For there is not any Virtue that disposeth a Man, either to the Service of God, or the Service of his Country, to Civil Society, or private Friendship, that did not manifestly appear in his Conversation; not as acquired by Necessity, or affected upon Occasion, but inherent, and shining in a generous Constitution of his Nature. Therefore in Honour and Gratitude to him, and with Devotion to yourself, I humbly Dedicate unto you this my Discourse of *Commonwealth*. I know not how the World will receive it, nor how it may reflect on those that shall seem to favour it. For in a Way beset with those that contend, on one Side for too great Liberty, and on the other Side for too much Authority, 'tis hard to pass between the Points of both unwounded. But yet, methinks, the Endeavour to advance the Civil Power, should not be by the Civil Power condemned; nor private Men, by reprehending it, declare they think that Power too great. Besides, I speak not of the Men, but (in the Abstract) of the Seat of Power, (like to those simple and impartial Creatures in the *Roman* Capitol, that with their Noise defended those within it, not because they were they, but there,) offending none, I think, but those without, or such within (if there were any such) as favour them. That which perhaps may most offend, are certain Texts of Holy Scripture, alledged by me to other Purpose than ordinarily they use to be by others. But I have done it with due Submission, and also (in order to my Subject) necessarily; for they are the Outworks of the Enemy, from whence they impugn the Civil Power. If notwithstanding this, you find my Labour generally decryed, you may be pleased to excuse yourself, and say, I am a Man that love my own Opinions, and think all true I say, that I honoured your Brother, and honour you, and have presum'd on that, to assume the Title (without your Knowledge) of being, as I am,

S I R,

Paris, *April* $\frac{1}{2}$, 1651.

Your Most Humble, and

Most Obedient Servant,

THO. HOBBS.

T H E

I N T R O D U C T I O N .

NA T U R E (the Art whereby God hath made and governs the World) is by the *Art* of Man, as in many other Things, so in this also imitated, that it can make an artificial Animal. For seeing Life is but a Motion of Limbs, the Beginning whereof is in some principal Part within ; why may we not say, that all *Automata* (Engines that move themselves by Springs and Wheels as doth a Watch) have an artificial Life ? For what is the *Heart*, but a *Spring* ; and the *Nerves*, but so many *Strings* ; and the *Joints*, but so many *Wheels*, giving Motion to the whole Body, such as was intended by the Artificer ? *Art* goes yet farther, imitating that rational and most excellent Work of Nature, *Man*. For by Art is created that great LEVIATHAN called a COMMONWEALTH, or STATE, (in Latin CIVITAS) which is but an artificial Man ; though of greater Stature and Strength than the natural ; for whose Protection and Defence it was intended ; and in which the *Sovereignty* is an artificial *Soul*, as giving Life and Motion to the whole Body ; the *Magistrates*, and other *Officers* of Judicature and Execution, artificial *Joints* ; *Reward* and *Punishment* (by which fastned to the Seat of the Sovereignty, every Joint and Member is moved to perform its Duty) are the *Nerves*, that do the same in the Body natural ; the *Wealth* and *Riches* of all the particular Members, are the *Strength* ; *Salus Populi* (the *People's Safety*) its *Business* ; *Counsellors*, by whom all things needful for it to know are suggested unto it, are the *Memory* ; *Equity* and *Laws*, an artificial *Reason* and *Will* ; *Concord*, *Health* ; *Sedition*, *Sickness* ; and *Civil War*, *Death*. Lastly, the *Pacts* and *Covenants*, by which the Parts of this Body Politic were at first made, set together, and united, resemble that *Fiat*, or the *Let us make Man*, pronounced by God in the Creation.

To describe the Nature of this artificial Man, I will consider

First, the *Matter* thereof, and the *Artificer* ; both which is *Man*.

Secondly, *How*, and by what *Covenants* it is made ; what are the *Rights* and just *Power* or *Authority* of a *Sovereign* ; and what it is that *preserveth* and *dissolveth* it.

Thirdly, what is a *Christian Commonwealth*.

Lastly, what is the *Kingdom of Darknes*.

Concerning the first, there is a Saying much usurped of late, that *Wisdom* is acquired, not by reading of *Books*, but of *Men*. Conse-

quently whereunto, those Persons, that for the most part can give no other Proof of being wise, take great Delight to shew what they think they have read in Men, by uncharitable Censures of one another behind their Backs. But there is another Saying not of late understood, by which they might learn truly to read one another, if they would take the Pains; and that is, *Nosce teipsum, Read thyself*: which was not meant, as it is now used, to countenance either the barbarous State of Men in Power, towards their Inferiors; or to encourage Men of low Degree, to a saucy Behaviour towards their Betters; but to teach us, that for the Similitude of the Thoughts and Passions of one Man to the Thoughts and Passions of another, whosoever looketh into himself, and considereth what he doth, when he does *think, opine, reason, hope, fear, &c.* and upon what Grounds; he shall thereby read and know, what are the Thoughts and Passions of all other Men, upon the like Occasions. I say the Similitude of *Passions*, which are the same in all Men, *Desire, Fear, Hope, &c.* not the Similitude of the *Objects* of the Passions, which are the Things *desired, feared, hoped, &c.* for these the Constitution individual, and particular Education do so vary, and they are so easy to be kept from our Knowledge, that the Characters of Man's Heart, blotted and confounded as they are, with dissembling, lying, counterfeiting, and erroneous Doctrines, are legible only to him that searcheth Hearts. And though by Men's Actions we do discover their Design sometimes; yet to do it without comparing them with our own, and distinguishing all Circumstances, by which the Case may come to be altered, is to decypher without a Key, and be for the most part deceived, by too much Trust, or by too much Diffidence; as he that reads, is himself a good or evil Man.

But let one Man read another by his Actions never so perfectly, it serves him only with his Acquaintance, which are but few. He that is to govern a whole Nation, must read in himself, not this, or that particular Man, but Mankind: which though it be hard to do, harder than to learn any Language, or Science; yet, when I shall have set down my own Reading orderly, and perspicuously, the Pains left another will be only to consider, if he also find not the same in himself. For this Kind of Doctrine admitteth no other Demonstration.

O F

M A N.

P A R T I.

C H A P. I.

Of S E N S E.

CONCERNING the Thoughts of Man, I will consider them first *Singly*, and afterwards in *Train*, or Dependance upon one another. *Singly*, they are every one a *Representation* or *Appearance*, of some *Quality*, or other *Accident* of a *Body* without us; which is commonly called an *Object*. Which *Object* worketh on the *Eyes*, *Ears*, and other *Parts* of *Man's Body*; and by *Diversity* of working, produceth *Diversity* of *Appearances*.

The *Original* of them all, is that which we call *SENSE*; (for there is no *Conception* in a *Man's Mind*, which hath not at first, totally, or by *Parts*, been begotten upon the *Organs* of *Sense*.) The rest are derived from that *Original*.

To know the natural *Cause* of *Sense*, is not very necessary to the *Business* now in hand; and I have elsewhere written of the same at large. Nevertheless, to fill each part of my present *Method*, I will briefly deliver the same in this *Place*.

The *Cause* of *Sense* is the external *Body* or *Object*, which presseth the *Organ* proper to each *Sense*, either immediately, as in the *Taste* or *Touch*; or mediately, as in *Seeing*, *Hearing*, and *Smelling*: which *Pressure*, by the *Mediation* of *Nerves*, and other *Strings* and *Membranes* of the *Body*, continued inwards to the *Brain* and *Heart*, causeth there a *Resistance*, or *Counter-pressure*, or *Endeavour* of the *Heart*, to deliver itself: which *Endeavour* because *Outward*, seemeth to be some matter without. And this *Seeming*, or *Fancy*, is that which Men call *Sense*; and consisteth, as to the *Eye*, in a *Light*, or *Colour figured*; to the *Ear*, in a *Sound*; to the *Nostril*, in an *Odour*; to the *Tongue* and *Palate*, in a *Savour*; and to the rest of the *Body*, in *Heat*, *Cold*, *Hardness*, *Softness*, and such other *Qualities*, as we discern by *Feeling*. All which *Qualities* called *Sensible*, are in the *Object* that causeth them, but so many several *Motions* of the *Matter*, by which it presseth our *Organs* diversly. Neither in us that are pressed, are they any thing else but divers *Motions*; (for *Motion* produceth nothing but *Motion*.) But their *Appearance* to us is *Fancy*, the same waking, as dreaming. And as pressing, rubbing, or striking the *Eye*, makes us fancy a *Light*; and pressing the *Ear*, produceth a *Din*; so do the *Bodies* also we see, or hear, produce the same by their

PART
I.

their strong, though unobserved Action. For if those Colours, and Sounds, were in the Bodies, or Objects that cause them, they could not be severed from them, as by Glasses, and in Echoes by Reflection, we see they are; where we know the Thing we see is in one Place, the Appearance in another. And though at some certain Distance, the real and very Object seems invested with the Fancy it begets in us; yet still the Object is one thing, the Image or Fancy is another. So that Sense in all Cases, is nothing else but original Fancy, caused (as I have said) by the Pressure, that is, by the Motion of external Things upon our Eyes, Ears, and other Organs thereunto ordained.

But the Philosophy-Schools, through all the Universities of Christendom, grounded upon certain Texts of *Aristotle*, teach another Doctrine; and say, for the Cause of *Vision*, that the thing seen, sendeth forth on every Side a *visible Species*, (in English) a *visible Shew*, *Apparition*, or *Aspect*, or a *being seen*; the receiving whereof into the Eye, is *Seeing*. And for the Cause of *Hearing*, that the Thing heard, sendeth forth an *audible Species*, that is, an *audible Aspect*, or *audible being seen*; which entering at the Ear, maketh *Hearing*. Nay for the Cause of *Understanding* also, they say the Thing understood, sendeth forth an *intelligible Species*, that is, an *intelligible being seen*; which coming into the Understanding, makes us understand. I say not this, as disapproving the use of Universities; but because I am to speak hereafter of their Office in a Commonwealth, I must let you see on all Occasions by the Way, what Things should be amended in them; amongst which the Frequency of insignificant Speech is one.

CH A P. II.

Of I M A G I N A T I O N.

THAT when a Thing lies still, unless somewhat else stir it, it will lie still for ever, is a Truth that no Man doubts of. But that when a Thing is in Motion, it will eternally be in Motion, unless somewhat stay it, tho' the Reason be the same, (namely, that nothing can change itself) is not so easily assented to. For Men measure, not only other Men, but all other Things, by themselves: and because they find themselves subject after Motion to Pain and Lassitude, think every thing else grows weary of Motion, and seeks Repose of its own Accord; little considering, whether it be not some other Motion, wherein that Desire of Rest they find in themselves consisteth. From hence it is, that the Schools say, Heavy Bodies fall downwards, out of an Appetite to rest, and to conserve their Nature in that Place which is most proper for them; ascribing Appetite, and Knowledge of what is good for their Conservation (which is more than Man has) to things inanimate, absurdly.

When a Body is once in Motion, it moveth (unless something else hinder it) eternally; and whatsoever hindereth it, cannot in an Instant, but in Time, and by Degrees quite extinguish it: And as we see in the Water, though the Wind cease, the Waves give not over rolling for a long Time after; so also it happeneth in that Motion, which is made in the internal Parts of a Man, then, when he sees, dreams, &c. For after the Object is removed, or the Eye shut, we still retain an Image of the Thing seen, though more obscure than when we see it. And this

this is it, the Latins call *Imagination*, from the Image made in seeing; and apply the same, though improperly, to all the other Senses. But the *Greeks* call it *Fancy*; which signifies *Apparence*, and is as proper to one Sense as to another. *Imagination* therefore is nothing but *decaying Sense*; and is found in Men, and many other living Creatures, as well sleeping as waking.

The Decay of Sense in Men waking, is not the Decay of the Motion made in Sense; but an obscuring of it, in such Manner, as the Light of the Sun obscureth the Light of the Stars; which Stars do no less exercise the Virtue by which they are visible, in the Day than in the Night. But because amongst many Strokes, which our Eyes, Ears, and other Organs receive from external Bodies, the predominant only is sensible; therefore the Light of the Sun being predominant, we are not affected with the Action of the Stars. And any Object being removed from our Eyes, though the Impression it made in us remain; yet other Objects more present succeeding, and working on us, the Imagination of the past is obscured and made weak; as the Voice of a Man is in the Noise of the Day. From whence it followeth, that the longer the Time is; after the Sight, or Sense of any Object, the weaker is the Imagination. For the continual Change of Man's Body, destroys in time the Parts which in Sense were moved: So that Distance of Time, and of Place, hath one and the same Effect in us. For as at a great Distance of Place, that which we look at, appears dim, and without Distinction of the smaller Parts; and as Voices grow weak, and inarticulate: so also after a great Distance of Time, our Imagination of the past is weak; and we lose (for Example) of the Cities we have seen, many particular Streets; and of Actions, many particular Circumstances. This *decaying Sense*, when we would express the Thing itself, (I mean *Fancy* itself) we call *Imagination*, as I said before: But when we would express the *Decay*, and signify that the Sense is fading, old, and past, it is called *Memory*. So that *Imagination* and *Memory*, are but one thing, which for divers Considerations hath divers Names.

Much Memory, or Memory of many Things, is called *Experience*. Again, Imagination being only of those Things which have been formerly perceived by Sense, either all at once, or by Parts at several Times; the former, (which is the imagining the whole Object, as it was presented to the Sense) is *simple Imagination*; as when one imagineth a Man, or Horse, which he hath seen before. The other is *compounded*; as when from the Sight of a Man at one Time, and of a Horse at another, we conceive in our Mind a Centaur. So when a Man compoundeth the Image of his own Person, with the Image of the Actions of another Man; as when a Man imagines himself a *Hercules*, or an *Alexander*, (which happeneth often to them that are much taken with reading of Romance) it is a compound Imagination, and properly but a Fiction of the Mind. There be also other Imaginations that rise in Men, (though waking) from the great Impression made in Sense: As from gazing upon the Sun, the Impression leaves an Image of the Sun before our Eyes a long Time after; and from being long and vehemently attent upon Geometrical Figures, a Man shall in the dark, (though awake) have the Images of Lines and Angles before his Eyes: which kind of Fancy hath no particular Name; as being a Thing that doth not commonly fall into Men's Discourse.

The Imaginations of them that sleep, are those we call *Dreams*. And these also (as all other Imaginations) have been before, either totally, or by Parcels in the Sense. And because in Sense, the Brain

PART. and Nerves, which are the necessary Organs of Sense, are so benumbed
 I. in Sleep, as not easily to be moved by the Action of external Objects,
 there can happen in Sleep no Imagination, and therefore no Dream, but what proceeds from the Agitation of the inward Parts of Man's Body; which inward Parts, for the Connexion they have with the Brain, and other Organs, when they be distempered, do keep the same Motion; whereby the Imaginations there formerly made, appear as if a Man were waking; saving that the Organs of Sense being now benumbed, so as there is no new Object, which can master and obscure them with a more vigorous Impression, a Dream must needs be more clear, in this Silence of Sense, than are our waking Thoughts. And hence it cometh to pass, that it is a hard Matter, and by many thought impossible to distinguish exactly between Sense and Dreaming. For my Part, when I consider, that in Dreams I do not often, nor constantly think of the same Persons, Places, Objects, and Actions that I do waking; nor remember so long a Train of coherent Thoughts, Dreaming, as at other Times; and because waking I often observe the Absurdity of Dreams, but never dream of the Absurdities of my waking Thoughts; I am well satisfied, that being awake, I know I dream not; though when I dream, I think myself awake.

And seeing Dreams are caused by the Distemper of some of the inward Parts of the Body; divers Distempers must needs cause different Dreams. And hence it is, that lying cold breedeth Dreams of Fear, and raiseth the Thought and Image of some fearful Object (the Motion from the Brain to the inner Parts, and from the inner Parts to the Brain being reciprocal:) And that as Anger causeth Heat in some Parts of the Body, when we are awake; so when we sleep, the over heating of the same Parts causeth Anger, and raiseth up in the Brain the Imagination of an Enemy. In the same Manner; as natural Kindness, when we are awake causeth Desire; and Desire makes Heat in other certain Parts of the Body; so also, too much Heat in those Parts, while we sleep, raiseth in the Brain an Imagination of some Kindness shewn. In sum, our Dreams are the Reverse of our waking Imaginations; the Motion when we are awake, beginning at one End; and when we dream, at another.

Apparitions
 or Visions.

The most difficult discerning of a Man's Dream, from his waking Thoughts, is then, when by some Accident we observe not that we have slept: which is easy to happen to a Man full of fearful Thoughts; and whose Conscience is much troubled; and that sleepeth, without the Circumstances of going to Bed, or putting off his Cloaths, as one that noddeth in a Chair. For he that taketh Pains, and industriously lays himself to Sleep, in Case any uncouth and exorbitant Fancy come unto him, cannot easily think it other than a Dream. We read of *Marcus Brutus*, (one that had his Life given him by *Julius Cæsar*, and was also his Favourite, and notwithstanding murdered him) how at *Philippi*, the Night before he gave Battle to *Augustus Cæsar*, he saw a fearful Apparition, which is commonly related by Historians as a Vision: but considering the Circumstances, one may easily judge to have been but a short Dream. For sitting in his Tent, pensive and troubled with the Horror of his rash Act, it was not hard for him, slumbering in the Cold, to dream of that which most affrighted him; which Fear, as by Degrees it made him awake, so also it must needs make the Apparition by Degrees to vanish: And having no Assurance that he slept, he could have no Cause to think it a Dream, or any Thing but a Vision. And this is no very rare Accident: for even they that be perfectly awake, if they be timorous, and superstitious, possessed with
 fearful

fearful Tales, and alone in the Dark, are subject to the like Fancies; and believe they see Spirits and dead Mens Ghosts, walking in Church-yards; whereas it is either their Fancy only, or else the Knavery of such Persons, as make use of such superstitious Fear, to pass disguised in the Night, to Places they would not be known to haunt.

From this Ignorance of how to distinguish Dreams, and other strong Fancies, from Vision and Sense, did arise the greatest part of the Religion of the *Gentiles* in Time past, that worshipped Satyrs, Fawns, Nymphs, and the like; and now-a-days the Opinion that rude People have of Fairies, Ghosts, and Goblins; and of the Power of Witches. For as for Witches, I think not that their Witchcraft is any real Power; but yet that they are justly punished, for the false Belief they have, that they can do such Mischief, joined with their Purpose to do it if they can: their Trade being nearer to a new Religion, than to a Craft or Science. And for Fairies, and walking Ghosts, the Opinion of them has I think been on purpose either taught, or not confuted, to keep in Credit the Use of Exorcism, of Crosses, of holy Water, and other such Inventions of ghostly Men. Nevertheless, there is no doubt, but God can make unnatural Apparitions: But that he does it so often, as Men need to fear such Things, more than they fear the Stay or Change of the Course of Nature, which he also can stay and change, is no Point of Christian Faith. But as evil Men, under Pretext that God can do any thing, are so bold as to say any thing when it serves their Turn, though they think it untrue; it is the part of a wise Man, to believe them no farther, than right Reason makes that which they say appear credible. If this superstitious Fear of Spirits were taken away, and with it, Prognostics from Dreams, false Prophecies, and many other Things depending thereon, by which crafty and ambitious Persons abuse the simple People, Men would be much more fitted than they are for civil Obedience.

And this ought to be the Work of the Schools; but they rather nourish such Doctrine. For (not knowing what Imagination or the Senses are) what they receive they teach: some saying, that Imaginations rise of themselves, and have no Cause: Others, that they rise most commonly from the Will; and that good Thoughts are blown (inspired) into a Man, by God; and evil Thoughts, by the Devil: or that good Thoughts are poured (infused) into a Man, by God; and evil ones, by the Devil. Some say the Senses receive the Species of Things, and deliver them to the Common-Sense; and the Common-Sense delivers them over to the Fancy, and the Fancy to the Memory, and the Memory to the Judgment, like handing of Things from one to another, with many Words making nothing understood.

The Imagination that is raised in Man (or any other Creature endued with the Faculty of imagining) by Words, or other voluntary Signs, is that we generally call *Understanding*; and is common to Man and Beast. For a Dog by Custom will understand the Call, or the Rating of his Master; and so will many other Beasts. That Understanding which is peculiar to Man, is the understanding not only his Will, but the framing his Conceptions and Thoughts, by the Sequel and Contexture of the Names of Things into Affirmations, Negations, and other Forms of Speech: And of this kind of Understanding I shall speak hereafter.

Of the Consequence or Train of Imaginations.

BY *Consequence*, or *Train* of Thoughts, I understand that Succession of one Thought to another, which is called (to distinguish it from Discourse in Words) *Mental Discourse*.

When a Man thinketh on any thing whatsoever, his next Thought after is not altogether so casual as it seems to be. Not every Thought to every Thought succeeds indifferently. But as we have no Imagination, whereof we have not formerly had Sense, in whole, or in parts; so we have no Transition from one Imagination to another, whereof we never had the like before in our Senses. The Reason whereof is this: All Fancies are Motions within us, Relics of those made in the Sense: And those Motions that immediately succeeded one another in the Sense, continue also together after Sense: Inasmuch as the former coming again to take Place, and be predominant, the latter followeth, by Coherence of the Matter moved; in such manner, as Water upon a plain Table is drawn which way any one Part of it is guided by the Finger. But because in Sense, to one and the same Thing perceived, sometimes one Thing, sometimes another succeedeth, it comes to pass in time, that in the imagining of any thing, there is no Certainty what we shall imagine next; only this is certain, it shall be something that succeeded the same before, at one Time or another.

Train of
Thoughts
unguided.

This Train of Thoughts, or Mental Discourse, is of two Sorts. The first is *unguided*, *without Design*, and inconstant; wherein there is no passionate Thought, to govern and direct those that follow to itself, as the End and Scope of some Desire, or other Passion: In which Case the Thoughts are said to wander, and seem impertinent one to another, as in a Dream. Such are commonly the Thoughts of Men, that are not only without Company, but also without Care of any Thing; though even then their Thoughts are as busy as at other Times, but without Harmony; as the Sound which a Lute out of Tune would yield to any Man; or in Tune, to one that could not play. And yet in this wild ranging of the Mind, a Man may oft-times perceive the way of it, and the Dependance of one Thought upon another. For in a Discourse of our present Civil War, what could seem more impertinent, than to ask (as one did) what was the Value of a *Roman Penny*? Yet the Coherence to me was manifest enough. For the Thought of the War, introduced the Thought of the delivering up the King to his Enemies; the Thought of that, brought in the Thought of the delivering up of Christ; and that again the Thought of the thirty Pence, which was the Price of that Treason: and thence easily followed that malicious Question; and all this in a Moment of Time; for Thought is quick.

Train of
Thoughts
regulated.

The second is more constant; as being *regulated* by some Desire, and Design. For the Impression made by such Things as we desire, or fear, is strong and permanent, or, (if it cease for a Time) of quick Return: so strong it is sometimes, as to hinder and break our Sleep. From Desire, ariseth the Thought of some Means we have seen produce the like of that which we aim at; and from the Thought of that, the Thought of Means to that Mean; and so continually, till we come to some Beginning within our own Power.

And

And because the End, by the Greatness of the Impression comes often to Mind, in Case our Thoughts begin to wander, they are quickly again reduced into the Way: which observed by one of the seven wise Men, made him give Men this Precept, which is now worn out, *Respice finem*; that is to say, In all your Actions look often upon what you would have, as the Thing that directs all your Thoughts in the Way to attain it.

The Train of regulated Thoughts is of two Kinds; one, when of an Effect imagined, we seek the Causes or Means that produce it; and this is common to Man and Beast. The other is, when imagining any Thing whatsoever, we seek all the possible Effects that can by it be produced; that is to say, we imagine what we can do with it when we have it. Of which I have not at any time seen any Sign but in Man only; for this is a Curiosity hardly incident to the Nature of any living Creature that has no other Passion but sensual, such as are Hunger, Thirst, Lust, and Anger. In sum, the Discourse of the Mind, when it is governed by Design, is nothing but *Seeking*, or the Faculty of Invention, which the *Latins* call *Sagacitas* and *Solertia*; a hunting out of the Causes of some Effect, present or past; or of the Effects of some present or past Cause. Sometimes a Man seeks what he hath lost, and from that Place and Time, wherein he misses it, his Mind runs back, from Place to Place, and Time to Time, to find where, and when he had it; that is to say, to find some limited Time and Place, in which to begin a Method of Seeking. Again, from thence his Thoughts run over the same Places and Times, to find what Action, or other Occasion might make him lose it. This we call *Remembrance*, or calling to Mind; the *Latins* call it *Reminiscencia*, as it were a *Re-coming* of our former Actions.

Remem-
brance:

Sometimes a Man knows a Place determinate, within the Compass whereof he is to seek; and then his Thoughts run over all the Parts thereof, in the same Manner as one would sweep a Room to find a Jewel; or as a Spaniel ranges the Field till he find a Scent; or as a Man should run over the Alphabet to start a Rhyme.

Sometimes a Man desires to know the Event of an Action; and then he thinketh of some like Action past, and the Events thereof one after another; supposing like Events will follow like Actions. As he that foresees what will become of a Criminal, reckons what he has seen follow on the like Crime before, having this Order of Thoughts; the Crime, the Officer, the Prison, the Judge, and the Gallows: Which Kind of Thoughts is called *Forefight*, or *Prudence*, or *Providence*, and sometimes *Wisdom*; though such Conjecture, through the Difficulty of observing all Circumstances, be very fallacious. But this is certain; by how much one Man has more Experience of Things past, than another; by so much also he is more prudent, and his Expectations the seldomer fail him. The *Present* only has a Being in Nature; Things *past* have a Being in the Memory only, but Things *to come* have no Being at all; the *Future* being but a Fiction of the Mind, applying the Sequels of Actions past, to the Actions that are present: which with most Certainty is done by him that has most Experience; but not with Certainty enough. And though it be called *Prudence*, when the Event answereth our Expectation; yet in its own Nature it is but *Presumption*. For the *Forefight* of Things to come, which is *Providence*, belongs only to him by whose Will they are to come. From him only, and supernaturally proceeds *Prophecy*. The best Prophet is naturally the best Gueffer, and the best Gueffer,

Prudence:

PART he that is best versed and studied in the Matters he guesſes at ; for
I. he hath moſt *Signs* to gueſs by.

Signs.

A *Sign* is the Event Antecedent of the Conſequent ; and contrarily, the Conſequent of the Antecedent, when the like Conſequences have been obſerved before ; and the oftner they have been obſerved, the leſs uncertain is the Sign. And therefore he that has moſt Experience in any Kind of Buſineſs, has moſt Signs, whereby to gueſs at the future Time ; and conſequentially is the moſt prudent : And ſo much more prudent than he that is new in that Kind of Buſineſs, as not to be equalled by any Advantage of natural and extemporary Wit ; though perhaps many young Men think the contrary.

Nevertheless it is not Prudence that diſtinguiſheth Man from Beaſt. There are Beaſts that at a Year old obſerve more, and purſue that which is for their Good, more prudently, than a Child can do at Ten.

Conjecture
of the Time
paſt.

As Prudence is a *Preſumption* of the *Future*, contracted from the *Experience* of Time *paſt* ; ſo there is a Preſumption of Things paſt taken from other Things (not future but) paſt alſo. For he that hath ſeen by what Courſes and Degrees a flouriſhing State hath firſt come into a civil War, and then to Ruin ; upon the Sight of the Ruins of any other State, will gueſs, the like War and the like Courſes have been there alſo. But this Conjecture has the ſame Uncertainty almoſt with the Conjecture of the Future ; both being grounded only upon Experience.

There is no other Act of Man's Mind, that I can remember, naturally planted in him, ſo as to need no other Thing, to the Exercise of it, but to be born a Man, and live with the Uſe of his five Senſes. Thoſe other Faculties, of which I ſhall ſpeak by and by, and which ſeem proper to Man only, are acquired, and increaſed by Study and Induſtry ; and of moſt Men learned by Inſtruction and Diſcipline ; and proceed all from the Invention of Words and Speech. For beſides Senſe and Thoughts, and the Train of Thoughts, the Mind of Man hath no other Motion ; though by the Help of Speech, and Method, the ſame Faculties may be improved to ſuch a Height, as to diſtinguiſh Men from all other living Creatures.

Whatſoever we imagine, is *Finite* ; therefore there is no Idea, or Conception of any Thing we call *Infinite*. No Man can have in his Mind an Image of infinite Magnitude ; nor conceive infinite Swiftness, infinite Time, or infinite Force, or infinite Power. When we ſay any thing is infinite, we ſignify only, that we are not able to conceive the Ends and Bounds of the Things named ; having no Conception of the Thing, but of our own Inability. And therefore the Name of *God* is uſed, not to make us conceive him, (for he is *incomprehenſible*, and his Greatneſs and Power are unconceivable ;) but that we may honour him. Alſo becauſe whatſoever (as I ſaid before) we conceive, has been perceived firſt by Senſe, either all at once, or by Parts ; a Man can have no Thought, repreſenting any thing, not ſubject to Senſe. No Man therefore can conceive any thing, but he muſt conceive it in ſome Place ; and indued with ſome determinate Magnitude ; and which may be divided into Parts ; nor that any thing is all in this Place, and all in another Place at the ſame Time ; nor that two or more Things can be in one and the ſame Place at once : For none of theſe Things ever have, or can be incident to Senſe ; but are abſurd Speeches, taken upon Credit (without any Signification at all) from deceived Philoſophers, and deceived or deceiving Schoolmen.

Of SPEECH.

THE Invention of *Printing*, though ingenious, compared with the Invention of *Letters*, is no great Matter. But who was the first that found the Use of Letters, is not known. He that first brought them into *Greece*, Men say was *Cadmus*, the Son of *Agenor*, King of *Phœnicia*. A profitable Invention for continuing the Memory of Time past, and the Conjunction of Mankind, dispersed into so many, and distant Regions of the Earth; and withal difficult, as proceeding from a watchful Observation of the divers Motions of the Tongue, Palate, Lips, and other Organs of the Speech; whereby to make as many Differences of Characters, to remember them. But the most noble and profitable Invention of all other, was that of *Speech*, consisting of *Names* or *Appellations*, and their Connexion; whereby Men register their Thoughts; recall them when they are past; and also declare them one to another for mutual Utility and Conversation; without which, there had been amongst Men, neither Commonwealth, nor Society, nor Contract, nor Peace, no more than among Lions, Bears, and Wolves. The first Author of Speech was *God* himself, that instructed *Adam* how to name such Creatures as he presented to his Sight; for the Scripture goeth no further in this Matter. But this was sufficient to direct him to add more Names, as the Experience and Use of the Creatures should give him Occasion; and to join them in such Manner by Degrees, as to make himself understood; and so by Succession of Time, so much Language might be gotten, as he had found Use for; though not so copious, as an Orator or Philosopher has need of. For I do not find any Thing in the Scripture, out of which, directly or by Consequence can be gathered, that *Adam* was taught the Names of all Figures, Numbers, Measures, Colours, Sounds, Fancies, Relations; much less the Names of Words and Speech, as *General*, *Special*, *Affirmative*, *Negative*, *Interrogative*, *Optative*, *Infinitive*, all which are useful; and least of all, of *Entity*, *Intentionality*, *Quiddity*, and other insignificant Words of the School.

But all this Language gotten, and augmented by *Adam* and his Posterity, was again lost at the Tower of *Babel*, when by the Hand of *God*, every Man was stricken for his Rebellion, with an Oblivion of his former Language. And being hereby forced to disperse themselves into several Parts of the World, it must needs be, that the diversity of Tongues that now is, proceeded by Degrees from them, in such Manner, as Need (the Mother of all Inventions) taught them; and in tract of Time grew every where more copious.

The general Use of Speech, is to transfer our Mental Discourse, into Verbal; or the Train of our Thoughts, into a Train of Words; and that for two Commodities; whereof one is, the registering of the Consequences of our Thoughts; which being apt to slip out of our Memory, and put us to a new Labour, may again be recalled, by such Words as they were marked by. So that the First Use of Names, is to serve for *Marks*, or *Notes* of Remembrance. Another is, when many use the same Words, to signify (by their Connexion and Order) one to another, what they conceive or think of each Matter; and also what they desire, fear, or have any other Passion for. And for this Use

PART Use they are called *Signs*. Special Uses of Speech are these; first, to register, what by Cogitation, we find to be the Cause of any thing, present or past; and what we find things present or past may produce, or effect: which in sum, is acquiring of Arts. Secondly, to shew to others that Knowledge which we have attained; which is, to counsel and teach one another. Thirdly, to make known to others our Wills and Purposes, that we may have the mutual Help of one another. Fourthly, to please and delight ourselves and others, by playing with our Words, for Pleasure or Ornament, innocently.

Abuses of
Speech.

To these Uses, there are also four correspondent Abuses. First, when Men register their Thoughts wrong, by the Inconstancy of the Signification of their Words; by which they register for their Conceptions, that which they never conceived; and so deceive themselves. Secondly, when they use Words metaphorically; that is, in other Sense than that they are ordained for; and thereby deceive others. Thirdly, when by Words they declare that to be their Will, which is not. Fourthly, when they use them to grieve one another: for seeing Nature hath armed living Creatures, some with Teeth, some with Horns, and some with Hands, to grieve an Enemy, it is but an Abuse of Speech, to grieve him with the Tongue, unless it be one whom we are obliged to govern; and then it is not to grieve, but to correct and amend.

The Manner how Speech serveth to the Remembrance of the Consequence of Causes and Effects, consisteth in the imposing of *Names*, and the *Connexion* of them.

Names pro-
per and com-
mon.

Of Names, some are *proper*, and singular to one only Thing; as *Peter, John, This Man, This Tree*: and some are *common* to many Things; as *Man, Horse, Tree*; every of which though but one Name, is nevertheless the Name of divers particular Things; in respect of all which together, it is called an *Universal*; there being nothing in the World Universal but Names; for the Things named, are every one of them Individual and Singular.

Universal.

One Universal Name is imposed on many Things, for their Similitude in some Quality, or other Accident: And whereas a proper Name bringeth to Mind one Thing only; Universals recall any one of those many.

And of Names Universal, some are of more, and some of less Extent; the larger comprehending the less large; and some again of equal Extent, comprehending each other reciprocally. As for Example, the Name *Body* is of larger Signification than the Word *Man*, and comprehendeth it; and the Names *Man* and *Rational*, are of equal Extent, comprehending mutually one another. But here we must take Notice, that by a Name is not always understood, as in Grammar, one only Word; but sometimes by Circumlocution many Words together. For all these Words, *He that in his Actions observeth the Laws of his Country*, make but one Name, equivalent to this one Word, *Just*.

By this Imposition of Names, some of larger, some of stricter Signification, we turn the Reckoning of the Consequences of Things imagined in the Mind, into a Reckoning of the Consequences of Appellations. For Example, a Man that hath no Use of Speech at all, (such as is born and remains perfectly deaf and dumb) if he set before his Eyes a Triangle, and by it two right Angles, (such as are the Corners of a square Figure) he may by Meditation compare and find, that the three Angles of that Triangle, are equal to those two right Angles that stand by it. But if another Triangle be shewn him
different

different in Shape from the former, he cannot know without a new Labour, whether the three Angles of that also be equal to the same. But he that hath the Use of Words, when he observes, that such Equality was consequent, not to the Length of the Sides, nor to any other particular Thing in this Triangle ; but only to this, that the Sides were straight, and the Angles three ; and that that was all, for which he named it a Triangle ; will boldly conclude universally, that such Equality of Angles is in all Triangles whatsoever ; and register his Invention in these general Terms, *Every Triangle hath its three Angles equal to two right Angles.* And thus the Consequence found in one Particular, comes to be registered and remembered, as an universal Rule ; and discharges our mental Reckoning, of Time and Place ; and delivers us from all Labour of the Mind, saving the first ; and makes that which was found true *here*, and *now*, to be true in *all Times* and *Places*.

But the Use of Words in registering our Thoughts, is in nothing so evident as in Numbering. A natural Fool that could never learn by Heart the Order of numeral Words, as *one*, *two*, and *three*, may observe every Stroke of the Clock, and nod to it, or say one, one, one ; but can never know what Hour it strikes. And it seems, there was a Time when those Names of Number were not in use ; and Men were fain to apply their Fingers of one or both Hands, to those Things they desired to keep Account of ; and that thence it proceeded, that now our numeral Words are but ten, in any Nation, and in some but five, and then they begin again. And he that can tell ten, if he recite them out of Order, will lose himself, and not know when he has done : Much less will he be able to add and subtract, and perform all other Operations of Arithmetic. So that without Words, there is no Possibility of reckoning of Numbers ; much less of Magnitudes, of Swiftness, of Force, and other Things, the Reckonings whereof are necessary to the Being, or Well-being of Mankind.

When two Names are joined together into a Consequence, or Affirmation ; as thus, *A Man is a living Creature* ; or thus, *If he be a Man, he is a living Creature* : If the latter Name *living Creature*, signify all that the former Name *Man* signifieth, then the Affirmation or Consequence is *true* ; otherwise *false*. For *True* and *False* are Attributes of Speech, not of Things. And where Speech is not, there is neither *Truth* nor *Falshood*. *Error* there may be, as when we expect that which shall not be ; or suspect what has not been : but in neither Case can a Man be charged with Untruth.

Seeing then that *Truth* consisteth in the right ordering of Names in our Affirmations, a Man that seeketh precise *Truth*, hath need to remember what every Name he uses stands for, and to place it accordingly ; or else he will find himself entangled in Words, as a Bird in Lime-Twigs ; the more he struggles, the more belimed. And therefore in Geometry, (which is the only Science that it hath pleased God hitherto to bestow on Mankind) Men begin at settling the Significations of their Words ; which settling of Significations, they call *Definitions* ; and place them in the beginning of their Reckoning.

By this it appears how necessary it is for any Man that aspires to true Knowledge, to examine the Definitions of former Authors ; and either to correct them, where they are negligently set down ; or to make them himself. For the Errors of Definitions multiply themselves, according as the Reckoning proceeds ; and lead Men into Absurdities, which at last they see, but cannot avoid, without reckoning anew from the Beginning ; in which lies the Foundation of their Errors. From whence it happens, that they which trust to Books, do as they that cast up

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many little Sums into a greater, without considering whether those little Sums were rightly cast up or not; and at last finding the Error visible, and not mistrusting their first Grounds, know not which Way to clear themselves; but spend Time in fluttering over their Books; as Birds that entering by the Chimney, and finding themselves inclosed in a Chamber, flutter at the false Light of a Glass Window, for want of Wit to consider which Way they came in. So that in the right Definition of Names, lies the first Use of Speech; which is the Acquisition of Science. And in wrong; or no Definitions, lies the first Abuse: from which proceed all false and senseless Tenets; which make those Men that take their Instruction from the Authority of Books, and not from their own Meditation, to be as much below the Condition of ignorant Men, as Men endued with true Science are above it. For between true Science, and erroneous Doctrines, Ignorance is in the Middle. Natural Sense and Imagination are not subject to Absurdity. Nature itself cannot err: and as Men abound in Copiousness of Language; so they become more wise, or more mad than ordinary. Nor is it possible without Letters for any Man to become either excellently wise, or (unless his Memory be hurt by Disease, or ill Constitution of Organs) excellently foolish. For Words are wise Men's Counters, they do but reckon by them: but they are the Money of Fools, that value them by the Authority of an *Aristotle*, a *Cicero*, or a *Thomas*, or any other Doctor whatsoever, if but a Man.

Subject to
Names.

Subject to Names, is whatsoever can enter into, or be considered in an Account; and be added one to another to make a Sum; or subtracted one from another, and leave a Remainder. The Latins called Accounts of Money *Rationes*, and accounting *Ratiocinatio*: and that which we in Bills or Books of Account call *Items*, they called *Nomina*; that is, *Names*: and thence it seems to proceed, that they extended the Word *Ratio*, to the Faculty of reckoning in all other Things. The *Greeks* have but one Word *λόγος*, for both *Speech* and *Reason*; not that they thought there was no Speech without Reason, but no reasoning without Speech: And the Act of reasoning they call *Syllogism*; which signifieth summing up of the Consequences of one Saying to another. And because the same Things may enter into Account for divers Accidents; their Names are (to shew that Diversity) diversly wrested, and diversified. This Diversity of Names may be reduced to four general Heads.

First, a Thing may enter into Account for *Matter*, or *Body*; as *living*, *sensible*, *rational*, *hot*, *cold*, *moved*, *quiet*; with all which Names the Word *Matter*, or *Body* is understood; all such, being Names of Matter.

Secondly, it may enter into Account, or be considered, for some Accident or *Quality*, which we conceive to be in it; as for *being moved*, for *being so long*, for *being hot*, &c. and then, of the Name of the Thing itself, by a little Change or wresting, we make a Name for that Accident, which we consider; and for *living* put into the Account *Life*; for *moved*, *Motion*; for *hot*, *Heat*; for *long*, *Length*, and the like: And all such Names, are the Names of the Accidents and Properties, by which one Matter and Body is distinguished from another. These are called *Names abstract*; because severed (not from Matter, but) from the Account of Matter.

Thirdly, we bring into Account, the Properties of our own Bodies, whereby we make such Distinction: as when any thing is *seen* by us, we reckon not the Thing itself; but the *Sight*, the *Colour*, the *Idea* of it in the Fancy: and when any Thing is *heard*, we reckon it not; but the *Hearing*, or *Sound* only, which is our Fancy or Conception of it by the Ear: and such are Names of Fancies.

Fourthly, we bring into Account, consider, and give Names, to Names themselves, and to Speeches: For, *general, universal, special, equivocal*, are Names of Names. And *Affirmation, Interrogation, Commandment, Narration, Syllogism, Sermon, Oration*, and many other such, are Names of Speeches. And this is all the Variety of Names *Positive*; which are put to mark somewhat which is in Nature, or may be feigned by the Mind of Man, as Bodies that are, or may be conceived to be; or of Bodies, the Properties that are, or may be feigned to be; or Words and Speech.

Use of Names
Positive.

There be also other Names, called *Negative*; which are Notes to signify that a Word is not the Name of the Thing in Question; as these Words, *nothing, no Man, infinite, indocible, three want four*, and the like; which are nevertheless of use in reckoning, or in correcting of reckoning; and call to Mind our past Cogitations, though they be not Names of any Thing; because they make us refuse to admit of Names not rightly used.

Negative
Names with
their Use.

All other Names are but insignificant Sounds; and those of two Sorts. One, when they are new, and yet their Meaning not explained by Definition; whereof there have been Abundance coined by School-men, and puzzled Philosophers.

Words in-
significant.

Another, when Men make a Name of two Names, whose Significations are contradictory and inconsistent; as this Name, an *incorporeal Body*, or (which is all one) an *incorporeal Substance*, and a great Number more. For whensoever any Affirmation is false, the two Names of which it is composed, put together and made one, signify nothing at all. For Example, if it be a false Affirmation to say *a Quadrangle is round*, the Word *round Quadrangle* signifies nothing; but is a mere Sound. So likewise if it be false, to say that Virtue can be poured, or blown up and down; the Words *in-poured Virtue, in-blown Virtue*, are as absurd and insignificant as a *round Quadrangle*. And therefore you shall hardly meet with a senseless and insignificant Word, that is not made up of some Latin or Greek Names. A *Frenchman* seldom hears our Saviour called by the Name of *Parole*, but by the Name of *Verbe* often; yet *Verbe* and *Parole* differ no more, but that one is Latin, the other French.

When a Man upon the hearing of any Speech, hath those Thoughts which the Words of that Speech, and their Connexion, were ordained and constituted to signify; then he is said to understand it: *Understanding* being nothing else, but Conception caused by Speech. And therefore if Speech be peculiar to Man (as for ought I know it is) then is Understanding peculiar to him also. And therefore of absurd and false Affirmations, in case they be universal, there can be no Understanding; though many think they understand, then, when they do but repeat the Words softly, or con them in their Mind.

Understand-
ing.

What Kinds of Speeches signify the Appetites, Aversions, and Passions of Man's Mind; and of their Use and Abuse, I shall speak when I have spoken of the Passions.

The Names of such Things as affect us, that is, which please, and displease us, because all Men be not alike affected with the same Thing, nor the same Man at all Times, are in the common Discourses of Men, of *inconstant* Signification. For seeing all Names are imposed to signify our Conceptions; and all our Affections are but Conceptions; when we conceive the same Things differently, we can hardly avoid different naming of them. For though the Nature of that we conceive, be the same; yet the Diversity of our Reception of it, in respect of different Constitutions of Body, and Prejudices of Opinion, gives every Thing a Tincture of our different Passions. And therefore in reasoning, a Man must take heed of Words; which besides the Signification of what we imagine

Inconstant
Names.

imagine

PART I. imagine of their Nature, have a Signification also of the Nature, Disposition, and Interest of the Speaker ; such as are the Names of Virtues, and Vices ; for one Man calleth *Wisdom*, what another calleth *Fear* ; and one *Cruelty*, what another *Justice* ; one *Prodigality*, what another *Magnanimity* ; and one *Gravity*, what another *Stupidity*, &c. And therefore such Names can never be true Grounds of any Ratiocination. No more can Metaphors, and Tropes of Speech : but these are less dangerous, because they profess their Inconstancy ; which the other do not.

C H A P. V.

Of R E A S O N and S C I E N C E.

Reason, what it is.

WHEN a Man *Reasoneth*, he does nothing else but conceive a Sum total, from *Addition* of Parcels ; or conceive a Remainder, from *Subtraction* of one Sum from another ; which (if it be done by Words) is conceiving of the Consequence of the Names of all the Parts, to the Name of the Whole ; or from the Names of the Whole and one Part, to the Name of the other Part. And though in some Things (as in Numbers) besides *Adding* and *Subtracting*, Men name other Operations, as *Multiplying* and *Dividing*, yet they are the same ; for Multiplication is but adding together of Things equal ; and Division, but subtracting of one Thing as often as we can. These Operations are not incident to Numbers only, but to all manner of Things that can be added together, and taken one out of another. For as Arithmeticians teach to add and subtract in *Numbers*, so the Geometricians teach the same in *Lines*, *Figures*, (solid and superficial) *Angles*, *Proportions*, *Times*, Degrees of *Swiftness*, *Force*, *Power*, and the like ; the Logicians teach the same in *Consequences of Words*, adding together *two Names* to make a *Affirmation*, and *two Affirmations* to make a *Syllogism*, and *many Syllogisms* to make a *Demonstration* ; and from the *Sum* or *Conclusion* of a *Syllogism*, they subtract one *Proposition*, to find the other. Writers of Politics add together *Passions*, to find Men's *Duties* ; and Lawyers, *Laws* and *Acts*, to find what is *Right* and *Wrong* in the Actions of private Men. In Sum, in what Matter soever there is Place for *Addition* and *Subtraction*, there also is Place for *Reason* ; and where these have no Place, there *Reason* has nothing at all to do.

Reason defined.

Out of all which we may define, (that is to say determine) what that is, which is meant by the Word *Reason*, when we reckon it amongst the Faculties of the Mind. For *Reason*, in this Sense, is nothing but *reckoning* (that is, adding and subtracting) of the Consequences of general Names agreed upon, for the *marking* and *signifying* of our Thoughts ; I say *marking* them, when we reckon by ourselves ; and *signifying*, when we demonstrate, or approve our Reckonings to other Men.

Right Reason, where.

And as in Arithmetic, unpractised Men must, and Professors themselves may often err, and cast up false ; so also in any other Subject of reasoning, the ablest, most attentive, and most practised Men, may deceive themselves, and infer false Conclusions ; not but that Reason itself is always right Reason, as well as Arithmetic is a certain and infallible Art : But no one Man's Reason, nor the Reason of any one Number of Men, makes the Certainty ; no more than an Account is therefore well cast up, because a great many Men have unanimously approved it. And therefore,

therefore, as when there is a Controversy in an Account, the Parties must by their own Accord set up for right Reason, the Reason of some Arbitrator, or Judge, to whose Sentence they will both stand; or their Controversy must either come to Blows; or be undecided, for want of a right Reason constituted by Nature. So is it also in all Debates of what Kind soever. And when Men that think themselves wiser than all others, clamour and demand right Reason for Judge; yet seek no more, but that Things should be determined by no other Men's Reason but their own, it is as intolerable in the Society of Men; as it is in Play after Trump is turned, to use for Trump on every Occasion, that Suite whereof they have most in their Hand. For they do nothing else, that will have every of their Passions, as it comes to bear Sway in them, to be taken for right Reason, and that in their own Controversies: bewraying their Want of right Reason, by the Claim they lay to it.

The Use and End of Reason, is not the finding of the Sum and Truth of one or a few Consequences, remote from the first Definitions, and settled Significations of Names; but to begin at these, and proceed from one Consequence to another. For there can be no Certainty of the last Conclusion, without a Certainty of all those Affirmations and Negations on which it was grounded and inferred. As when a Master of a Family, in taking an Account, casteth up the Sums of all the Bills of Expence into one Sum, and not regarding how each Bill is summed up, by those that give them in Account, nor what it is he pays for; he advantages himself no more, than if he allowed the Account in gross, trusting to every of the Accountants Skill and Honesty: So also in reasoning of all other Things, he that takes up Conclusions on the Trust of Authors, and doth not fetch them from the first Items in every Reckoning, (which are the Significations of Names settled by Definitions) loses his Labour, and does not know any thing, but only believeth.

When a Man reckons without the Use of Words; which may be done in particular Things, (as when upon the Sight of any one Thing we conjecture what was likely to have preceded, or is likely to follow upon it;) if that which he thought likely to follow, follows not; or that which he thought likely to have preceded it, hath not preceded it, this is called *Error*; to which even the most prudent Men are subject. But when we reason in Words of general Signification, and fall upon a general Inference which is false; tho' it be commonly called *Error*, it is indeed an *Absurdity*, or senseless Speech. For Error is but a Deception, in presuming that somewhat is past, or to come; of which, though it were not past, or not to come, yet there was no Impossibility discoverable. But when we make a general Assertion, unless it be a true one, the Possibility of it is unconceivable. And Words whereby we conceive nothing but the Sound, are those we call *Absurd*, *Insignificant*, and *Nonsense*. And therefore if a Man should talk to me of a *round Quadrangle*, or *Accidents of Bread in Cheese*, or *immaterial Substances*, or of a *free Subject*, a *free Will*, or any *Free*, but free from being hindered by Opposition, I should not say he were in an Error, but that his Words were without Meaning; that is to say, *Absurd*.

I have said before (in the second Chapter) that a Man did excel all other Animals in this Faculty, and that when he conceived any thing whatsoever, he was apt to enquire the Consequences of it, and what Effects he could do with it. And now I add this other Degree of the same Excellence, that he can by Words reduce the Consequences he finds to general Rules, called *Theorems* or *Aphorisms*; that is, he

PART can reason, or reckon, not only in Number, but in all other Things, whereof one may be added unto, or substracted from another.

I.

But this Privilege is allayed by another; and that is, by the Privilege of Absurdity; to which no living Creature is subject, but Man only. And of Men, those are of all most subject to it, that profess Philosophy. For it is most true that *Cicero* saith of them somewhere; that there can be nothing so absurd, but may be found in the Books of Philosophers. And the Reason is manifest. For there is not one of them that begins his Ratiocination from the Definitions, or Explications of the Names they are to use, which is a Method that hath been used only in Geometry, whose Conclusions have thereby been made indisputable.

Causes of
Absurdity.

1. The first Cause of absurd Conclusions I ascribe to the Want of Method; in that they begin not their Ratiocination from Definitions; that is, from settled Significations of their Words: as if they could cast Account, without knowing the Value of the numeral Words, *one, two, and three.*

And whereas all Bodies enter into Account upon divers Considerations, (which I have mentioned in the precedent Chapter;) these Considerations being diversly named, divers Absurdities proceed from the Confusion, and unfit Connexion of their Names into Assertions. And therefore

2. The second Cause of absurd Assertions, I ascribe to the giving of Names of *Bodies*, to *Accidents*; or of *Accidents*, to *Bodies*; As they do, that say, *Faith is infused*, or *inspired*; when nothing can be *poured*, or *breathed* into any Thing, but Body; and that, *Extension is Body*; that *Phantasms are Spirits*, &c.

3. The third I ascribe to the giving of the Names of the *Accidents* of *Bodies without us*, to the *Accidents* of our *own Bodies*; as they do that say, *the Colour is in the Body*; *the Sound is in the Air*, &c.

4. The fourth, to the giving of the Names of *Bodies*, to *Names* or *Speeches*; as they do that say, that *there be Things Universal*; that *a living Creature is Genus*, or *a general Thing*, &c.

5. The fifth, to the giving of the Names of *Accidents*, to *Names* and *Speeches*; as they do that say, *the Nature of a Thing is its Definition*; *a Man's Command is his Will*; and the like.

6. The sixth, to the Use of Metaphors, Tropes, and other Rhetorical Figures, instead of Words proper. For though it be lawful to say (for Example) in common Speech, *the Way goeth, or leadeth hither or thither*; *the Proverb says this or that*, (whereas Ways cannot go, nor Proverbs speak;) yet in reckoning and seeking of Truth, such Speeches are not to be admitted.

7. The seventh, to Names that signify nothing; but are taken up, and learned by Rote from the Schools, as *hypostatical*, *transubstantiate*, *consubstantiate*, *eternal-now*, and the like canting of Schoolmen.

To him that can avoid these Things, it is not easy to fall into any Absurdity, unless it be by the Length of an Account; wherein he may perhaps forget what went before. For all Men by Nature reason alike, and well, when they have good Principles. For who is so stupid, as both to mistake in Geometry, and also to persist in it, when another detects his Error to him?

By this it appears that Reason is not as Sense, and Memory, born with us; nor gotten by Experience only, as Prudence is; but attained by Industry; first, in apt imposing of Names; and secondly, by getting a good and orderly Method in proceeding from the Elements, which are Names, to Assertions made by Connexion of one of them to another; and so to Syllogisms, which are the Connexions of one Assertion to another,

ther, till we come to a Knowledge of all the Consequences of Names, appertaining to the Subject in hand; and that is it Men call *Science*. And whereas Sense and Memory are but Knowledge of Fact, which is a Thing past, and irrevocable; *Science* is the Knowledge of Consequences, and Dependance of one Fact upon another: by which, out of that we can presently do, we know how to do something else when we will, or the like, another Time: Because when we see how any thing comes about, upon what Causes, and by what Manner; when the like Causes come into our Power, we see how to make it produce the like Effects.

Children therefore are not endued with Reason at all, till they have attained the Use of Speech: but are called reasonable Creatures, for the Possibility apparent of having the Use of Reason in Time to come. And the most Part of Men, though they have the Use of Reasoning a little Way, as in numbering to some Degree; yet it serves them to little Use in common Life; in which they govern themselves, some better, some worse, according to their Differences of Experience, Quickness of Memory; and Inclinations to several Ends; but specially according to good or evil Fortune, and the Errors of one another. For as for *Science*, or certain Rules of their Actions, they are so far from it, that they know not what it is. Geometry they have thought conjuring: But for other Sciences, they who have not been taught the Beginnings, and some Progress in them, that they may see how they be acquired and generated, are in this Point like Children, that having no Thought of Generation, are made believe by the Women, that their Brothers and Sisters are not born, but found in the Garden.

But yet they that have no *Science*, are in better and nobler Condition with their natural Prudence, than Men that by misreasoning, or by trusting them that reason wrong, fall upon false and absurd general Rules. For Ignorance of Causes, and of Rules, does not set Men so far out of their Way, as relying on false Rules, and taking for Causes of what they aspire to, those that are not so, but rather Causes of the contrary.

To conclude, the Light of human Minds is perspicuous Words, but by exact Definitions first snuffed, and purged from Ambiguity; *Reason* is the *Pace*; Increase of *Science*, the *Way*; and the Benefit of Mankind, the *End*. And on the contrary, Metaphors, and senseless and ambiguous Words, are like *ignes fatui*; and reasoning upon them, is wandering amongst innumerable Absurdities; and their End Contention and Sedition, or Contempt.

As much Experience is *Prudence*, so is much *Science* *Sapience*. For though we usually have one Name of Wisdom for them both, yet the *Latins* did always distinguish between *Prudentia* and *Sapientia*; ascribing the former to Experience, the latter to Science. But to make their Difference appear more clearly, let us suppose one Man endued with an excellent natural Use and Dexterity in handling his Arms; and another to have added to that Dexterity, an acquired Science of where he can offend, or be offended by his Adversary, in every possible Posture or Guard: The Ability of the former, would be to the Ability of the latter, as Prudence to Sapience; both useful; but the latter infallible. But they that trusting only to the Authority of Books, follow the blind blindly; are like him that trusting to the false Rules of a Master of Fence, ventures presumptuously upon an Adversary, that either kills or disgraces him.

The Signs of Science are, some certain and infallible; some uncertain. Certain, when he that pretendeth the Science of any thing, can teach the same; that is to say, demonstrate the Truth thereof perspicuously

Prudence
and Sapience;
with their
Difference.

Signs of
Science.

PART I.
 couously to another: Uncertain, when only some particular Events answer to his Pretence, and upon many Occasions prove so as he says they must. Signs of Prudence are all uncertain; because to observe by Experience, and remember all Circumstances that may alter the Success, is impossible. But in any Business, whereof a Man has not infallible Science to proceed by; to forsake his own natural Judgment, and be guided by general Sentences read in Authors, and subject to many Exceptions, is a Sign of Folly, and generally scorned by the Name of Pedantry. And even of those Men themselves, that in Councils of the Commonwealth love to shew their reading of Politics and History, very few do it in their domestic Affairs, where their particular Interest is concerned; having Prudence enough for their private Affairs: but in Public they study more the Reputation of their own Wit, than the Success of another's Business.

C H A P. VI.

Of the interior Beginnings of voluntary Motions; commonly called the PASSIONS. And the Speeches by which they are expressed.

Motion Vital and Animal.

THERE be in Animals, two Sorts of *Motions* peculiar to them: One called *Vital*; begun in Generation, and continued without Interruption through their whole Life; such as are the *Course* of the *Blood*, the *Pulse*, the *Breathing*, the *Concoction*, *Nutrition*, *Excretion*, &c. to which *Motions* there needs no Help of Imagination: The other is *Animal Motion*, otherwise called *Voluntary Motion*; as to go, to speak, to move any of our Limbs, in such Manner as is first fancied in our Minds. That Sense, is Motion in the Organs and interior Parts of Man's Body, caused by the Action of the Things we see, hear, &c. And that Fancy is but the Reliques of the same Motion, remaining after Sense, has been already said in the first and second Chapters. And because going, speaking, and the like voluntary Motions, depend always upon a precedent Thought of *whither*, *which Way*, and *what*; it is evident, that the Imagination is the first internal Beginning of all voluntary Motion. And altho' unstudied Men do not conceive any Motion at all to be there, where the Thing moved is invisible; or the Space it is moved in, is (for the Shortness of it) insensible; yet that doth not hinder, but that such Motions are. For let a Space be never so little, that which is moved over a greater Space, whereof that little one is Part, must first be moved over that. These small Beginnings of Motion, within the Body of Man, before they appear in walking, speaking, striking, and other visible Actions, are commonly called *Endeavour*.

Endeavour.

Appetite, Desire.

This Endeavour, when it is toward something which causes it, is called *Appetite* or *Desire*; the latter, being the general Name; and the other, oftentimes restrained to signify the Desire of Food, namely *Hunger* and *Thirst*. And when the Endeavour is fromward something, it is generally called *Aversion*. These Words *Appetite* and *Aversion* we have from the *Latins*; and they both of them signify the Motions, one of approaching, the other of retiring. So also do the Greek Words for the same, which are *ὄρουη* and *ἀφορουη*. For Nature itself does often press upon Men those Truths, which afterwards, when they look for some-

somewhat beyond Nature, they stumble at. For the Schools find in mere Appetite to go, or move, no actual Motion at all: but because some Motion they must acknowledge, they call it metaphorical Motion; which is but an absurd Speech: for though Words may be called metaphorical, Bodies and Motions cannot.

That which Men desire, they are also said to *love*: and to *bate* those Things, for which they have Aversion. So that Desire, and Love, are the same Thing, save that by Desire we always signify the Absence of the Object; by Love, most commonly the Presence of the same. So also by Aversion, we signify the Absence; and by Hate the Presence of the Object.

Of Appetites, and Aversions, some are born with Men; as Appetite of Food, Appetite of Excretion, and Exoneration, (which may also and more properly be called Aversions, from somewhat they feel in their Bodies;) and some other Appetites, not many. The rest, which are Appetites of particular Things, proceed from Experience, and Trial of their Effects upon themselves, or other Men. For of Things we know not at all, or believe not to be, we can have no further Desire, than to taste and try. But Aversion we have for Things, not only which we know have hurt us, but also that we do not know whether they will hurt us, or not.

Those Things which we neither desire, nor hate, we are said to *contemn*: *Contempt* being nothing else but an Immobility, or Contumacy of the Heart, in resisting the Action of certain Things; and proceeding from that the Heart is already moved otherwise, by other more potent Objects; or from Want of Experience of them.

And because the Constitution of Man's Body is in continual Mutation, it is impossible that all the same Things should always cause in him the same Appetites and Aversions: much less can all Men consent, in the Desire of almost any one and the same Object.

But whatsoever is the Object of any Man's Appetite or Desire; that is it, which he for his Part calleth *Good*: And the Object of his Hate, and Aversion, *Evil*; and of his Contempt, *Vile*, and *Inconsiderable*. For these Words of Good, Evil, and Contemptible, are ever used with Relation to the Person that useth them: There being nothing simply and absolutely so; nor any common Rule of Good and Evil, to be taken from the Nature of the Objects themselves; but from the Person of the Man (where there is no Commonwealth;) or, (in a Commonwealth) from the Person that representeth it; or from an Arbitrator or Judge, whom Men disagreeing shall by Consent set up, and make his Sentence the Rule thereof.

The Latin Tongue has two Words, whose Significations approach to those of Good and Evil, but are not precisely the same; and those are *Pulchrum* and *Turpe*. Whereof the former signifies that, which by some apparent Signs promiseth Good; and the latter, that which promiseth Evil. But in our Tongue we have not so general Names to express them by. But for *Pulchrum*, we say in some Things, *Fair*; in others *Beautiful*, or *Handsome*, or *Gallant*, or *Honourable*, or *Comely*, or *Amiable*; and for *Turpe*, *Foul*, *Deformed*, *Ugly*, *Base*, *Nauseous*, and the like, as the Subject shall require; all which Words, in their proper Places signify nothing else, but the *Mien*, or Countenance that promiseth Good and Evil. So that of Good there be three Kinds; Good in the Promise, that is *Pulchrum*; Good in Effect, as the End desired, which is called *Jucundum*, *Delightful*; and Good as the Means, which is called *Utile*, *Profitable*; and as many of Evil: For *Evil*, in Promise,

PART I. is that they call *Turpe*; Evil in Effect, and End, is *Molestum*, *Unpleasant*; *Troublesome*; and Evil by the Means, *Inutile*, *Unprofitable*, *Hurtful*.

Unpleasant. Unprofitable. As, in Sense, that which is really within us, is (as I have said before) only Motion, caused by the Action of external Objects, but in Appearance; to the Sight, Light and Colour; to the Ear, Sound; to the Nostril, Odour, &c. so, when the Action of the same Object is continued from the Eyes, Ears, and other Organs to the Heart, the real Effect there is nothing but Motion or Endeavour, which consisteth in Appetite or Aversion, to or from the Object moving. But the Appearance or Sense of that Motion, is that we either call *Delight*, or *Trouble of Mind*.

Delight. Displeasure. This Motion, which is called Appetite, and for the Appearance of it *Delight*, and *Pleasure*, seemeth to be a Corroboration of vital Motion, and a Help thereunto; and therefore such Things as caused Delight, were not improperly called *Jucunda* (*à Juvando*) from helping or fortifying; and the contrary, *Molesta*, *Offensive*, from hindering and troubling the Motion vital.

Pleasure. Offence. *Pleasure* therefore (or *Delight*) is the Appearance or Sense of Good; and *Molestation* or *Displeasure* the Appearance or Sense of Evil. And consequently all Appetite, Desire, and Love, is accompanied with some Delight, more or less; and all Hatred and Aversion, with more or less Displeasure and Offence.

Pleasures of Sense. Of Pleasures, or Delights, some arise from a Sense of an Object present; and those may be called *Pleasures of Sense*. (The Word *Sensual*, as it is used by those only that condemn them, having no Place till there be Laws.) Of this Kind are all Operations and Exonerations of the Body; as also all that is pleasant in the *Sight*, *Hearing*, *Smell*, *Taste*, or *Touch*; others arise from the Expectation that proceeds from Foresight of the End, or Consequence of Things; whether those Things in the Sense please or displease: And these are *Pleasures of the Mind* of him that draweth those Consequences, and are generally called *Joy*. In the like Manner, Displeasures, are some in the Sense, and called *Pain*; others, in the Expectation of Consequences, and are called *Grief*.

Pleasures of the Mind. Joy. Pain. Grief. These simple Passions called *Appetite*, *Desire*, *Love*, *Aversion*, *Hate*, *Joy*, and *Grief*, have their Names from divers Considerations diversified. As first, when they one succeed another, they are diversly called from the Opinion Men have of the Likelihood of attaining what they desire. Secondly, from the Object loved or hated. Thirdly, from the Consideration of many of them together. Fourthly, from the Alteration or Succession itself.

Hope. For, *Appetite* with an Opinion of attaining, is called *Hope*.

Despair. The same, without such Opinion, *Despair*.

Fear. *Aversion*, with Opinion of *Hurt* from the Object, *Fear*.

Courage. The same, with Hope of avoiding that Hurt by Resistance, *Courage*.

Anger. Sudden *Courage*, *Anger*.

Confidence. Constant *Hope*, *Confidence* of ourselves.

Diffidence. Constant *Despair*, *Diffidence* of ourselves.

Indignation. *Anger* for great Hurt done to another, when we conceive the same to be done by Injury, *Indignation*.

Benevolence. *Desire* of Good to another, *Benevolence*, *Good-Will*, *Charity*. If to Man generally, *Good Nature*.

Good Nature. *Desire* of Riches, *Covetousness*, a Name used always in signification of Blame; because Men contending for them, are displeased with one another's attaining them, though the Desire in itself be to be blamed or allowed, according to the Means by which those Riches are sought.

Covetousness. *Desire*

Desire of Office, or Precedence, Ambition : A Name used also in the worst Sense, for the Reason before mentioned. CHAP. VI.

Desire of Things that conduce but a little to our Ends ; and Fear of Things that are but of little Hindrance, *Puſillanimity*.

Ambition.
Puſillanimity
Magnanimity.

Contempt of little Helps, and Hindrances, *Magnanimity*.

Valour.
Liberality.

Magnanimity, in Danger of Death, or Wounds, *Valour, Fortitude*.

Miferableneſs.

Magnanimity in the Uſe of Riches, *Liberality*.

Puſillanimity, in the ſame, *Wretchedneſs, Miſerableneſs, or Parſimony* ; as it is liked or diſliked.

Kindneſs.

Love of Perſons for Society, *Kindneſs*.

Natural Luſt.

Love of Perſons for pleaſing the Senſe only, *Natural Luſt*.

Love of the ſame, acquired from Ruminatiſon, that is, Imaginatiſon of Pleaſure paſt, *Luxury*.

Luxury.

Love of one ſingularly, with Deſire to be ſingularly beloved ; *the Paſſion of Love*. The ſame, with Fear that the Love is not mutual, *Jealouſy*.

The Paſſion of Love.
Jealouſy.

Deſire, by doing Hurt to another, to make him condemn ſome Fact of his own, *Revengefulneſs*.

Revengefulneſs.

Deſire, to know why, and how, *Curioſity* ; ſuch as is in no living Creature but *Man* : So that *Man* is diſtinguiſhed ; not only by his Reason, but alſo by this ſingular Paſſion, from other *Animals* ; in whom the Appetite of Food, and other Pleaſures of Senſe, by Predominance, take away the Care of knowing Cauſes ; which is a Luſt of the Mind, that by a Perſeverance of Delight in the continual and indefatigable Generation of Knowledge, exceedeth the ſhort Vehemence of any carnal Pleaſure.

Curioſity.

Fear of Power inviſible, feigned by the Mind, or imagined by Tales publicly allowed, *Religion* ; not allowed, *Superſtitiſon*. And when the Power imagined, is truly ſuch as we imagine, *True Religion*.

Religion.
Superſtitiſon.
True Religion.

Fear, without the Apprehenſion of why, or what, *Panic, Terror* ; called ſo from the Fables, that make *Pan* the Author of them ; whereas in Truth, there is always in him that ſo feareth, firſt, ſome Apprehenſion of the Cauſe, though the reſt run away by Example ; every one ſuppoſing his Fellow to know why. And therefore this Paſſion happens to none but in a Throng, or Multitude of People.

Panic.
Terror.

Joy, from Apprehenſion of Novelty, *Admiratiſon* ; proper to *Man*, because it excites the Appetite of knowing the Cauſe. Admiratiſon.

Joy, ariſing from Imaginatiſon of a Man's own Power and Ability, is that Exultation of the Mind which is called *Glorying* : Which if grounded upon the Experience of his own former Actions, is the ſame with *Confidence* : But if grounded on the Flattery of others, or only ſuppoſed by himſelf, for Delight in the Conſequences of it, is called *Vain-glory* : which Name is properly given ; because a well-grounded *Confidence* begetteth Attempt ; whereas the ſuppoſing of Power does not, and is therefore rightly called *Vain*.

Glory.

Vain-glory.

Grief, from Opiniſon of want of Power, is called *Dejection* of Mind. Dejection.

The *Vain-glory* which conſiſteth in the feigning or ſuppoſing of Abilities in our ſelves, which we know are not, is moſt incident to young Men, and nourished by the Hiſtories, or Fictions of gallant Perſons ; and is corrected oftentimes by Age and Employment.

Sudden Glory, is the Paſſion which maketh thoſe *Grimaces* called *Sudden Laughter* ; and is cauſed either by ſome ſudden Act of their own, that pleaſeth them ; or by the Apprehenſion of ſome deformed Thing in another, by Compariſon whereof they ſuddenly applaud themſelves. And it is incident moſt to them, that are conſcious of the feweſt Abilities in themſelves ; who are forced to keep themſelves in their own Favour, by obſerving

Sudden Glory.
Laughter.

PART I. observing the Imperfections of other Men. And therefore much Laughter at the Defects of others, is a Sign of Pusillanimity. For of great Minds, one of the proper Works is, to help and free others from Scorn, and compare themselves only with the most able.

Sudden Dejection.
Weeping.

On the contrary, *sudden Dejection* is the Passion that causeth *Weeping*; and is caused by such Accidents, as suddenly take away some vehement Hope, or some Prop of their Power: And they are most subject to it, that rely principally on Helps external, such as are Women, and Children. Therefore some weep for the Loss of Friends; others for their Unkindness; others for the sudden Stop made to their Thoughts of Revenge, by Reconciliation. But in all Cases, both Laughter and Weeping are sudden Motions; Custom taking them both away. For no Man laughs at old Jest, or weeps for an old Calamity.

Shame.
Blushing.

Grief, for the Discovery of some Defect of Ability, is *Shame*, or the Passion that discovereth itself in *Blushing*; and consisteth in the Apprehension of some Thing dishonourable; and in young Men, is a Sign of the Love of good Reputation, and commendable: In old Men it is a Sign of the same; but because it comes too late, not commendable.

Impudence.
Pity.

The *Contempt* of good Reputation, is called *Impudence*.

Grief, for the Calamity of another, is *Pity*; and ariseth from the Imagination that the like Calamity may befall himself; and therefore is called also *Compassion*, and in the Phrase of this present Time a *Fellow-feeling*: And therefore for Calamity arriving from great Wickedness, the best Men have the least Pity; and for the same Calamity, those have least Pity, that think themselves least obnoxious to the same.

Cruelty.

Contempt, or little Sense of the Calamity of others, is that which Men call *Cruelty*; proceeding from Security of their own Fortune. For, that any Man should take Pleasure in other Men's great Harms, without other End of his own, I do not conceive it possible.

Emulation.
Envy.

Grief, for the Success of a Competitor in Wealth, Honour, or other Good, if it be joined with Endeavour to enforce our own Abilities to equal or exceed him, is called *Emulation*: But joined with Endeavour to supplant, or hinder a Competitor, *Envy*.

Deliberation.

When in the Mind of Man, Appetites and Aversions, Hopes and Fears, concerning one and the same Thing, arise alternately; and divers good and evil Consequences of the doing, or omitting the Thing propounded, come successively into our Thoughts; so that sometimes we have an Appetite to it; sometimes an Aversion from it; sometimes Hope to be able to do it; sometimes Despair, or Fear to attempt it; the whole Sum of Desires, Aversions, Hopes and Fears, continued till the Thing be either done, or thought impossible, is that we call *Deliberation*.

Therefore of Things past, there is no *Deliberation*; because manifestly impossible to be changed: nor of Things known to be impossible, or thought so; because Men know, or think such *Deliberation* vain. But of Things impossible, which we think possible, we may deliberate, not knowing it is in vain. And it is called *Deliberation*, because it is a putting an End to the *Liberty* we had of doing, or omitting, according to our own Appetite, or Aversion.

This alternate Succession of Appetites, Aversions, Hopes and Fears, is no less in other living Creatures than in Man: and therefore Beasts also deliberate.

Every *Deliberation* is then said to *end*, when that whereof they deliberate is either done, or thought impossible; because till then we retain the *Liberty* of doing, or omitting, according to our Appetite or Aversion.

In *Deliberation*, the last Appetite, or Aversion, immediately adhering to the Action, or to the Omission thereof, is that we call the *Will*; the Act (not the Faculty) of *willing*. And Beasts that have *Deliberation*, must necessarily also have *Will*. The Definition of the *Will*, given commonly by the Schools, that it is a *rational Appetite*, is not good. For if it were, then could there be no voluntary Act against Reason. For a *voluntary Act* is that which proceedeth from the *Will*, and no other. But if instead of a rational Appetite, we shall say an Appetite resulting from a precedent *Deliberation*, then the Definition is the same that I have given here. *Will* therefore is the last Appetite in *deliberating*. And though we say in common Discourse, a Man had a Will once to do a Thing, that nevertheless he forbore to do; yet that is properly but an Inclination, which makes no Action voluntary; because the Action depends not on it, but on the last Inclination, or Appetite. For if the intervenient Appetites make any Action voluntary, then by the same Reason all intervenient Aversions should make the same Action involuntary; and so one and the same Action, should be both voluntary and involuntary.

By this it is manifest, that not only Actions that have their Beginning from Covetousness, Ambition, Lust, or other Appetites to the Thing propounded; but also those that have their Beginning from Aversion, or Fear of those Consequences that follow the Omission, are *voluntary Actions*.

The Forms of Speech by which the Passions are expressed, are partly the same, and partly different from those, by which we express our Thoughts. And first, generally all Passions may be expressed *indicatively*; as, *I love, I fear, I joy, I deliberate, I will, I command*: but some of them have particular Expressions by themselves, which nevertheless are not Affirmations, unless it be when they serve to make other Inferences, besides that of the Passion they proceed from. *Deliberation* is expressed *subjunctively*; which is a Speech proper to signify Suppositions, with their Consequences; as, *If this be done, then this will follow*; and differs not from the Language of Reasoning, save that Reasoning is in general Words, but *Deliberation* for the most Part is of Particulars. The Language of Desire, and Aversion, is *imperative*; as *Do this, forbear that*; which when the Party is obliged to do, or forbear, is *Command*; otherwise *Prayer*, or else *Counsel*. The Language of Vain-glory, of Indignation, Pity and Revengefulness, *optative*: But of the Desire to know, there is a peculiar Expression, called *Interrogative*; as, *What is it, when shall it, how is it done, and why so?* other Language of the Passions I find none: For cursing, swearing, reviling, and the like, do not signify as Speech; but as the Actions of a Tongue accustomed.

Forms of
Speech, in
Passion.

These Forms of Speech, I say, are Expressions, or voluntary Significations of our Passions: but certain Signs they be not; because they may be used arbitrarily, whether they that use them have such Passions or not. The best Signs of Passions present, are either in the Countenance, Motions of the Body, Actions, and Ends, or Aims, which we otherwise know the Man to have.

And because in *Deliberation*, the Appetites and Aversions are raised by Foresight of the good and evil Consequences, and Sequels of the Action whereof we deliberate; the good or evil Effect thereof dependeth on the Foresight of a long Chain of Consequences, of which very seldom any Man is able to see to the End. But for so far as a Man seeth, if the Good in those Consequences be greater than the Evil, the whole Chain is that which Writers call *apparent* or *seeming Good*. And certainly, when the Evil exceedeth the Good, the whole is *apparent* or *seem-*

Good and E-
vil apparent.

PART I. *ing Evil*: so that he who hath by Experience or Reason, the greatest and surest Prospect of Consequences, deliberates best himself; and is able when he will, to give the best Counsel unto others.

Felicity.

Continual Success in obtaining those Things which a Man from time to time desireth, that is to say, continual Prospering, is that Men call *Felicity*; I mean the Felicity of this Life. For there is no such Thing as perpetual Tranquility of Mind, while we live here; because Life itself is but Motion, and can never be without Desire, nor without Fear, no more than without Sense. What Kind of Felicity God hath ordained to them that devoutly honour him, a Man shall no sooner know, than enjoy; being Joys that now are as incomprehensible, as the Word of Schoolmen *Beatifical Vision* is unintelligible.

Praise.

Magnification.

μακαρισμός.

The Form of Speech whereby Men signify their Opinion of the Goodness of any Thing, is *Praise*. That whereby they signify the Power and Greatness of any Thing, is *Magnifying*. And that whereby they signify the Opinion they have of a Man's Felicity, is by the Greeks called *μακαρισμός*. *μακαρισμός*, for which we have no Name in our Tongue. And thus much is sufficient for the present Purpose, to have been said of the *Passions*.

C H A P. VII.

Of the Ends, or Resolutions of DISCOURSE.

OF all *Discourse*, governed by Desire of Knowledge, there is at last an *End*, either by attaining, or by giving over. And in the Chain of Discourse, wheresoever it be interrupted, there is an End for that Time.

Judgment,
or Sentence
final.

Doubt.

If the Discourse be merely mental, it consisteth of Thoughts that the Thing will be, and will not be; or that it has been, and has not been, alternately. So that wheresoever you break off the Chain of a Man's Discourse, you leave him in a Presumption of *it will be*, or *it will not be*; or *it has been*, or *has not been*. All which is *Opinion*. And that which is alternate Appetite, in deliberating concerning Good and Evil; the same is alternate Opinion, in the Enquiry of the Truth of *Past*, and *Future*. And as the last Appetite in Deliberation, is called the *Will*; so the last Opinion in Search of the Truth of *Past*, and *Future*, is called the *Judgment*, or *Resolve* and *Final Sentence* of him that *discourses*. And as the whole Chain of Appetites alternate, in the Question of Good, or Bad, is called *Deliberation*; so the whole Chain of Opinions alternate, in the Question of True, or False, is called *Doubt*.

No Discourse whatsoever, can end in absolute Knowledge of Fact, past, or to come. For, as for the Knowledge of Fact, it is originally Sense; and ever after, Memory. And for the Knowledge of Consequence, which I have said before is called Science, it is not absolute, but conditional. No Man can know by Discourse, that this, or that, is, has been, or will be; which is to know absolutely: but only, that if this be, that is; if this has been, that has been; if this shall be, that shall be: which is to know conditionally; and that not the Consequence of one Thing to another; but of one Name of a Thing, to another Name of the same Thing.

Science.

And therefore, when the Discourse is put into Speech, and begins with the Definitions of Words, and proceeds by Connexion of the same into general Affirmations, and of these again into Syllogisms; the End or last Sum is called the Conclusion; and the Thought of the Mind by it signified, is that conditional Knowledge of the Consequence of Words, which is commonly called *Science*. But if the first Ground of such Discourse, be not Definitions; or if Definitions be not rightly joined together

gether in Syllogisms, then the End or Conclusion is again *Opinion*, namely of the Truth of somewhat said, though sometimes in absurd and senseless Words, without Possibility of being understood. When two, or more Men know of one and the same Fact, they are said to be *conscious* of it one to another; which is as much as to know it together. And because such are fittest Witnesses of the Facts of one another, or of a third; it was, and ever will be reputed a very evil Act, for any Man to speak against his *Conscience*; or to corrupt or force another so to do; insomuch that the Plea of Conscience has been always hearkened unto very diligently in all Times. Afterwards, Men made use of the same Word metaphorically, for the Knowledge of their own secret Facts, and secret Thoughts; and therefore it is rhetorically said, that the Conscience is a thousand Witnesses. And last of all, Men, vehemently in Love with their own new Opinions, (though never so absurd) and obstinately bent to maintain them, gave those their Opinions also that revered Name of Conscience, as if they would have it seem unlawful, to change or speak against them; and so pretend to know they are true, when they know at most, but that they think so.

When a Man's Discourse beginneth not at Definitions, it beginneth either at some other Contemplation of his own, and then it is still called Opinion; or it beginneth at some Saying of another, of whose Ability to know the Truth, and of whose Honesty in not deceiving, he doubteth not; and then the Discourse is not so much concerning the Thing, as the Person; and the Resolution is called *Belief*, and *Faith*: *Faith*, in the Man; *Belief*, both of the Man, and of the Truth of what he says. So that in Belief are two Opinions; one of the Saying of the Man, the other of his Virtue. To *have Faith in*, or *trust to*, or *believe a Man*, signify the same Thing; namely, an Opinion of the Veracity of the Man: But to *believe what is said*, signifieth only an Opinion of the Truth of the Saying. But we are to observe that this Phrase, *I believe in*; as also the Latin, *Credo in*; and the Greek, *πισεω εις*, are never used but in the Writings of Divines. Instead of them, in other Writings are put, *I believe him*; *I trust him*; *I have Faith in him*; *I rely on him*: and in Latin, *Credo illi*; *Fido illi*: and in Greek, *πισεω αυτω*: and that this Singularity of the Ecclesiastic Use of the Word hath raised many Disputes about the right Object of the Christian Faith.

But by *Believing in*, as it is in the Creed, is meant, not Trust in the Person; but Confession and Acknowledgment of the Doctrine. For not only Christians, but all Manner of Men do so believe in God, as to hold all for Truth they hear him say, whether they understand it or not; which is all the Faith and Trust can possibly be had in any Person whatsoever: But they do not all believe the Doctrine of the Creed.

From whence we may infer, that when we believe any Saying, whatsoever it be, to be true, from Arguments taken, not from the Thing itself, or from the Principles of natural Reason, but from the Authority, and good Opinion we have of him that hath said it; then is the Speaker, or Person we believe in, or trust in, and whose Word we take, the Object of our Faith; and the Honour done in believing, is done to him only. And consequently, when we believe that the Scriptures are the Word of God, having no immediate Revelation from God himself, our Belief, Faith, and Trust is in the Church; whose Word we take, and acquiesce therein. And they that believe that which a Prophet relates unto them in the Name of God, take the Word of the Prophet, do honour to him, and in him trust and believe, touching the Truth of what he relateth, whether he be a true, or a false Prophet. And so it is also with all other History. For if I should not believe all that is written by

Historians,

PART
I.

Historians, of the glorious Acts of *Alexander*, or *Cæsar*; I do not think the Ghost of *Alexander*, or *Cæsar*, had any just Cause to be offended; or any Body else, but the Historian. If *Livy* say the Gods made once a Cow speak, and we believe it not; we distrust not God therein, but *Livy*. So that it is evident, that whatsoever we believe upon no other Reason, than what is drawn from Authority of Men only, and their Writings; whether they be sent from God or not, is Faith in Men only.

C H A P VIII.

Of the VIRTUES commonly called INTELLECTUAL; and their contrary DEFECTS.

Intellectual
Virtue de-
fined.

VIRTUE, generally, in all Sorts of Subjects, is somewhat that is valued for Eminence; and consisteth in Comparison. For if all things were equally in all Men, nothing would be prized. And by *Virtues Intellectual* are always understood such Abilities of the Mind, as Men praise, value, and desire should be in themselves; and go commonly under the Name of a *good Wit*; though the same Word *Wit* be used also to distinguish one certain Ability from the rest.

Wit, Natu-
ral, or Ac-
quired.

These *Virtues* are of two Sorts; *Natural*, and *Acquired*. By *Natural*, I mean not that which a Man hath from his Birth; for that is nothing else but Sense; wherein Men differ so little from one another, and from brute Beasts, as it is not to be reckoned amongst *Virtues*. But I mean that *Wit* which is gotten by Use only, and Experience; without Method, Culture, or Instruction. This *Natural Wit* consisteth principally in two Things; *Celerity of Imagining*, (that is, swift Succession of one Thought to another;) and *steady Direction* to some approved End. On the contrary, a slow Imagination maketh that Defect or Fault of the Mind, which is commonly called *Dulness*, *Stupidity*, and sometimes by other Names that signify Slowness of Motion, or Difficulty to be moved.

Natural Wit.

Dulness.

And this Difference of Quickness is caused by the Difference of Men's Passions, that love and dislike, some one Thing, some another; and therefore some Men's Thoughts run one Way, some another; and are held to, and observe differently the Things that pass through their Imagination. And whereas in this Succession of Men's Thoughts there is nothing to observe in the Things they think on, but either in what they be *like one another*, or in what they be *unlike*, or *what they serve for*, or *how they serve to such a Purpose*; those that observe their Similitudes, in case they be such as are but rarely observed by others, are said to have a *Good Wit*; by which, in this Occasion, is meant a *Good Fancy*. But they that observe their Differences and Dissimilitudes, which is called *Distinguishing*, and *Discerning*, and *Judging* between Thing and Thing; in case such Discerning be not easy, are said to have a *Good Judgment*; and particularly in Matter of Conversation and Business; wherein Times, Places, and Persons are to be discerned, this Virtue is called *Discretion*. The former, that is, *Fancy*, without the Help of Judgment, is not commended as a Virtue; but the latter, which is Judgment, and Discretion, is commended for itself, without the Help of *Fancy*. Besides the Discretion of Times, Places, and Persons, necessary to a good *Fancy*, there is required also an often Application of his Thoughts to their End; that is to say, to some Use to be made of them. This done, he that hath this Virtue, will be easily fitted with Similitudes that will please, not only by Illustration of his Discourse,

Good Wit,
or Fancy.

Good Judg-
ment.

Discretion.

and

and adorning it with new and apt Metaphors, but also by the Rarity of their Invention. But without Steadiness and Direction to some End, a great Fancy is one Kind of Madness; such as they have, that entering into any Discourse are snatch'd from their Purpose by every thing that comes in their Thought, into so many, and so long Digressions and Parentheses, that they utterly lose themselves: Which Kind of Folly I know no particular Name for; but the Cause of it is, sometimes want of Experience, whereby that seemeth to a Man new and rare, which doth not so to others: Sometimes Pusillanimity; by which that seems great to him, which other Men think a Trifle; and whatsoever is new, or great, and therefore thought fit to be told, withdraws a Man by Degrees from the intended Way of his Discourse.

In a good Poem, whether it be *Epic* or *Dramatic*, as also in *Sonnets*, *Epigrams*, and other Pieces, both Judgment and Fancy are required; but the Fancy must be more eminent, because they please for the Extravagancy; but they ought not to displease by Indiscretion.

In a good History, the Judgment must be eminent; because the Goodness consisteth in the Method, in the Truth, and in the Choice of the Actions that are most profitable to be known. Fancy has no Place, but only in adorning the Style.

In Orations of Praise, and in Invectives, the Fancy is predominant; because the Design is not Truth, but to Honour, or Dishonour; which is done by noble, or by vile Comparisons. The Judgment does but suggest what Circumstances make an Action laudable or culpable.

In Hortatives, and Pleadings, as Truth or Disguise serveth best to the Design in Hand, so is the Judgment or the Fancy most required.

In Demonstration, in Counsel, and all rigorous Search of Truth, Judgment does all; except sometimes the Understanding have need to be opened by some apt Similitude; and then there is so much Use of Fancy. But for Metaphors, they are in this Case utterly excluded. For seeing they openly profess Deceit, to admit them into Counsel or Reasoning were manifest Folly.

And in any Discourse whatsoever, if the Defect of Discretion be apparent, how extravagant soever the Fancy be, the whole Discourse will be taken for a Want of Wit; and so will it never when the Discretion is manifest, though the Fancy be ever so ordinary.

The secret Thoughts of a Man run over all Things, holy, profane, clean, obscene, grave, and light, without Shame or Blame; which verbal Discourse cannot do, farther than the Judgment shall approve of the Time, Place, and Persons. An Anatomist or a Physician may speak or write his Judgment of unclean Things, because it is not to please but to profit; but for another Man to write his extravagant and pleasant Fancies of the same, is as if a Man, from being tumbled into the Dirt, should come and present himself before good Company. And it is the Want of Discretion that makes the Difference. Again, in profest Remission of Mind, and familiar Company, a Man may play with the Sounds and equivocal Significations of Words; and that many times with Encounters of extraordinary Fancy; but in a Sermon, or in Public, or before Persons unknown, or whom we ought to reverence, there is no jingling of Words that will not be accounted Folly; and the Difference is only in the Want of Discretion. So that where Wit is wanting, it is not Fancy that is wanting, but Discretion. Judgment therefore without Fancy is Wit, but Fancy without Judgment not.

When the Thoughts of a Man, that has a Design in hand, running over a Multitude of Things, observes how they conduce to that Design; or what Design they may conduce unto; if his Observations be such as are not easy or usual, this Wit of his is called *Prudence*; and dependeth

PART. on much Experience, and Memory of the like Things, and their Con-
 I. sequences heretofore. In which there is not so much Difference of Men,
 as there is in their Fancies and Judgments; because the Experience of
 Men equal in Age, is not much unequal, as to the Quantity; but lies
 in different Occasions; every one having his private Designs. To go-
 vern well a Family, and a Kingdom, are not different Degrees of Pru-
 dence, but different Sorts of Business; no more than to draw a Picture
 in little, or as great or greater than the Life, are different Degrees of
 Art. A plain Husbandman is more prudent in Affairs of his own House,
 than a Privy-Counsellor in the Affairs of another Man.

Craft. To Prudence, if you add the Use of unjust or dishonest Means, such
 as usually are prompted to Men by Fear or Want; you have that crooked
 Wisdom, which is called *Craft*; which is a Sign of Pusillanimity. For
 Magnanimity is Contempt of unjust or dishonest Helps. And that which
 the *Latins* call *Versutia*, (translated into *English*, *Shifting*) and is a put-
 ting off of a present Danger or Incommodity, by engaging into a greater,
 as when a Man robs one to pay another, is but a shorter-sighted Craft,
 called *Versutia*, from *Versura*, which signifies taking Money at Usury,
 for the present Payment of Interest.

Acquired Wit. As for *acquired Wit*, (I mean acquired by Method and Instruction)
 there is none but Reason; which is grounded on the right Use of Speech,
 and produceth the Sciences. But of Reason and Science, I have already
 spoken in the fifth and sixth Chapters.

The Causes of this Difference of Wits, are in the Passions: and the
 Difference of Passions proceedeth partly from the different Constitution
 of the Body, and partly from different Education. For if the Difference
 proceeded from the Temper of the Brain, and the Organs of Sense, ei-
 ther exterior or interior, there should be no less Difference of Men in
 their Sight, Hearing or other Senses, than in their Fancies and Discre-
 tions. It proceeds therefore from the Passions; which are different,
 not only from the Difference of Men's Complexions, but also from their
 Difference of Customs and Education.

The Passions that most of all cause the Differences of Wit, are prin-
 cipally, the more or less Desire of Power, of Riches, of Knowledge,
 and of Honour. All which may be reduced to the first, that is, De-
 sire of Power. For Riches, Knowledge, and Honour, are but several
 Sorts of Power.

And therefore, a Man who has no great Passion for any of these
 Things, but is, as Men term it, indifferent; though he may be so far a
 good Man, as to be free from giving Offence, yet he cannot possibly
 have either a great Fancy, or much Judgment. For the Thoughts are
 to the Desires, as Scouts and Spies to range abroad, and find the Way
 to the Things desired: all Steadiness of the Mind's Motion, and all
 Quickness of the same, proceeding from thence. For as to have no
 Desire, is to be dead; so to have weak Passions, is Dulness; and to
 have Passions indifferently for every Thing, *Giddiness* and *Distraction*;
 and to have stronger, and more vehement Passions for any thing, than
 is ordinarily seen in others, is that which Men call *Madness*.

Whereof there be almost as many Kinds, as of the Passions them-
 selves. Sometimes the extraordinary and extravagant Passion proceedeth
 from the evil Constitution of the Organs of the Body, or Harm done
 them; and sometimes the Hurt, and Indisposition of the Organs, is
 caused by the Vehemence, or long Continuance of the Passion. But in
 both Cases the Madness is of one and the same Nature.

The Passion, whose Violence or Continuance maketh Madness, is
 either great *Vain-glory*; which is commonly called *Pride*, and *Self-
 conceit*; or great *Dejection* of Mind.

Pride subjecteth a Man to Anger, the Excess whereof is the Madnes called *Rage* and *Fury*. And thus it comes to pass, that excessive Desire of Revenge, when it becomes habitual, hurteth the Organs, and becomes *Rage*: That excessive Love, with Jealousy, becomes also *Rage*: Excessive Opinion of a Man's own self, for Divine Inspiration, for Wisdom, Learning, Form, and the like, becomes Distraction and Giddiness: The same, joined with Envy, *Rage*: Vehement Opinion of the Truth of any thing, contradicted by others, *Rage*.

CHAP.
VIII.

Rage.

Dejection subjects a Man to causeless Fears; which is a Madnes commonly called *Melancholy*, apparent also in divers manners; as in haunting of Solitudes, and Graves; in superstitious Behaviour; and in fearing some one, some another particular Thing. In sum, all Passions that produce strange and unusual Behaviour, are called by the general Name of Madnes. But of the several Kinds of Madnes, he that would take Pains, might enrol a Legion. And if the Excesses be Madnes, there is no Doubt but the Passions themselves, when they tend to Evil, are Degrees of the same.

Melancholy.

For Example, Though the Effect of Folly, in them that are possessed of an Opinion of being inspired, be not visible always in one Man, by any very extravagant Action, that proceedeth from such Passion; yet when many of them conspire together, the *Rage* of the whole Multitude is visible enough. For what Argument of Madnes can there be greater, than to clamour, strike, and throw Stones at our best Friends? Yet this is somewhat less than such a Multitude will do. For they will clamour, fight against, and destroy those, by whom all their Life-time before they have been protected, and secured from Injury. And if this be Madnes in the Multitude, it is the same in every particular Man. For as in the midst of the Sea, though a Man perceive no Sound of that Part of the Water next him; yet he is well assured, that Part contributes as much to the Roaring of the Sea, as any other Part of the same Quantity: so also, though we perceive no great Unquietness in one or two Men, yet we may be well assured, that their singular Passions are Parts of the seditious Roaring of a troubled Nation. And if there were nothing else that bewray'd their Madnes, yet that very arrogating such Inspiration to themselves, is Argument enough. If some Man in *Bedlam* should entertain you with sober Discourse, and you desire in taking Leave, to know what he were, that you might another Time requite his Civility; and he should tell you, he were God the Father; I think you need expect no extravagant Action for Argument of his Madnes.

This Opinion of Inspiration, called commonly private Spirit, begins very often from some lucky finding of an Error generally held by others; and not knowing, or not remembering, by what Conduct of Reason they came to so singular a Truth, (as they think it, though it be many times an Untruth they light on) they presently admire themselves; as being in the special Grace of God Almighty, who hath revealed the same to them supernaturally, by his Spirit.

Again, that Madnes is nothing else, but too much appearing Passion, may be gathered out of the Effects of Wine, which are the same with those of the evil Disposition of the Organs. For the Variety of Behaviour in Men that have drunk too much, is the same with that of Madmen: some of them Raging, others Loving, others Laughing, all extravagantly, but according to their several domineering Passions: For the Effect of the Wine does but remove Dissimulation, and take from them the Sight of the Deformity of their Passions. For (I believe) the most sober Men, when they walk alone without Care and Employment of the Mind, would be unwilling the Vanity and Extravagance of their Thoughts

PART I. Thoughts at that Time should be publicly seen: which is a Confession, that Passions unguided are for the most part mere Madness.

The Opinions of the World, both in antient and later Ages, concerning the Cause of Madness, have been two. Some, deriving them from the Passions; some, from Dæmons, or Spirits, either good or bad, which they thought might enter into a Man, possess him, and move his Organs in such strange and uncouth Manner, as Madmen use to do. The former Sort therefore, called such Men, Madmen: but the latter called them sometimes *Dæmoniacs*, (that is, possessed with Spirits;) sometimes *Energumeni*, (that is, agitated, or moved with Spirits;) and now in *Italy* they are called not only *Pazzi*, Madmen; but also *Spiritati*, Men possessed.

There was once a great Conflux of People in *Abdera*, a City of the *Greeks*, at the acting of the Tragedy of *Andromeda*, upon an extreme hot Day: whereupon, a great many of the Spectators falling into Fevers, had this Accident from the Heat, and from the Tragedy together, that they did nothing but pronounce Iambics, with the Names of *Perseus* and *Andromeda*; which together with the Fever, was cured by the coming on of the Winter: And this Madness was thought to proceed from the Passion imprinted by the Tragedy. Likewise there raged a Fit of Madness in another *Grecian* City, which seized only the young Maidens; and caused many of them to hang themselves. This was by most then thought an Act of the Devil. But one that suspected, that Contempt of Life in them might proceed from some Passion of the Mind, and supposing they did not contemn also their Honour, gave Counsel to the Magistrates, to strip such as so hang'd themselves, and let them hang out naked. This the Story says cured that Madness. But on the other Side, the same *Grecians* did often ascribe Madness to the Operation of the *Eumenides*, or Furies; and sometimes of *Ceres*, *Phæbus*, and other Gods: so much did Men attribute to Phantasms, as to think them aëreal living Bodies; and generally to call them Spirits. And as the *Romans* in this held the same Opinion with the *Greeks*, so also did the *Jews*; for they called Madmen Prophets, or (according as they thought the Spirits good or bad) *Dæmoniacs*; and some of them called both Prophets and *Dæmoniacs*, Madmen; and some called the same Man both *Dæmoniac* and Madman. But for the Gentiles, 'tis no wonder; because Diseases and Health, Vices and Virtues, and many natural Accidents, were with them termed, and worshipped as Dæmons. So that a Man was to understand by Dæmon, as well (sometimes) an Ague, as a Devil. But for the *Jews* to have such Opinion, is somewhat strange. For neither *Moses* nor *Abraham* pretended to prophesy by Possession of a Spirit; but from the Voice of God, or by a Vision or Dream: Nor is there any Thing in his Law, moral or ceremonial, by which they were taught there was any such Enthusiasm, or any Possession. When God is said, *Numb. xi. 25.* to take from the Spirit that was in *Moses*, and give to the seventy Elders; the Spirit of God (taking it for the Substance of God) is not divided. The Scriptures by the Spirit of God in Man, mean a Man's Spirit, inclined to Godliness. And where it is said, *Exod. xxviii. 3.* *Whom I have filled with the Spirit of Wisdom to make Garments for Aaron*, it is not meant a Spirit put into them, that can make Garments; but the Wisdom of their own Spirits in that Kind of Work. In the like Sense, the Spirit of Man, when it produceth unclean Actions, is ordinarily called an unclean Spirit; and so other Spirits, though not always, yet as often as the Virtue or Vice so stiled, is extraordinary, and eminent. Neither did the other Prophets of the Old Testament pretend Enthusiasm; or, that God spake in them, but to them by Voice, Vision, or Dream; and the *Burden of the Lord* was not Possession, but Command. How then

then could the *Jews* fall into this Opinion of Possession? I can imagine no Reason, but that which is common to all Men; namely, the Want of Curiosity to search natural Causes; and their placing Felicity in the Acquisition of the gross Pleasures of the Senses, and the Things that most immediately conduce thereto. For they that see any strange and unusual Ability or Defect in a Man's Mind, unless they see withal from what Cause it may probably proceed; can hardly think it natural, they must needs think it supernatural; and then what can it be, but that either God, or the Devil is in him? And hence it came to pass, when our Saviour, (*Mark* iii. 21.) was compassed about with the Multitude, those of the House doubted he was mad, and went out to hold him: but the Scribes said he had *Beelzebub*, and that was it by which he cast out Devils; as if the greater Madman had awed the lesser. And that (*John* x. 20.) some said, *He hath a Devil, and is mad*; whereas others holding him for a Prophet, said, *These are not the Words of one that hath a Devil*. So in the Old Testament he that came to anoint *Jehu*, *2 Kings* ix. 11. was a Prophet; but some of the Company asked *Jehu*, *What came that Madman for?* So that in sum it is manifest, that whosoever behaveth himself in an extraordinary Manner, was thought by the *Jews* to be possessed either with a good or evil Spirit; except by the *Sadducees*, who erred so far on the other Hand, as not to believe there were at all any Spirits (which is very near to direct Atheism;) and thereby perhaps the more provoked others, to term such Men *Dæmoniacs*, rather than Madmen.

But why then does our Saviour proceed in the curing of them, as if they were possessed, and not as if they were mad? to which I can give no other kind of Answer, but that which is given to those that urge the Scripture in like Manner against the Opinion of the Motion of the Earth. The Scripture was written to shew unto Men the Kingdom of God, and to prepare their Minds to become his obedient Subjects; leaving the World and the Philosophy thereof to the Disputation of Men, for the exercising of their natural Reason. Whether the Earth's or Sun's Motion make the Day and Night, or whether the exorbitant Actions of Men proceed from Passion, or from the Devil, (so we worship him not) it is all one, as to our Obedience and Subjection to God Almighty, which is the Thing for which the Scripture was written. As for that our Saviour speaketh to the Disease as to a Person, it is the usual Phrase of all that cure by Words only, as Christ did, (and Inchanters pretend to do, whether they speak to a Devil or not.) For is not Christ also said (*Matth.* viii. 26.) to have rebuked the Winds? Is not he said also (*Luke* iv. 39.) to rebuke a Fever? Yet this doth not argue that a Fever is a Devil. And whereas many of those Devils are said to confess Christ; it is not necessary to interpret those Places otherwise, than that those Madmen confessed him. And whereas our Saviour (*Matth.* xii. 43.) speaketh of an unclean Spirit, that having gone out of a Man, wandereth through dry Places, seeking Rest, and finding none; and returning into the same Man, with seven other Spirits worse than himself; it is manifestly a Parable, alluding to a Man, that after a little Endeavour to quit his Lusts, is vanquished by the Strength of them, and becomes seven times worse than he was. So that I see nothing at all in the Scripture, that requireth a Belief, that *Dæmoniacs* were any other thing but Madmen.

There is yet another Fault in the Discourse of some Men; which may also be numbered amongst the Sorts of Madness; namely, that Abuse of Words, whereof I have spoken before in the fifth Chapter, by the Name of Absurdity. And that is, when Men speak such Words, as put together have in them no Signification at all; but are fallen upon

Insignificant
Speech.

PART
I.

by some, through Misunderstanding of the Words they have received, and repeat by Rote; by others, from Intention to deceive by Obscurity. And this is incident to none but those that converse in Questions of Matters incomprehensible, as the Schoolmen; or in Questions of abstruse Philosophy. The common sort of Men seldom speak insignificantly, and are therefore by those other egregious Persons counted Idiots. But to be assured their Words are without any thing correspondent to them in the Mind, there would need some Examples; which if any Man require, let him take a Schoolman into his Hands, and see if he can translate any one Chapter concerning any difficult Point; as the Trinity, the Deity, the Nature of Christ, Transubstantiation, Free-will, &c. into any of the modern Tongues, so as to make the same intelligible; or into any tolerable *Latin*, such as they were acquainted withal, that lived when the *Latin* Tongue was vulgar. What is the Meaning of these Words: *The first Cause does not necessarily inflow any thing into the second, by Force of the essential Subordination of the second Causes, by which it may help it to work?* They are the Translation of the Title of the sixth Chapter of *Suarez* first Book, *Of the Concurrence, Motion, and Help of God*. When Men write whole Volumes of such Stuff, are they not mad, or intend to make others so? And particularly in the Question of Transubstantiation; where, after certain Words spoken, they that say, the *Whiteness*, *Roundness*, *Magnitude*, *Quality*, *Corruptibility*, all which are incorporeal, &c. go out of the Wafer into the Body of our blessed Saviour, do they not make those *Nesses*, *Tudes*, and *Ties*, to be so many Spirits possessing his Body? For by Spirits, they mean always Things, that being incorporeal, are nevertheless moveable from one Place to another. So that this Kind of Absurdity may rightly be numbered amongst the many Sorts of Madnes; and all the Time, that guided by clear Thoughts of their worldly Lust, they forbear disputing or writing thus, but lucid Intervals. And thus much of the Virtues and Defects Intellectual.

C H A P. IX.

Of the several SUBJECTS of KNOWLEDGE.

THERE are of *Knowledge*, two Kinds; whereof one is *Knowledge of Fact*; the other *Knowledge of the Consequence of one Affirmation to another*. The former is nothing else but Sense and Memory, and is *Absolute Knowledge*; as when we see a Fact doing, or remember it done; and this is the Knowledge required in a Witness. The latter is called *Science*, and is *continual*; as when we know, that, *if the Figure shewn be a Circle, then any straight Line through the Center shall divide it into two equal Parts*. And this is the Knowledge required in a Philosopher; that is to say, of him that pretends to Reasoning.

The Register of *Knowledge of Fact* is called *History*. Whereof there be two Sorts: one called *Natural History*; which is the History of such Facts, or Effects of Nature, as have no Dependance on Man's *Will*; such as are the Histories of *Metals*, *Plants*, *Animals*, *Regions*, and the like. The other is *Civil History*; which is the History of the voluntary Actions of Men in Commonwealths.

The Registers of Science, are such *Books* as contain the *Demonstrations* of the Consequences of one Affirmation to another; and are commonly called *Books of Philosophy*; whereof the Sorts are many, according to the Diversity of the Matter; and may be divided in such Manner as I have divided them in the following Table.

Of POWER, WORTH, DIGNITY, HONOUR, and WORTHINESS.

Power.

THE *Power of a Man*, (to take it univerſally) is his preſent Means to obtain ſome future apparent Good. And is either *original* or *instrumental*.

Natural Power, is the Eminence of the Faculties of Body or Mind : as extraordinary Strength, Form, Prudence, Arts, Eloquence, Liberality, Nobility. *Instrumental* are thoſe Powers, which acquired by theſe, or by Fortune, are Means and Inſtruments to acquire more : as Riches, Reputation, Friends, and the ſecret Working of God, which Men call Good Luck. For the Nature of Power is in this Point like to Fame, increaſing as it proceeds ; or like the Motion of heavy Bodies, which the farther they go, make ſtill the more haſte.

The greateſt of human Powers, is that which is compounded of the Powers of moſt Men, united by Conſent, in one Perſon, Natural or Civil, that has the Uſe of all their Powers depending on his Will ; ſuch as is the Power of a Commonwealth : Or, depending on the Wills of each Particular ; ſuch as is the Power of a Faction, or of divers Factions leagued. Therefore to have Servants, is Power ; to have Friends, is Power : for they are Strengths united.

Alſo Riches joined with Liberality, is Power ; becauſe it procureth Friends and Servants : Without Liberality, not ſo ; becauſe in this Caſe they defend not ; but expoſe Men to Envy, as a Prey.

Reputation of Power, is Power ; becauſe it draweth with it the Adherence of thoſe that need Protection.

So is the Reputation of Love of a Man's Country, (called Popularity) for the ſame Reaſon.

Alſo, what Quality ſoever maketh a Man beloved, or feared of many ; or the Reputation of ſuch Quality, is Power ; becauſe it is a Means to have the Aſſiſtance and Service of many.

Good Succeſs is Power ; becauſe it maketh Reputation of Wiſdom, or good Fortune ; which makes Men either fear him, or rely on him.

Affability of Men already in Power, is Increaſe of Power ; becauſe it gaineth Love.

Reputation of Prudence in the Conduct of Peace or War, is Power ; becauſe to prudent Men we commit the Government of ourſelves, more willingly than to others.

Nobility is Power, not in all Places, but only in thoſe Commonwealths where it has Privileges : for in ſuch Privileges conſiſteth their Power.

Eloquence is Power ; becauſe it is ſeeming Prudence.

Form is Power ; becauſe being a Promise of Good, it recommendeth Men to the Favour of Women and Strangers.

The Sciences are ſmall Power, becauſe not eminent ; and therefore, not acknowledged in any Man ; nor are at all, but in few ; and in them, but of a few Things. For Science is of that Nature, as none can underſtand it to be, but ſuch as in a good meaſure have attained it.

Arts of public Uſe, as Fortification, making of Engines, and other Inſtruments of War, becauſe they confer to Defence and Victory, are Power : And though the true Mother of them be Science, namely, the Mathematics ; yet, becauſe they are brought into the Light by the

Hand

Hand of the Artificer, they be esteemed (the Midwife passing with the Vulgar for the Mother) as his Issue. CHAP.
X.

The *Value* or *Worth* of a Man, is as of all other Things, his Price; that is to say, so much as would be given for the Use of his Power: and therefore it is not absolute, but a Thing dependent on the Need and Judgment of another. An able Conductor of Soldiers, is of great Price in Time of War present, or imminent; but in Peace not so. A learned and uncorrupt Judge, is much worth in Time of Peace; but not so much in War. And as in other Things, so in Men, not the Seller, but the Buyer determines the Price. For let a Man (as most Men do) rate themselves at the highest Value they can, yet their true Value is no more than it is esteemed by others. Worth.

The Manifestation of the Value we set on one another, is that which is commonly called Honouring and Dishonouring. To value a Man at a high Rate, is to *honour* him; at a low Rate, is to *dishonour* him. But high and low, in this Case, is to be understood by Comparison to the Rate that each Man setteth on himself.

The public Worth of a Man, which is the Value set on him by the Commonwealth, is that which Men commonly call *Dignity*. And this Value of him by the Commonwealth, is understood by the Offices of Command, Judicature, public Employment; or by Names and Titles, introduced for Distinction of such Value.

To pray to another for Aid of any kind, is to *honour*; because a Sign we have an Opinion he has Power to help; and the more difficult the Aid is, the more is the Honour. To honour
and disho-
nour.

To obey, is to honour; because no Man obeys them whom they think have no Power to help, or hurt them. And consequently to disobey, is to *dishonour*.

To give great Gifts to a Man, is to honour him; because 'tis buying of Protection, and acknowledging of Power. To give little Gifts, is to dishonour; because it is but Alms, and signifies an Opinion of the Need of small Helps.

To be sedulous in promoting another's Good; also to flatter, is to honour; as a Sign we seek his Protection or Aid. To neglect, is to dishonour.

To give way or place to another, in any Commodity, is to honour; being a Confession of great Power. To arrogate, is to dishonour.

To shew any Sign of Love, or Fear of another, is to honour; for both to love and to fear is to value. To contemn, or less to love or fear than he expects, is to dishonour; for it is undervaluing.

To praise, magnify, or call happy, is to honour; because nothing but Goodness, Power, and Felicity is valued. To revile, mock, or pity, is to dishonour.

To speak to another with Consideration, to appear before him with Decency and Humility, is to honour him; as Signs of Fear to offend. To speak to him rashly, to do any thing before him obscenely, slovenly, impudently, is to dishonour.

To believe, to trust, to rely on another, is to honour him; Sign of Opinion of his Virtue and Power. To distrust, or not believe, is to dishonour.

To hearken to a Man's Counsel, or Discourse of what kind soever, is to honour; as a Sign we think him wise, or eloquent, or witty. To sleep, or go forth, or talk the while, is to dishonour.

To do those Things to another, which he takes for Signs of Honour, or which the Law or Custom makes so, is to honour; because in approving the Honour done by others, he acknowledgeth the

PART Power which others acknowledge. To refuse to do them, is Dishonour.

I.

To agree with in Opinion, is to honour ; as being a Sign of approving his Judgment and Wisdom. To dissent, is Dishonour, and an upbraiding of Error ; and (if the Dissent be in many Things) of Folly.

To imitate, is to honour ; for it is vehemently to approve. To imitate one's Enemy, is to dishonour.

To honour those another honours, is to honour him as a Sign of Approbation of his Judgment. To honour his Enemies, is to dishonour him.

To employ in Counsel, or in Actions of Difficulty, is to honour ; as a Sign of Opinion of his Wisdom or other Power. To deny Employment in the same Cases to those that seek it, is to dishonour.

All these Ways of Honouring are natural ; and as well within as without Commonwealths. But in Commonwealths, where he or they that have the supreme Authority, can make whatsoever they please to stand for Signs of Honour, there be other Honours.

A Sovereign doth honour a Subject, with whatsoever Title, or Office, or Employment, or Action, that he himself will have taken for a Sign of his Will to honour him.

The King of *Persia* honoured *Mordecai*, when he appointed he should be conducted through the Streets in the King's Garment, upon one of the King's Horses, with a Crown on his Head, and a Prince before him, proclaiming, *Thus shall it be done to him that the King will honour.* And yet another King of *Persia*, or the same another Time, to one that demanded for some great Service to wear one of the King's Robes, gave him Leave so to do, but with this Addition, that he should wear it as the King's Fool ; and then it was Dishonour. So that of Civil Honour, the Fountain is in the Person of the Commonwealth, and dependeth on the Will of the Sovereign, and is therefore temporary, and called *Civil Honour* ; such as Magistracy, Offices, Titles, and in some Places Coats and Escutcheons painted ; and Men honour such as have them, as having so many Signs of Favour in the Commonwealth ; which Favour is Power.

Honourable. *Honourable* is whatsoever Possession, Action, or Quality, is an Argument and Sign of Power.

And therefore, to be honoured, loved, or feared of many, is honourable ; as Arguments of Power. To be honoured of few or none,

Dishonourable. *dishonourable*.

Dominion and Victory is honourable ; because acquired by Power ; and Servitude, for Need or Fear, is dishonourable.

Good Fortune, (if lasting) is honourable ; as a Sign of the Favour of God. Ill Fortune and Losses dishonourable. Riches are honourable ; for they are Power. Poverty, dishonourable. Magnanimity, Liberality, Hope, Courage, Confidence, are honourable ; for they proceed from the Conscience of Power. Pusillanimity, Parsimony, Fear, Diffidence, are dishonourable.

Timely Resolution or Determination of what a Man is to do, is honourable ; as being the Contempt of small Difficulties and Dangers. And Irresolution, dishonourable ; as a Sign of too much valuing of little Impediments and little Advantages : For when a Man has weighed Things as long as the Time permits, and resolves not, the Difference of Weight is but little ; and therefore if he resolve not, he overvalues little Things, which is Pusillanimity.

All Actions or Speeches that proceed, or seem to proceed from much Experience, Science, Discretion, or Wit, are honourable ; for all these

are Powers. Actions, or Words that proceed from Error, Ignorance, or Folly, dishonourable. CHAP.
X.

Gravity, as far forth as it seems to proceed from a Mind employed on something else, is honourable; because Employment is a Sign of Power. But if it seem to proceed from a Purpose to appear grave, it is dishonourable. For the Gravity of the former, is like the Steadiness of a Ship laden with Merchandise; but of the latter, like the Steadiness of a Ship ballasted with Sand, and other Trash.

To be conspicuous, that is to say, to be known, for Wealth, Office, great Actions, or any eminent Good, is honourable; as a Sign of the Power for which he is conspicuous. On the contrary, Obscurity is dishonourable.

To be descended from conspicuous Parents, is honourable; because they the more easily attain the Aids and Friends of their Ancestors. On the contrary, to be descended from obscure Parentage, is dishonourable.

Actions proceeding from Equity, joined with Loss, are honourable; as Signs of Magnanimity: for Magnanimity is a Sign of Power. On the contrary, Craft, Shifting, Neglect of Equity, is dishonourable.

Covetousness of great Riches, and Ambition of great Honours, are honourable; as Signs of Power to obtain them. Covetousness, and Ambition, of little Gains, or Preferments, is dishonourable.

Nor does it alter the Case of Honour, whether an Action (so it be great and difficult, and consequently a Sign of much Power) be just or unjust: for Honour consisteth only in the Opinion of Power. Therefore the ancient Heathen did not think they dishonoured, but greatly honoured the Gods, when they introduced them in their Poems, committing Rapes, Thefts, and other great, but unjust, or unclean Acts: Insomuch as nothing is so much celebrated in *Jupiter*, as his Adulteries; nor in *Mercury*, as his Frauds, and Thefts: of whose Praises, in a Hymn of *Homer*, the greatest is this, that being born in the Morning, he had invented Music at Noon, and before Night, stole away the Cattle of *Apollo*, from his Herdsmen.

Also amongst Men, till there were constituted great Commonwealths, it was thought no Dishonour to be a Pirate, or a Highway Thief; but rather a lawful Trade, not only amongst the *Greeks*, but also amongst all other Nations; as is manifest by the Histories of ancient Time. And at this Day, in this Part of the World, private Duels are, and always will be honourable, though unlawful, till such Time as there shall be Honour ordained for them that refuse, and Ignominy for them that make the Challenge. For Duels also are many Times Effects of Courage; and the Ground of Courage is always Strength or Skill, which are Power; though for the most Part they be the Effects of rash Speaking, and of the Fear of Dishonour, in one, or both the Combatants; who engaged by Rashness, are driven into the Lists to avoid Disgrace.

Escutcheons, and Coats of Arms hereditary, where they have any eminent Privileges, are honourable; otherwise not: for their Power consisteth either in such Privileges, or in Riches, or some such Thing as is equally honoured in other Men. This Kind of Honour, commonly called Gentry, has been derived from the antient *Germans*. For there was never any such Thing known, where the *German* Customs were unknown. Nor is it now any where in use, where the *Germans* have not inhabited. The antient *Greek* Commanders, when they went to War, had their Shields painted with such Devices as they pleased; insomuch as an unpainted Buckler was a Sign of Poverty, and of a common Soldier: but they transmitted not the Inheritance of them. The *Romans* transmitted the

PART I. the Marks of their Families : but they were the Images, not the Devices of their Ancestors. Amongst the People of *Asia*, *Africa*, and *America*, there is not, nor was ever any such Thing. The *Germans* only had that Custom ; from whom it has been derived into *England*, *France*, *Spain* and *Italy*, when in great Numbers they either aided the *Romans*, or made their own Conquests in the Western Parts of the World.

For *Germany*, being antiently, as all other Countries in their Beginnings, divided amongst an infinite Number of little Lords, or Masters of Families, that continually had Wars one with another ; those Masters or Lords, principally to the End they might, when they were covered with Arms, be known by their Followers, and partly for Ornament, both painted their Armour, or their Scutcheon, or Coat, with the Picture of some Beast, or other Thing ; and also put some eminent and visible Mark upon the Crest of their Helmets. And this Ornament, both of the Arms and Crest, descended by Inheritance to their Children ; to the eldest pure, and to the rest with some Note of Diversity, such as the old Master, that is to say in *Dutch*, the *Here-alt* thought fit. But when many such Families, joined together, made a greater Monarchy, this Duty of the *Here-alt*, to distinguish Scutcheons, was made a private Office apart. And the Issue of these Lords, is the great and antient Gentry ; which for the most part bear living Creatures, noted for Courage and Rapine ; or Castles, Battlements, Belts, Weapons, Bars, Palisadoes, and other Notes of War ; nothing being then in Honour, but Virtue Military. Afterwards, not only Kings, but popular Commonwealths, gave divers Manners of Scutcheons to such as went forth to the War, or returned from it, for Encouragement, or Recompence to their Service. All which, by an observing Reader, may be found in such antient Histories, *Greek* and *Latin*, as make mention of the *German* Nation, and Manners, in their Times.

Titles of Honour.

Titles of *Honour*, such as are Duke, Count, Marquis, and Baron, are honourable ; as signifying the Value set upon them by the Sovereign Power of the Commonwealth : which Titles were in old Time Titles of Office and Command, derived some from the *Romans*, some from the *Germans*, and *French*. Dukes, in *Latin* *Duces*, being Generals in War : Counts, *Comites*, such as bare the General Company out of Friendship ; and were left to govern and defend Places conquered, and pacified : Marquises, *Marchiones*, were Counts that governed the Marches, or Bounds of the Empire. Which Titles of Duke, Count and Marquis, came into the Empire about the Time of *Constantine* the Great, from the Customs of the *German Militia*. But Baron seems to have been a Title of the *Gauls*, and signifies a Great Man ; such as were the Kings or Princes Men, whom they employed in War about their Persons ; and seems to be derived from *Vir*, to *Ber*, and *Bar*, that signified the same in the Language of the *Gauls*, that *Vir* in *Latin* ; and thence to *Bero*, and *Baro* : so that such Men were called *Berones*, and after *Barones* ; and (in *Spanish*) *Varones*. But he that would know more particularly the Original of Titles of Honour, may find it, as I have done this, in Mr. *Selden's* most excellent Treatise of that Subject. In Process of Time these Offices of Honour, by Occasion of Trouble, and for Reasons of good and peaceable Government, were turned into mere Titles ; serving for the most Part, to distinguish the Precedence, Place, and Order of Subjects in the Commonwealth : and Men were made Dukes, Counts, Marquises, and Barons of Places, wherein they had neither Possession, nor Command : and other Titles also were devised to the same End.

Worthinefs. *Worthinefs* is a Thing different from the Worth, or Value of a Man ;
Fitnefs. and also from his Merit or Desert ; and consisteth in a particular Power

or

or Ability for that, whereof he is said to be worthy: which particular Ability is usually named *Fitness* or *Aptitude*. CHAP.
XI.

For he is worthiest to be a Commander, to be a Judge, or to have any other Charge, that is best fitted, with the Qualities required to the well discharging of it; and worthiest of Riches, that has the Qualities most requisite for the well-using of them: any of which Qualities being absent, one may nevertheless be a worthy Man, and valuable for something else. Again, a Man may be worthy of Riches, Office, and Employment, that nevertheless can plead no Right to have it before another; and therefore cannot be said to merit or deserve it. For Merit presupposeth a Right, and that the Thing deserved is due by Promise: Of which I shall say more hereafter, when I shall speak of Contracts.

C H A P. XI.

Of the Difference of MANNERS.

BY *Manners*, I mean not here, Decency of Behaviour; as how one Man should salute another, or how a Man should wash his Mouth, or pick his Teeth before Company, and such other Points of the *small Morals*; but those Qualities of Mankind, that concern their living together in Peace and Unity. To which End we are to consider, that the Felicity of this Life consisteth not in the Repose of a Mind satisfied. For there is no such *Finis ultimus*, (utmost Aim) nor *Summum Bonum*, (greatest Good) as is spoken of in the Books of the old Moral Philosophers. Nor can a Man any more live, whose Desires are at an End, than he, whose Senses and Imaginations are at a stand. Felicity is a continual Progress of the Desire, from one Object to another; the attaining of the former, being still but the Way to the latter. The Cause whereof is, that the Object of Man's Desire, is not to enjoy once only, and for one Instant of Time; but to assure for ever the Way of his future Desire. And therefore the voluntary Actions and Inclinations of all Men, tend not only to the procuring, but also to the assuring of a contented Life; and differ only in the Way: which ariseth partly from the Diversity of Passions, in divers Men; and partly from the Difference of Knowledge, or Opinion each one has of the Causes, which produce the Effect desired.

What is here
meant by
Manners.

So that in the first Place, I put for a general Inclination of all Mankind, a perpetual and restless Desire of Power after Power, that ceaseth only in Death. And the Cause of this, is not always that a Man hopes for a more intensive Delight, than he has already attained to; or that he cannot be content with a moderate Power: but because he cannot assure the Power and Means to live well, which he hath present, without the Acquisition of more. And from hence it is, that Kings, whose Power is greatest, turn their Endeavours to the assuring it at Home by Laws, or abroad by Wars: and when that is done, there succeedeth a new Desire; in some, of Fame from new Conquest; in others, of Ease and sensual Pleasure; in others, of Admiration, or being flattered for Excellence in some Art, or other Ability of the Mind.

A restless
Desire of
Power, in all
Men.

Competition of Riches, Honour, Command, or other Power, inclineth to Contention, Enmity, and War: Because the Way of one Competitor, to the attaining of his Desire, is to kill, subdue, supplant, or repell the other. Particularly, Competition of Praise, inclineth to a Reverence of

Love of Con-
tention from
Competition.

PART Antiquity. For Men contend with the Living, not with the Dead; to these ascribing more than due, that they may obscure the Glory of the
I. other.

Civil Obedience from Love of Ease. From Fear of Death, or Wounds. Desire of Ease and sensual Delight, disposeth Men to obey a common Power: Because by such Degrees, a Man doth abandon the Protection which might be hoped for from his own Industry and Labour. Fear of Death and Wounds disposeth to the same, and for the same Reason. On the contrary, needy Men, and hardy, not contented with their present Condition; as also, all Men that are ambitious of military Command, are inclined to continue the Causes of War; and to stir up Trouble and Sedition: for there is no Honour military but by War; nor any such Hope to mend an ill Game, as by causing a new Shuffle.

And from Love of Arts. Desire of Knowledge and Arts of Peace, inclineth Men to obey a common Power: For such Desire containeth a Desire of Leisure; and consequently Protection from some other Power than their own.

Love of Virtue, from Love of Praise. Desire of Praise disposeth to laudable Actions, such as please them whose Judgment they value; for of those Men whom we contemn, we contemn also the Praises. Desire of Fame after Death does the same. And though after Death there be no Sense of the Praise given us on Earth, as being Joys, that are either swallowed up in the unspeakable Joys of Heaven, or extinguished in the extreme Torments of Hell: yet is not such Fame vain, because Men have a present Delight therein, from the Foresight of it, and of the Benefit that may redound thereby to their Posterity: which though they now see not, yet they imagine; and any thing that is Pleasure in the Sense, the same also is Pleasure in the Imagination.

Hate, from Difficulty of requiting great Benefits. To have received from one to whom we think ourselves equal, greater Benefits than there is Hope to requite, disposeth to counterfeit Love, but really to secret Hatred; and puts a Man into the Estate of a desperate Debtor, that in declining the Sight of his Creditor, tacitly wishes him there, where he might never see him more. For Benefits oblige; and Obligation is Thralldom; and unrequitable Obligation, perpetual Thralldom; which is to one's Equal, hateful. But to have received Benefits from one, whom we acknowledge for Superior, inclines to Love; because the Obligation is no new Depression: and cheerful Acceptation, (which Men call *Gratitude*) is such an Honour done to the Obliger, as is taken generally for Retribution. Also to receive Benefits, though from an Equal, or Inferior, as long as there is Hope of Requital, disposeth to Love: for in the Intention of the Receiver, the Obligation is of Aid and Service mutual; from whence proceedeth an Emulation of who shall exceed in benefiting; the most noble and profitable Contention possible; wherein the Victor is pleased with his Victory, and the other revenged by confessing it.

And from Conscience deserving to be hated. To have done more Hurt to a Man, than he can or is willing to expiate, inclineth the Doer to hate the Sufferer. For he must expect Revenge or Forgiveness, both which are hateful.

Promptness to hurt, from Fear. Fear of Oppression, disposeth a Man to anticipate, or to seek Aid by Society: for there is no other Way by which a Man can secure his Life and Liberty.

And from Distrust of their own Wit. Men that distrust their own Subtlety, are in Tumult and Sedition better disposed for Victory, than they that suppose themselves wise, or crafty: For these love to consult, the other (fearing to be circumvented) to strike first. And in Sedition, Men being always in the Precincts of Battle; to hold together, and use all Advantages of Force, is a better Stratagem, than any that can proceed from Subtlety of Wit.

Vain-

Vain-glorious Men, such as without being conscious to themselves of great Sufficiency, delight in supposing themselves gallant Men, are inclined only to Ostentation; but not to attempt: Because when Danger or Difficulty appears, they look for nothing but to have their Insufficiency discovered.

CHAP. XI.
Vain Under-
taking from
Vain-glory.

Vain-glorious Men, such as estimate their Sufficiency by the Flattery of other Men, or the Fortune of some precedent Action, without assured Ground of Hope from the true Knowledge of themselves, are inclined to rash engaging, and in the Approach of Danger or Difficulty, to retire if they can: because not seeing the Way of Safety, they will rather hazard their Honour, which may be saved with an Excuse, than their Lives, for which no Salve is sufficient.

Men that have a strong Opinion of their own Wisdom in Matter of Government, are disposed to Ambition. Because without public Employment in Counsel or Magistracy, the Honour of their Wisdom is lost. And therefore eloquent Speakers are inclined to Ambition; for Eloquence seemeth Wisdom, both to themselves and others.

Puffillanimity disposeth Men to Irresolution, and consequently to lose the Occasions and fittest Opportunities of Action. For after Men have been in Deliberation till the Time of Action approach, if it be not then manifest what is best to be done, 'tis a Sign the Difference of Motives, the one Way and the other, is not great: Therefore not to resolve then, is to lose the Occasion by weighing of Trifles; which is Puffillanimity.

Frugality (though in poor Men a Virtue) maketh a Man unapt to atchieve such Actions, as require the Strength of many Men at once: For it weakeneth their Endeavour, which is to be nourished and kept in Vigour by Reward.

Eloquence, with Flattery, disposeth Men to confide in them that have it; because the former is seeming Wisdom, the latter seeming Kindness. Add to them military Reputation, and it disposeth Men to adhere and subject themselves to those Men that have them. The two former, having given them Caution against Danger from him; the latter gives them Caution against Danger from others.

Want of Science, that is, Ignorance of Causes, disposeth, or rather constraineth a Man to rely on the Advice and Authority of others. For all Men whom the Truth concerns, if they rely not on their own, must rely on the Opinion of some other, whom they think wiser than themselves, and see not why he should deceive them.

Ignorance of the Signification of Words, which is Want of Understanding, disposeth Men to take on Trust, not only the Truth they know not, but also Errors; and which is more, the Nonsense of them they trust: For neither Error nor Nonsense can, without a perfect understanding of Words, be detected.

From the same it proceedeth, that Men give different Names to one and the same Thing, from the Difference of their own Passions: As they that approve a private Opinion, call it Opinion; but they that mislike it, Heresy: and yet Heresy signifies no more than private Opinion; but has only a greater Tincture of Choler.

From the same also it proceedeth, that Men cannot distinguish without Study and great Understanding, between one Action of many Men, and many Actions of one Multitude; as for Example, between the one Action of all the Senators of *Rome* in killing *Catiline*, and the many Actions of a Number of Senators in killing *Cæsar*; and therefore are disposed to take for the Action of the People, that which is a Multitude of Actions done by a Multitude of Men, led perhaps by the Persuasion of one.

PART

I.

Adherence to
Custom, from
Ignorance of
the Nature of
Right and
Wrong.

Ignorance of the Causes and original Constitution of Right, Equity, Law, and Justice, disposeth a Man to make Custom and Example the Rule of his Actions; in such Manner, as to think that Unjust which it hath been the Custom to punish; and that Just, of the Impunity and Approbation whereof they can produce an Example, or (as the Lawyers which only use this false Measure of Justice barbarously call it) a Precedent; like little Children, that have no other Rule of good and evil Manners, but the Correction they receive from their Parents, and Masters; save that Children are constant to their Rule, whereas Men are not so; because grown strong and stubborn, they appeal from Custom to Reason, and from Reason to Custom, as it serves their Turn; receding from Custom when their Interest requires it, and setting themselves against Reason, as oft as Reason is against them: Which is the Cause that the Doctrine of Right and Wrong is perpetually disputed both by the Pen and the Sword: Whereas the Doctrine of Lines and Figures is not so; because Men care not, in that Subject what is Truth, as it is a Thing that crosses no Man's Ambition, Profit, or Lust. For I doubt not, but if it had been a Thing contrary to any Man's Right of Dominion, or to the Interest of Men that have Dominion, *That the three Angles of a Triangle should be equal to two Angles of a Square*; that Doctrine should have been, if not disputed, yet by the burning of all Books of Geometry, suppressed, as far as he whom it concerned was able.

Adherence to
private Men,
from Ignorance of the
Causes of
Peace.

Ignorance of remote Causes, disposeth Men to attribute all Events to the Causes immediate and instrumental; for these are all the Causes they perceive. And hence it comes to pass, that in all Places Men that are grieved with Payments to the Public, discharge their Anger upon the Publicans; that is to say, Farmers, Collectors, and other Officers of the Public Revenue; and adhere to such as find Fault with the public Government; and thereby, when they have engaged themselves beyond Hope of Justification, fall also upon the Supreme Authority, for Fear of Punishment, or Shame of receiving Pardon.

Credulity
from Ignorance of Nature.

Ignorance of natural Causes disposeth a Man to Credulity, so as to believe many times Impossibilities: For such know nothing to the contrary, but that they may be true; being unable to detect the Impossibility. And Credulity, because Men love to be hearkened to in Company, disposeth them to Lying: So that Ignorance itself without Malice, is able to make a Man both to believe Lyes, and tell them; and sometimes also to invent them.

Curiosity to
know from
Care of future
Time.
Natural Religion
from the same.

Anxiety for the future Time, disposeth Men to inquire into the Causes of Things; because the Knowledge of them maketh Men the better able to order the present to their best Advantage.

Curiosity, or Love of the Knowledge of Causes, draws a Man from Consideration of the Effect to seek the Cause; and again, the Cause of that Cause; till of Necessity he must come to this Thought at last; that there is some Cause, whereof there is no former Cause, but is eternal; which is it Men call God. So that it is impossible to make any profound Inquiry into natural Causes, without being inclined thereby to believe there is one God Eternal; though they cannot have any Idea of him in their Mind answerable to his Nature. For as a Man that is born blind, hearing Men talk of warming themselves by the Fire, and being brought to warm himself by the same, may easily conceive, and assure himself, there is somewhat there, which Men call *Fire*, and is the Cause of the Heat he feels, but cannot imagine what it is like, nor have an Idea of it in his Mind, such as they have that see it: So also, by the visible Things of this World, and their admirable Order, a Man may conceive

conceive there is a Cause of them, which Men call God, and yet not have an Idea or Image of him in his Mind. CHAP. XII.

And they that make little or no Inquiry into the natural Causes of Things, yet from the Fear that proceeds from the Ignorance itself, of what it is that hath the Power to do them much Good or Harm, are inclined to suppose and feign unto themselves several Kinds of Powers invisible, and to stand in Awe of their own Imaginations; and in Time of Distress to invoke them; as also in the Time of an unexpected good Success, to give them Thanks; making the Creatures of their own Fancy their Gods. By which Means it hath come to pass, that from the innumerable Variety of Fancies, Men have created in the World innumerable Sorts of Gods. And this Fear of Things invisible, is the natural Seed of that which every one in himself calleth Religion; and in them that worship or fear that Power otherwise than they do, Superstition.

And this Seed of Religion, having been observed by many, some of those that have observed it, have been inclined thereby to nourish, dress, and form it into Laws, and to add to it of their own Invention, any Opinion of the Causes of future Events, by which they thought they should best be able to govern others, and make unto themselves the greatest Use of their Powers.

C H A P. XII.

Of R E L I G I O N.

SEEING there are no Signs, nor Fruit of Religion, but in Man only, there is no Cause to doubt, but that the Seed of Religion is also only in Man; and consisteth in some peculiar Quality, or at least in some eminent Degree thereof, not to be found in other living Creatures.

And First, it is peculiar to the Nature of Man to be inquisitive into the Causes of the Events they see, some more, some less: but all Men so much, as to be curious in the Search of the Causes of their own good and evil Fortune. First, from his Desire of knowing Causes.

Secondly, upon the Sight of any thing that hath a Beginning, to think also it had a Cause, which determined the same to begin, then when it did, rather than sooner or later. From the Consideration of the Beginning of Things.

Thirdly, whereas there is no other Felicity of Beasts, but the enjoying of their quotidian Food, Ease, and Lusts; as having little or no Foresight of the Time to come, for want of Observation, and Memory of the Order, Consequence, and Dependance of the Things they see; Man observeth how one Event hath been produced by another; and remembereth in them Antecedence and Consequence; and when he cannot assure himself of the true Causes of Things (for the Causes of good and evil Fortune for the most Part are invisible) he supposes Causes of them, either such as his own Fancy suggesteth; or trusteth to the Authority of other Men, such as he thinks to be his Friends, and wiser than himself. From his Observation of the Sequel of Things.

The two first make Anxiety. For being assured that there be Causes of all things that have arrived hitherto, or shall arrive hereafter; it is impossible for a Man, who continually endeavoureth to secure himself against the Evil he fears, and procure the Good he desireth, not to be in a perpetual Solitude of the Time to come; so that every Man, especially The natural Cause of Religion, the Anxiety of the Time to come.

PART cially those that are over-provident, are in an Estate like unto that of
 I. *Prometheus*. For as *Prometheus* (which interpreted, is, *the prudent Man*)
 was bound to the Hill *Caucasus*, a Place of large Prospect, where, an
 Eagle feeding on his Liver, devoured in the Day as much as was repaired
 in the Night: So that Man, which looks too far before him, in the
 Care of future Time, hath his Heart all the Day long gnawed by the
 Fear of Death, Poverty, or other Calamity; and has no Repose, nor
 Pause of his Anxiety, but in Sleep.

Which
 makes them
 fear the Pow-
 er of invis-
 ible Things.

This perpetual Fear always accompanying Mankind in the Ignorance
 of Causes, as it were in the Dark, must needs have for Object some-
 thing. And therefore when there is nothing to be seen, there is nothing
 to accuse, either of their good or evil Fortune, but some *Power* or Agent
invisible: In which Sense perhaps it was, that some of the old Poets
 said, that the Gods were at first created by human Fear: Which spoken
 of the Gods (that is to say, of the many Gods of the Gentiles) is very
 true. But the acknowledging of one God Eternal, Infinite, and Om-
 nipotent, may more easily be derived from the Desire Men have to know
 the Causes of natural Bodies, and their several Virtues and Operations,
 than from the Fear of what is to befall them in Time to come. For
 he that from any Effect he seeth come to pass, should reason to the next
 and immediate Cause thereof, and from thence to the Cause of that
 Cause, and plunge himself profoundly in the Pursuit of Causes, shall
 at last come to this; that there must be (as even the Heathen Philo-
 sopher confessed) one First Mover; that is, a First, and an Eternal
 Cause of all things; which is that Men mean by the Name of God; and
 all this without Thought of their Fortune; the Solicitude whereof both
 inclines to Fear, and hinders them from the Search of the Causes of
 other Things; and thereby gives Occasion of feigning of as many Gods
 as there be Men that feign them.

And suppose
 them incor-
 poreal.

And for the Matter or Substance of the invisible Agents, so fancied,
 they could not, by natural Cogitation, fall upon any other Conceit, but
 that it was the same with that of the Soul of Man; and that the Soul of
 Man was of the same Substance with that which appeareth in a Dream
 to one that sleepeth; or in a Looking-glass, to one that is awake; which
 Men not knowing that such Apparitions are nothing else but Creatures
 of the Fancy, think to be real and external Substances; and therefore
 call them Ghosts, as the *Latins* called them *Imagines*, and *Umbræ*; and
 thought them Spirits, that is, thin aerial Bodies; and those invisible
 Agents, which they feared, to be like them, save that they appear and
 vanish when they please. But the Opinion that such Spirits were incor-
 poreal or immaterial, could never enter into the Mind of any Man by
 Nature; because, though Men may put together Words of contradictory
 Signification, as *Spirit*, and *Incorporeal*; yet they can never have the
 Imagination of any thing answering to them: And therefore, Men that
 by their own Meditation arrive to the Acknowledgment of one Infinite,
 Omnipotent, and Eternal God, chuse rather to confess he is Incompre-
 hensible, and above their Understanding, than to define his Nature by
Spirit Incorporeal, and then confess their Definition to be unintelligible;
 or, if they give him such a Title, it is not *dogmatically*, with Intention
 to make the Divine Nature understood, but *piously* to honour him with
 Attributes of Significations as remote as they can from the Grossness of
 Bodies visible.

But know
 not the Way
 how they ef-
 fect any
 thing.

Then, for the Way by which they think these invisible Agents
 wrought their Effects; that is to say, what immediate Causes they used
 in bringing Things to pass, Men that know not what it is that we call
Causing (that is, almost all Men) have no other Rule to guess by, but
 by

by observing, and remembering what they have seen to precede the like Effect at some other Time, or Times before, without seeing between the antecedent and subsequent Event, any Dependance or Connexion at all: And therefore from the like Things past, they expect the like Things to come; and hope for good or evil Luck, superstitiously, from Things that have no part at all in the causing of it: As the *Athenians* did for their War at *Lepanto*, demand another *Phormio*; the *Pompeian* Faction for their War in *Africa*, another *Scipio*; and others have done in divers other Occasions since. In like Manner they attribute their Fortune to a Stand-by, to a lucky or unlucky Place, to Words spoken, especially if the Name of God be amongst them; as Charming, and Conjuring (the Liturgy of Witches;) insomuch as to believe, they have Power to turn a Stone into Bread, Bread into a Man, or any Thing into any Thing.

Thirdly, for the Worship which naturally Men exhibit to Powers invisible, it can be no other, but such Expressions of their Reverence, as they would use towards Men; Gifts, Petitions, Thanks, Submission of Body, considerate Addresses, sober Behaviour, premeditated Words, Swearing (that is, assuring one another of their Promises,) by invoking them. Beyond that Reason suggesteth nothing; but leaves them either to rest there; or for further Ceremonies, to rely on those they believe to be wiser than themselves.

But honour them as they honour Men.

Lastly, concerning how these invisible Powers declare to Men the Things which shall hereafter come to pass, especially concerning their good and evil Fortune in general, or good or ill Success in any particular Undertaking, Men are naturally at a Stand; save that using to conjecture of the Time to come, by the Time past, they are very apt, not only to take casual Things, after one or two Encounters, for Prognostics of the like Encounter ever after, but also to believe the like Prognostics from other Men, of whom they have once conceived a good Opinion.

And attribute to them all extraordinary Events.

And in these four Things, Opinion of Ghosts, Ignorance of second Causes, Devotion towards what Men fear, and taking of Things Casual for Prognostics, consisteth the natural Seed of *Religion*; which by Reason of the different Fancies, Judgments, and Passions of several Men, hath grown up into Ceremonies so different, that those which are used by one Man, are for the most part ridiculous to another.

Four Things natural Seeds of Religion.

For these Seeds have received Culture from two Sorts of Men. One Sort have been they that have nourished and ordered them, according to their own Invention. The other have done it by God's Commandment and Direction: but both Sorts have done it, with a Purpose to make those Men that relied on them, the more apt to Obedience, Laws, Peace, Charity, and civil Society. So that the Religion of the former Sort, is a Part of human Politics; and teacheth Part of the Duty which earthly Kings require of their Subjects. And the Religion of the latter Sort is divine Politics; and containeth Precepts to those that have yielded themselves Subjects in the Kingdom of God. Of the former Sort, were all the Founders of Commonwealths, and the Law-givers of the *Gentiles*: Of the latter Sort, were *Abraham*, *Moses*, and our *Blessed Saviour*; by whom have been derived unto us the Laws of the Kingdom of God,

Made different by Culture.

And for that Part of Religion, which consisteth in Opinions concerning the Nature of Powers invisible, there is almost nothing that has a Name, that has not been esteemed among the *Gentiles*, in one Place or another, a God, or Devil; or by their Poets feigned to be inanimated, inhabited, or possessed by some Spirit or other.

The absurd Opinion of Gentilism.

The unformed Matter of the World, was a God, by the Name of *Chaos*.

The

The Heaven, the Ocean, the Planets, the Fire, the Earth, the Winds, were so many Gods.

Men, Women, a Bird, a Crocodile, a Calf, a Dog, a Snake, an Onion, a Leek, were deified. Besides, they filled almost all Places with Spirits called *Dæmons*: the Plains, with *Pan*, and *Panises*, or Satyrs; the Woods, with Fawns and Nymphs; the Sea, with Tritons, and other Nymphs; every River and Fountain, with a Ghost of his Name, and with Nymphs; every House, with its *Lares*, or Familiars; every Man, with his *Genius*; Hell, with Ghosts and spiritual Officers, as *Charon*, *Cerberus*, and the *Furies*; and in the Night-time, all Places with *Larvæ*, *Lemures*, Ghosts of Men deceased, and a whole Kingdom of Fairies, and Bugbears. They have also ascribed Divinity, and built Temples to mere Accidents, and Qualities; such as are Time, Night, Day, Peace, Concord, Love, Contention, Virtue, Honour, Health, Rust, Fever, and the like; which when they prayed for, or against, they prayed to, as if there were Ghosts of those Names hanging over their Heads, and letting fall, or with-holding that Good, or Evil, for, or against which they prayed. They invoked also their own Wit, by the Name of *Muses*; their own Ignorance, by the Name of *Fortune*; their own Lust, by the Name of *Cupid*; their own Rage, by the Name of *Furies*; their own Privy Members, by the Name of *Priapus*; and attributed their Pollutions, to *Incubi*, and *Succubæ*: inasmuch as there was nothing which a Poet could introduce as a Person in his Poem, which they did not make either a *God*, or a *Devil*.

The same Authors of the Religion of the *Gentiles*, observing the second Ground for Religion, which is Men's Ignorance of Causes; and thereby their Aptness to attribute their Fortune to Causes, on which there was no Dependance at all apparent, took Occasion to obtrude on their Ignorance, instead of second Causes, a Kind of second and ministerial Gods; ascribing the Cause of Fœcundity, to *Venus*; the Cause of Arts, to *Apollo*; of Subtilty and Craft, to *Mercury*; of Tempests and Storms, to *Æolus*; and of other Effects, to other Gods: insomuch as there was amongst the Heathen almost as great Variety of Gods, as of Business.

And to the Worship, which naturally Men conceived fit to be used towards their Gods, namely Oblations, Prayers, Thanks, and the rest formerly named; the same Legislators of the *Gentiles* have added their Images both in Picture, and Sculpture; that the more ignorant Sort, (that is to say, the most Part, or Generality of the People) thinking the Gods, for whose Representation they were made, were really included, and as it were housed within them, might so much the more stand in Fear of them: and endowed them with Lands, and Houses, and Officers, and Revenues, set apart from all other human Uses; that is, consecrated, and made holy to those their Idols; as Caverns, Groves, Woods, Mountains, and whole Islands; and have attributed to them, not only the Shapes, some of Men, some of Monsters, but also the Faculties and Passions of Men and Beasts; as Sense, Speech, Sex, Lust, Generation, (and this not only by mixing one with another, to propagate the Kind of Gods; but also by mixing with Men and Women, to beget Mungril Gods, and but Inmates of Heaven, as *Bacchus*, *Hercules*, and others;) besides, Anger, Revenge, and other Passions of living Creatures, and the Actions proceeding from them, as Fraud, Theft, Adultery, Sodomy, and any Vice that may be taken for an Effect of Power, or a Cause of Pleasure; and all such Vices as amongst Men are taken to be against Law, rather than against Honour.

Lastly, to the Prognostics of Time to come; which are naturally, but Conjectures upon the Experience of time past; and supernaturally, divine

divine Revelation ; the same Authors of the Religion of the *Gentiles*, partly upon pretended Experience, partly upon pretended Revelation, have added innumerable other superstitious Ways of Divination ; and made Men believe they should find their Fortunes, sometimes in the ambiguous or senseless Answers of the Priests at *Delphi*, *Delos*, *Ammon*, and other famous Oracles ; which were made ambiguous by Design, to own the Event both Ways ; or absurd, by the intoxicating Vapour of the Place, which is very frequent in sulphurous Caverns : Sometimes in the Leaves of the *Sibyls* ; of whose Prophecies (like those perhaps of *Nostradamus*, for the Fragments now extant seem to be the Invention of later Times) there were some Books in Reputation in the Time of the *Roman* Republic : Sometimes in the insignificant Speeches of Madmen, supposed to be possessed with a divine Spirit, which Possession they called Enthusiasm ; and these Kinds of foretelling Events, were accounted Theomancy, or Prophecy : Sometimes in the Aspect of the Stars at their Nativity ; which was called Horoscopy, and esteemed a Part of judicial Astrology : Sometimes in their own Hopes and Fears, called Thumomancy, or Presage : Sometimes in the Prediction of Witches, that pretended Conference with the Dead ; which is called Necromancy, Conjuring, and Witchcraft ; and is but juggling and confederate Knavery : Sometimes in the casual Flight, or feeding of Birds ; called Augury : Sometimes in the Entrails of a sacrificed Beast ; which was Aruspicy : Sometimes in Dreams : Sometimes in croaking of Ravens, or chattering of Birds : Sometimes in the Lineaments of the Face ; which was called Metoposcopy ; or by Palmistry in the Lines of the Hand ; in casual Words, called *Omina* : Sometimes in Monsters, or unusual Accidents ; as Eclipses, Comets, rare Meteors, Earthquakes, Inundations, uncouth Births, and the like, which they called *Portenta*, and *Ostenta*, because they thought them to portend, or foreshew some great Calamity to come : Sometimes in mere Lottery, as Cross and Pile ; counting Holes in a Sieve ; dipping of Verses in *Homer* and *Virgil* ; and innumerable other such vain Conceits. So easy are Men to be drawn to believe any Thing, from such Men as have gotten Credit with them ; and can with Gentleness, and Dexterity, take hold of their Fear and Ignorance.

And therefore the first Founders and Legislators of Commonwealths amongst the *Gentiles*, whose Ends were only to keep the People in Obedience, and Peace, have in all Places taken Care ; first, to imprint in their Minds a Belief, that those Precepts which they gave concerning Religion, might not be thought to proceed from their own Device, but from the Dictates of some God, or other Spirit ; or else that they themselves were of a higher Nature than mere Mortals, that their Laws might the more easily be received : So *Numa Pompilius* pretended to receive the Ceremonies he instituted amongst the *Romans*, from the Nymph *Egeria* : and the first King and Founder of the Kingdom of *Peru*, pretended himself and his Wife to be the Children of the Sun : and *Mahomet*, to set up his new Religion, pretended to have Conferences with the Holy Ghost, in the Form of a Dove. Secondly, they have had a Care to make it believed, that the same Things were displeasing to the Gods, which were forbidden by the Laws. Thirdly, to prescribe Ceremonies, Supplications, Sacrifices, and Festivals, by which they were to believe the Anger of the Gods might be appeased ; and that ill Success in War, great Contagions of Sickness, Earthquakes, and each Man's private Misery, came from the Anger of the Gods ; and their Anger from the Neglect of their Worship, or the forgetting, or mistaking some Point of the Ceremonies required. And though amongst the antient Romans, Men were not forbidden to deny, that which in the Poets is written of the

The Designs
of the Au-
thors of the
Religion of
the Heathen.

PART I. Pains and Pleasures after this Life ; which divers of great Authority and Gravity in that State have in their *Harangues* openly derided ; yet that Belief was always more cherished than the contrary.

And by these, and such other Institutions they obtained in order to their End, (which was the Peace of the Commonwealth) that the common People in their Misfortunes, laying the Fault on Neglect, or Error in their Ceremonies, or on their own Disobedience to the Laws, were the less apt to mutiny against their Governors: And being entertained with the Pomp and Pastime of Festivals, and public Games made in Honour of the Gods, needed nothing else but Bread, to keep them from Discontent, Murmuring, and Commotion against the State. And therefore the *Romans*, that had conquered the greatest Part of the then known World, made no Scruple of tolerating any Religion whatsoever in the City of *Rome* itself; unless it had something in it, that could not consist with their civil Government; nor do we read, that any Religion was there forbidden, but that of the *Jews*; who (being the peculiar Kingdom of God) thought it unlawful to acknowledge Subjection to any mortal King or State whatsoever. And thus you see how the Religion of the *Gentiles* was a Part of their Policy.

The true Religion, and the Laws of God's Kingdom, the same.

But where God himself, by supernatural Revelation, planted Religion, there he also made to himself a peculiar Kingdom; and gave Laws, not only of Behaviour towards himself, but also towards one another; and thereby in the Kingdom of God, the Policy, and Laws Civil, are a Part of Religion; and therefore the Distinction of Temporal and Spiritual Dominion, hath there no Place. It is true, that God is King of all the Earth: Yet may he be King of a peculiar and chosen Nation. For there is no more Incongruity therein, than that he that hath the general Command of the whole Army, should have withal a peculiar Regiment, or Company of his own. God is King of all the Earth by his Power: but to speak more largely of the Kingdom of God, both by Nature and Covenant, I have in the following Discourse assigned another Place.

Chap. xxxv.

The Causes of Change in Religion.

From the Propagation of Religion, it is not hard to understand the Causes of the Resolution of the same into its first Seeds, or Principles; which are only an Opinion of a Deity, and Powers invisible, and supernatural; that can never be so abolished out of human Nature, but that new Religions may again be made to spring out of them, by the Culture of such Men, as for such Purpose are in Reputation.

For seeing all formed Religion is founded at first upon the Faith which a Multitude hath in some one Person, whom they believe not only to be a wise Man, and to labour to procure their Happiness, but also to be a holy Man, to whom God himself vouchsafeth to declare his Will supernaturally; it followeth necessarily, when they that have the Government of Religion, shall come to have either the Wisdom of those Men, their Sincerity, or their Love suspected; or that they shall be unable to shew any probable Token of divine Revelation; that the Religion which they desire to uphold, must be suspected likewise; and (without the Fear of the civil Sword) contradicted and rejected.

Enjoining Belief of Impossibilities.

That which taketh away the Reputation of Wisdom, in him that formeth a Religion, or addeth to it when it is already formed, is the enjoining of a Belief of Contradictories: for both Parts of a Contradiction cannot possibly be true: and therefore to enjoin the Belief of them, is an Argument of Ignorance; which detects the Author in that, and discredits him in all Things else he shall propound as from Revelation supernatural: which Revelation a Man may indeed have of many Things above, but of nothing against natural Reason.

That which taketh away the Reputation of Sincerity, is the doing or saying such Things as appear to be Signs, that what they require other Men to believe, is not believed by themselves: all which Doings or Sayings are therefore called scandalous, because they be Stumbling-blocks, that make Men to fall in the Way of Religion: as Injustice, Cruelty, Prophaneness, Avarice, and Luxury. For who can believe, that he that doth ordinarily such Actions, as proceed from any of these Roots, believeth there is any such invifible Power to be feared, as he affrighteth other Men withal for leffer Faults?

CHAP.
XII.

Doing contrary to the Religion they establish.

That which taketh away the Reputation of Love, is the being detected of private Ends: as when the Belief they require of others conduceth or seemeth to conduce to the acquiring of Dominion, Riches, Dignity, or to secure Pleasure to themselves only, or specially. For that which Men reap Benefit by to themselves, they are thought to do for their own Sakes, and not for Love of others.

Lastly, the Testimony that Men can render of Divine Calling, can be no other than the Operation of Miracles, or true Prophecy, (which also is a Miracle;) or extraordinary Felicity. And therefore, to those Points of Religion which have been received from them that did such Miracles, those that are added by such, as approve not their Calling by some Miracle, obtain no greater Belief than what the Custom and Laws of the Places, in which they be educated, have wrought into them. For as in natural Things, Men of Judgment require natural Signs and Arguments; so in supernatural Things, they require Signs supernatural, (which are Miracles) before they consent inwardly, and from their Hearts.

Want of the Testimony of Miracles.

All which Causes of the weakening of Men's Faith, do manifestly appear in the Examples following. First, we have the Example of the Children of *Israel*; who when *Moses*, that had approved his Calling to them by Miracles, and by the happy Conduct of them out of *Egypt*, was absent but forty Days, revolted from the Worship of the true God, recommended to them by him; and setting up * a golden Calf for their God, relapsed into the Idolatry of the *Egyptians*, from whom they had been so lately delivered. And again, after *Moses*, *Aaron*, *Joshua*, and that Generation which had seen the great Works of God in *Israel*, † were dead, another Generation arose, and served *Baal*. So that Miracles failing, Faith also failed.

* Exod. xxxii. 1, 2.
† Judges ii. 11.

Again, when the Sons of *Samuel*, ‡ being constituted by their Father Judges in *Beer-sheba*, received Bribes, and judged unjustly, the People of *Israel* refused any more to have God to be their King, in other Manner than he was King of other People; and therefore cried out to *Samuel*, to chuse them a King after the Manner of the Nations. So that Justice failing, Faith also failed: infomuch, as they deposed their God from reigning over them.

‡ 1 Sam. viii. 3.

And whereas in the planting of Christian Religion, the Oracles ceased in all Parts of the *Roman Empire*, and the Number of Christians increased wonderfully every Day, and in every Place, by the Preaching of the Apostles and Evangelists; a great part of such Success, may reasonably be attributed to the Contempt into which the Priests of the *Gentiles* of that Time had brought themselves, by their Uncleaness, Avarice, and Juggling between Princes. Also the Religion of the Church of *Rome* was partly for the same Cause abolished in *England*, and many other Parts of *Christendom*; infomuch as the failing of Virtue in the Pastors, maketh Faith fail in the People: and partly from bringing of the Philosophy and Doctrine of *Aristotle* into Religion by the Schoolmen; from whence there arose so many Contradictions and Absurdities, as brought the

the

PART I. the Clergy into a Reputation both of Ignorance and of fraudulent Intention; and inclined People to revolt from them, either against the Will of their own Princes, as in *France* and *Holland*; or with their Will, as in *England*.

Lastly, amongst the Points by the Church of *Rome* declared necessary for Salvation, there be so many manifestly to the Advantage of the Pope, and of his spiritual Subjects residing in the Territories of other Christian Princes, that were it not for the mutual Emulation of those Princes, they might, without War or Trouble, exclude all foreign Authority, as easily as it has been excluded in *England*. For who is there that does not see to whose Benefit it conduceth, to have it believed, that a King hath not his Authority from Christ, unless a Bishop crown him? That a King, if he be a Priest, cannot marry? That whether a Prince be born in lawful Marriage, or not, must be judged by Authority from *Rome*? That Subjects may be freed from their Allegiance, if by the Court of *Rome* the King be judged an Heretic? That a King (as *Chilperic* of *France*) may be deposed by a Pope (as Pope *Zachary*) for no Cause; and his Kingdom given to one of his Subjects? That the Clergy and Regulars, in what Country soever, shall be exempt from the Jurisdiction of their King, in Cases criminal? Or who does not see to whose Profit redound the Fees of private Masses, and Vales of Purgatory; with other Signs of private Interest, enough to mortify the most lively Faith, if (as I said) the Civil Magistrate and Custom did not more sustain it, than any Opinion they have of the Sanctity, Wisdom, or Probity of their Teachers? So that I may attribute all the Changes of Religion in the World to one and the same Cause; and that is, unpleasing Priests; and those not only amongst Catholics, but even in that Church that hath presumed most of Reformation.

C H A P. XIII.

Of the NATURAL CONDITION of Mankind, as concerning their Felicity and Misery.

Men by Nature equal.

NATURE hath made Men so equal in the Faculties of Body and Mind, as that though there be found one Man sometimes manifestly stronger in Body, or of quicker Mind than another; yet when all is reckoned together, the Difference between Man and Man is not so considerable, as that one Man can thereupon claim to himself any Benefit, to which another may not pretend as well as he. For as to the Strength of Body, the Weakest has Strength enough to kill the Strongest, either by secret Machination, or by Confederacy with others, that are in the same Danger with himself.

And as to the Faculties of the Mind, (setting aside the Arts grounded upon Words, and especially that Skill of proceeding upon general and infallible Rules, called Science, which very few have, and but in a few Things, as being not a native Faculty, born with us, nor attained, as Prudence, while we look after somewhat else) I find yet a greater Equality amongst Men than that of Strength. For Prudence is but Experience, which equal Time equally bestows on all Men, in those Things they equally apply themselves unto. That which may perhaps make such Equality incredible, is but a vain Conceit of one's own Wisdom, which almost all Men think they have in a greater Degree than the
Vulgar;

Vulgar; that is, than all Men but themselves, and a few others, whom by Fame, or concurring with themselves, they approve. For such is the Nature of Men, that howsoever they may acknowledge many others to be more witty, or more eloquent, or more learned; yet they will hardly believe there be many so wise as themselves; for they see their own Wit at Hand, and other Men's at a Distance. But this proveth rather that Men are in that Point equal, than unequal. For there is not ordinarily a greater Sign of the equal Distribution of any thing, than that every Man is contented with his Share.

From this Equality of Ability, ariseth Equality of Hope in the attaining of our Ends. And therefore, if any two Men desire the same Thing, which nevertheless they cannot both enjoy, they become Enemies; and in the Way to their End (which is principally their own Conservation, and sometimes their Delectation only) endeavour to destroy or subdue one another. And from hence it comes to pass, that where an Invader hath no more to fear, than another Man's single Power; if one plant, sow, build, or possess a convenient Seat, others may probably be expected to come prepared with Forces united, to dispossess and deprive him, not only of the Fruit of his Labour, but also of his Life or Liberty. And the Invader again is in the like Danger of another.

And from this Diffidence of one another, there is no Way for any Man to secure himself, so reasonable, as Anticipation; that is, by Force or Wiles to master the Persons of all Men he can, so long, till he see no other Power great enough to endanger him; and this is no more than his own Conservation requireth, and is generally allowed. Also because there be some, that taking Pleasure in contemplating their own Power in the Acts of Conquest, which they pursue farther than their Security requires; if others, that otherwise would be glad to be at Ease within modest Bounds, should not by Invasion increase their Power, they would not be able, long Time, by standing only on their Defence, to subsist. And by Consequence, such Augmentation of Dominion over Men being necessary to a Man's Conservation, it ought to be allowed him.

Again, Men have no Pleasure (but on the contrary a great deal of Grief) in keeping Company, where there is no Power able to overawe them all. For every Man looketh that his Companion should value him at the same Rate he sets upon himself; and upon all Signs of Contempt or Undervaluing, naturally endeavours, as far as he dares (which amongst them that have no common Power to keep them in Quiet, is far enough to make them destroy each other) to extort a greater Value from his Contemners by Damage, and by others from the Example.

So that in the Nature of Man we find three principal Causes of Quarrel. First, Confidence; Secondly, Diffidence; Thirdly, Glory.

The First, maketh Men invade for Gain; the Second, for Safety; and the Third, for Reputation. The First use Violence to make themselves Masters of other Men's Persons, Wives, Children, and Cattle; the Second, to defend them; the Third, for Trifles, as a Word, a Smile, a different Opinion, and any other Sign of Undervaluation, either direct in their Persons, or by Reflection in their Kindred, their Friends, their Nation, their Profession, or their Name.

Hereby it is manifest, that during the Time Men live without a common Power to keep them all in Awe, they are in that Condition which is called War; and such a War, as is of every Man against every Man. For War consisteth not in Battle only, or the Act of Fighting, but in

Out of Civil States, there is always War of every one against every one.

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a Tract of Time, wherein the Will to contend by Battle is sufficiently known; and therefore the Notion of *Time* is to be considered in the Nature of War, as it is in the Nature of Weather. For as the Nature of foul Weather lieth not in a Shower or two of Rain, but in an Inclination thereto of many Days together; so the Nature of War consisteth not in actual Fighting, but in the known Disposition thereto, during all the Time there is no Assurance to the contrary. All other Time is *Peace*.

The Incom-
modities of
War.

Whatsoever therefore is consequent to a Time of War, where every Man is Enemy to every Man, the same is consequent to the Time wherein Men live without other Security, than what their own Strength and their own Invention shall furnish them withal. In such Condition there is no Place for Industry, because the Fruit thereof is uncertain; and consequently no Culture of the Earth, no Navigation, nor Use of the Commodities that may be imported by Sea; no commodious Building; no Instruments of moving and removing such Things as require much Force; no Knowledge of the Face of the Earth, no Account of Time, no Arts, no Letters, no Society, and, which is worst of all, continual Fear and Danger of eternal Death; and the Life of Man, solitary, poor, nasty, brutish, and short.

It may seem strange to some Man, that has not well weighed these Things, that Nature should thus dissociate, and render Men apt to invade and destroy one another: and he may therefore, not trusting to this Inference, made from the Passions, desire perhaps to have the same confirmed by Experience. Let him therefore consider with himself, when taking a Journey he arms himself, and seeks to go well accompanied; when going to sleep, he locks his Doors; when even in his House, he locks his Chests; and this when he knows there be Laws, and public Officers, armed, to revenge all Injuries shall be done him; what Opinion he has of his Fellow-Subjects, when he rides armed; of his Fellow-Citizens, when he locks his Doors; and of his Children and Servants, when he locks his Chests. Does he not there as much accuse Mankind by his Actions, as I do by my Words? But neither of us accuse Man's Nature in it. The Desires and other Passions of Man, are in themselves no Sin. No more are the Actions that proceed from those Passions, till they know a Law that forbids them: which, till Laws be made, they cannot know: nor can any Law be made, till they have agreed upon the Person that shall make it.

It may peradventure be thought, there never was such a Time, nor Condition of War as this; and I believe it was never generally so, over all the World: but there are many Places, where they live so now. For the savage People in many Places of *America*, except the Government of small Families, the Concord whereof depended on natural Lust, have no Government at all; and live at this Day in that brutish Manner as I said before. Howsoever, it may be perceived what Manner of Life there would be, where there were no common Power to fear; by the Manner of Life, which Men that have formerly lived under a peaceful Government, use to degenerate into, in a civil War.

But though there had never been any Time, wherein particular Men were in a Condition of War one against another; yet in all Times, Kings, and Persons of Sovereign Authority, because of their Independency, are in continual Jealousies, and in the State and Posture of Gladiators; having their Weapons pointing, and their Eyes fixed on one another; that is, their Forts, Garrisons, and Guns upon the Frontiers of their Kingdoms; and continual Spies upon their Neighbours; which

is a Posture of War. But because they uphold thereby the Industry of their Subjects, there does not follow from it that Misery which accompanies the Liberty of particular Men. CHAP. XIV.

To this War of every Man against every Man, this also is consequent ; In such a War, nothing is unjust. that nothing can be unjust. The Notions of Right and Wrong, Justice and Injustice, have there no Place. Where there is no common Power, there is no Law : where no Law, no Injustice. Force, and Fraud, are in War the two Cardinal Virtues. Justice, and Injustice, are none of the Faculties neither of the Body nor Mind. If they were, they might be in a Man that were alone in the World, as well as his Senses and Passions. They are Qualities that relate to Men in Society, not in Solitude. It is consequent also to the same Condition, that there be no Propriety, no Dominion, no *Mine* and *Thine* distinct : but only that to be every Man's, that he can get ; and for so long as he can keep it. And thus much for the ill Condition, which Man by mere Nature is actually placed in ; though with a Possibility to come out of it, consisting partly in the Passions, partly in his Reason.

The Passions that incline Men to Peace, are Fear of Death ; Desire of such Things as are necessary to commodious Living ; and a Hope by their Industry to obtain them. And Reason suggesteth convenient Articles of Peace, upon which Men may be drawn to Agreement. These Articles are they, which otherwise are called the Laws of Nature : whereof I shall speak more particularly in the two following Chapters. The Passions that incline Men to Peace.

C H A P. XIV.

Of the first and second NATURAL LAWS, and of CONTRACTS.

THE *Right of Nature*, which Writers commonly call *Jus Naturale*, is the Liberty each Man hath to use his own Power, as he will himself, for the Preservation of his own Nature ; that is to say, of his own Life ; and consequently, of doing any Thing, which in his own Judgment and Reason he shall conceive to be the aptest Means thereunto. Right of Nature, what.

By *Liberty* is understood, according to the proper Signification of the Word, the Absence of external Impediments : which Impediments may oft take away Part of a Man's Power to do what he would ; but cannot hinder him from using the Power left him, according as his Judgment and Reason shall dictate to him. Liberty, what.

A *Law of Nature*, (*Lex Naturalis*) is a Precept or general Rule, found out by Reason, by which a Man is forbidden to do that which is destructive of his Life, or taketh away the Means of preserving the same ; and to omit that, by which he thinketh it may be best preserved. For though they that speak of this Subject, use to confound *Jus* and *Lex*, *Right* and *Law* ; yet they ought to be distinguished ; because *Right* consisteth in Liberty to do, or to forbear ; whereas *Law* determineth, and bindeth to one of them : so that Law and Right, differ as much as Obligation, and Liberty ; which in one and the same Matter are inconsistent. A Law of Nature, what. Difference of Right and Law.

And because the Condition of Man, (as hath been declared in the precedent Chapter) is a Condition of War of every one against every one ; in which Case every one is governed by his own Reason ; and there is no thing Naturally every Man has Right to every Thing.

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thing he can make use of that may not be a Help unto him, in preserving his Life against his Enemies; it followeth, that in such a Condition every Man has a Right to every Thing, even to one another's Body. And therefore, as long as this natural Right of every Man to every Thing endureth, there can be no Security to any Man, (how strong or wise soever he be) of living out the Time, which Nature ordinarily alloweth Men to live. And consequently it is a Precept, or general Rule of Reason, *That every Man ought to endeavour Peace, as far as he has Hope of obtaining it; and when he cannot obtain it, that he may seek and use all Helps and Advantages of War.* The first Branch of which Rule, containeth the first and fundamental Law of Nature; which is, *to seek Peace, and follow it.* The second, the Sum of the Right of Nature; which is, *By all Means we can, to defend ourselves.*

The Fundamental Law of Nature.

The second Law of Nature.

From this fundamental Law of Nature, by which Men are commanded to endeavour Peace, is derived this second Law; *That a Man be willing, when others are so too, as farforth as for Peace and Defence of himself he shall think it necessary, to lay down this Right to all Things; and be contented with so much Liberty against other Men, as he would allow other Men against himself.* For as long as every Man holdeth this Right, of doing any Thing he liketh; so long are Men in the Condition of War. But if other Men will not lay down their Right, as well as he; then there is no Reason for any one to divest himself of his: For that were to expose himself to Prey, (which no Man is bound to) rather than to dispose himself to Peace. This is that Law of the Gospel; *Whatsoever you require that others should do to you, that do ye to them.* And that Law of all Men, *Quod tibi fieri non vis, alteri ne feceris.*

What it is to lay down a Right.

To lay down a Man's Right to any Thing, is to divest himself of the Liberty of hindering another of the Benefit of his own Right to the same. For he that renounceth, or passeth away his Right, giveth not to any other Man a Right which he had not before; because there is nothing to which every Man had not Right by Nature: but only standeth out of his Way, that he may enjoy his own original Right, without Hindrance from him; not without Hindrance from another. So that the Effect which redoundeth to one Man, by another Man's Defect of Right, is but so much Diminution of Impediments to the Use of his own Right original.

Renouncing a Right, what it is. Transferring Right, what.

Right is laid aside, either by simply renouncing it; or by transferring it to another. By *simply renouncing*; when he cares not to whom the Benefit thereof redoundeth. By *transferring*; when he intendeth the Benefit thereof to some certain Person, or Persons. And when a Man hath in either Manner abandoned, or granted away his Right; then he is said to be *obliged*, or *bound*, not to hinder those, to whom such Right is granted, or abandoned, from the Benefit of it: and that he *ought*, and it is his *Duty*, not to make void that voluntary Act of his own: and that such Hindrance is *Injustice*, and *Injury*, as being *sine Jure*; the Right being before renounced, or transferred. So that *Injury*, or *Injustice*, in the Controversies of the World, is somewhat like to that which in the Disputations of Scholars is called *Absurdity*. For as it is there called an *Absurdity*, to contradict what one maintained in the Beginning: so in the World, it is called *Injustice*, and *Injury*, voluntarily to undo that, which from the Beginning he had voluntarily done. The Way by which a Man either simply renounceth, or transferreth his Right, is a Declaration, or Signification, by some voluntary and sufficient Sign, or Signs, that he doth so renounce or transfer; or hath so renounced or transferred the same, to him that accepteth it. And these Signs are either Words only, or Actions only; or (as it happeneth most often) both Words and Actions. And the same are the *Bonds*, by which Men are

Obligation.

Duty.

Injustice.

bound

bound and obliged: Bonds, that have their Strength, not from their own Nature, (for nothing is more easily broken than a Man's Word) but from Fear of some evil Consequence upon the Rupture. CHAP. XIV.

Whensoever a Man transferreth his Right, or renounceth it, it is either in Consideration of some Right reciprocally transferred to himself, or for some other Good he hopeth for thereby. For it is a voluntary Act: and of the voluntary Acts of every Man, the Object is some *Good to himself*. And therefore there be some Rights, which no Man can be understood by any Words or other Signs to have abandoned, or transferred. As first, a Man cannot lay down the Right of resisting them that assault him by Force, to take away his Life; because he cannot be understood to aim thereby at any Good to himself. The same may be said of Wounds, and Chains, and Imprisonment; both because there is no Benefit consequent to such Patience, as there is to the Patience of suffering another to be wounded, or imprisoned: as also because a Man cannot tell, when he seeth Men proceed against him by Violence, whether they intend his Death or not. And lastly, the Motive and End for which this renouncing and transferring of Right is introduced, is nothing else but the Security of a Man's Person in his Life, and in the Means of so preserving Life, as not to be weary of it. And therefore if a Man by Words, or other Signs, seem to despoil himself of the End, for which those Signs were intended; he is not to be understood as if he meant it, or that it was his Will; but that he was ignorant of how such Words and Actions were to be interpreted.

Not all Rights are alienable.

The mutual transferring of Right, is that which Men call *Contract*. Contract, what.

There is Difference between transferring of Right to the Thing, and transferring or Tradition, that is, Delivery of the Thing itself. For the Thing may be delivered together with the Translation of the Right; as in buying and selling with ready Money; or Exchange of Goods, or Lands: and it may be delivered some time after.

Again, one of the Contractors may deliver the Thing contracted for on his Part, and leave the other to perform his Part at some determinate Time after, and in the mean Time be trusted; and then the Contract on his Part, is called *Pact*, or *Covenant*: Or both Parties may contract now, to perform hereafter: in which Cases, he that is to perform in time to come, being trusted, his Performance is called *Keeping of Promise*, or *Faith*; and the failing of Performance (if it be voluntary) *Violation of Faith*. Covenant, what.

When the transferring of Right is not mutual; but one of the Parties transferreth, in hope to gain thereby Friendship, or Service from another, or from his Friends; or in hope to gain the Reputation of Charity, or Magnanimity; or to deliver his Mind from the Pain of Compassion; or in hope of Reward in Heaven; this is not Contract, but *Gift*, *Free-gift*, *Free-gift*, *Grace*: which Words signify one and the same Thing.

Signs of Contract, are either *express*, or *by Inference*. Express, are Words spoken with Understanding of what they signify: And such Words are either of the Time *present*, or *past*; as, *I give*, *I grant*, *I have given*, *I have granted*, *I will that this be yours*: Or of the future; as, *I will give*, *I will grant*: which Words of the future are called *Promise*. Signs of Contract express.

Signs by Inference, are sometimes the Consequence of Words; sometimes the Consequence of Silence; sometimes the Consequence of Actions; sometimes the Consequence of forbearing an Action: and generally a Sign by Inference, of any Contract, is whatsoever sufficiently argues the Will of the Contractor. Signs of Contract by Inference.

PART

I.

Free-gift
passeth by
Words of the
present or
past.

Words alone, if they be of the Time to come, and contain a bare Promise, are an insufficient Sign of a Free-gift, and therefore not obligatory. For if they be of the Time to come, as, *To-morrow I will give*, they are a Sign I have not given yet, and consequently that my Right is not transferred, but remaineth till I transfer it by some other Act. But if the Words be of the Time present, or past, as *I have given, or do give to be delivered To-morrow*, then is my To-morrow's Right given away To-day; and that by Virtue of the Words, though there were no other Argument of my Will. And there is a great Difference in the Signification of these Word, *Volo hoc tuum esse cras*, and *Cras dabo*; that is, between *I will that this be thine To-morrow*, and, *I will give it thee To-morrow*: For the Word *I will*, in the former Manner of Speech, signifies an Act of the Will present; but in the latter it signifies a Promise of an Act of the Will to come; and therefore the former Words being of the present, transfer a future Right; the latter, that be of the future, transfer nothing. But if there be other Signs of the Will to transfer a Right; besides Words; then, though the Gift be free, yet may the Right be understood to pass by Words of the future: as if a Man propound a Prize to him that comes first to the End of a Race, the Gift is free; and though the Words be of the future, yet the Right passeth: for if he would not have his Words so to be understood, he should not have let them run.

Signs of Con-
tract are
Words both
of past, pre-
sent, and fu-
ture.

In Contracts, the Right passeth, not only where the Words are of the Time present, or past; but also where they are of the future: because all Contract is mutual Translation, or Change of Right; and therefore he that promiseth only, because he hath already received the Benefit for which he promiseth, is to be understood as if he intended the Right should pass: for unless he had been content to have his Words so understood, the other would not have performed his Part first. And for that Cause, in buying and selling, and other Acts of Contract, a Promise is equivalent to a Covenant; and therefore obligatory.

Merit, what.

He that performeth first in the Case of a Contract, is said to *merit* that which he is to receive by the Performance of the other; and he hath it as *Due*. Also when a Prize is propounded to many, which is to be given to him only that winneth; or Money is thrown amongst many, to be enjoyed by them that catch it; though this be a Free-gift; yet so to win, or so to catch, is to *merit*, and to have it as *Due*. For the Right is transferred in the propounding of the Prize, and in throwing down the Money; though it be not determined to whom, but by the Event of the Contention. But there is between these two Sorts of Merit, this Difference, that in Contract I merit by Virtue of my own Power, and the Contractor's Need; but in this Case of Free-gift, I am enabled to merit only by the Benignity of the Giver: In Contract, I merit at the Contractor's Hand that he should depart with his Right; in case of Gift, I merit not that the Giver should part with his Right; but that when he has parted with it, it should be mine, rather than another's. And this I think to be the Meaning of that Distinction of the Schools, between *Meritum congrui*, and *Meritum condigni*. For God Almighty, having promised Paradise to those Men (hoodwink'd with carnal Desires) that can walk through this World according to the Precepts and Limits prescribed by him; they say, he that shall so walk, shall merit Paradise *ex congruo*. But because no Man can demand a Right to it by his own Righteousness, or any other Power in himself, but by the free Grace of God only; they say, no Man can merit Paradise *ex condigno*.

condigno. This, I say, I think is the Meaning of that Distinction ; but because Disputers do not agree upon the Signification of their own Terms of Art, longer than it serves their Turn ; I will not affirm any Thing of their Meaning : only this I say ; when a Gift is given indefinitely, as a Prize to be contended for, he that winneth meriteth, and may claim the Prize as Due.

If a Covenant be made, wherein neither of the Parties perform presently, but trust one another ; in the Condition of mere Nature, (which is a Condition of War of every Man against every Man) upon any reasonable Suspicion, it is void : But if there be a common Power set over them both, with Right and Force sufficient to compel Performance ; it is not void. For he that performeth first, has no Assurance the other will perform after ; because the Bonds of Words are too weak to bridle Men's Ambition, Avarice, Anger, and other Passions, without the Fear of some coercive Power ; which in the Condition of mere Nature, where all Men are equal, and Judges of the Justness of their own Fears, cannot possibly be supposed. And therefore he which performeth first, does but betray himself to his Enemy ; contrary to the Right (he can never abandon) of defending his Life, and Means of living.

Covenants of mutual Trust, when invalid.

But in a Civil Estate, where there is a Power set up to constrain those that would otherwise violate their Faith, that Fear is no more reasonable ; and for that Cause, he which by the Covenant is to perform first, is obliged so to do.

The Cause of Fear, which maketh such a Covenant invalid, must be always something arising after the Covenant made ; as some new Fact, or other Sign of the Will not to perform : else it cannot make the Covenant void. For that which could not hinder a Man from promising, ought not to be admitted a Hindrance of performing.

He that transferreth any Right, transferreth the Means of enjoying it, as far as lieth in his Power. As he that selleth Land, is understood to transfer the Herbage, and whatsoever grows upon it : Nor can he that sells a Mill, turn away the Stream that drives it. And they that give to a Man the Right of Government in Sovereignty, are understood to give him the Right of levying Money to maintain Soldiers, and of appointing Magistrates for the Administration of Justice.

Right to the End, containeth Right to the Means.

To make Covenants with brute Beasts, is impossible ; because not understanding our Speech, they understand not, nor accept of any Translation of Right ; nor can translate any Right to another : and without mutual Acceptation, there is no Covenant.

No Covenant with Beasts.

To make Covenant with God is impossible, but by Mediation of such as God speaketh to, either by Revelation supernatural, or by his Lieutenants that govern under him, and in his Name : For otherwise we know not whether our Covenants be accepted, or not. And therefore they that vow any thing contrary to any Law of Nature, vow in vain ; as being a Thing unjust to pay such Vow. And if it be a Thing commanded by the Law of Nature, it is not the Vow, but the Law that binds them.

Nor with God without special Revelation.

The Matter, or Subject of a Covenant, is always something that falleth under Deliberation ; (for to covenant is an Act of the Will ; that is to say, an Act, and the last Act, of Deliberation) and is therefore always understood to be something to come ; and which is judged possible for him that covenanteth, to perform.

No Covenant, but of possible and future.

And therefore, to promise that which is known to be impossible, is no Covenant. But if that prove impossible afterwards, which before was thought possible, the Covenant is valid, and bindeth (though not to the Thing itself) yet to the Value ; or, if that also be impossible, to the unfeigned

PART I. unfeigned Endeavour of performing as much as is possible: for to more no Man can be obliged.

Covenants how made void. Men are freed of their Covenants two Ways; by performing, or by being forgiven. For Performance is the natural End of Obligation, and Forgiveness the Restitution of Liberty; as being a re-transferring of that Right, in which the Obligation consisted.

Covenants extorted by Fear are valid. Covenants entered into by Fear, in the Condition of mere Nature, are obligatory. For Example; if I covenant to pay a Ransom or Service for my Life to an Enemy, I am bound by it. For it is a Contract, wherein one receiveth the Benefit of Life, the other is to receive Money or Service for it; and consequently where no other Law (as in the Condition of mere Nature) forbiddeth the Performance, the Covenant is valid. Therefore Prisoners of War, if trusted with the Payment of their Ransom, are obliged to pay it; and if a weaker Prince make a disadvantageous Peace with a stronger, for Fear, he is bound to keep it; unless (as hath been said before) there ariseth some new and just Cause of Fear to renew the War. And even in Commonwealths, if I be forced to redeem myself from a Thief, by promising him Money, I am bound to pay it, till the Civil Law discharge me. For whatsoever I may lawfully do without Obligation, the same I may lawfully covenant to do through Fear; and what I lawfully covenant, I cannot lawfully break.

The former Covenant to one, makes void the latter to another. A former Covenant makes void a latter. For a Man that hath passed away his Right to one Man To-day, hath it not to pass To-morrow to another; and therefore the latter Promise passeth no Right, but is null.

A Man's Covenant not to defend himself, is void. A Covenant not to defend myself from Force by Force, is always void. For (as I have shewed before) no Man can transfer or lay down his Right to save himself from Death, Wounds, or Imprisonment, (the avoiding whereof is the only End of laying down any Right) and therefore the Promise of not resisting Force, in no Covenant transferreth any Right, nor is obliging. For though a Man may covenant thus, *Unless I do so, or so, kill me*; he cannot covenant thus, *Unless I do so, or so, I will not resist you, when you come to kill me*. For Man by Nature chuseth the lesser Evil, which is Danger of Death in resisting, rather than the greater, which is certain and present Death in not resisting. And this is granted to be true by all Men, in that they lead Criminals to Execution and Prison, with armed Men, notwithstanding that such Criminals have consented to the Law, by which they are condemned.

No Man obliged to accuse himself. A Covenant to accuse one's self, without Assurance of Pardon, is likewise invalid. For in the Condition of Nature, where every Man is Judge, there is no Place for Accusation: and in the Civil State, the Accusation is followed with Punishment; which, being Force, a Man is not obliged not to resist. The same is also true of the Accusation of those, by whose Condemnation a Man falls into Misery; as of a Father, Wife, or Benefactor. For the Testimony of such an Accuser, if it be not willingly given, is presumed to be corrupted by Nature, and therefore not to be received; and where a Man's Testimony is not to be credited, he is not bound to give it. Also Accusations upon Torture, are not to be reputed as Testimonies. For Torture is to be used but as Means of Conjecture, and Light, in the further Examination and Search of Truth; and what is in that Case confessed, tendeth to the Ease of him that is tortured, not to the informing of the Torturers; and therefore ought not to have the Credit of a sufficient Testimony: for whether he deliver himself by true or false Accusation, he does it by the Right of preserving his own Life.

The

The Force of Words being (as I have formerly noted) too weak to hold Men to the Performance of their Covenants, there are in Man's Nature but two imaginable Helps to strengthen it. And those are either a Fear of the Consequence of breaking their Word; or a Glory, or Pride in appearing not to need to break it. This latter is a Generosity too rarely found to be presumed on, especially in the Pursuers of Wealth, Command, or sensual Pleasure; which are the greatest Part of Mankind. The Passion to be reckoned upon, is Fear; whereof there be two very general Objects: one, the Power of Spirits invisible; the other, the Power of those Men they shall therein offend. Of these two, though the former be the greater Power, yet the Fear of the latter is commonly the greater Fear. The Fear of the former is in every Man; his own Religion: which hath Place in the Nature of Man before Civil Society. The latter hath not so; at least not Place enough, to keep Men to their Promises; because in the Condition of mere Nature, the Inequality of Power is not discerned, but by the Event of Battle. So that before the Time of Civil Society, or in the Interruption thereof by War, there is nothing can strengthen a Covenant of Peace agreed on; against the Temptations of Avarice, Ambition; Lust; or other strong Desire, but the Fear of that invisible Power, which they every one worship as God, and fear as a Revenger of their Perfidy. All therefore that can be done between two Men not subject to Civil Power, is to put one another to swear by the God he feareth: Which *Swearing*, or *Oath*, is a *Form of Speech, added to a Promise; by which he that promiseth, signifieth, that unless he perform, he renounceth the Mercy of his God, or calleth to him for Vengeance on himself.* Such was the Heathen Form, *Let Jupiter kill me else, as I kill this Beast.* So is our Form, *I shall do thus, and thus, so help me God.* And this, with the Rites and Ceremonies, which every one useth in his own Religion, that the Fear of breaking Faith might be the greater.

The End of an Oath.

The Form of an Oath.

By this it appears, that an Oath taken according to any other Form or Rite, than his that sweareth, is in vain; and no Oath: And that there is no Swearing by any thing which the Swearer thinks not God. For though Men have sometimes used to swear by their Kings, for Fear, or Flattery; yet they would have it thereby understood, they attributed to them divine Honour. And that Swearing unnecessary by God, is but prophaning of his Name: and Swearing by other Things, as Men do in common Discourse, is not Swearing, but an impious Custom, gotten by two much Vehemence of Talking.

No Oath, but by God.

It appears also, that the Oath adds nothing to the Obligation. For a Covenant, if lawful, binds in the Sight of God, without the Oath as much as with it: if unlawful, bindeth not at all; though it be confirmed with an Oath.

An Oath adds nothing to the Obligation.

CHAP. XV.

Of other Laws of Nature.

FROM that Law of Nature, by which we are obliged to transfer to another such Rights, as being retained, hinder the Peace of Mankind, there followeth a third; which is this, *That Men perform their Covenants made*: without which, Covenants are in vain, and but empty Words; and the Right of all Men to all Things remaining, we are still in the Condition of War.

The third Law of Nature, Justice.

And in this Law of Nature consisteth the Fountain and Original of *Justice*. For where no Covenant hath preceded, there hath no Right been transferred, and every Man has Right to every Thing; and consequently

Justice and Injustice, what.

PART frequently no Action can be unjust. But when a Covenant is made, then
 I. to break it is *unjust*: And the Definition of *Injustice*, is no other
 than *the not Performance of Covenant*. And whatsoever is not unjust, is
just.

Justice and
 Propriety be-
 gin with the
 Constitution
 of Common-
 wealth.

But because Covenants of mutual Trust, where there is a Fear of not Performance on either Part, (as hath been said in the former Chapter) are invalid; though the Original of Justice be the making of Covenants; yet Injustice actually there can be none, till the Cause of such Fear be taken away; which while Men are in the natural Condition of War, cannot be done. Therefore before the Names of just and unjust can have Place, there must be some coercive Power, to compel Men equally to the Performance of their Covenants, by the Terror of some Punishment, greater than the Benefit they expect by the Breach of their Covenant; and to make good that Propriety, which by mutual Contract Men acquire, in Recompence of the universal Right they abandon: and such Power there is none before the Erection of a Commonwealth. And this is also to be gathered out of the ordinary Definition of Justice in the Schools: For they say, that *Justice is the constant Will of giving to every Man his own*. And therefore where there is no *own*, that is, no Propriety, there is no Injustice; and where there is no coercive Power erected, that is, where there is no Commonwealth, there is no Propriety; all Men having Right to all Things: Therefore where there is no Commonwealth, there nothing is unjust. So that the Nature of Justice, consisteth in keeping of valid Covenants: but the Validity of Covenants begins not but with the Constitution of a Civil Power, sufficient to compel Men to keep them: And then it is also that Propriety begins.

Justice not
 contrary to
 Reason.

The Fool hath said in his Heart, there is no such Thing as Justice; and sometimes also with his Tongue; seriously alledging, that every Man's Conversation and Contentment, being committed to his own Care, there could be no Reason, why every Man might not do what he thought conduced thereunto: and therefore also to make or not make; keep, or not keep Covenants, was not against Reason, when it conduced to one's Benefit. He does not therein deny, that there be Covenants; and that they are sometimes broken, sometimes kept; and that such Breach of them may be called Injustice, and the Observance of them Justice: but he questioneth, whether Injustice, taking away the Fear of God, (for the same Fool hath said in his Heart there is no God) may not sometimes stand with that Reason, which dictateth to every Man his own Good; and particularly then, when it conduceth to such a Benefit, as shall put a Man in a Condition to neglect not only the Dispraise and Revilings, but also the Power of other Men. The Kingdom of God is gotten by Violence: but what if it could be gotten by unjust Violence? were it against Reason so to get it, when it is impossible to receive Hurt by it? and if it be not against Reason, it is not against Justice: or else Justice is not to be approved for Good. From such Reasoning as this, successful Wickedness hath obtained the Name of Virtue: and some that in all other Things have disallowed the Violation of Faith; yet have allowed it, when it is for the getting of a Kingdom. And the Heathen that believed, that *Saturn* was deposed by his Son *Jupiter*, believed nevertheless the same *Jupiter* to be the Avenger of Injustice: Somewhat like to a Piece of Law in *Coke's Commentaries on Littleton*; where he says, If the right Heir of the Crown be attainted of Treason; yet the Crown shall descend to him, and *eo instante* the Attainder be void: From which Instances a Man will be very prone to infer; that when the Heir apparent of a Kingdom shall kill him that is in Possession,

Possession, though his Father ; you may call it Injustice, or by what other Name you will ; yet it can never be against Reason ; seeing all the voluntary Actions of Men tend to the Benefit of themselves ; and those Actions are most reasonable, that conduce most to their Ends. This specious Reasoning is nevertheless false.

For the Question is not of Promises mutual, where there is no Security of Performance on either Side ; as when there is no Civil Power erected over the Parties promising ; for such Promises are no Covenants : But either where one of the Parties has performed already ; or where there is a Power to make him perform ; there is the Question, whether it be against Reason, that is, against the Benefit of the other to perform, or not. And I say it is not against Reason. For the Manifestation whereof, we are to consider ; First, that when a Man doth a Thing, which notwithstanding any Thing that can be foreseen, and reckoned on, tendeth to his own Destruction, howsoever some Accident which he could not expect, arriving, may turn it to his Benefit ; yet such Events do not make it reasonably or wisely done. Secondly, that in a Condition of War, wherein every Man to every Man, for Want of a common Power to keep them all in Awe, is an Enemy, there is no Man can hope by his own Strength, or Wit, to defend himself from Destruction, without the Help of Confederates ; where every one expects the same Defence by the Confederation, that any one else does : and therefore he which declares he thinks it Reason to deceive those that help him, can in Reason expect no other Means of Safety, than what can be had from his own single Power. He therefore that breaketh his Covenant, and consequently declareth that he thinks he may with Reason do so, cannot be received into any Society, that unite themselves for Peace and Defence, but by the Error of them that receive him ; nor when he is received, be retained in it, without seeing the Danger of their Error ; which Errors a Man cannot reasonably reckon upon as the Means of his Security : and therefore if he be left, or cast out of Society, he perisheth ; and if he live in Society, it is by the Errors of other Men, which he could not foresee, nor reckon upon ; and consequently against the Reason of his Preservation ; and so, as all Men that contribute not to his Destruction, forbear him only out of Ignorance of what is good for themselves.

As for the Instance of gaining the secure and perpetual Felicity of Heaven, by any Way ; it is frivolous : there being but one Way imaginable ; and that is not breaking, but keeping of Covenant.

And for the other Instance of attaining Sovereignty by Rebellion ; it is manifest, that though the Event follow, yet because it cannot reasonably be expected, but rather the contrary ; and because by gaining it so, others are taught to gain the same in like Manner, the Attempt thereof is against Reason. Justice therefore, that is to say, keeping of Covenant, is a Rule of Reason, by which we are forbidden to do any Thing destructive to our Life ; and consequently a Law of Nature.

There be some that proceed further ; and will not have the Law of Nature, to be those Rules which conduce to the Preservation of Man's Life on Earth ; but to the attaining of an eternal Felicity after Death ; to which they think the Breach of Covenant may conduce ; and consequently be just and reasonable ; (such are they that think it a Work of merit to kill, or depose, or rebel against the Sovereign Power constituted over them by their own Consent.) But because there is no natural Knowledge of Man's Estate after Death ; much less of the Reward

PART
I.

ward that is then to be given to Breach of Faith; but only a Belief, grounded upon other Men's saying, that they know it supernaturally, or that they know those, that knew them, that knew others; that knew it supernaturally; Breach of Faith cannot be called a Precept of Reason or Nature.

Covenants not discharged by the Vice of the Person to whom they are made.

Justice of Men, and Injustice of Actions, what.

Others, that allow for a Law of Nature the keeping of Faith, do nevertheless make Exception of certain Persons; as Heretics, and such as use not to perform their Covenant to others: And this also is against Reason. For if any Fault of a Man be sufficient to discharge our Covenant made, the same ought in Reason to have been sufficient to have hindered the making of it.

The Names of Just and Unjust, when they are attributed to Men, signify one Thing; and when they are attributed to Actions, another. When they are attributed to Men, they signify Conformity or Inconformity of Manners to Reason. But when they are attributed to Actions, they signify the Conformity or Inconformity to Reason, not of Manners, or Manner of Life, but of particular Actions. A just Man therefore, is he that taketh all the Care he can that his Actions may be all just; and an unjust Man is he that neglecteth it. And such Men are more often in our Language stiled by the Names of Righteous and Unrighteous, than Just and Unjust, though the Meaning be the same. Therefore a righteous Man does not lose that Title by one or a few unjust Actions that proceed from sudden Passion, or Mistake of Things or Persons; nor does an unrighteous Man lose his Character for such Actions as he does or forbears to do for Fear; because his Will is not framed by the Justice, but by the apparent Benefit of what he is to do. That which gives to human Actions the Relish of Justice, is a certain Nobleness or Gallantness of Courage (rarely found) by which a Man scorns to be beholding for the Contentment of his Life, to Fraud or Breach of Promise. This Justice of the Manners, is that which is meant, where Justice is called a Virtue, and Injustice a Vice.

But the Justice of Actions denominates Men, not Just, but *Guiltless*; and the Injustice of the same (which is also called Injury) gives them but the Name of *Guilty*.

Justice of Manners, and Justice of Actions.

Again, the Injustice of Manners is the Disposition or Aptitude to do Injury, and is Injustice before it proceed to act; and without supposing any individual Person injured. But the Injustice of an Action (that is to say, Injury) supposeth an individual Person injured; namely, him to whom the Covenant was made: And therefore many times the Injury is received by one Man, when the Damage redoundeth to another. As when the Master commandeth his Servant to give Money to a Stranger; if it be not done, the Injury is done to the Master, whom he before covenanted to obey; but the Damage redoundeth to the Stranger, to whom he had no Obligation, and therefore could not injure him. And so also in Commonwealths, private Men remit to one another their Debts, but not Robberies or other Violences whereby they are endamaged; because the detaining of Debt is an Injury to themselves; but Robbery and Violence are Injuries to the Person of the Commonwealth.

Nothing done to a Man by his own Consent can be Injury.

Whatsoever is done to a Man, conformable to his own Will, signified to the Doer, is no Injury to him. For if he that doeth it, hath not passed away his original Right to do what he please, by some antecedent Covenant, there is no Breach of Covenant; and therefore no Injury done him. And if he have; then his Will to have it done being signified, is a Release of that Covenant; and so again there is no Injury done him.

Justice

Justice of Actions, is by Writers divided into *Commutative* and *Distributive*; and the former they say consisteth in Proportion Arithmetical; the latter in Proportion Geometrical. Commutative therefore, they place in the Equality of Value of the Things contracted for; and Distributive, in the Distribution of equal Benefit to Men of equal Merit. As if it were Injustice to sell dearer than we buy, or give more to a Man than he merits. The Value of all things contracted for, is measured by the Appetite of the Contractors; and therefore the just Value is that which they be contented to give. And Merit (besides that which is by Covenant where the Performance on one Part meriteth the Performance of the other Part, and falls under Justice commutative, not distributive) is not due by Justice, but is rewarded by Grace only. And therefore this Distinction, in the Sense wherein it useth to be expounded, is not right. To speak properly, Commutative Justice is the Justice of a Contractor; that is, a Performance of Covenant in Buying and Selling, Hiring and letting to Hire, Lending and Borrowing, Exchanging, Bartering, and other Acts of Contract.

Justice,
Commutative and Distributive.

And Distributive Justice, the Justice of an Arbitrator; that is to say, the Act of defining what is just. Wherein (being trusted by them that make him Arbitrator) if he perform his Trust, he is said to distribute to every Man his own: And this is indeed just Distribution, and may be called (though improperly) Distributive Justice, but more properly Equity; which is also a Law of Nature, as shall be shewn in due Place.

As Justice dependeth on antecedent Covenant, so does *Gratitude* depend on antecedent Grace, that is to say, antecedent Free-gift; and is the fourth Law of Nature; which may be conceived in this Form, *That a Man which receiveth a Benefit from another of mere Grace, endeavour that he which giveth it, have no reasonable Cause to repent him of his good Will.* For no Man giveth, but with Intention of Good to himself, because Gift is voluntary, and of all voluntary Acts the Object is to every Man his own Good; of which if Men see they shall be frustrated, there will be no Beginning of Benevolence or Trust, nor consequently of mutual Help, nor of Reconciliation of one Man to another; and therefore they are to remain still in the Condition of *War*; which is contrary to the first and fundamental Law of Nature, which commandeth Men to *seek Peace*. The Breach of this Law is called *Ingratitude*; and hath the same Relation to Grace, that Injustice hath to Obligation by Covenant.

The fourth Law of Nature, Gratitude.

A fifth Law of Nature is *Complaisance*; that is to say, *That every Man strive to accommodate himself to the rest.* For the understanding whereof, we may consider, that there is in Men's Aptness to Society, a Diversity of Nature, arising from their Diversity of Affections; not unlike to that we see in Stones brought together for building of an Edifice. For as that Stone, which by the Asperity and Irregularity of Figure takes more Room from others than itself fills, and for the Hardness cannot easily be made plain, and thereby hindereth the Building, is by the Builders cast away as unprofitable and troublesome; so also a Man, that by Asperity of Nature will strive to retain those Things which to himself are superfluous, and to others necessary, and for the Stubbornness of his Passions cannot be corrected, is to be left, or cast out of Society, as cumbersome thereunto. For seeing every Man, not only by Right, but also by Necessity of Nature, is supposed to endeavour all he can to obtain that which is necessary for his Conservation; he that shall oppose himself against it for Things superfluous, is guilty of the War that thereupon is to follow; and therefore doth that which

The fifth, Mutual Accommodation, or Complaisance.

PART I. is contrary to the fundamental Law of Nature, which commandeth to *seek Peace*. The Observers of this Law may be called *Sociable*, (the *Latins* call them *Commodi*;) the contrary, *Stubborn, Infociable, Froward, Intractable*.

The sixth,
Facility to
Pardon.

A sixth Law of Nature is this, *That upon Caution of the future Time, a Man ought to pardon the Offences past of them that, repenting, desire it*. For *Pardon* is nothing but granting of Peace; which though granted to them that persevere in their Hostility, be not Peace, but Fear; yet not granted to them that give Caution of the future Time, is Sign of an Aversion to Peace; and therefore contrary to the Law of Nature.

The seventh,
that in Re-
venges, Men
respect only
the future
Good.

A seventh is, *That in Revenges, (that is, Retribution of Evil for Evil) Men look not at the Greatness of the Evil past, but the Greatness of the Good to follow*. Whereby we are forbidden to inflict Punishment with any other Design, than for Correction of the Offender, or Direction of others. For this Law is consequent to the next before it, that commandeth Pardon, upon Security of the future Time. Besides, Revenge without Respect to the Example and Profit to come, is a Triumph or Glorifying in the Hurt of another, tending to no End; (for the Evil is always somewhat to come;) and Glorifying to no End is Vain-glory, and contrary to Reason; and to hurt without Reason, tendeth to the Introduction of War; which is against the Law of Nature; and is commonly stiled by the Name of *Cruelty*.

The eighth,
against Con-
tumely.

And because all Signs of Hatred or Contempt, provoke to fight; in-
somuch as most Men chuse rather to hazard their Life, than not to be revenged; we may in the eighth Place, for a Law of Nature set down this Precept, *That no Man by Deed, Word, Countenancce, or Gesture, declare Hatred, or Contempt of another*. The Breach of which Law, is commonly called *Contumely*.

The ninth,
against Pride.

The Question who is the better Man, has no Place in the Condition of mere Nature; where, (as has been shewn before) all Men are equal. The Inequality that now is, has been introduced by the Laws civil. I know that *Aristotle* in the first Book of his Politics, for a Foundation of his Doctrine, maketh Men by Nature, some more worthy to command, meaning the wiser Sort (such as he thought himself to be for his Philosophy;) others to serve, (meaning those that had strong Bodies, but were not Philosophers as he;) as if Master and Servant were not introduced by Consent of Men, but by Difference of Wit: which is not only against Reason, but also against Experience. For there are very few so foolish, that had not rather govern themselves, than be governed by others: Nor when the wise in their own Conceit, contend by Force, with them who distrust their own Wisdom, do they always, or often, or almost at any Time, get the Victory. If Nature therefore have made Men equal, that Equality is to be acknowledged: or if Nature have made Men unequal; yet because Men that think themselves equal, will not enter into Conditions of Peace, but upon equal Terms, such Equality must be admitted. And therefore for the ninth Law of Nature, I put this, *That every Man acknowledge other for his Equal by Nature*. The Breach of this Precept is *Pride*.

The tenth,
against Ar-
rogance.

On this Law, dependeth another, *That at the Entrance into Conditions of Peace, no Man require to reserve to himself any Right, which he is not content should be reserved to every one of the rest*. As it is necessary for all Men that seek Peace, to lay down certain Rights of Nature; that is to say, not to have Liberty to do all they list: so is it necessary for Man's Life to retain some; as Right to govern their own Bodies; enjoy Air, Water, Motion, Ways to go from Place to Place; and all Things else without which a Man cannot live, or not live well. If in
this

See 1. Sidney 64.

this Case, at the making of Peace, Men require for themselves, that which they would not have to be granted to others, they do contrary to the precedent Law, that commandeth the Acknowledgment of natural Equality, and therefore also against the Law of Nature. The Observers of this Law, are those we call *modest*, and the Breakers *arrogant* Men. The *Greeks* call the Violation of this Law *πλεονεξία*; that is, a Desire of more than their Share.

Also if a Man be trusted to judge between Man and Man, it is a Precept of the Law of Nature, that he deal equally between them. For without that, the Controversies of Men cannot be determined but by War. He therefore that is partial in Judgment, doth what in him lies, to deter Men from the Use of Judges and Arbitrators; and consequently, (against the fundamental Law of Nature) is the Cause of War.

The Observance of this Law, from the equal Distribution to each Man, of that which in Reason belongeth to him, is called *Equity*, and (as I have said before) distributive Justice: the Violation, *Acception of Persons*, *προσωποληψία*.

And from this followeth another Law, That such Things as cannot be divided, be enjoyed in common, if it can be; and, if the Quantity of the Thing permit, without Stint; otherwise proportionably to the Number of them that have Right. For otherwise the Distribution is unequal, and contrary to Equity.

But some Things there be, that can neither be divided, nor enjoyed in common. Then, the Law of Nature, which prescribeth Equity, requireth, That the entire Right, or else, (making the Use alternate,) the first Possession; be determined by Lot. For equal Distribution is of the Law of Nature; and other Means of equal Distribution cannot be imagined.

Of Lots there be two Sorts, *arbitrary* and *natural*. Arbitrary, is that which is agreed on by the Competitors: Natural, is either *Primogeniture*, (which the *Greek* calls *Κληρονομία*, which signifies, given by Lot;) or *first Seizure*.

And therefore those Things which cannot be enjoyed in common, nor divided, ought to be adjudged to the first Possessor; and in some Cases to the first-born, as acquired by Lot.

It is also a Law of Nature, That all Men that mediate Peace, be allowed safe Conduct. For the Law that commandeth Peace, as the End, commandeth Intercession, as the Means; and to Intercession the Means is safe Conduct.

And because, though Men be never so willing to observe these Laws, there may nevertheless arise Questions concerning a Man's Action; First, whether it be done, or not done; Secondly, (if done) whether against the Law, or not against the Law; the former whereof is called a Question of *Fact*; the latter a Question of *Right*; therefore unless the Parties to the Question covenant mutually to stand to the Sentence of another, they are as far from Peace as ever. This other, to whose Sentence they submit, is called an *Arbitrator*. And therefore it is of the Law of Nature, That they that are at Controversy, submit their Right to the Judgment of an Arbitrator.

And seeing every Man is presumed to do all Things in order to his own Benefit, no Man is a fit Arbitrator in his own Cause: and if he were never so fit; yet Equity allowing to each Party equal Benefit, if one be admitted to be Judge, the other is to be admitted also; and so the Controversy, that is, the Cause of War, remains, against the Law of Nature.

For

PART
I.

The eighteenth, no Man to be Judge, that has in him a natural Cause of Partiality. The nineteenth, of Witnesſes.

For the ſame Reason no Man in any Cauſe ought to be received for Arbitrator, to whom greater Profit, or Honour, or Pleaſure apparently ariſeth out of the Victory of one Party, than of the other: for he hath taken (though an unavoidable Bribe, yet) a Bribe; and no Man can be obliged to truſt him. And thus alſo the Controverſy, and the Condition of War remaineth, contrary to the Law of Nature.

And in a Controverſy of *Fact*, the Judge being to give no more Credit to one, than to the other, (if there be no other Arguments) muſt give Credit to a third; or to a third and fourth; or more: For elſe the Queſtion is undecided, and left to Force, contrary to the Law of Nature.

Theſe are the Laws of Nature, dictating Peace, for a Means of the Conſervation of Men in Multitudes; and which only concern the Doctrine of Civil Society. There be other Things tending to the Deſtruction of particular Men; as Drunkenneſs, and all other Parts of Intemperance; which may therefore alſo be reckoned amongſt thoſe Things which the Law of Nature hath forbidden; but are not neceſſary to be mentioned, nor are pertinent enough to this Place.

A Rule, by which the Laws of Nature may eaſily be examined.

And though this may ſeem too ſubtle a Deduction of the Laws of Nature, to be taken notice of by all Men; whereof the moſt Part are too buſy in getting Food, and the reſt too negligent to underſtand; yet to leave all Men inexcusable, they have been contracted into one eaſy Sum, intelligible, even to the meaneſt Capacity; and that is, *Do not that to another, which thou wouldſt not have done to thyſelf*; which ſheweth him, that he has no more to do in learning the Laws of Nature, but, when weighing the Actions of other Men with his own, they ſeem too heavy, to put them into the other Part of the Ballance, and his own into their Place, that his own Paſſions and Self-love may add nothing to the Weight; and then there is none of theſe Laws of Nature that will not appear unto him very reaſonable.

The Laws of Nature oblige in Conſcience always, but in Effect then only when there is Security.

The Laws of Nature oblige *in foro interno*, that is to ſay, they bind to a Deſire they ſhould take Place: but *in foro externo*, that is, to the putting them in Act, not always. For he that ſhould be modeſt and tractable, and perform all he promiſes, in ſuch Time, and Place, where no Man elſe would do ſo, would but make himſelf a Prey to others, and procure his own Ruin, contrary to the Ground of all Laws of Nature, which tend to Nature's Preſervation. And again, he that having ſufficient Security, that others ſhall obſerve the ſame Laws towards him, obſerves them not himſelf, ſeeketh not Peace, but War; and conſequently the Deſtruction of his Nature by Violence.

And whatſoever Laws bind *in foro interno*, may be broken, not only by a Fact contrary to the Law, but alſo by a Fact according to it, in Caſe a Man think it contrary. For though his Action in this Caſe be according to the Law, yet his Purpoſe was againſt the Law; which, where the Obligation is *in foro interno*, is a Breach.

The Laws of Nature are eternal.

The Laws of Nature are immutable and eternal; for Injuſtice, Ingratitude, Arrogance, Pride, Iniquity, Acception of Perſons, and the reſt, can never be made lawful. For it can never be that War ſhall preſerve Life, and Peace deſtroy it.

And yet eaſy.

The ſame Laws, becauſe they oblige only to a Deſire and Endeavour, I mean an unfeigned and conſtant Endeavour, are eaſy to be obſerved. For in that they require nothing but Endeavour, he that endeavoureth their Performance fulfilleth them; and he that fulfilleth the Law, is juſt.

And

And the Science of them is the true and only Moral Philosophy. CHAP. XVI.
 For Moral Philosophy is nothing else but the Science of what is *Good* and *Evil*, in the Conversation and Society of Mankind. *Good* and *Evil* are Names that signify our Appetites and Aversions; which in different Tempers, Customs, and Doctrines of Men, are different: And divers Men differ not only in their Judgment, on the Senses of what is pleasant and unpleasant to the Taste, Smell, Hearing, Touch, and Sight; but also of what is conformable or disagreeable to Reason, in the Actions of common Life. Nay, the same Man, in divers times, differs from himself; and one time praiseth, that is, calleth Good, what another time he dispraiseth, and calleth Evil: From whence arise Disputes, Controversies, and at last War. And therefore so long a Man is in the Condition of mere Nature (which is a Condition of War) as private Appetite is the Measure of Good and Evil: And consequently all Men agree in this, that Peace is Good, and therefore also, that the Ways or Means of Peace, which (as I have shewed before) are *Justice*, *Gratitude*, *Modesty*, *Equity*, *Mercy*, and the rest of the Laws of Nature, are Good; that is to say, *Moral Virtues*; and their contrary *Vices*, Evil. Now the Science of Virtue and Vice is Moral Philosophy; and therefore the true Doctrine of the Laws of Nature is the true Moral Philosophy. But the Writers of Moral Philosophy, though they acknowledge the same Virtues and Vices, yet not seeing wherein consisted their Goodness, nor that they come to be praised as the Means of peaceable, sociable, and comfortable Living, place them in a Mediocrity of Passions; as if not the Cause, but the Degree of Daring, made Fortitude; or not the Cause, but the Quantity of a Gift, made Liberality.

These Dictates of Reason Men use to call by the Name of Laws, but improperly; for they are but Conclusions or Theorems concerning what conduceth to the Conservation and Defence of themselves; whereas Law properly is the Word of him, that by Right hath Command over others. But yet, if we consider the same Theorems, as delivered in the Word of God, that by Right commandeth all things; then are they properly called Laws.

CHAP. XVI.

Of PERSONS, AUTHORS, and Things personated.

A Person is he, whose Words or Actions are considered, either as his own, or as representing the Words or Actions of another Man, or of any other Thing to whom they are attributed, whether truly or by Fiction. A Person, what.

When they are considered as his own, then is he called a *Natural Person*: And when they are considered as representing the Words and Actions of another, then is he a *feigned* or *artificial Person*. Person Natural and Artificial.

The Word Person is *Latin*; instead whereof the *Greeks* have *πρόσωπον* which signifies the *Face*, as *Persona* in *Latin* signifies the *Disguise*, or *outward Appearance* of a Man counterfeited on the Stage; and sometimes more particularly that Part of it, which disguiseth the Face, as a Mask or Vizard; and from the Stage it hath been translated to any Representor of Speech and Action, as well in Tribunals as Theatres. So that a *Person* is the same that an *Actor* is, both on the Stage, and in

PART common Conversation; and to *personate*, is to *act* or *represent* himself or
 I. another; and he that acteth another, is said to bear his Person, or act in
 his Name; (in which Sense *Cicero* useth it, where he says, *Unus sustineo tres Personas; Mei, Adversarii, & Judicis*: I bear three Persons; my own, my Adversaries, and the Judges;) and is called in diverse Occasions, diversly; as a *Representer*, or *Representative*, a *Lieutenant*, a *Vicar*, an *Attorney*, a *Deputy*, a *Procurator*, an *Actor*, and the like.

Of Persons artificial, some have their Words and Actions *owned* by those whom they represent. And then the Person is the *Actor*; and he that owneth his Words and Actions, is the *Author*: In which Case the Actor acteth by Authority. For that which in speaking of Goods and Possessions, is called an *Owner*, and in *Latin Dominus*, in *Greek ὄπιος*; speaking of Actions, is called *Author*. And as the Right of Possession, is called *Dominion*; so the Right of doing any Action, is called *Authority*. So that by Authority, is always understood a Right of doing any Act: and *done by Authority*, done by Commission, or Licence from him whose Right it is.

From hence it followeth, that when the Actor maketh a Covenant by Authority, he bindeth thereby the Author, no less than if he had made it himself; and no less subjecteth him to all the Consequences of the same. And therefore all that hath been said formerly, (Chap. XIV.) of the Nature of Covenants between Man and Man in their natural Capacity, is true also when they are made by their Actors, Representers, or Procurators, that have Authority from them, so far-forth as is in their Commission, but no farther.

And therefore he that maketh a Covenant with the Actor, or Representer, not knowing the Authority he hath, doth it at his own Peril. For no Man is obliged by a Covenant, whereof he is not Author; nor consequently by a Covenant made against, or beside the Authority he gave.

When the Actor doth any Thing against the Law of Nature by Command of the Author, if he be obliged by former Covenant to obey him, not he, but the Author breaketh the Law of Nature: for though the Action be against the Law of Nature; yet it is not his: but contrarily, to refuse to do it is against the Law of Nature, that forbiddeth Breach of Covenant.

And he that maketh a Covenant with the Author, by Mediation of the Actor, not knowing what Authority he hath, but only takes his Word; in Case such Authority be made not manifest unto him upon Demand, he is no longer obliged: For the Covenant made with the Author is not valid, without his Counter-assurance. But if he that so covenanteth, knew beforehand he was to expect no other Assurance, than the Actor's Word, then is the Covenant valid; because the Actor in this Case maketh himself the Author. And therefore, as when the Authority is evident, the Covenant obligeth the Author, not the Actor; so when the Authority is feigned, it obligeth the Actor only; there being no Author but himself.

There are few Things, that are incapable of being represented by Fiction. Inanimate Things, as a Church, an Hospital, a Bridge, may be personated by a Rector, Master, or Overseer. But Things inanimate, cannot be Authors, nor therefore give Authority to their Actors: Yet the Actors may have Authority to procure their Maintenance, given them by those that are Owners, or Governors of those Things. And therefore such Things cannot be personated, before there be some State of Civil Government.

Likewise Children, Fools, and Madmen that have no Use of Reason, may be personated by Guardians or Curators; but can be no Authors (during that Time) of any Action done by them, longer than (when they shall recover the Use of Reason) they shall judge the same reasonable. Yet during the Folly, he that hath Right of governing them, may give Authority to the Guardian. But this again has no Place but in a State Civil, because before such Estate, there is no Dominion of Persons.

An Idol, or mere Figment of the Brain, may be personated; as were the Gods of the Heathen; which by such Officers as the State appointed, were personated, and held Possessions, and other Goods, and Rights, which Men from time to time dedicated and consecrated unto them. But Idols cannot be Authors: for an Idol is nothing. The Authority proceeded from the State: and therefore before Introduction of Civil Government, the Gods of the Heathen could not be personated.

The true God may be personated. As he was; first, by *Moses*, who governed the *Israelites*, (that were not his, but God's People) not in his own Name, with *Hoc dicit Moses*, but in God's Name, with *Hoc dicit Dominus*. Secondly, by the Son of Man, his own Son, our Blessed Saviour *Jesus Christ*, that came to reduce the *Jews*, and induce all Nations into the Kingdom of his Father; not as of himself, but as sent from his Father. And thirdly, by the Holy Ghost, or Comforter, speaking and working in the Apostles: which Holy Ghost, was a Comforter that came not of himself; but was sent, and proceeded from them both.

A Multitude of Men are made *one* Person, when they are by one Man, or one Person, represented; so that it be done with the Consent of every one of that Multitude in particular. For it is the *Unity* of the Representer, not the *Unity* of the Represented, that maketh the Person *one*. And it is the Representer that beareth the Person, and but one Person: And *Unity* cannot be otherwise understood in Multitude.

And because the Multitude naturally is not *one*, but *many*; they cannot be understood for one, but many Authors, of every Thing their Representative saith, or doth in their Name; every Man giving their common Representer Authority from himself in particular; and owning all the Actions the Representer doth, in case they give him Authority without Stint: Otherwise, when they limit him in what, and how far he shall represent them, none of them owneth more, than they gave him Commission to act.

And if the Representative consist of many Men, the Voice of the greater Number must be considered as the Voice of them all. For if the lesser Number pronounce (for Example) in the Affirmative, and the greater in the Negative, there will be Negatives more than enough to destroy the Affirmatives; and thereby the Excess of Negatives, standing uncontradicted, are the only Voice the Representative hath.

And a Representative of even Number, especially when the Number is not great, whereby the contradictory Voices are oftentimes equal, is therefore oftentimes mute, and incapable of Action. Yet in some Cases contradictory Voices equal in Number, may determine a Question; as in condemning or absolving, Equality of Votes, even in that they condemn not, do absolve; but not on the contrary condemn, in that they absolve not. For when a Cause is heard; not to condemn is to absolve: but on the contrary, to say that not absolving is condemning,

PART
I.Negative
Voice.

is not true. The like it is in Deliberation of executing presently, or deferring till another Time : For when the Voices are equal, the not decreeing Execution, is a Decree of Dilation.

Or if the Number be odd, as three or more, (Men, or Assemblies;) whereof every one has by a Negative Voice, Authority to take away the Effect of all the Affirmative Voices of the rest, this Number is no Representative; because by the Diversity of Opinions and Interests of Men, it becomes oftentimes, and in Cases of the greatest Consequence, a mute Person, and unapt, as for many Things else, so for the Government of a Multitude, especially in Time of War.

Of Authors there be two Sorts. The first simply so called; which I have before defined to be him, that owneth the Action of another simply. The second is he, that owneth an Action, or Covenant of another conditionally; that is to say, he undertaketh to do it, if the other doth it not, at or before a certain Time. And these Authors conditional, are generally called *Sureties*, in *Latin Fidejussores*, and *Sponsores*; and particularly for Debt, *Prædes*; and for Appearance before a Judge or Magistrate, *Vades*.

O F

COMMONWEALTH.

P A R T II.

C H A P. XVII.

Of the Causes, Generation, and Definition of a COMMON-WEALTH.

TH E final Cause, End, or Design of Men, (who naturally love Liberty, and Dominion over others) in the Introduction of that Restraint upon themselves, (in which we see them live in Commonwealths) is the Fore-sight of their own Preservation, and of a more contented Life thereby ; that is to say, of getting themselves out from that miserable Condition of War, which is necessarily consequent (as hath been shewn) to the natural Passions of Men, when there is no visible Power to keep them in Awe, and tye them by Fear of Punishment to the Performance of their Covenants, and Observation of those Laws of Nature set down in the fourteenth and fifteenth Chapters.

For the Laws of Nature (as *Justice, Equity, Modesty, Mercy,* and (in sum) *doing to others as we would be done to*) of themselves, without the Terror of some Power, to cause them to be observed, are contrary to our natural Passions, that carry us to Partiality, Pride, Revenge, and the like. And Covenants without the Sword, are but Words, and of no Strength to secure a Man at all. Therefore notwithstanding the Laws of Nature, (which every one hath then kept, when he has not the Will to break them, tho' he can do it safely) if there be no Power erected, or not great enough for our Security ; every Man will, and may lawfully rely on his own Strength and Art, for Caution against all other Men. And in all Places where Men have lived by small Families, to rob and spoil one another, has been a Trade, and so far from being reputed against the Law of Nature, that the greater Spoils they gained, the greater was their Honour ; and Men observed no other Laws therein, but the Laws of Honour ; that is, to abstain from Cruelty, leaving to Men their Lives, and Instruments of Husbandry. And as small Families did then, so now do Cities and Kingdoms, which are but greater Families, (for their own Security) enlarge their Dominions, upon all Pretences of Danger and Fear of Invasion, or Assistance that may be given to Invaders, endeavour as much as they can, to subdue or weaken their Neighbours, by open Force, and secret Arts, for Want of other Caution, justly ; and are remembered for it in After-ages with Honour.

The End of Commonwealth, particular Security.

Chap. xiii.

Which is not to be had from the Law of Nature.

Nor from the Conjunction of a few Men or Families.

PART II. one Side or the other, make the Advantage of Strength so great, as is sufficient to carry the Victory; and therefore gives Encouragement to an Invasion. The Multitude sufficient to confide in for our Security, is not determined by any certain Number, but by Comparison with the Enemy we fear; and is then sufficient, when the Odds of the Enemy is not of so visible and conspicuous Moment, to determine the Event of War, as to move him to attempt.

Nor from a great Multitude, unless directed by one Judgment.

And be there never so great a Multitude; yet if their Actions be directed according to their particular Judgments and particular Appetites, they can expect thereby no Defence nor Protection, neither against a common Enemy, nor against the Injuries of one another. For being distracted in Opinions concerning the best Use and Application of their Strength, they do not help but hinder one another; and reduce their Strength by mutual Opposition to nothing; whereby they are easily, not only subdued by a very few that agree together, but also, when there is no common Enemy, they make War upon each other for their particular Interests. For if we could suppose a great Multitude of Men to consent in the Observation of Justice, and other Laws of Nature, without a common Power to keep them all in Awe, we might as well suppose all Mankind to do the same: and then there neither would be, nor need to be any Civil Government or Commonwealth at all; because there would be Peace without Subjection.

And that continually.

Nor is it enough for the Security, which Men desire should last all the Time of their Life, that they be governed and directed by one Judgment for a limited Time; as in one Battle, or one War. For tho' they obtain a Victory by their unanimous Endeavour against a foreign Enemy; yet afterwards, when either they have no common Enemy, or he that by one Part is held for an Enemy, is by another Part held for a Friend, they must needs by the Difference of their Interests dissolve, and fall again into a War amongst themselves.

Why certain Creatures without Reason or Speech, do nevertheless live in Society, without any coercive Power.

It is true, that certain living Creatures, as Bees, and Ants, live sociably one with another, (which are therefore by *Aristotle* numbered amongst political Creatures) and yet have no other Direction than their particular Judgments and Appetites; nor Speech, whereby one of them can signify to another what he thinks expedient for the common Benefit; and therefore some Men may perhaps desire to know, why Mankind cannot do the same. To which I answer,

First, That Men are continually in Competition for Honour and Dignity, which these Creatures are not; and consequently amongst Men there ariseth on that Ground, Envy and Hatred, and finally War; but amongst these not so.

Secondly, That amongst these Creatures, the common Good differeth not from the private; and being by Nature inclined to their private, they procure thereby the common Benefit. But Man, whose Joy consisteth in comparing himself with other Men, can relish nothing but what is eminent.

Thirdly, That these Creatures, having not (as Man) the Use of Reason, do not see, or think they see any Fault in the Administration of their common Business: whereas amongst Men, there are very many that think themselves wiser and abler to govern the Public better than the rest; and these strive to reform and innovate, one this Way, another that Way; and thereby bring it into Distraction and Civil War.

Fourthly, That these Creatures, though they have some Use of Voice, in making known to one another their Desires and other Affections; yet they want that Art of Words, by which some Men can represent

to others that which is Good, in the Likeness of Evil; and Evil in the Likeness of Good; and augment or diminish the apparent Greatness of Good and Evil; discontenting Men, and troubling their Peace at their Pleasure.

CHAP.
XVII.

Fifthly, Irrational Creatures cannot distinguish between *Injury* and *Damage*; and therefore as long as they be at Ease, they are not offended with their Fellows; whereas Man is then most troublesome when he is most at Ease: for then it is that he loves to shew his Wisdom, and controul the Actions of them that govern the Commonwealth.

Lastly, The Agreement of these Creatures is natural; that of Men is by Covenant only, which is artificial: and therefore it is no Wonder if there be somewhat else required (besides Covenant) to make their Agreement constant and lasting; which is a common Power, to keep them in Awe, and to direct their Actions to the common Benefit.

The only Way to erect such a common Power, as may be able to defend them from the Invasion of Foreigners, and the Injuries of one another, and thereby to secure them in such Sort, as that by their own Industry, and by the Fruits of the Earth, they may nourish themselves and live contentedly; is, to confer all their Power and Strength upon one Man, or upon one Assembly of Men, that may reduce all their Wills, by Plurality of Voices, unto one Will: which is as much as to say, to appoint one Man, or Assembly of Men, to bear their Person; and every one to own and acknowledge himself to be Author of whatsoever he that so beareth their Person, shall act, or cause to be acted, in those Things which concern the common Peace and Safety; and therein to submit their Wills, every one to his Will, and their Judgments to his Judgment. This is more than Consent or Concord; it is a real Unity of them all, in one and the same Person, made by Covenant of every Man with every Man, in such a Manner, as if every Man should say to every Man, *I authorise and give up my Right of governing myself, to this Man, or this Assembly of Men, on Condition, that thou give up thy Right to him, and authorise all his Actions in like Manner.* This done, the Multitude so united in one Person, is called a *Commonwealth*, in *Latin Civitas*. This is the Generation of that great *Leviathan*, or rather (to speak more reverently) of that *Mortal God*, to which we owe, under the *Immortal God*, our Peace and Defence. For by this Authority, given him by every particular Man in the Commonwealth, he hath the Use of so much Power and Strength conferred on him, that by Terror thereof he is enabled to form the Wills of them all, to Peace at Home, and mutual Aid against their Enemies abroad. And in him consisteth the Essence of the Commonwealth; which (to define it) is *one Person, of whose Acts a great Multitude, by mutual Covenant one with another, have made themselves every one the Author, to the End he may use the Strength and Means of them all, as he shall think expedient, for their Peace and common Defence.*

The Generation of a Commonwealth.

The Definition of a Commonwealth.

And he that carrieth this Person, is called *Sovereign*, and said to have *Sovereign Power*; and every one besides, his *Subject*.

Sovereign and Subject, what.

The attaining to this Sovereign Power is by two Ways. One, by natural Force; as when a Man maketh his Children to submit themselves and their Children to his Government, as being able to destroy them if they refuse; or by War subdueth his Enemies to his Will, giving them their Lives on that Condition. The other, is when Men agree amongst themselves, to submit to some Man, or Assembly of Men, voluntarily, on Confidence to be protected by him against all others.

PART others. This latter may be called a Political Commonwealth, or Commonwealth by *Institution*; and the former, a Commonwealth by *Acquisition*.
 II. And first, I shall speak of a Commonwealth by Institution.

C H A P. XVIII.

Of the RIGHTS of Sovereigns by Institution.

The Act of instituting a Commonwealth, what.

A *Commonwealth* is said to be *instituted*, when a *Multitude* of Men do agree, and *covenant*, every one with every one, that to whatsoever *Man*, or *Assembly of Men*, shall be given by the major Part, the *Right* to represent the Person of them all, (that is to say, to be their *Representative*;) every one, as well he that *voted for it*, as he that *voted against it*, shall *authorize* all the *Actions* and *Judgments* of that *Man*, or *Assembly of Men*, in the same Manner as if they were his own, to the end, to live peaceably amongst themselves, and to be protected against other Men.

The Consequences to such Institution, are

I. The Subjects cannot change the Form of Government.

From this Institution of a Commonwealth are derived all the *Rights* and *Faculties* of him or them, on whom the Sovereign Power is conferred by the Consent of the People assembled.

First, Because they covenant, it is to be understood, they are not obliged by former Covenant to any thing repugnant hereunto. And consequently they that have already instituted a Commonwealth, being thereby bound by Covenant to own the Actions and Judgments of one, cannot lawfully make a new Covenant amongst themselves, to be obedient to any other, in any thing whatsoever, without his Permission. And therefore, they that are Subjects to a Monarch, cannot without his Leave cast off Monarchy, and return to the Confusion of a disunited Multitude; nor transfer their Person from him that beareth it, to another Man, or other Assembly of Men: for they are bound, every Man to every Man, to own, and be reputed Author of all, that he that already is their Sovereign, shall do, and judge fit to be done: so that any one Man dissenting, all the rest should break their Covenant made to that Man, which is Injustice: and they have also every Man given the Sovereignty to him that beareth their Person; and therefore if they depose him, they take from him that which is his own, and so again it is Injustice. Besides, if he that attempteth to depose his Sovereign be killed, or punished by him for such Attempt, he is Author of his own Punishment, as being, by the Institution, Author of all his Sovereign shall do: And because it is Injustice for a Man to do any thing, for which he may be punished by his own Authority, he is also upon that Title, unjust. And whereas some Men have pretended for their Disobedience to their Sovereign, a new Covenant, made, not with Men, but with God; this also is unjust: for there is no Covenant with God, but by Mediation of some Body that representeth God's Person; which none doth but God's Lieutenant, who hath the Sovereignty under God. But this Pretence of Covenant with God, is so evident a Lye, even in the Pretenders own Consciences, that it is not only an Act of an unjust, but also of a vile and unmanly Disposition.

2. Sovereign Power cannot be forfeited.

Secondly, Because the Right of bearing the Person of them all, is given to him they make Sovereign, by Covenant only of one to another, and not of him to any of them; there can happen no Breach of Covenant on the Part of the Sovereign; and consequently none of his Subjects

Subjects, by any Pretence of Forfeiture, can be freed from his Subjection. That he which is made Sovereign maketh no Covenant with his Subjects beforehand, is manifest; because either he must make it with the whole Multitude, as one Party to the Covenant; or he must make a several Covenant with every Man. With the whole, as one Party, it is impossible; because as yet they are not one Person: and if he make so many several Covenants as there be Men, those Covenants after he hath the Sovereignty are void, because what Act soever can be pretended by any one of them for Breach thereof, is the Act both of himself and of all the rest, because done in the Person, and by the Right of every one of them in particular. Besides, if any one or more of them, pretend a Breach of Covenant made by the Sovereign at his Institution; and others, or one other of his Subjects, or himself alone, pretend there was no such Breach, there is in this Case no Judge to decide the Controversy: it returns therefore to the Sword again; and every Man recovereth the Right of protecting himself by his own Strength, contrary to the Design they had in the Institution. It is therefore in vain to grant Sovereignty by Way of precedent Covenant. The Opinion that any Monarch receiveth his Power by Covenant, that is to say, on Condition, proceedeth from Want of understanding this easy Truth, that Covenants being but Words, and Breath, have no Force to oblige, contain, constrain, or protect any Man, but what it has from the public Sword; that is, from the untied Hands of that Man, or Assembly of Men, that hath the Sovereignty, and whose Actions are avouched by them all, and performed by the Strength of them all, in him united. But when an Assembly of Men is made Sovereign; then no Man imagineth any such Covenant to have past in the Institution; for no Man is so dull as to say, for Example, the People of *Rome* made a Covenant with the *Romans*, to hold the Sovereignty on such or such Conditions; which not performed, the *Romans* might lawfully depose the *Roman* People. That Men see not the Reason to be alike in a Monarchy, and in a Popular Government, proceedeth from the Ambition of some that are kinder to the Government of an Assembly, whereof they may hope to participate, than of Monarchy, which they despair to enjoy.

Thirdly, Because the major Part hath by consenting Voices declared a Sovereign; he that dissented must now consent with the rest; that is, be contented to avow all the Actions he shall do, or else justly be destroyed by the rest. For if he voluntarily entered into the Congregation of them that were assembled, he sufficiently declared thereby his Will (and therefore tacitly covenanted) to stand to what the major Part should ordain: and therefore if he refuse to stand thereto, or make Protestation against any of their Decrees, he does contrary to his Covenant, and therefore unjustly. And whether he be of the Congregation, or not, and whether his Consent be asked, or not, he must either submit to their Decrees, or be left in the Condition of War he was in before; wherein he might without Injustice be destroyed by any Man whatsoever.

3. No Man can without Injustice protest against the Institution of the Sovereign declared by the major Part.

Fourthly, Because every Subject is by this Institution Author of all the Actions and Judgments of the Sovereign instituted; it follows, that whatsoever he doth, it can be no Injury to any of his Subjects; nor ought he to be by any of them accused of Injustice. For he that doth any Thing by Authority from another, doth therein no Injury to him by whose Authority he acteth: But by this Institution of a Commonwealth, every particular Man is Author of all the Sovereign doth; and consequently he that complaineth of Injury from his Sovereign, complaineth of that whereof he himself is Author; and therefore ought not to accuse any Man but himself; no nor himself of Injury; because to do Injury to one's self, is impossible. It is true that they that have Sovereign Power

4. The Sovereign's Actions cannot be justly accused by the Subject.

PART II. may commit Iniquity ; but not Injustice, or Injury in the proper Signification.

5. Whatsoever the Sovereign doth, is unpunishable by the Subject. Fifthly, And consequently to that which was said last, no Man that hath Sovereign Power can justly be put to Death, or otherwise in any Manner by his Subjects punished. For seeing every Subject is Author of the Actions of his Sovereign ; he punisheth another, for the Actions committed by himself.

6. The Sovereign is Judge of what is necessary for the Peace and Defence of his Subjects. And because the End of this Institution, is the Peace and Defence of them all ; and whosoever has Right to the End, has Right to the Means ; it belongeth of Right to whatsoever Man, or Assembly, that hath the Sovereignty, to be Judge both of the Means of Peace and Defence ; and also of the Hindrances and Disturbances of the same ; and to do whatsoever he shall think necessary to be done, both beforehand, for the preserving of Peace and Security, by Prevention of Discord at Home, and Hostility from abroad ; and, when Peace and Security are lost, for the Recovery of the same. And therefore,

And Judge of what Doctrines are fit to be taught them.

Sixthly, It is annexed to the Sovereignty, to be Judge of what Opinions and Doctrines are averse, and what conducing to Peace ; and consequently, on what Occasions, how far, and with what, Men are to be trusted, in speaking to Multitudes of People ; and who shall examine the Doctrines of all Books before they be published. For the Actions of Men proceed from their Opinions ; and in the well-governing of Opinions, consisteth the well-governing of Men's Actions, in order to their Peace and Concord. And though in Matter of Doctrine, nothing ought to be regarded but the Truth ; yet this is not repugnant to regulating of the same by Peace. For Doctrine repugnant to Peace, can no more be true, than Peace and Concord can be against the Law of Nature. It is true, that in a Commonwealth, where by the Negligence or Unskilfulness of Governors, and Teachers, false Doctrines are by time generally received ; the contrary Truths may be generally offensive : Yet the most sudden and rough Bustling in of a new Truth, that can be, does never break the Peace, but only sometimes awake the War. For those Men that are so remissly governed, that they dare take up Arms, to defend, or introduce an Opinion, are still in War ; and their Condition not Peace, but only a Cessation of Arms for Fear of one another ; and they live, as it were, in the Precincts of Battle continually. It belongeth therefore to him that hath the Sovereign Power, to be Judge, or constitute all Judges of Opinions and Doctrines, as a Thing necessary to Peace ; thereby to prevent Discord and Civil War.

7. The Right of making Rules, whereby the Subjects may every Man know what is so his own, as no other Subject can without Injustice take it from him.

Seventhly, Is annexed to the Sovereignty, the whole Power of prescribing the Rules, whereby every Man may know, what Goods he may enjoy, and what Actions he may do, without being molested by any of his Fellow Subjects : And this is it Men call *Propriety*. For before Constitution of Sovereign Power (as hath already been shewn) all Men had Right to all Things ; which necessarily causeth War : and therefore this Propriety, being necessary to Peace, and depending on Sovereign Power, is the Act of that Power, in order to the public Peace. These Rules of Propriety (or *Meum* and *Tuum*) and of *Good*, *Evil*, *Lawful*, and *Unlawful* in the Actions of Subjects, are the Civil Laws ; that is to say, the Laws of each Commonwealth in particular ; though the Name of Civil Law be now restrained to the antient Civil Laws of the City of *Rome* ; which being the Head of a great Part of the World, her Laws at that Time were in these Parts the Civil Law.

8. To him also belongeth the Right of all Judicature and Decision of Controversy.

Eighthly, Is annexed to the Sovereignty, the Right of Judicature ; that is to say, of hearing and deciding all Controversies, which may arise concerning Law, either Civil or Natural, or concerning Fact. For

without the Decision of Controversies, there is no Protection of one Subject against the Injuries of another ; the Laws concerning *Meum* and *Tuum* are in vain ; and to every Man remaineth, from the natural and necessary Appetite of his own Conservation, the Right of protecting himself by his private Strength, which is the Condition of War ; and contrary to the End for which every Commonwealth is instituted.

Ninthly, Is annexed to the Sovereignty the Right of making War and Peace with other Nations and Commonwealths ; that is to say, of judging when it is for the public Good, and how great Forces are to be assembled, armed, and paid for that End ; and to levy Money upon the Subjects to defray the Expences thereof. For the Power by which the People are to be defended, consisteth in their Armies ; and the Strength of an Army, in the Union of their Strength under one Command ; which Command the Sovereign instituted, therefore hath ; because the Command of the *Militia*, without other Institution, maketh him that hath it Sovereign. And therefore whoever is made General of an Army, he that hath the Sovereign Power is always Generalissimo.

Tenthly, Is annexed to the Sovereignty the chusing of Counsellors, Ministers, Magistrates, and Officers, both in Peace and War. For seeing the Sovereign is charged with the End, which is the common Peace and Defence ; he is understood to have Power to use such Means, as he shall think most fit for his Discharge.

Eleventhly, To the Sovereign is committed the Power of rewarding with Riches, or Honour ; and of punishing with corporal, or pecuniary Punishment, or with Ignominy, every Subject, according to the Law he hath formerly made ; or if there be no Law made, according as he shall judge most to conduce to the encouraging of Men to serve the Commonwealth, or deterring of them from doing Disservice to the same.

Lastly, Considering what Value Men are naturally apt to set upon themselves, what Respect they look for from others, and how little they value other Men, from whence continually arise amongst them Emulation, Quarrels, Factions, and at last War, to the destroying of one another, and Diminution of their Strength against a common Enemy ; it is necessary that there be Laws of Honour, and a public Rate of the Worth of such Men as have deserved, or are able to deserve well of the Commonwealth ; and that there be Force in the Hands of some or other, to put those Laws in Execution. But it hath already been shewn, that not only the whole *Militia*, or Forces of the Commonwealth, but also the Judicature of all Controversies, is annexed to the Sovereignty. To the Sovereign therefore it belongeth also to give Titles of Honour, and to appoint what Order of Place and Dignity each Man shall hold ; and what Signs of Respect, in public or private Meetings, they shall give to one another.

These are the Rights which make the Essence of Sovereignty, and which are the Marks whereby a Man may discern in what Man, or Assembly of Men, the Sovereign Power is placed and resideth. For these are incommunicable and inseparable. The Power to coin Money, to dispose of the Estate and Persons of Infant Heirs, to have Preemption in Markets, and all other Statute Prerogatives, may be transferred by the Sovereign ; and yet the Power to protect his Subjects be retained. But if he transfer the *Militia*, he retains the Judicature in vain, for want of Execution of the Laws: Or if he grant away the Power of raising Money, the *Militia* is in vain : or if he give away the Government of Doctrines, Men will be frighted into Rebellion with the Fear of Spirits. And so if we consider any one of the said Rights, we shall presently see, that the holding of all the rest will produce no Effect, in the Conservation

9. And of making War and Peace, as he shall think best.

10. And of chusing all Counsellors and Ministers, both of Peace and War.

11. And of rewarding and punishing, and that (where no former Law hath determined the Measure of it) arbitrary.

12. And of Honour and Order.

These Rights are indivisible.

PART
II.

servation of Peace and Justice, the End for which all Commonwealths are instituted. And this Division is it, whereof it is said, *a Kingdom divided in itself cannot stand*: For unless this Division precede, Division into opposite Armies can never happen. If there had not first been an Opinion received of the greatest part of *England*, that these Powers were divided between the King, and the Lords, and the House of Commons, the People had never been divided, and fallen into this Civil War; first between those that disagreed in Politics, and after between the Dissenters about the Liberty of Religion; which have so instructed Men in this Point of Sovereign Right, that there be few now (in *England*) that do not see that these Rights are inseparable, and will be so generally acknowledged, at the next Return of Peace; and so continue, till their Miseries are forgotten; and no longer, except the Vulgar be better taught than they have hitherto been.

And can by no Grant pass away without direct renouncing of the Sovereign Power.

And because they are essential and inseparable Rights, it follows necessarily, that in whatsoever Words any of them seem to be granted away, yet if the Sovereign Power itself be not in direct Terms renounced, and the Name of Sovereign no more given by the Grantees to him that grants them, the Grant is void: for when he has granted all he can, if he grant back the Sovereignty, all is restored, as inseparably annexed thereunto.

The Power and Honour of Subjects vanisheth in the Presence of the Power Sovereign.

This great Authority being indivisible, and inseparably annexed to the Sovereignty, there is little Ground for the Opinion of them that say of sovereign Kings, though they be *singulis majores*, of greater Power than every one of their Subjects, yet they be *universis minores*, of less Power than them all together. For if by *all together*, they mean not the collective Body as one Person, then *all together*, and *every one*, signify the same; and the Speech is absurd. But if by *all together*, they understand them as one Person (which Person the Sovereign bears) then the Power of all together is the same with the Sovereign's Power; and so again the Speech is absurd: which Absurdity they see well enough, when the Sovereignty is in an Assembly of the People; but in a Monarch they see it not; and yet the Power of Sovereignty is the same in whomsoever it be placed.

And as the Power, so also the Honour of the Sovereign, ought to be greater than that of any, or all the Subjects. For in the Sovereignty is the Fountain of Honour. The Dignities of Lord, Earl, Duke, and Prince, are his Creatures. As in the Presence of the Master the Servants are equal, and without any Honour at all; so are the Subjects in the Presence of the Sovereign. And though they shine some more, some less, when they are out of his Sight; yet in his Presence, they shine no more than the Stars in Presence of the Sun.

Sovereign Power not so hurtful as the Want of it, and the Hurt proceeds for the greatest part from not submitting readily to a less.

But a Man may here object, that the Condition of Subjects is very miserable; as being obnoxious to the Lusts, and other irregular Passions of him or them, that have so unlimited a Power in their Hands. And commonly they that live under a Monarch, think it the Fault of Monarchy; and they that live under the Government of Democracy, or other Sovereign Assembly, attribute all the Inconvenience to that Form of Commonwealth; whereas the Power in all Forms, if they be perfect enough to protect them, is the same; not considering that the Estate of Man can never be without some Incommodity or other; and that the greatest, that in any Form of Government can possibly happen to the People in general, is scarce sensible, in respect of the Miseries and horrible Calamities that accompany a Civil War; or that dissolute Condition of masterless Men, without Subjection to Laws, and a coercive Power to tie their Hands from Rapine and Revenge: not considering that

that the greatest Pressure of sovereign Governors, proceedeth not from any Delight or Profit they can expect in the Damage or Weakening of their Subjects, in whose Vigour consisteth their own Strength and Glory; but in the Restiveness of themselves, that unwillingly contributing to their own Defence, make it necessary for their Governors to draw from them what they can in Time of Peace, that they may have Means on any emergent Occasion or sudden Need, to resist or take Advantage on their Enemies. For all Men are by Nature provided of notable multiplying Glasses (that is, their Passions and Self-love) through which, every little Payment appeareth a great Grievance; but are destitute of those prospective Glasses (namely, Moral and Civil Science) to see afar off the Miseries that hang over them; and cannot without such Payments be avoided.

CHAP.
XIX.

C H A P. XIX.

Of the several Kinds of Commonwealth by Institution, and of Succession to the Sovereign Power.

THE Difference of Commonwealths consisteth in the Difference of the Sovereign, or the Person Representative of all and every one of the Multitude. And because the Sovereignty is either in one Man, or in an Assembly of more than one; and into that Assembly either every Man hath Right to enter, or not every one, but certain Men distinguished from the rest; it is manifest there can be but three Kinds of Commonwealth. For the Representative must needs be one Man, or more; and if more, then it is the Assembly of all, or but a Part. When the Representative is one Man, then is the Commonwealth a *Monarchy*; when an Assembly of all that will come together, then it is a *Democracy*, or Popular Commonwealth; when an Assembly of a Part only, then it is called an *Aristocracy*. Other Kind of Commonwealth there can be none: for either one, or more, or all, must have the Sovereign Power (which I have shewn to be indivisible) entire.

The different
Forms of
Common-
wealths but
three.

There be other Names of Government in the Histories and Books of Policy; as *Tyranny*, and *Oligarchy*: But they are not the Names of other Forms of Government, but of the same Forms misliked. For they that are discontented under *Monarchy*, call it *Tyranny*; and they that are displeas'd with *Aristocracy*, called it *Oligarchy*: So also, they which find themselves griev'd under a *Democracy*, call it *Anarchy* (which signifies want of Government;) and yet I think no Man believes that want of Government is any new Kind of Government: nor by the same Reason ought they to believe, that the Government is of one Kind, when they like it, and another, when they mislike it, or are oppress'd by the Governors.

Tyranny and
Oligarchy
but different
Names of
Monarchy
and Aristoc-
racy.

It is manifest, that Men who are in absolute Liberty, may, if they please, give Authority to one Man to represent them every one, as well as give such Authority to any Assembly of Men whatsoever; and consequently may subject themselves, if they think good, to a Monarch, as absolutely as to any other Representative. Therefore, where there is already erected a Sovereign Power, there can be no other Representative of the same People, but only to certain particular Ends by the Sovereign limited. For that were to erect two Sovereigns; and every Man to have his Person represented by two Actors, that by opposing

Subordinate
Representa-
tives danger-
ous.

PART one another, must needs divide that Power, which (if Men will live in
 II. Peace) is indivisible; and thereby reduce the Multitude into the Con-
 dition of War, contrary to the End for which all Sovereignty is insti-
 tuted. And therefore, as it is absurd to think that a Sovereign Assembly,
 inviting the People of their Dominion to send up their Deputies, with
 Power to make known their Advice or Desires, should therefore hold
 such Deputies, rather than themselves, for the absolute Representative
 of the People: so it is absurd also, to think the same in a Monarchy.
 And I know not how this so manifest a Truth should of late be so little
 observed; that in a Monarchy, he that had the Sovereignty from a
 Descent of six hundred Years, was alone called Sovereign, had the Title
 of Majesty from every one of his Subjects, and was unquestionably taken
 by them for their King, was notwithstanding never considered as their
 Representative; that Name without Contradiction passing for the Title
 of those Men, which at his Command were sent up by the People to
 carry their Petitions, and give him (if he permitted it) their Advice.
 Which may serve as an Admonition for those that are the true and abso-
 lute Representative of a People, to instruct Men in the Nature of that
 Office, and to take Heed how they admit of any other general Re-
 presentation upon any Occasion whatsoever, if they mean to discharge
 the Trust committed to them.

Comparison
 of Monarchy
 with Sove-
 reign Assem-
 blies.

The Difference between these three Kinds of Commonwealth, con-
 sisteth not in the Difference of Power, but in the Difference of Con-
 venience or Aptitude to produce the Peace and Security of the People;
 for which End they were instituted. And to compare Monarchy with
 the other two, we may observe; First, that whosoever beareth the
 Person of the People, or is one of that Assembly that bears it, beareth
 also his own natural Person. And though he be careful in his politic
 Person to procure the common Interest; yet he is more, or no less
 careful to procure the private Good of himself, his Family, Kindred,
 and Friends; and for the most part, if the public Interest chance to
 cross the private, he prefers the private; for the Passions of Men are
 generally more potent than their Reason. From whence it follows, that
 where the public and private Interest are most closely united, there
 is the public most advanced. Now in Monarchy the private Inte-
 rest is the same with the public. The Riches, Power, and Honour of a
 Monarch arise only from the Riches, Strength, and Reputation of his Sub-
 jects. For no King can be rich, nor glorious, nor secure, whose Subjects
 are either poor or contemptible, or too weak, through Want or Dissen-
 tion, to maintain a War against their Enemies: Whereas in a Demo-
 cracy or Aristocracy, the public Prosperity confers not so much to the
 private Fortune of one that is corrupt or ambitious, as doth many
 times a perfidious Advice, a treacherous Action, or a Civil War.

Secondly, That a Monarch receiveth Counsel of whom, when, and
 where he pleaseth; and consequently may hear the Opinion of Men
 versed in the Matter about which he deliberates, of what Rank or
 Quality soever, and as long before the Time of Action, and with as
 much Secrecy as he will. But when a Sovereign Assembly has Need of
 Counsel, none are admitted but such as have a Right thereto from the
 Beginning; which for the most Part are of those who have been versed
 more in the Acquisition of Wealth than of Knowledge, and are to give
 their Advice in long Discourses, which may, and do commonly excite
 Men to Action, but not govern them in it. For the *Understanding* is
 by the Flame of the Passions, never enlightened, but dazled: Nor is
 there any Place or Time wherein an Assembly can receive Counsel with
 Secrecy, because of their own Multitude.

Thirdly, That the Resolutions of a Monarch, are subject to no other Inconstancy, than that of Human Nature ; but in Assemblies, besides that of Nature, there ariseth an Inconstancy from the Number. For the Absence of a few, that would have the Resolution once taken continue firm, (which may happen by Security, Negligence, or private Impediments) or the diligent Appearance of a few of the contrary Opinion, undoes to-day all that was concluded yesterday.

Fourthly, That a Monarch cannot disagree with himself, out of Envy, or Interest ; but an Assembly may ; and that to such a Height, as may produce a Civil War.

Fifthly, That in Monarchy there is this Inconvenience ; that any Subject, by the Power of one Man, for the enriching of a Favourite or Flatterer, may be deprived of all he possesseth ; which I confess is a great and inevitable Inconvenience. But the same may as well happen, where the Sovereign Power is in an Assembly : For their Power is the same ; and they are as subject to evil Counsel, and to be seduced by Orators, as a Monarch by Flatterers ; and becoming one another's Flatterers, serve one another's Covetousness and Ambition by Turns. And whereas the Favourites of Monarchs are few, and they have none else to advance but their own Kindred ; the Favourites of an Assembly are many ; and the Kindred much more numerous, than of any Monarch. Besides, there is no Favourite of a Monarch, which cannot as well succour his Friends, as hurt his Enemies : But Orators, that is to say, Favourites of Sovereign Assemblies, though they have great Power to hurt, have little to save. For to accuse, requires less Eloquence (such is Man's Nature) than to excuse ; and Condemnation, than Absolution, more resembles Justice.

Sixthly, That it is an Inconvenience in Monarchy, that the Sovereignty may descend upon an Infant, or one that cannot discern between Good and Evil : and consisteth in this, that the Use of his Power, must be in the Hand of another Man, or of some Assembly of Men, which are to govern by his Right, and in his Name ; as Curators, and Protectors of his Person and Authority. But to say there is Inconvenience in putting the Use of Sovereign Power into the Hand of a Man, or an Assembly of Men ; is to say that all Government is more inconvenient, than Confusion, and Civil War. And therefore all the Danger that can be pretended, must arise from the Contention of those, that for an Office of so great Honour, and Profit, may become Competitors. To make it appear, that this Inconvenience proceedeth not from that Form of Government we call Monarchy, we are to consider, that the precedent Monarch hath appointed who shall have the Tutition of his Infant Successor, either expressly by Testament, or tacitly, by not controlling the Custom in that Case received : And then such Inconvenience (if it happen) is to be attributed, not to the Monarchy, but to the Ambition and the Injustice of the Subjects ; which in all Kinds of Government, where the People are not well instructed in their Duty, and the Rights of Sovereignty, is the same. Or else the precedent Monarch hath not at all taken Order for such Tutition ; and then the Law of Nature hath provided this sufficient Rule, that the Tutition shall be in him, that hath by Nature most Interest in the Preservation of the Authority of the Infant, and to whom least Benefit can accrue by his Death, or Diminution. For seeing every Man by Nature seeketh his own Benefit, and Promotion ; to put an Infant into the Power of those, that can promote themselves by his Destruction, or Damage, is not Tutition, but Treachery. So that sufficient Provision being taken against all just Quarrel, about the Government under a Child, if any Contention arise

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II. arise to the Disturbance of the public Peace, it is not to be attributed to the Form of Monarchy, but to the Ambition of Subjects, and Ignorance of their Duty. On the other Side, there is no great Commonwealth, the Sovereignty whereof is in a great Assembly, which is not, as to Consultations of Peace and War, and making of Laws, in the same Condition as if the Government were in the Child. For as a Child wants the Judgment to dissent from Counsel given him, and is thereby necessitated to take the Advice of them or him, to whom he is committed: So an Assembly wanteth the Liberty to dissent from the Counsel of the major Part, be it good or bad. And as a Child has need of a Tutor or Protector, to preserve his Person and Authority: So also (in great Commonwealths) the Sovereign Assembly, in all Dangers and Troubles, have need of *Custodes Libertatis*; that is, of Dictators, or Protectors of their Authority; which are as much as temporary Monarchs; to whom for a Time, they may commit the entire Exercise of their Power; and have (at the End of that Time) been oftener deprived thereof than Infant Kings, by their Protectors, Regents, or any other Tutors.

Though the Kinds of Sovereignty be, as I have now shewn, but three; that is to say, Monarchy, where one Man has it; or Democracy, where the general Assembly of Subjects hath it; or Aristocracy, where it is in an Assembly of certain Persons nominated, or otherwise distinguished from the rest: Yet he that shall consider the particular Commonwealths that have been, and are in the World, will not perhaps easily reduce them to three, and may thereby be inclined to think there be other Forms arising from those mingled together. As for Example, Elective Kingdoms, where Kings have the Sovereign Power put into their Hands for a Time; or Kingdoms, wherein the King hath a Power limited: which Governments are nevertheless by most Writers called Monarchy. Likewise if a Popular, or Aristocratical Commonwealth subdue an Enemy's Country, and govern the same by a President, Procurator, or other Magistrate; this may seem perhaps at first Sight to be a Democratical, or Aristocratical Government. But it is not so. For Elective Kings are not Sovereigns, but Ministers of the Sovereign; nor limited Kings Sovereigns, but Ministers of them that have the Sovereign Power: Nor are those Provinces which are in Subjection to a Democracy, or Aristocracy of another Commonwealth, Democratically, or Aristocratically governed, but Monarchically.

And first, concerning an Elective King, whose Power is limited to his Life, as it is in many Places of Christendom at this Day; or to certain Years or Months, as the Dictator's Power amongst the *Romans*; if he have Right to appoint his Successor, he is no more Elective but Hereditary. But if he have no Power to elect his Successor, then there is some other Man, or Assembly known, which after his Decease may elect a new, or else the Commonwealth dieth, and dissolveth with him, and returneth to the Condition of War. If it be known who have the Power to give the Sovereignty after his Death, it is known also that the Sovereignty was in them before: For none have Right to give that which they have not Right to possess, and keep to themselves, if they think good. But if there be none that can give the Sovereignty, after the Decease of him that was first elected; then has he Power, nay he is obliged by the Law of Nature, to provide, by establishing his Successor, to keep those that had trusted him with the Government, from relapsing into the miserable Condition

of Civil War. And consequently he was, when elected, a Sovereign absolute.

Secondly, That the King whose Power is limited; is not superior to him or them that have the Power to limit it; and he that is not superior, is not supreme; that is to say, not Sovereign. The Sovereignty therefore was always in that Assembly which had the Right to limit him; and by Consequence the Government not Monarchy, but either Democracy, or Aristocracy; as of old time in *Sparta*; where the Kings had a Privilege to lead their Armies; but the Sovereignty was in the *Ephori*.

Thirdly, Whereas heretofore the *Roman* People governed the Land of *Judea* (for Example) by a President; yet was not *Judea* therefore a Democracy; because they were not governed by any Assembly, into the which any of them had Right to enter; nor by an Aristocracy; because they were not governed by an Assembly, into which any Man could enter by their Election: but they were governed by one Person, which though as to the People of *Rome* was an Assembly of the People, or Democracy; yet as to the People of *Judea*, which had no Right at all of participating in the Government, was a Monarch. For though where the People are governed by an Assembly, chosen by themselves out of their own Number, the Government is called a Democracy, or Aristocracy; yet when they are governed by an Assembly, not of their own choosing, 'tis a Monarchy; not of *one* Man over another Man; but of one People over another People.

Of all these Forms of Government, the Matter being mortal, so that not only Monarchs, but also whole Assemblies die, it is necessary for the Conservation of the Peace of Men, that as there was Order taken for an artificial Man, so there be also Order taken for an artificial Eternity of Life; without which, Men that are governed by an Assembly; should return into the Condition of War in every Age; and they that are governed by one Man, as soon as their Governor dieth. This artificial Eternity, is that which Men call the Right of *Succession*.

There is no perfect Form of Government, where the disposing of the Succession is not in the present Sovereign. For if it be in any other particular Man, or private Assembly, it is in a Person subject; and may be assumed by the Sovereign at his Pleasure; and consequently the Right is in himself. And if it be in no particular Man, but left to a new Choice; then is the Commonwealth dissolved; and the Right is in him that can get it; contrary to the Intention of them that institute the Commonwealth, for their perpetual, and not temporary Security.

In a Democracy, the whole Assembly cannot fail, unless the Multitude that are to be governed fail. And therefore Questions of the Right of Succession, have in that Form of Government no Place at all.

In an Aristocracy, when any of the Assembly dieth, the Election of another into his Room belongeth to the Assembly, as the Sovereign, to whom belongeth the choosing of all Counsellors, and Officers. For that which the Representative doth, as Actor, every one of the Subjects doth, as Author. And though the Sovereign Assembly may give Power to others, to elect new Men, for Supply of their Court; yet it is still by their Authority that the Election is made; and by the same it may (when the public shall require it) be recalled.

The greatest Difficulty about the Right of Succession, is in Monarchy: And the Difficulty ariseth from this, that at first Sight, it is not manifest who is to appoint the Successor; nor many times, who it is

The present Monarch hath Right to dispose of the Succession.

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whom he hath appointed. For in both these Cases, there is required a more exact Ratiocination, than every Man is accustomed to use. As to the Question, who shall appoint the Successor of a Monarch that hath the Sovereign Authority; that is to say, who shall determine of the Right of Inheritance, (for Elective Kings and Princes have not the Sovereign Power in Propriety, but in Use only) we are to consider, that either he that is in Possession, has Right to dispose of the Succession, or else that Right is again in the dissolved Multitude. For the Death of him that hath the Sovereign Power in Propriety, leaves the Multitude without any Sovereign at all; that is, without any Representative in whom they should be united, and be capable of doing any one Action at all: And therefore they are incapable of Election of any new Monarch; every Man having equal Right to submit himself to such as he thinks best able to protect him; or if he can, protect himself by his own Sword; which is a Return to Confusion, and to the Condition of a War of every Man against every Man, contrary to the End for which Monarchy had its first Institution. Therefore it is manifest, that by the Institution of Monarchy, the disposing of the Successor is always left to the Judgment and Will of the present Possessor.

And for the Question (which may arise sometimes) who it is that the Monarch in Possession hath designed to the Succession and Inheritance of his Power; it is determined by his express Words, and Testament; or by other tacit Signs sufficient.

Succession
passeth by ex-
press Words;

By express Words or Testament, when it is declared by him in his Life-time, *viva voce*, or by Writing; as the first Emperors of Rome declared who should be their Heirs. For the Word Heir does not of itself imply the Children, or nearest Kindred of a Man; but whomsoever a Man shall any Way declare he would have to succeed him in his Estate. If therefore a Monarch declare expressly, that such a Man shall be his Heir, either by Word or Writing, then is that Man, immediately after the Decease of his Predecessor, invested in the Right of being Monarch.

Or, by not
controlling a
Custom;

But where Testament, and express Words are wanting, other natural Signs of the Will are to be followed: whereof the one is Custom. And therefore where the Custom is, that the next of Kindred absolutely succeedeth, there also the next of Kindred hath Right to the Succession; for that, if the Will of him that was in Possession had been otherwise, he might easily have declared the same in his Life-time. And likewise where the Custom is, that the next of the Male Kindred succeedeth, there also the Right of Succession is in the next of the Kindred Male, for the same Reason. And so it is if the Custom were to advance the Female. For whatsoever Custom a Man may by a Word controul, and does not, it is a natural Sign he would have that Custom stand.

Or, by Pre-
sumption of
natural Af-
fection.

But where neither Custom, nor Testament hath preceded, there it is to be understood, first, that a Monarch's Will is, that the Government remain Monarchical; because he hath approved that Government himself. Secondly, that a Child of his own, Male or Female, be preferred before any other; because Men are presumed to be more inclined by Nature to advance their own Children, than the Children of other Men; and of their own, rather a Male than a Female; because Men are naturally fitter than Women, for Actions of Labour and Danger. Thirdly, where his own Issue faileth, rather a Brother than a Stranger; and so still the nearer in Blood, rather than the more remote; because it is always presumed, that the nearer of Kin is the nearer in Affection; and 'tis evident that a Man receives always by Reflexion, the most Honour from the Greatness of his nearest Kindred.

But

But if it be lawful for a Monarch to dispose of the Succession by Words of Contract or Testament, Men may perhaps object a great Inconvenience: for he may sell, or give his Right of governing to a Stranger; which, because Strangers (that is, Men not used to live under the same Government, nor speaking the same Language) do commonly undervalue one another, may turn to the Oppression of his Subjects; which is indeed a great Inconvenience: but it proceedeth not necessarily from the Subjection to a Stranger's Government, but from the Unskilfulness of the Governors, ignorant of the true Rules of Politics. And therefore the *Romans*, when they had subdued many Nations, to make their Government digestible, were wont to take away that Grievance, as much as they thought necessary, by giving sometimes to whole Nations, and sometimes to principal Men of every Nation they conquered, not only the Privileges, but also the Name of *Romans*; and took many of them into the Senate, and Offices of Charge, even in the *Roman* City. And this was it our most wise King, King *James*, aimed at, in endeavouring the Union of his two Realms of *England* and *Scotland*. Which if he could have obtained, had in all Likelihood prevented the Civil Wars, which make both those Kingdoms, at this present, miserable. It is not therefore any Injury to the People, for a Monarch to dispose of the Succession by Will; though by the Fault of many Princes, it hath been sometimes found inconvenient. Of the Lawfulness of it, this also is an Argument, that whatsoever Inconvenience can arrive by giving a Kingdom to a Stranger, may arrive also by so marrying with Strangers, as the Right of Succession may descend upon them: yet this by all Men is accounted lawful.

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To dispose of the Succession, tho' to a King of another Nation, not unlawful.

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Of Dominion PATERNAL, and DESPOTICAL.

A *Commonwealth by Acquisition*, is that, where the Sovereign Power is acquired by Force; and it is acquired by Force, when singly, or many together by Plurality of Voices, for Fear of Death or Bonds, do authorise all the Actions of that Man or Assembly, that hath their Lives and Liberty in his Power. A Commonwealth by Acquisition.

And this kind of Dominion or Sovereignty, differeth from Sovereignty by Institution, only in this, That Men who chuse their Sovereign, do it for Fear of one another, and not of him whom they institute: But in this Case, they subject themselves to him they are afraid of. In both Cases they do it for Fear: which is to be noted by them, that hold all such Covenants, as proceed from Fear of Death or Violence, void: which if it were true, no Man, in any Kind of Commonwealth, could be obliged to Obedience. It is true, that in a Commonwealth once instituted, or acquired, Promises proceeding from Fear of Death, or Violence, are no Covenants, nor obliging, when the Thing promised is contrary to the Laws: But the Reason is not because it was made upon Fear, but because he that promiseth hath no Right in the Thing promised. Also, when he may lawfully perform, and doth not, it is not the Invalidity of the Covenant that absolveth him, but the Sentence of the Sovereign. Otherwise, whensoever a Man lawfully promiseth, he unlawfully breaketh: But when the Sovereign, who is the

PART II. the Actor, acquitteth him, then he is acquitted by him that extorted the Promise, as by the Author of such Absolution.

The Rights of Sovereignty the same in both.

But the Rights, and Consequences of Sovereignty, are the same in both. His Power cannot, without his Consent, be transferred to another: He cannot forfeit it; he cannot be accused by any of his Subjects of Injury; he cannot be punished by them; he is Judge of what is necessary for Peace, and Judge of Doctrines; he is sole Legislator, and supreme Judge of Controversies, and of the Times and Occasions of War and Peace: to him it belongeth to chuse Magistrates, Counsellors, Commanders, and all other Officers and Ministers; and to determine of Rewards and Punishments, Honour and Order. The Reasons whereof are the same which are alledged in the precedent Chapter, for the same Rights, and Consequences of Sovereignty by Institution.

Dominion Paternal how attained.

Not by Generation, but by Contract;

Dominion is acquired two ways; by Generation, and by Conquest. The Right of Dominion by Generation, is that, which the Parent hath over his Children; and is called *Paternal*. And is not so derived from the Generation, as if therefore the Parent had Dominion over his Child because he begat him; but from the Child's Consent, either express, or by other sufficient Arguments declared. For as to the Generation, God hath ordained to Man a Helper; and there be always two that are equally Parents: the Dominion therefore over the Child, should belong equally to both, and he be equally subject to both, which is impossible; for no Man can obey two Masters. And whereas some have attributed the Dominion to the Man only, as being of the more excellent Sex; they misreckon in it. For there is not always that Difference of Strength or Prudence between the Man and the Woman, as that the Right can be determined without War. In Commonwealths, this Controversy is decided by the Civil Law: and for the most part, (but not always) the Sentence is in Favour of the Father; because for the most part Commonwealths have been erected by the Fathers, not by the Mothers of Families. But the Question lieth now in the State of mere Nature; where there are supposed no Laws of Matrimony, no Laws for the Education of Children, but the Law of Nature, and the natural Inclination of the Sexes one to another, and to their Children. In this Condition of mere Nature, either the Parents between themselves dispose of the Dominion over the Child by Contract, or do not dispose thereof at all. If they dispose thereof, the Right passeth according to the Contract. We find in History, that the *Amazons* contracted with the Men of the neighbouring Countries, to whom they had Recourse for Issue, that the Issue Male should be sent back, but the Female remain with themselves: so that the Dominion of the Females was in the Mother.

Or Education;

If there be no Contract, the Dominion is in the Mother. For in the Condition of mere Nature, where there are no matrimonial Laws, it cannot be known who is the Father, unless it be declared by the Mother; and therefore the Right of Dominion over the Child dependeth on her Will, and is consequently hers. Again, seeing the Infant is first in the Power of the Mother, so as she may either nourish or expose it; if she nourish it, it oweth its Life to the Mother, and is therefore obliged to obey her rather than any other; and by Consequence the Dominion over it is hers. But if she expose it, and another find and nourish it, the Dominion is in him that nourisheth it. For it ought to obey him by whom it is preserved; because Preservation of Life being the End for which one Man becomes subject to another, every Man is supposed to promise Obedience to him, in whose Power it is to save or destroy him.

If the Mother be the Father's Subject, the Child is in the Father's Power; and if the Father be the Mother's Subject (as when a Sovereign Queen marrieth one of her Subjects) the Child is subject to the Mother, because the Father also is her Subject.

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Or precedent Subjection of one of the Parents to the other.

If a Man and a Woman, Monarchs of two several Kingdoms, have a Child, and contract who shall have the Dominion of him, the Right of the Dominion passeth by the Contract. If they contract not, the Dominion followeth the Dominion of the Place of his Residence. For the Sovereign of each Country hath Dominion over all that reside therein.

He that hath the Dominion over the Child, hath Dominion also over the Children of the Child, and over their Childrens Children. For he that hath Dominion over the Person of a Man, hath Dominion over all that is his; without which, Dominion were but a Title, without the Effect.

The Right of Succession to Paternal Dominion, proceedeth in the same Manner, as doth the Right of Succession to Monarchy; of which I have already sufficiently spoken in the precedent Chapter.

The Right of Succession followeth the Rules of the Right of Possession. Despotical Dominion, how attained.

Dominion acquired by Conquest or Victory in War, is what some Writers call *Despotical*, from *Δεσπότης* which signifieth a *Lord* or *Master*; and is the Dominion of the Master over his Servant. And this Dominion is then acquired to the Victor, when the Vanquished, to avoid the present Stroke of Death, covenanteth either in express Words, or by other sufficient Signs of the Will, that so long as his Life and the Liberty of his Body is allowed him, the Victor shall have the Use thereof at his Pleasure. And after such Covenant made, the Vanquished is a *Servant*, and not before: for by the Word *Servant* (whether it be derived from *servire* to serve, or from *servare*, to save, which I leave to Grammarians to dispute) is not meant a Captive which is kept in Prison or Bonds, till the Owner of him that took him, or bought him of one that did, shall consider what to do with him: for such Men (commonly called Slaves) have no Obligation at all; but may break their Bonds, or the Prison, and kill or carry away Captive their Master justly: but one, that being taken, hath corporal Liberty allowed him; and upon Promise not to run away, nor to do Violence to his Master, is trusted by him.

It is not therefore the Victory that giveth the Right of Dominion over the Vanquished, but his own Covenant. Nor is he obliged, because he is conquered, that is to say, beaten, and taken, or put to flight, but because he cometh in, and submitteth to the Victor: nor is the Victor obliged by an Enemy's rendering himself (without Promise of Life) to spare him for this his yielding to Discretion; which obliges not the Victor longer, than in his own Discretion he shall think fit.

Not by the Victory, but by the Consent of the Vanquished.

And that which Men do, when they demand (as it is now called) *Quarter*, (which the *Greeks* called *Ζωγρία*, *taking alive*) is to evade the present Fury of the Victor, by Submission, and to compound for their Life with Ransom or Service; and therefore he that hath *Quarter*, hath not his Life given, but deferred till farther Deliberation: For it is not a yielding on Condition of Life, but to Discretion. And then only is his Life in Security, and his Service due, when the Victor hath trusted him with his corporal Liberty. For Slaves that work in Prisons, or Fetters, do it not of Duty, but to avoid the Cruelty of their Task-masters.

The Master of the Servant is Master also of all he hath, and may exact the Use thereof; that is to say, of his Goods, of his Labour, of

PART II. his Servants, and of his Children, as often as he shall think fit. For he holdeth his Life of his Master by the Covenant of Obedience; that is, of owning and authorising whatsoever the Master shall do. And in Case the Master, if he refuse, kill him, or cast him into Bonds, or otherwise punish him for his Disobedience, he is himself the Author of the same, and cannot accuse him of Injury.

In sum, the Rights and Consequences of both *Paternal* and *Despotical* Dominion are the very same with those of a Sovereign by Institution; and for the same Reasons: which Reasons are set down in the precedent Chapter. So that for a Man that is Monarch of divers Nations, whereof he hath, in one the Sovereignty by Institution of the People assembled, and in another by Conquest, that is, by the Submission of each Particular, to avoid Death or Bonds; to demand of one Nation more than of the other, from the Title of Conquest, as being a conquered Nation, is an Act of Ignorance of the Rights of Sovereignty. For the Sovereign is absolute over both alike, or else there is no Sovereignty at all; and so every Man may lawfully protect himself, if he can, with his own Sword, which is the Condition of War.

Difference between a Family and a Kingdom.

By this it appears, that a great Family, if it be not Part of some Commonwealth, is of itself, as to the Rights of Sovereignty, a little Monarchy; whether that Family consist of a Man and his Children, or of a Man and his Servants, or of a Man, and his Children, and Servants together; wherein the Father or Master is Sovereign. But yet a Family is not properly a Commonwealth, unless it be of that Power by its own Number, or by other Opportunities, as not to be subdued without the Hazard of War. For where a Number of Men are manifestly too weak to defend themselves united, any one may use his own Reason in Time of Danger, to save his own Life, either by Flight, or Submission to the Enemy, as he shall think best; in the same Manner as a very small Company of Soldiers, surpris'd by an Army, may cast down their Arms, and demand Quarter, or run away, rather than be put to the Sword. And thus much shall suffice, concerning what I find by Speculation and Deduction of Sovereign Rights, from the Nature, Need, and Designs of Men, in erecting of Commonwealths, and putting themselves under Monarchs or Assemblies, entrusted with Power enough for their Protection.

The Rights of Monarchy from Scripture.

* Exod. xx. 19.

† I Sam. viii. 11, 12, &c.

Let us now consider what the Scripture teacheth in the same Point. To *Moses*, the Children of *Israel* say thus: * *Speak thou to us, and we will bear thee; but let not God speak to us, lest we die.* This is absolute Obedience to *Moses*. Concerning the Right of Kings, God himself by the Mouth of *Samuel*, saith, † *This shall be the Right of the King you will have to reign over you. He shall take your Sons, and set them to drive his Chariots, and to be his Horsemen, and to run before his Chariots; and gather in his Harvest; and to make his Engines of War, and Instruments of his Chariots; and shall take your Daughters to make Perfumes, to be his Cooks and Bakers. He shall take your Fields, your Vine-yards, and your Olive-yards, and give them to his Servants. He shall take the Tythe of your Corn and Wine, and give it to the Men of his Chamber, and to his other Servants. He shall take your Men-Servants, and your Maid-Servants, and the Choice of your Youth, and employ them in his Business. He shall take the Tythe of your Flocks; and you shall be his Servants.* This is absolute Power, and summed up in the last Words, *you shall be his Servants.* Again, when the People heard what Power their King was to have, yet they consented thereto, and said thus, * *We will be as all other Nations, and our King shall judge our Causes, and go before us, to conduct*

* Verse 19, &c.

our

our Wars. Here is confirmed the Right that Sovereigns have, both to the *Militia*, and to all *Judicature*; in which is contained as absolute Power, as one Man can possibly transfer to another. Again, the Prayer of King Solomon to God, was this, * Give to thy Servant Understanding, to judge thy People, and to discern between Good and Evil. It belongeth therefore to the Sovereign to be Judge, and to prescribe the Rules of discerning Good and Evil: which Rules are Laws; and therefore in him is the Legislative Power. Saul sought the Life of David; yet when it was in his Power to slay Saul, and his Servants would have done it, David forbade them, saying, * God forbid I should do such an Act against my Lord, the anointed of God. For Obedience of Servants, St. Paul saith, * Servants obey your Masters in all Things; and, † Children obey your Parents in all Things. There is simple Obedience in those that are subject to Paternal or Despotical Dominion. Again, * The Scribes and Pharisees sit in Moses Chair, and therefore all that they shall bid you observe, that observe and do. There again is simple Obedience. And St. Paul, * Warn them that they subject themselves to Princes, and to those that are in Authority, and obey them. This Obedience is also simple. Lastly, our Saviour himself acknowledges, that Men ought to pay such Taxes as are by Kings imposed, where he says, Give to Cæsar, that which is Cæsar's; and paid such Taxes himself. And the King's Word is sufficient to take any Thing from the Subject, when there is Need; and that the King is Judge of that Need: For he himself, as King of the Jews, commanded his Disciples to take the Ass, and Ass's Colt to carry him into Jerusalem, saying, * Go into the Village over against you, and you shall find a she Ass tied, and her Colt with her, untie them, and bring them to me. And if any Man ask you, what you mean by it, say, The Lord hath need of them: and they will let them go. They will not ask whether his Necessity be a sufficient Title; nor whether he be Judge of that Necessity; but acquiesce in the Will of the Lord.

To these Places may be added also that of Genesis, * You shall be as Gods knowing Good and Evil. And Verse 11. Who told thee that thou wast naked? hast thou eaten of the Tree, of which I commanded thee thou shouldest not eat? For the Cognizance or Judicature of Good and Evil, being forbidden by the Name of the Fruit of the Tree of Knowledge, as a Trial of Adam's Obedience; the Devil, to inflame the Ambition of the Woman, to whom that Fruit already seemed beautiful, told her that by tasting it, they should be as Gods, knowing Good and Evil. Whereupon having both eaten, they did indeed take upon them God's Office, which is Judicature of Good and Evil; but acquired no new Ability to distinguish between them aright. And whereas it is said, that having eaten, they saw they were naked; no Man hath so interpreted that Place, as if they had been formerly blind, and saw not their own Skins: the Meaning is plain, that it was then they first judged their Nakedness (wherein it was God's Will to create them) to be uncomely; and by being ashamed, did tacitly censure God himself. And thereupon God saith, Hast thou eaten, &c. as if he should say, Dost thou, that owest me Obedience, take upon thee to judge of my Commandments? Whereby it is clearly (though allegorically) signified, that the Commands of them that have the Right to command, are not by their Subjects to be censured, nor disputed.

So that it appeareth plainly, to my Understanding, both from Reason and Scripture, that the Sovereign Power, whether placed in one Man, as in Monarchy, or in one Assembly of Men, as in Popular and Aristocratical Commonwealths, is as great, as possibly Men can be imagined to make it. And though of so unlimited a Power, Men may

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1 Kings iii.

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PART
II.

fancy many evil Consequences, yet the Consequences of the want of it, which is perpetual War of every Man against his Neighbour, are much worse. The Condition of Man in this Life shall never be without Inconveniences ; but there happeneth in no Commonwealth any great Inconvenience, but what proceeds from the Subjects Disobedience, and Breach of those Covenants, which from the Commonwealth hath its Being. And whosoever thinking Sovereign Power too great, will seek to make it less, must subject himself to the Power that can limit it ; that is to say, to a greater.

The greatest Objection is, that of the Practice ; when Men ask, Where, and when, such Power has by Subjects been acknowledged ? But one may ask them again, When, or where, has there been a Kingdom long free from Sedition and Civil War ? In those Nations, whose Commonwealths have been long-lived, and not been destroyed but by Foreign War, the Subjects never did dispute of the Sovereign Power. But howsoever, an Argument from the Practice of Men that have not sifted to the Bottom, and with exact Reason weighed the Causes and Nature of Commonwealths, and suffer daily those Miseries that proceed from the Ignorance thereof, is invalid. For though in all Places of the World, Men should lay the Foundation of their Houses on the Sand, it could not thence be inferred, that so it ought to be. The Skill of making, and maintaining Commonwealths, consisteth in certain Rules, as doth Arithmetic and Geometry ; not (as Tennis-play) on Practice only : which Rules, neither poor Men have had the Leisure, nor Men that have had the Leisure, have hitherto had the Curiosity or the Method to find out.

C H A P. XXI.

Of the LIBERTY of Subjects.

Liberty,
what.

LIBERTY, or *Freedom*, signifieth (properly) the Absence of Opposition ; (by Opposition, I mean external Impediments of Motion ;) and may be applied no less to irrational and inanimate Creatures, than to Rational. For whatsoever is so tied or environed, as it cannot move, but within a certain Space, which Space is determined by the Opposition of some external Body, we say it hath no Liberty to go further. And so of all living Creatures, whilst they are imprisoned or restrained with Walls or Chains ; and of the Water whilst it is kept in by Banks, or Vessels, that otherwise would spread itself into a larger Space ; we use to say, they are not at Liberty to move in such Manner, as without those external Impediments they would. But when the Impediment of Motion is in the Constitution of the Thing itself, we use not to say, it wants the Liberty, but the Power to move ; as when a Stone lyeth still, or a Man is fastened to his Bed by Sicknefs.

What it is to
be free.

And according to this proper, and generally received Meaning of the Word, *A Free-Man*, is he, that in those Things which by his Strength and Wit he is able to do, is not hindered to do what he has a Will to. But when the Words *Free* and *Liberty*, are applied to any thing but *Bodies*, they are abused ; for that which is not subject to Motion, is not subject to Impediment : And therefore, when 'tis said (for Example) the Way is free, no Liberty of the Way is signified, but of those that walk in it without Stop. And when we say, a Gift is free, there is not meant

meant any Liberty of the Gift, but of the Giver, that was not bound by any Law, or Covenant to give it. So when we *speake freely*, it is not the Liberty of Voice, or Pronunciation, but of the Man, whom no Law hath obliged to speake otherwise than he did. Lastly, from the Use of the Word *Free-will*, no Liberty can be inferred of the Will, Desire, or Inclination, but the Liberty of the Man; which consisteth in this, that he finds no Stop, in doing what he has the Will, Desire, or Inclination to do.

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XXI.

Fear and Liberty are consistent; as when a Man throweth his Goods into the Sea for *Fear* the Ship should sink, he doth it nevertheless very willingly, and may refuse to do it if he will: It is therefore the Action of one that was *free*. So a Man sometimes pays his Debt, only for *Fear* of Imprisonment, which because nobody hindered him from detaining, was the Action of a Man at *Liberty*. And generally all Actions which Men do in Commonwealths, for *Fear* of the Law, are Actions which the Doers had *Liberty* to omit.

Fear and Liberty consistent.

Liberty and *Necessity* are consistent: As in the Water, that hath not only *Liberty*, but a *Necessity* of descending by the Channel: so likewise in the Actions which Men voluntarily do; which (because they proceed from their Will) proceed from *Liberty*; and yet because every Act of Man's Will, and every Desire and Inclination, proceedeth from some Cause, and that from another Cause, which Causes in a continual Chain (whose first Link in the Hand of God the first of all Causes) proceed from *Necessity*. So that to him that could see the Connexion of those Causes, the *Necessity* of all Men's voluntary Actions would appear manifest. And therefore God, that seeth and disposeth all Things, seeth also that the *Liberty* of Man in doing what he will, is accompanied with the *Necessity* of doing that which God will, and no more nor less. For though Men do many Things which God does not command, nor is therefore Author of them; yet they can have no Passion, nor Appetite to any Thing, of which Appetite God's Will is not the Cause. And did not his Will assure the *Necessity* of Man's Will, and consequently of all that on Man's Will dependeth, the *Liberty* of Men would be a Contradiction, and Impediment to the Omnipotence and *Liberty* of God. And this shall suffice, (as to the Matter in hand) of that natural *Liberty*, which only is properly called *Liberty*.

Liberty and Necessity consistent.

But as Men, for the attaining of Peace, and Conservation of themselves thereby, have made an artificial Man, which we call a Commonwealth; so also have they made artificial Chains, called *Civil Laws*, which they themselves, by mutual Covenants, have fasten'd at one End to the Lips of that Man, or Assembly, to whom they have given the Sovereign Power; and at the other End to their own Ears. These Bonds, in their own Nature but weak, may nevertheless be made to hold, by the Danger, though not by the Difficulty, of breaking them.

Artificial Bonds or Covenants.

In relation to these Bonds only it is, that I am to speak now of the *Liberty* of *Subjects*. For seeing there is no Commonwealth in the World, wherein there be Rules enough set down for the regulating of all the Actions, and Words of Men, (as being a Thing impossible:) it followeth necessarily, that in all kinds of Actions, by the Laws pretermitted, Men have the Liberty of doing what their own Reasons shall suggest, for the most profitable to themselves. For if we take Liberty in the proper Sense, for corporal Liberty, that is to say, Freedom from Chains and Prison, it were very absurd for Men to clamour as they do, for the Liberty they so manifestly enjoy. Again, if we take Liberty for an Exemption from Laws, it is no less absurd for Men to demand as they do, that Liberty, by which all other Men may be Masters of their

Liberty of Subjects consisteth in Liberty from Covenants.

PART II. Lives. And yet as absurd as it is, this is it they demand; not knowing that the Laws are of no Power to protect them, without a Sword in the Hands of a Man, or Men, to cause those Laws to be put in Execution. The Liberty of a Subject lieth therefore only in those Things, which in regulating their Actions, the Sovereign hath pretermitted: such as is the Liberty to buy and sell, and otherwise contract with one another; to chuse their own Abode, their own Diet, their own Trade of Life, and institute their Children as they themselves think fit; and the like.

Liberty of the Subject consistent with the unlimited Power of the Sovereign.

Nevertheless we are not to understand, that by such Liberty, the Sovereign Power of Life and Death is either abolished or limited. For it has been already shewn, that nothing the Sovereign Representative can do to a Subject, on what Pretence soever, can properly be called Injustice or Injury; because every Subject is Author of every Act the Sovereign doth; so that he never wanteth Right to any thing, otherwise than as he himself is a Subject of God, and bound thereby to observe the Laws of Nature. And therefore it may, and doth often happen in Commonwealths, that a Subject may be put to death, by the Command of the Sovereign Power, and yet neither do the other Wrong: As when *Jephtha* caused his Daughter to be sacrificed: In which, and the like Cases, he that so dieth, had Liberty to do the Action, for which he is nevertheless without Injury put to death. And the same holdeth also in a Sovereign Prince, that putteth to death an innocent Subject. For though the Action be against the Law of Nature, as being contrary to Equity, (as was the killing of *Uriah* by *David*) yet it was not an Injury to *Uriah*, but to *God*. Not to *Uriah*, because the Right to do what he pleased; was given him by *Uriah* himself: And yet to *God*, because *David* was *God's* Subject; and prohibited all Iniquity by the Law of Nature. Which Distinction, *David* himself, when he repented the Fact, evidently confirmed, saying, *To thee only have I sinned*. In the same manner, the People of *Athens*, when they banished the most potent of their Commonwealth for ten Years, thought they committed no Injustice; and yet they never questioned what Crime he had done; but what Hurt he would do: Nay they commanded the Banishment of they knew not whom; and every Citizen bringing his Oyster-shell into the Market-place, written with the Name of him he desired should be banished, without actual accusing him; sometimes banished an *Aristides*, for his Reputation of Justice; and sometimes a scurrilous Jester, as *Hyperbolus*, to make a Jest of it. And yet a Man cannot say, the Sovereign People of *Athens* wanted Right to banish them; or an *Athenian* the Liberty to jest, or to be just.

The Liberty which Writers praise, is the Liberty of Sovereigns; not of private Men.

The Liberty, whereof there is so frequent and honourable Mention, in the Histories and Philosophy of the antient *Greeks* and *Romans*, and in the Writings and Discourse of those that from them have received all their Learning in the Politics, is not the Liberty of particular Men, but the Liberty of the Commonwealth: which is the same with that, which every Man then should have, if there were no Civil Laws, nor Commonwealth at all. And the Effects of it also be the same. For as amongst masterless Men, there is perpetual War, of every Man against his Neighbour; no Inheritance, to transmit to the Son, nor to expect from the Father; no Propriety of Goods or Lands, no Security, but a full and absolute Liberty in every particular Man: So in States and Commonwealths not dependant on one another, every Commonwealth (not every Man) has an absolute Liberty to do what it shall judge (that is to say, what that Man, or Assembly that representeth it, shall judge) most conducing to their Benefit. But withall, they live in the Condition of a perpetual War, and upon the Confines of Battle, with their

Frontiers

Frontiers armed, and Cannons planted against their Neighbours round about. CHAP. XXI.
 The *Athenians* and *Romans* were free; that is, free Commonwealths: not that any particular Man had the Liberty to resist their own Representative; but that their Representative had the Liberty to resist, or invade other People. There is written on the Turrets of the City of *Lucca* in great Characters at this Day, the Word *LIBERTAS*; yet no Man can thence infer, that a particular Man has more Liberty or Immunity from the Service of the Commonwealth there, than in *Constantinople*. Whether a Commonwealth be Monarchical or Popular, the Freedom is still the same.

But it is an easy Thing for Men to be deceived, by the specious Name of Liberty; and for want of Judgment to distinguish, mistake that for their private Inheritance and Birth-right, which is the Right of the Public only. And when the same Error is confirmed by the Authority of Men in Reputation for their Writings on this Subject, it is no Wonder if it produce Sedition and Change of Government. In these western Parts of the World, we are made to receive our Opinions concerning the Institution and Rights of Commonwealths, from *Aristotle*, *Cicero*, and other Men, *Greeks* and *Romans*, that living under popular States, derived those Rights, not from the Principles of Nature, but transcribed them into their Books, out of the Practice of their own Commonwealths, which were popular; as the Grammarians describe the Rules of Language out of the Practice of the Time, or the Rules of Poetry out of the Poems of *Homer* and *Virgil*. And because the *Athenians* were taught (to keep them from Desire of changing their Government) that they were Freemen, and all that lived under Monarchy were Slaves; therefore *Aristotle* puts it down in his *Politics* (*lib. 2. cap. 2.*) *In Democracy Liberty is to be supposed: for it is commonly held, that no Man is free in any other Government.* And as *Aristotle*, so *Cicero*, and other Writers, have grounded their Civil Doctrine on the Opinion of the *Romans*, who were taught to hate Monarchy, at first, by them that having deposed their Sovereign, shared amongst them the Sovereignty of *Rome*; and afterwards by their Successors. And by reading of these *Greek* and *Latin* Authors, Men from their Childhood have gotten a Habit (under a false Shew of Liberty) of favouring Tumults, and of licentious controlling the Actions of their Sovereigns; and again of controlling those Controllers, with the Effusion of so much Blood, as I think I may truly say, there was never any thing so dearly bought as these western Parts have bought the Learning of the *Greek* and *Latin* Tongues.

See 1. Sidney 64.

To come now to the Particulars of the true Liberty of the Subject; that is to say, what are the Things, which though commanded by the Sovereign, he may nevertheless, without Injustice, refuse to do; we are to consider, what Rights we pass away when we make a Commonwealth, or (which is all one) what Liberty we deny ourselves, by owning all the Actions (without Exception) of the Man or Assembly we make our Sovereign. For in the Act of our *Submission* consisteth both our *Obligation* and our *Liberty*; which must therefore be inferred by Arguments taken from thence; there being no Obligation on any Man, which ariseth not from some Act of his own; for all Men equally are by Nature free. And because such Arguments must either be drawn from the express Words, *I authorise all his Actions*, or from the Intention of him that submitteth himself to his Power, (which Intention is to be understood by the End for which he so submitteth;) the Obligation and Liberty of the Subject is to be derived, either from those Words, (or others equivalent) or else from the End of the Institution of Sovereignty; namely, the Peace
 of

Liberty of Subjects how to be measured.

PART of the Subjects within themselves, and their Defence against a com-
 II. mon Enemy.

Subjects have
 Liberty to
 defend their
 own Bodies,
 even against
 them that
 lawfully in-
 vade them ;
 Are not
 bound to hurt
 themselves ;

First therefore, seeing Sovereignty by Institution, is by Covenant of every one and to every one ; and Sovereignty by Acquisition, by Covenants of the Vanquished to the Victor, or Child to the Parent ; it is manifest, that every Subject has Liberty in all those Things, the Right whereof cannot by Covenant be transferred. I have shewn before in Chap. XIV. that Covenants, not to defend a Man's own Body, are void. There-
 fore,

If the Sovereign command a Man (though justly condemned) to kill, wound, or maim himself ; or not to resist those that assault him ; or to abstain from the Use of Food, Air, Medicine, or any other Thing, without which he cannot live ; yet hath that Man the Liberty to disobey.

If a Man be interrogated by the Sovereign, or his Authority, concerning a Crime done by himself, he is not bound (without Assurance of Pardon) to confess it ; because no Man (as I have shewn in the same Chapter) can be obliged by Covenant to accuse himself.

Again, the Consent of a Subject to Sovereign Power, is contained in these Words, *I authorise, or take upon me, all his Actions* ; in which there is no Restriction at all, of his own former natural Liberty : For by allowing him to *kill me*, I am not bound to kill myself when he commands me. 'Tis one Thing to say, *Kill me, or my Fellow, if you please*. ; another Thing to say, *I will kill myself, or my Fellow*. It followeth therefore, that

No Man is bound by the Words themselves, either to kill himself, or any other Man ; and consequently, that the Obligation a Man may sometimes have, upon the Command of the Sovereign to execute any dangerous or dishonourable Office, dependeth not on the Words of our Submission, but on the Intention, which is to be understood by the End thereof. When therefore our Refusal to obey, frustrates the End for which the Sovereignty was ordained ; then there is no Liberty to refuse : otherwise there is.

Nor to War-
 fare, unless
 they volun-
 tarily under-
 take it.

Upon this Ground, a Man that is commanded as a Soldier to fight against the Enemy, though his Sovereign have Right enough to punish his Refusal with Death, may nevertheless in many Cases refuse, without Injustice ; as when he substituteth a sufficient Soldier in his Place : for in this Case he deserteth not the Service of the Commonwealth. And there is Allowance to be made for natural Timorousness, not only to Women, (of whom no such dangerous Duty is expected) but also to Men of Feminine Courage. When Armies fight, there is on one Side, or both, a Running away ; yet when they do it not out of Treachery, but Fear, they are not esteemed to do it unjustly, but dishonourably. For the same Reason, to avoid Battle, is not Injustice, but Cowardice. But he that inrolleth himself a Soldier, or taketh imprest Money, taketh away the Excuse of a timorous Nature ; and is obliged not only to go to Battle, but also not to run from it, without his Captain's Leave. And when the Defence of the Commonwealth requireth at once the Help of all that are able to bear Arms, every one is obliged ; because otherwise the Institution of the Commonwealth, which they have not the Purpose, nor Courage to preserve, was in vain.

To resist the Sword of the Commonwealth, in Defence of another Man, guilty, or innocent, no Man hath Liberty ; because such Liberty takes away from the Sovereign the Means of protecting us ; and is therefore destructive of the very Essence of Government. But in Case a great many Men together, have already resisted the Sovereign

Power

Power unjustly, or committed some capital Crime, for which every one of them expecteth Death, whether have they not the Liberty then to join together, and assist, and defend one another? Certainly they have: For they but defend their Lives; which the guilty Man may as well do, as the innocent. There was indeed Injustice in the first Breach of their Duty; their bearing of Arms subsequent to it, though it be to maintain what they have done, is no new unjust Act. And if it be only to defend their Persons, it is not unjust at all. But the Offer of Pardon taketh from them, to whom it is offered, the Plea of Self-defence, and maketh their Perseverance in assisting, or defending the rest, unlawful.

As for other Liberties, they depend on the Silence of the Law. In Cases where the Sovereign has prescribed no Rule, there the Subject hath the Liberty to do, or forbear, according to his own Discretion. And therefore such Liberty is in some Places more, and in some less; and in some Times more, in other Times less, according as they that have the Sovereignty shall think most convenient. As for Example, there was a Time, when in *England* a Man might enter into his own Land, and dispossess such as wrongfully possessed it, by Force. But in After-times that Liberty of forcible Entry, was taken away by a Statute made, by the King, in Parliament. And in some Places of the World, Men have the Liberty of many Wives: in other Places, such Liberty is not allowed.

If a Subject have a Controversy with his Sovereign, of Debt, or Right of Possession of Lands or Goods, or concerning any Service required at his Hands, or concerning any Penalty corporal or pecuniary, grounded on a precedent Law; he hath the same Liberty to sue for his Right, as if it were against a Subject: and before such Judges as are appointed by the Sovereign. For seeing the Sovereign demandeth by Force of a former Law, and not by Virtue of his Power; he declareth thereby, that he requireth no more than shall appear to be due by that Law. The Suit therefore is not contrary to the Will of the Sovereign; and consequently the Subject hath the Liberty to demand the Hearing of his Cause, and Sentence according to that Law. But if he demand, or take any thing by Pretence of his Power; there lieth in that Case no Action of Law: for all that is done by him in Virtue of his Power, is done by the Authority of every Subject, and consequently, he that brings an Action against the Sovereign, brings it against himself.

If a Monarch, or Sovereign Assembly, grant a Liberty to all, or any of his Subjects; which Grant standing, he is disabled to provide for their Safety, the Grant is void; unless he directly renounce, or transfer the Sovereignty to another. For in that he might openly, (if it had been his Will) and in plain Terms, have renounced, or transferred it, and did not; it is to be understood it was his Will; but that the Grant proceeded from Ignorance of the Repugnancy between such a Liberty and the Sovereign Power; and therefore the Sovereignty is still retained; and consequently all those Powers, which are necessary to the exercising thereof, such as are the Power of War, and Peace, of Judicature, of appointing Officers, and Counsellors, of levying Money, and the rest named in the XVIII. Chapter.

The Obligation of Subjects to the Sovereign, is understood to last as long, and no longer, than the Power lasted, by which he is able to protect them. For the Right Men have by Nature to protect themselves, when none else can protect them, can by no Covenant

CHAP.
XXI.

The greatest
Liberty of
Subjects, de-
pendeth on
the Silence of
the Law.

In what Cases
Subjects are
absolved of
their Obedi-
ence to their
Sovereign.

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Covenant be relinquished. The Sovereignty is the Soul of the Commonwealth; which once departed from the Body, the Members do no more receive their Motion from it. The End of Obedience is Protection; which, wheresoever a Man seeth it, either in his own, or in another's Sword, Nature applieth his Obedience to it, and his Endeavour to maintain it. And though Sovereignty, in the Intention of them that make it, be immortal; yet is it in its own Nature, not only subject to violent Death, by foreign War; but also through the Ignorance, and Passions of Men, it hath in it, from the very Institution, many Seeds of a natural Mortality, by intestine Discord.

In Case of
Captivity.

If a Subject be taken Prisoner in War, or his Person, or his Means of Life be within the Guards of the Enemy, and he hath his Life and corporal Liberty given him, on Condition to be subject to the Victor, he hath Liberty to accept the Condition; and having accepted it, is the Subject of him that took him; because he had no other Way to preserve himself. The Case is the same, if he be detained on the same Terms, in a foreign Country. But if a Man be held in Prison, or Bonds, or is not trusted with the Liberty of his Body; he cannot be understood to be bound by Covenant to Subjection; and therefore may, if he can, make his Escape by any Means whatsoever.

In Case the
Sovereign
cast off the
Government
from himself
and his Heirs.

If a Monarch shall relinquish the Sovereignty, both for himself and his Heirs; his Subjects return to the absolute Liberty of Nature; because, though Nature may declare who are his Sons, and who are the nearest of his Kin; yet it dependeth on his own Will, (as hath been said in the precedent Chapter) who shall be his Heir. If therefore he will have no Heir, there is no Sovereignty nor Subjection. The Case is the same, if he die without known Kindred, and without Declaration of his Heir. For then there can no Heir be known, and consequently no Subjection be due.

In Case of
Banishment.

If the Sovereign banish his Subject; during the Banishment, he is not Subject. But he that is sent on a Message, or hath Leave to travel, is still Subject; but it is by Contract between Sovereigns, not by Virtue of the Covenant of Subjection. For whosoever entereth into another's Dominion, is subject to all the Laws thereof; unless he have a Privilege by the Amity of the Sovereigns, or by special Licence.

In Case the
Sovereign
render him-
self subject to
another.

If a Monarch subdued by War, render himself subject to the Victor; his Subjects are delivered from their former Obligation, and become obliged to the Victor. But if he be held Prisoner, or have not the Liberty of his own Body; he is not understood to have given away the Right of Sovereignty; and therefore his Subjects are obliged to yield Obedience to the Magistrates formerly placed, governing not in their own Name, but in his. For, his Right remaining, the Question is only of the Administration; that is to say, of the Magistrates and Officers; which, if he have not Means to name, he is supposed to approve those, which he himself had formerly appointed.

CHAP. XXII.

Of SYSTEMS, *Subject, Political, and Private.*

HAVING spoken of the Generation, Form, and Power of a Commonwealth, I am in Order to speak next of the Parts thereof. And first of Systems, which resemble the similar Parts or Muscles of a Body natural. By *Systems*, I understand any Numbers of Men joined in one Interest, or one Business; of which, some are *regular*, and some *irregular*. *Regular* are those, where one Man, or Assembly of Men, is constituted Representative of the whole Number. All others are *irregular*.

The divers
Sorts of Sy-
stems of
People.

Of regular, some are *absolute* and *independent*, subject to none but their own Representative: such are only Commonwealths; of which I have spoken already in the five last precedent Chapters, Others are dependent; that is to say, subordinate to some Sovereign Power, to which every one, as also their Representative, is *subject*.

Of Systems subordinate, some are *political*, and some *private*. *Political* (otherwise called *Bodies Politic*, and *Persons in Law*) are those, which are made by Authority from the Sovereign Power of the Commonwealth. *Private*, are those, which are constituted by Subjects amongst themselves, or by Authority from a Stranger. For no Authority derived from foreign Power, within the Dominion of another, is public there, but private.

And of private Systems, some are *lawful*; some *unlawful*: *Lawful*, are those which are allowed by the Commonwealth: All others are *unlawful*. *Irregular* Systems, are those which having no Representative, consist only in Concourse of People; which if not forbidden by the Commonwealth, nor made an evil Design (such as are Conflux of People to Markets, or Shows, or any other harmless End) are lawful. But when the Intention is evil, or (if the Number be considerable) unknown, they are unlawful.

In Bodies Politic, the Power of the Representative is always limited: and that which prescribeth the Limits thereof, is the Power Sovereign. For Power unlimited, is absolute Sovereignty. And the Sovereign in every Commonwealth is the Representative of all the Subjects; and therefore no other can be Representative of any Part of them, but so far-forth as he shall give Leave: And to give Leave to a Body Politic of Subjects, to have an absolute Representative to all Intents and Purposes, were to abandon the Government of so much of the Commonwealth, and to divide their Dominion, contrary to their Peace and Defence; which the Sovereign cannot be understood to do, by any Grant that does not plainly and directly discharge them of their Subjection. For Consequences of Words, are not the Signs of his Will, when other Consequences are Signs of the contrary; but rather Signs of Error and Misreckoning, to which all Mankind is too prone.

In all Bodies
Politic the
Power of the
Representa-
tive is limit-
ed.

The Bounds of that Power, which is given to the Representative of a Body Politic, are to be taken Notice of from two Things. One is their Writ, or Letters from the Sovereign; the other is the Law of the Commonwealth.

For though in the Institution or Acquisition of a Commonwealth, which is independent, there needs no Writing, because the Power of the Representative has there no other Bounds, but such as are set out by

By Letters
Patent;

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by the unwritten Law of Nature; yet in subordinate Bodies there are such Diversities of Limitation necessary, concerning their Busineses, Times, and Places, as can neither be remembered without Letters, nor be taken Notice of, unless such Letters be Patent, that they may be read to them, and withal sealed or testified with the Seals or other permanent Signs of the Authority Sovereign.

And the Laws.

And because such Limitation is not always easy, or perhaps possible to be described in Writing; the ordinary Laws, common to all Subjects, must determine what the Representative may lawfully do, in all Cases, where the Letters themselves are silent. And therefore

When the Representative is one Man, his unwarranted Acts are his own only.

In a Body Politic, if the Representative be one Man, whatsoever he does in the Person of the Body, which is not warranted in his Letters, nor by the Laws, is his own Act, and not the Act of the Body, nor of any other Member thereof besides himself: Because further than his Letters, or the Laws limit, he representeth no Man's Person, but his own. But what he does according to these, is the Act of every one: For of the Act of the Sovereign every one is Author, because he is their Representative unlimited; and the Act of him that recedes not from the Letters of the Sovereign, is the Act of the Sovereign, and therefore every Member of the Body is Author of it.

When it is an Assembly, it is the Act of them that assented only.

But if the Representative be an Assembly, whatsoever that Assembly shall decree, not warranted by their Letters, or the Laws, is the Act of the Assembly, or Body Politic, and the Act of every one by whose Vote the Decree was made; but not the Act of any Man that being present voted to the contrary; nor of any Man absent, unless he voted it by Procuracy. It is the Act of the Assembly, because voted by the major part; and if it be a Crime, the Assembly may be punished, as far-forth as it is capable, as by Dissolution, or Forfeiture of their Letters, (which is to such artificial and fictitious Bodies capital) or, if the Assembly have a common Stock, wherein none of the innocent Members have Propriety, by pecuniary Mulct: For from corporal Penalties Nature hath exempted all Bodies Politic. But they that gave not their Vote, are therefore innocent, because the Assembly cannot represent any Man in Things unwarranted by their Letters, and consequently are not involved in their Votes.

When the Representative is one Man, if he borrow Money, or owe it, by Contract; he is liable only, the Members not.

If the Person of the Body Politic being in one Man, borrow Money of a Stranger, that is, of one that is not of the same Body, (for no Letters need limit borrowing, seeing it is left to Men's own Inclinations to limit lending) the Debt is the Representative's. For if he should have Authority from his Letters, to make the Members pay what he borroweth, he should have by Consequence the Sovereignty of them; and therefore the Grant were either void, as proceeding from Error, commonly incident to human Nature, and an insufficient Sign of the Will of the Granter; or if it be avowed by him, then is the Representor Sovereign, and falleth not under the present Question, which is only of Bodies subordinate. No Member therefore is obliged to pay the Debt so borrowed, but the Representative himself: because he that lendeth it, being a Stranger to the Letters, and to the Qualification of the Body, understandeth those only for his Debtors, that are engaged; and seeing the Representor can engage himself, and none else, has him only for Debtor; who must therefore pay him out of the common Stock, if there be any, or, if there be none, out of his own Estate.

When it is an Assembly, they only are liable that have assented.

If he come into Debt by Contract or Mulct, the Case is the same. But when the Representative is an Assembly, and the Debt to a Stranger; all they, and only they are responsible for the Debt, that gave their Votes to the borrowing of it, or to the Contract that made it due,

or

or to the Fact for which the Mulct was imposed; because every one of those in voting did engage himself for the Payment: For he that is Author of the borrowing, is obliged to the Payment, even of the whole Debt, though when paid by any one, he be discharged.

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But if the Debt be to one of the Assembly, the Assembly only is obliged to the Payment, out of their common Stock, if they have any: For having Liberty of Vote, if he vote the Money shall be borrowed, he votes it shall be paid; if he vote it shall not be borrowed, or be absent, yet because in lending, he voteth the borrowing, he contradicteth his former Vote, and is obliged by the latter, and becomes both Borrower and Lender, and consequently cannot demand Payment from any particular Man, but from the common Treasure only; which failing, he hath no Remedy nor Complaint, but against himself, that being privy to the Acts of the Assembly, and to their Means to pay, and not being enforced, did nevertheless through his own Folly lend his Money.

If the Debt be to one of the Assembly, the Body only is obliged.

It is manifest by this, that in Bodies Politic subordinate, and subject to a Sovereign Power, it is sometimes not only lawful, but expedient, for a particular Man to make open Protestation against the Decrees of the Representative Assembly, and cause their Dissent to be register'd, or to take Witness of it; because otherwise they may be obliged to pay Debts contracted, and be responsible for Crimes committed by other Men: But in a Sovereign Assembly, that Liberty is taken away, both because he that protesteth there, denies their Sovereignty; and also because whatsoever is commanded by the Sovereign Power, is as to the Subject (though not so always in the Sight of God) justified by the Command; for of such Command every Subject is the Author.

Protestation against the Decrees of Bodies Politic sometimes lawful, but against Sovereign Power never.

The Variety of Bodies politic, is almost infinite: for they are not only distinguished by the several Affairs, for which they are constituted, wherein there is an unspeakable Diversity; but also by the Times, Places, and Numbers, subject to many Limitations. And as to their Affairs, some are ordained for Government; as first, the Government of a Province may be committed to an Assembly of Men, wherein all Resolutions shall depend on the Votes of the major Part; and then this Assembly is a Body Politic, and their Power limited by Commission. This word Province signifies a Charge, or Care of Business, which he whose Business it is, committeth to another Man, to be administer'd for, and under him; and therefore when in one Commonwealth there be divers Countries, that have their Laws distinct one from another, or are far distant in Place, the Administration of the Government being committed to divers Persons, those Countries where the Sovereign is not resident, but governs by Commission, are called Provinces. But of the Government of a Province, by an Assembly residing in the Province itself, there be few Examples. The *Romans* who had the Sovereignty of many Provinces, yet governed them always by Presidents and Prætors; and not by Assemblies, as they governed the City of *Rome*, and Territories adjacent. In like manner, when there were Colonies sent from *England* to plant *Virginia*, and *Sommer-Islands*; though the Government of them here, were committed to Assemblies in *London*, yet did those Assemblies never commit the Government under them to any Assembly there; but did to each Plantation send one Governor: For though every Man, where he can be present by Nature, desires to participate of Government; yet where they cannot be present, they are by Nature also inclined, to commit the Government of their common Interest rather to a monarchical than a popular Form of Government: which is also evident in those Men that have great private Estates; who when they are unwilling to take the Pains of administering the Business

Bodies Politic for Government of a Province, Colony, or Town.

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that belongs to them; chuse rather to trust one Servant, than an Assembly either of their Friends or Servants. But howsoever it be in Fact; yet we may suppose the Government of a Province, or Colony committed to an Assembly: and when it is, that which in this Place I have to say, is this; that whatsoever Debt is by that Assembly contracted, or whatsoever unlawful Act is decreed, is the Act of those that assented, and not of any that dissented, or were absent, for the Reasons before alledged. Also that an Assembly residing out of the Bounds of that Colony whereof they have the Government, cannot execute any Power over the Persons, or Goods of any of the Colony, to seize on them for Debt, or other Duty in any Place without the Colony itself, as having no Jurisdiction, nor Authority elsewhere, but are left to the Remedy, which the Law of the Place alloweth them. And though the Assembly have Right to impose a Mulct upon any of their Members, that shall break the Laws they make; yet out of the Colony itself, they have no Right to execute the same. And that which is said here, of the Rights of an Assembly, for the Government of a Province, or a Colony, is applicable also to an Assembly for the Government of a Town, an University, or a College, or a Church, or other Government over the Persons of Men.

And generally, in all Bodies Politic, if any particular Member conceive himself injured by the Body itself, the Cognizance of his Cause belongeth to the Sovereign, and those the Sovereign hath ordained for Judges in such Causes, or shall ordain for that particular Cause; and not to the Body itself. For the whole Body is in this Case his Fellow Subject, which in a Sovereign Assembly is otherwise: for there, if the Sovereign be not Judge, though in his own Cause, there can be no Judge at all.

Bodies Politic for ordering of Trade.

In a Body Politic, for the well-ordering of foreign Traffic, the most commodious Representative is an Assembly of all the Members; that is to say, such a one, as every one that adventureth his Money, may be present at all the Deliberations, and Resolutions of the Body, if they will themselves. For Proof whereof, we are to consider the End for which Men that are Merchants, and may buy and sell, export and import their Merchandise, according to their Discretions, do nevertheless bind themselves up in one Corporation. It is true, there be few Merchants, that with the Merchandise they buy at Home, can freight a Ship, to export it; or with that they buy Abroad, to bring it Home; and have therefore Need to join together in one Society; where every Man may either participate of the Gain, according to the Proportion of his Adventure; or take his own, and sell what he transports or imports, at such Prices as he thinks fit. But this is no Body Politic, there being no common Representative to oblige them to any other Law, than that which is common to all other Subjects. The End of their Incorporating is to make their Gain the greater; which is done two Ways; by sole buying, and sole selling, both at Home and Abroad. So that to grant to a Company of Merchants to be a Corporation, or Body Politic, is to grant them a double Monopoly, whereof one is to be sole Buyers, another to be sole Sellers. For when there is a Company incorporate for any particular foreign Country, they only export the Commodities vendible in that Country; which is sole buying at Home, and sole selling Abroad. For at Home there is but one Buyer, and Abroad but one that selleth: both which is gainful to the Merchant, because thereby they buy at Home at lower, and sell Abroad at higher Rates: And Abroad there is but one Buyer of foreign Merchandise, and but one that sells them at Home; both which again are gainful to the Adventurers.

Of this double Monopoly one Part is disadvantageous to the People at Home; the other to Foreigners. For at Home by their sole Exportation they set what Price they please on the Husbandry, and Hand-works of the People; and by the sole Importation, what Price they please on all foreign Commodities the People have Need of; both which are ill for the People. On the contrary, by the sole selling of the native Commodities Abroad, and sole buying the foreign Commodities upon the Place, they raise the Price of those, and abate the Price of these, to the Disadvantage of the Foreigner: For where but one selleth, the Merchandise is the dearer; and where but one buyeth, the cheaper: Such Corporations therefore are no other than Monopolies; though they would be very profitable for a Commonwealth, if being bound up into one Body in foreign Markets they were at Liberty at Home, every Man to buy and sell at what Price he could.

The End then of these Bodies of Merchants, being not a common Benefit to the whole Body, (which have in this Case no common Stock, but what is deducted out of the particular Adventures, for building, buying, victualling and manning of Ships) but the particular Gain of every Adventurer, it is Reason that every one be acquainted with the Employment of his own; that is, that every one be of the Assembly, that shall have the Power to order the same; and be acquainted with their Accounts. And therefore the Representative of such a Body must be an Assembly, where every Member of the Body may be present at the Consultations, if he will.

If a Body Politic of Merchants, contract a Debt to a Stranger by the Act of their Representative Assembly, every Member is liable by himself for the whole. For a Stranger can take no notice of their private Laws, but considereth them as so many particular Men, obliged every one to the whole Payment, till Payment made by one dischargeth all the rest: But if the Debt be to one of the Company, the Creditor is Debtor for the whole to himself, and cannot therefore demand his Debt, but only from the common Stock, if there be any.

If the Commonwealth impose a Tax upon the Body, it is understood to be laid upon every Member proportionably to his particular Adventure in the Company. For there is in this Case no other common Stock, but what is made of their particular Adventures.

If a Mulct be laid upon the Body for some unlawful Act, they only are liable by whose Votes the Act was decreed; or by whose Assistance it was executed; for in none of the rest is there any other Crime but being of the Body; which if a Crime, (because the Body was ordained by the Authority of the Commonwealth) is not his.

If one of the Members be indebted to the Body, he may be sued by the Body; but his Goods cannot be taken, nor his Person imprisoned by the Authority of the Body; but only by Authority of the Commonwealth: for if they can do it by their own Authority, they can by their own Authority give Judgment that the Debt is due, which is as much as to be Judge in their own Cause.

These Bodies made for the Government of Men, or of Traffic, be either perpetual, or for a time prescribed by Writing. But there be Bodies also whose Times are limited, and that only by the Nature of their Business. For Example, if a Sovereign Monarch, or a Sovereign Assembly, shall think fit to give Command to the Towns, and other several Parts of their Territory, to send to him their Deputies, to inform him of the Condition, and Necessities of the Subjects, or to advise with him for the making of good Laws, or

A Body Politic for Counsel to be given to the Sovereign.

for

PART II. for any other Cause, as with one Person representing the whole Country, such Deputies having a Place and Time of meeting assigned them, are there, and at that Time a Body Politic, representing every Subject of that Dominion; but it is only for such Matters as shall be propounded unto them by that Man, or Assembly, that by the Sovereign Authority sent for them; and when it shall be declared that nothing more shall be propounded, nor debated by them, the Body is dissolved. For if they were the absolute Representative of the People, then were it the Sovereign Assembly; and so there would be two Sovereign Assemblies, or two Sovereigns over the same People; which cannot consist with their Peace. And therefore where there is once a Sovereignty, there can be no absolute Representation of the People, but by it. And for the Limits of how far such a Body shall represent the whole People, they are set forth in the Writing by which they were sent for. For the People cannot chuse their Deputies to other Intent than is in the Writing directed to them from their Sovereign expressed.

A regular private Body, lawful, as a Family.

Private Bodies, regular and lawful, are those that are constituted without Letters, or other written Authority, saving the Laws common to all other Subjects. And because they be united in one Person Representative, they are held for regular; such as are all Families, in which the Father or Master ordereth the whole Family. For he obligeth his Children and Servants, as far as the Law permitteth, though not further, because none of them are bound to Obedience in those Actions, which the Law hath forbidden to be done. In all other Actions, during the Time they are under domestic Government, they are subject to their Fathers and Masters, as to their immediate Sovereigns. For their Father and Master being before the Institution of Commonwealth, absolute Sovereigns in their own Families, they lose afterward no more of their Authority than the Law of the Commonwealth taketh from them.

Private Bodies regular, but unlawful.

Private Bodies, regular, but unlawful, are those that unite themselves into one Person Representative, without any public Authority at all; such as are the Corporations of Beggars, Thieves, and Gipsies, the better to order their Trade of Begging and Stealing; and the Corporations of Men, that by Authority from any other Person, unite themselves in another's Dominion, for the easier propagating of Doctrines, and for making a Party against the Power of the Commonwealth.

Systems irregular, such as are private Leagues.

Irregular Systems, in their Nature, but Leagues, or sometimes mere Concourse of People, without Union to any particular Design, nor by Obligation of one to another, but proceeding only from a Similitude of Wills and Inclinations, become lawful or unlawful, according to the Lawfulness or Unlawfulness of every particular Man's Design therein: And his Design is to be understood by the Occasion.

The Leagues of Subjects (because Leagues are commonly made for mutual Defence) are in a Commonwealth (which is no more than a League of all the Subjects together) for the most part unnecessary, and favour of unlawful Design; and are for that Cause unlawful, and go commonly by the Name of Factions, or Conspiracies. For a League being a Connexion of Men by Covenants, if there be no Power given to any one Man, or Assembly (as in the Condition of mere Nature) to compel them to Performance, is so long only valid, as there ariseth no just Cause of Distrust: and therefore Leagues between Commonwealths, over whom there is no human Power established, to keep them all in Awe, are not only lawful, but also profitable for the Time they last. But Leagues of the Subjects of one and the same Commonwealth,

wealth, where every one may obtain his Right by Means of the Sovereign Power, are unnecessary to the maintaining of Peace and Justice, and (in Case the Design of them be evil, or unknown to the Commonwealth) unlawful. For all uniting of Strength by private Men, is, if for evil Intent, unjust; if for Intent unknown, dangerous to the Public, and unjustly concealed.

If the Sovereign Power be in a great Assembly, and a Number of Men, part of the Assembly, without Authority, consult apart to contrive the Guidance of the rest; this is a Faction, or Conspiracy unlawful, as being a fraudulent seducing of the Assembly for their particular Interest. But if he, whose private Interest is to be debated, and judged in the Assembly, make as many Friends as he can, in him it is no Injustice; because in this Case he is no Part of the Assembly. And though he hire such Friends with Money (unless there be an express Law against it) yet it is not Injustice. For sometimes (as Mens Manners are) Justice cannot be had without Money; and every Man may think his own Cause just, till it be heard, and judged.

In all Commonwealths, if a private Man entertain more Servants, than the Government of his Estate, and lawful Employment he has for them requires, it is Faction, and unlawful. For having the Protection of the Commonwealth, he needeth not the Defence of private Force. And whereas in Nations not thoroughly civilized, several numerous Families have lived in continual Hostility, and invaded one another with private Force; yet it is evident enough, that they have done unjustly; or else that they had no Commonwealth.

And as Factions for Kindred, so also Factions for Government of Religion, as of Papists, Protestants, &c. or of State, as Patricians and Plebeians of old time in *Rome*, and of Aristocratals and Democratals of old time in *Greece*, are unjust, as being contrary to the Peace and Safety of the People, and a taking of the Sword out of the Hand of the Sovereign.

Concourse of People, is an irregular System, the Lawfulness or Unlawfulness whereof dependeth on the Occasion, and on the Number of them that are assembled. If the Occasion be lawful and manifest, the Concourse is lawful; as the usual meeting of Men at Church, or at a publick Show, in usual Numbers: for if the Numbers be extraordinary great, the Occasion is not evident; and consequently he that cannot render a particular and good Account of his being amongst them, is to be judged conscious of an unlawful and tumultuous Design. It may be lawful for a thousand Men to join in a Petition to be delivered to a Judge or Magistrate; yet if a thousand Men come to present it, it is a tumultuous Assembly; because there needs but one or two for that Purpose. But in such Cases as these, it is not a set Number that makes the Assembly unlawful, but such a Number, as the present Officers are not able to suppress and bring to Justice.

When an unusual Number of Men assemble against a Man whom they accuse, the Assembly is an unlawful Tumult; because they may deliver their Accusation to the Magistrate by a few, or by one Man. Such was the Case of *St. Paul* at *Ephesus*; where *Demetrius*, and a great Number of other Men, brought two of *Paul's* Companions before the Magistrate, saying with one Voice, *Great is Diana of the Ephesians*; which was their way of demanding Justice against them for teaching the People such Doctrine, as was against their Religion and Trade. The Occasion here, considering the Laws of that People, was just; yet was their Assembly judged unlawful, and the Magistrate reprehended them for it, in these Words: * *If Demetrius, and the other Workmen, can ac-*

PART II. *cuse any Man of any thing, there be Pleas, and Deputies, let them accuse one another. And if you have any other thing to demand, your Case may be judged in an Assembly lawfully called. For we are in Danger to be accused for this Day's Sedition, because, there is no Cause by which any Man can render any Reason of this Concurrence of People. Where he calleth an Assembly, whereof Men can give no just Account, a Sedition, and such as they could not answer for. And this is all I shall say concerning Systems, and Assemblies of People, which may be compared, as I said, to the simular Parts of a Man's Body; such as be lawful, to the Muscles; such as are unlawful, to Wens, Biles, and Apostemes, engender'd by the unnatural Conflux of evil Humours:*

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Of the PUBLIC MINISTERS of Sovereign Power.

IN the last Chapter I have spoken of the simular Parts of a Commonwealth: In this I shall speak of the Parts Organical, which are Public Ministers.

Public Minister, who.

A *Public Minister* is he, that by the Sovereign, (whether a Monarch or an Assembly) is employ'd in any Affairs, with Authority to represent in that Employment, the Person of the Commonwealth. And whereas every Man, or Assembly that hath Sovereignty, representeth two Persons, or (as the more common Phrase is) has two Capacities, one Natural, and another Political, (as a Monarch hath the Person not only of the Commonwealth; but also of a Man; and a Sovereign Assembly hath the Person not only of the Commonwealth, but also of the Assembly); they that be Servants to them in their natural Capacity, are not Public Ministers; but those only that serve them in the Administration of the public Business. And therefore neither Ushers, nor Serjeants, nor other Officers that wait on the Assembly, for no other Purpose, but for the Commodity of the Men assembled, in an Aristocracy, or Democracy; nor Stewards, Chamberlains, Cofferers, or any other Officers of the Household of a Monarch, are Public Ministers in a Monarchy.

Ministers for the general Administration.

Of Public Ministers, some have Charge committed to them of a general Administration, either of the whole Dominion, or of a Part thereof. Of the whole, as to a Protector, or Regent, may be committed by the Predecessor of an Infant King, during his Minority, the whole Administration of his Kingdom. In which Case, every Subject is so far obliged to Obedience, as the Ordinances he shall make, and the Commands he shall give, be in the King's Name, and not inconsistent with his Sovereign Power. Of a Part, or Province; as when either a Monarch, or Sovereign Assembly, shall give the general Charge thereof to a Governor, Lieutenant, Præfect or Vice-Roy: And in this Case also, every one in that Province is obliged to all he shall do in the Name of the Sovereign, and that is not incompatible with the Sovereign's Right. For such Protectors, Vice-Roys; and Governors, have no other Right, but what depends on the Sovereign's Will; and no Commission that can be given them, can be interpreted for a Declaration of the Will to transfer the Sovereignty, without exprefs and perspicuous Words to that Purpose.

Purpose. And this kind of Public Ministers resembleth the Nerves and Tendons, that move the several Limbs of a Body natural.

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Others have special Administration; that is to say, Charges of some special Business, either at home or abroad. As at home: First, for the Oeconomy of a Commonwealth, they that have Authority concerning the *Treasure*, as Tributes, Impositions, Rents, Fines, or whatsoever public Revenue, to collect, receive, issue, or take the Accounts thereof, are Public Ministers: Ministers, because they serve the Person representative, and can do nothing against his Command, nor without his Authority: Public, because they serve him in his political Capacity.

For special Administration, as for Oeconomy.

Secondly, They that have Authority concerning the *Militia*; to have the Custody of Arms, Forts, Ports; to levy, pay, or conduct Soldiers; or to provide for any necessary Thing for the Use of War, either by Land or Sea, are public Ministers. But a Soldier without Command, though he fight for the Commonwealth, does not therefore represent the Person of it; because there is none to represent it to. For every one that hath Command, represents it to them only whom he commandeth.

They also that have Authority to teach; or to enable others to teach the People their Duty to the Sovereign Power, and instruct them in the Knowledge of what is just and unjust, thereby to render them more apt to live in Godliness; and in Peace amongst themselves, and resist the public Enemy; are Public Ministers: Ministers, in that they do it not by their own Authority, but by another's; and Public, because they do it, or should do it, by no Authority, but that of the Sovereign. The Monarch, or the Sovereign Assembly only, hath immediate Authority from God, to teach and instruct the People; and no Man but the Sovereign, receiveth his Power *Dei gratiâ* simply; that is to say, from the Favour of none but God: All other, receive theirs from the Favour and Providence of God, and their Sovereigns; as in a Monarchy, *Dei gratiâ & Regis*; or, *Dei providentiâ & voluntate Regis*.

For Instruction of the People.

They also to whom Jurisdiction is given, are Public Ministers. For in their Seats of Justice they represent the Person of the Sovereign; and their Sentence, is his Sentence: For, as hath been before declared, all Judicature is essentially annexed to the Sovereignty; and therefore all other Judges are but Ministers of him, or them that have the Sovereign Power. And as Controversies are of two sorts, namely, of *Fact* and of *Law*; so are Judgments, some of *Fact*, some of *Law*: And consequently in the same Controversy, there may be two Judges, one of *Fact*, another of *Law*.

For Judicature.

And in both these Controversies, there may arise a Controversy between the Party judged, and the Judge; which because they be both Subjects to the Sovereign, ought in Equity to be judged by Men agreed on by Consent of both; for no Man can be Judge in his own Cause. But the Sovereign is already agreed on for Judge by them both, and is therefore either to hear the Cause, and determine it himself, or appoint for Judge such as they shall both agree on. And this Agreement is then understood to be made between them divers ways; as first, if the Defendant be allowed to except against such of his Judges, whose Interest maketh him suspect them, (for as to the Complainant, he hath already chosen his own Judge) those which he excepteth not against, are Judges, he himself agrees on. Secondly, If he appeal to any other Judge, he can appeal no further; for his Appeal is his Choice. Thirdly, If he appeal to the Sovereign himself, and he by himself, or by Delegates which the Parties shall agree on, give Sentence; that Sentence is final: for the Defendant is judged by his own Judges, that is to say, by himself.

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These Properties of just and rational Judicature considered, I cannot forbear to observe the excellent Constitution of the Courts of Justice, established both for common; and also for public Pleas, in *England*. By common Pleas, I mean those, where both the Complainant and Defendant are Subjects: and by public; (which are also called Pleas of the Crown) those, where the Complainant is the Sovereign. For whereas there were two Orders of Men, whereof one was Lords, and the other Commons; the Lords had this Privilege, to have for Judges in all capital Crimes, none but Lords; and of them, as many as would be present; which being ever acknowledged as a Privilege of Favour, their Judges were none but such as they had themselves desired. And in all Controversies, every Subject (as also in civil Controversies the Lords) had for Judges, Men of the Country where the Matter in Controversy lay; against which he might make his Exceptions, till at last twelve Men without Exception being agreed on, they were judged by those twelve. So that having his own Judges, there could be nothing alledged by the Party, why the Sentence should not be final. These public Persons; with Authority from the Sovereign Power, either to instruct or judge the People, are such Members of the Commonwealth, as may fitly be compared to the Organs of Voice in a Body natural.

For Execution.

Public Ministers are also all those, that have Authority from the Sovereign, to procure the Execution of Judgments given; to publish the Sovereign's Commands; to suppress Tumults; to apprehend, and imprison Malefactors; and other Acts tending to the Conservation of the Peace. For every Act they do by such Authority, is the Act of the Commonwealth; and their Service, answerable to that of the Hands in a Body natural.

Public Ministers abroad, are those that represent the Person of their own Sovereign, to foreign States. Such are Ambassadors, Messengers, Agents, and Heralds, sent by public Authority, and on public Business.

But such as are sent by Authority only of some private Party of a troubled State, though they be received, are neither public nor private Ministers of the Commonwealth; because none of their Actions have the Commonwealth for Author. Likewise, an Ambassador sent from a Prince to congratulate, condole, or to assist at a Solemnity, though the Authority be public; yet because the Business be private, and belonging to him in his natural Capacity; he is a private Person. Also if a Man be sent into another Country, secretly to explore their Counsels, and Strength; though both the Authority and the Business be public, yet because there is none to take Notice of any Person in him, but his own, he is but a private Minister; but yet a Minister of the Commonwealth; and may be compared to an Eye in the Body natural. And those that are appointed to receive the Petitions or other Informations of the People, and are as it were the public Ear, are public Ministers, and represent their Sovereign in that Office.

Counsellors without other Employment than to advise, are not public Ministers.

Neither a Counsellor, nor a Council of State, if we consider it with no Authority of Judicature or Command, but only of giving Advice to the Sovereign when it is required, or of offering it when it is not required, is a public Person. For the Advice is addressed to the Sovereign only, whose Person cannot in his own Presence be represented to him by another. But a Body of Counsellors are never without some other Authority, either of Judicature, or of immediate Administration: As in a Monarchy, they represent the Monarch, in delivering his Commands to the public Ministers: In a Democracy, the Council or Senate propounds the Result of their Deliberations to the People, as a Council;

Counſel ; but when they appoint Judges, or hear Cauſes, or give Audience to Ambaſſadors, it is in the Quality of a Miniſter of the People : And in an Ariſtocracy, the Council of State is the Sovereign Aſſembly itſelf ; and gives Counſel to none but themſelves.

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Of the NUTRITION, and PROCREATION of a Commonwealth.

THE Nutrition of a Commonwealth, conſiſteth in the Plenty, and Distribution of Materials conducing to Life : In Concoction or Preparation ; and (when concocted) in the Conveyance of it, by convenient Conduits, to the public Uſe.

The Nourishment of a Commonwealth, conſiſteth in the Commodities of Sea and Land;

As for the plenty of Matter, it is a Thing limited by Nature, to thoſe Commodities, which from (the two Breasts of our common Mother) Land and Sea, God uſually either freely giveth, or for Labour ſelleth to Mankind.

For the Matter of this Nutriment, conſiſting in Animals, Vegetables, and Minerals, God hath freely laid them before us, in or near to the Face of the Earth ; ſo as there needeth no more but the Labour, and Induſtry of receiving them. Inſomuch as Plenty dependeth (next to God's Favour) merely on the Labour and Induſtry of Men.

This Matter, commonly called Commodities, is partly *Native*, and partly *Foreign* : *Native*, that which is to be had within the Territory of the Commonwealth : *Foreign*, that which is imported from without. And becauſe there is no Territory under the Dominion of one Commonwealth, (except it be of very vaſt Extent) that produceth all Things needful for the Maintenance, and Motion of the whole Body ; and few that produce not ſomething more than neceſſary ; the ſuperfluous Commodities to be had within, become no more ſuperfluous, but ſupply theſe Wants at Home, by Importation of that which may be had from Abroad, either by Exchange, or by juſt War, or by Labour : for a Man's Labour alſo, is a Commodity exchangeable for Benefit, as well as any other Thing : And there have been Commonwealths that having no more Territory, than hath ſerved them for Habitation, have nevertheless, not only maintained, but alſo increaſed their Power, partly by the Labour of Trading from one Place to another, and partly by ſelling the Manufactures, whereof the Materials were brought in from other Places.

The Distribution of the Materials of this Nourishment, is the Conſtitution of *Mine*, and *Thine*, and *His* ; that is to ſay, in one Word, *Propriety* ; and belongeth in all Kinds of Commonwealth to the Sovereign Power. For where there is no Commonwealth, there is (as hath been already ſhewn) a perpetual War of every Man againſt his Neighbour ; and therefore every Thing is his that getteth it, and keepeth it by Force ; which is neither *Propriety*, nor *Community* ; but *Uncertainty*. Which is ſo evident, that even *Cicero*, (a paſſionate Defender of Liberty) in a public Pleading, attributeth all *Propriety* to the Law Civil : *Let the Civil Law, ſaith he, be once abandoned, or but negligently guarded, (not to ſay oppreſſed) and there is nothing, that any Man can be ſure to receive from his Anceſtor, or leave to his Children.* And again ; *Take away the Civil Law, and no Man knows what is his own, and what another Man's.* Seeing therefore the Introduction of *Propriety* is an

And the right Distribution of them.

PART II. Effect of Commonwealth, which can do nothing but by the Person that represents it, it is the Act only of the Sovereign ; and consisteth in the Laws, which none can make that have not the Sovereign Power. And this they well knew of old, who called that *Nóμος*, (that is to say, *Distribution*) which we call Law ; and defined Justice, by *distributing* to every Man *his own*.

All private Estates of Land proceed originally from the arbitrary Distribution of the Sovereign.

In this Distribution, the first Law is for Division of the Land itself : wherein the Sovereign assigneth to every Man a Portion, according as he, and not according as any Subject, or any Number of them, shall judge agreeable to Equity, and the common Good. The Children of *Israel* were a Commonwealth in the Wilderness ; but wanted the Commodities of the Earth, till they were Masters of the Land of Promise ; which afterward was divided amongst them, not by their own Discretion, but by the Discretion of *Eleazar* the Priest, and *Joshua* their General : who when they were twelve Tribes, making them thirteen by Subdivision of the Tribe of *Joseph* ; made nevertheless but twelve Portions of the Land ; and ordained for the Tribe of *Levi* no Land ; but assigned them the tenth Part of the whole Fruits ; which Division was therefore Arbitrary. And though a People coming into Possession of a Land by War, do not always exterminate the antient Inhabitants, (as did the *Jews*) but leave to many, or most, or all of them their Estates ; yet it is manifest they hold them afterwards, as of the Victor's Distribution ; as the People of *England* held all theirs of *William the Conqueror*.

Propriety of a Subject excludes not the Dominion of the Sovereign, but only of another Subject.

From whence we may collect, that the Propriety which a Subject hath in his Lands, consisteth in a Right to exclude all other Subjects from the Use of them ; and not to exclude their Sovereign, be it an Assembly, or a Monarch. For seeing the Sovereign, that is to say, the Commonwealth, (whose Person he representeth) is understood to do nothing but in order to the common Peace and Security, this Distribution of Lands, is to be understood as done in order to the same : And consequently whatsoever Distribution he shall make in Prejudice thereof, is contrary to the Will of every Subject, that committed his Peace and Safety to his Discretion and Conscience ; and therefore by the Will of every one of them, is to be reputed void. It is true, that a Sovereign Monarch, or the greater Part of a Sovereign Assembly, may ordain the doing of many Things in Pursuit of their Passions, contrary to their own Consciences, which is a Breach of Trust, and of the Law of Nature ; but this is not enough to authorise any Subject, either to make War upon, or so much as to accuse of Injustice, or any way to speak Evil of their Sovereign ; because they have authorised all his Actions, and in bestowing the Sovereign Power, made them their own. But in what Cases the Commands of Sovereigns are contrary to Equity, and the Law of Nature, is to be considered hereafter in another Place.

The Public is not to be dieted.

In the Distribution of Land, the Commonwealth itself may be conceived to have a Portion, and possess and improve the same by their Representative ; and that such Portion may be made sufficient, to sustain the whole Expence to the common Peace, and Defence necessarily required : Which were very true, if there could be any Representative conceived free from human Passions, and Infirmities. But the Nature of Men being as it is, the setting forth of public Land, or of any certain Revenue for the Commonwealth, is in vain ; and tendeth to the Dissolution of Government, and to the Condition of mere Nature, and War, as soon as ever the Sovereign Power falleth into the Hands of a Monarch, or of an Assembly, that are either too negligent of Money, or too hazardous in engaging

gaging the public Stock, into a long or costly War. Commonwealths can endure no Diet. For seeing their Expence is not limited by their own Appetite, but by external Accidents, and the Appetites of their Neighbours, the public Riches cannot be limited by other Limits, than those which the emergent Occasions shall require. And whereas in *England*, there were by the Conqueror, divers Lands reserved to his own Use, besides Forests and Chaces, either for his Recreation, or for Preservation of Woods, and divers Services reserved on the Land he gave his Subjects; yet it seems they were not reserved for his Maintenance in his public, but in his natural Capacity: For he and his Successors did for all that, lay arbitrary Taxes on all Subjects Land, when they judged it necessary. Or if those public Lands and Services were ordained as a sufficient Maintenance of the Commonwealth, it was contrary to the Scope of the Institution; being, as it appeared by those ensuing Taxes, insufficient, and as it appears by the late small Revenue of the Crown, subject to Alienation and Diminution. It is therefore in vain to assign a Portion to the Commonwealth; which may sell, or give it away; and does sell, and give it away, when it is done by their Representative.

As the Distribution of Lands at home; so also to assign in what Places, and for what Commodities the Subject shall traffic abroad, belongeth to the Sovereign. For if it did belong to private Persons to use their own Discretion therein, some of them would be drawn for Gain, both to furnish the Enemy with Means to hurt the Commonwealth, and hurt it themselves, by importing such Things, as pleasing Men's Appetites, be nevertheless noxious, or at least unprofitable to them. And therefore it belongeth to the Commonwealth (that is, to the Sovereign only) to approve or disapprove both of the Places and Matter of foreign Traffic.

The Places and Matter of Traffic depend, as their Distribution, on the Sovereign.

Further, seeing it is not enough to the Sustainment of a Commonwealth, that every Man have a Propriety in a Portion of Land, or in some few Commodities, or a natural Property in some useful Art, and there is no Art in the World, but is necessary either for the Being, or Well-being almost of every particular Man; it is necessary, that Men distribute that which they can spare, and transfer their Propriety therein, mutually one to another, by Exchange, and mutual Contract. And therefore it belongeth to the Commonwealth (that is to say, to the Sovereign) to appoint in what Manner all Kinds of Contract between Subjects, as Buying, Selling, Exchanging, Borrowing, Lending, letting and taking to Hire, are to be made; and by what Words and Signs they shall be understood for valid. And for the Matter and Distribution of the Nourishment, to the several Members of the Commonwealth, thus much (considering the Model of the whole Work) is sufficient.

The Laws of transferring Propriety belong also to the Sovereign.

By Concoction, I understand the reducing of all Commodities which are not presently consumed, but reserved for Nourishment in Time to come, to something of equal Value, and withal so portable, as not to hinder the Motion of Men from Place to Place; to the End a Man may have in what Place soever, such Nourishment as the Place affordeth. And this is nothing else but Gold and Silver, and Money. For Gold and Silver, being, as it happens, almost in all Countries of the World highly valued, as a commodious Measure of the Value of all things else between Nations; and Money, (of what Matter soever coined by the Sovereign of a Commonwealth) is a sufficient Measure of the Value of all things else, between the Subjects of that Commonwealth. By the Means of which Measures, all Commodities, moveable and immoveable, are made to accompany a Man, to all Places of his Resort, within and

Money the Blood of a Commonwealth.

PART II. without the Place of his ordinary Residence; and the same passeth from Man to Man, within the Commonwealth; and goes round about, nourishing, as it passeth, every Part thereof; insomuch as this Concoction, is as it were the Sanguification of the Commonwealth: For natural Blood is in like Manner made of the Fruits of the Earth; and circulating, nourisheth by the Way, every Member of the Body of Man.

And because Silver and Gold have their Value from the Matter itself, they have first this Privilege, that the Value of them cannot be altered by the Power of one, nor of a few Commonwealths; as being a common Measure of the Commodities of all Places. But base Money, may easily be enhanced or abased. Secondly, they have the Privilege to make Commonwealths move, and stretch out their Arms, when Need is, into foreign Countries; and supply, not only private Subjects that travel, but also whole Armies with Provision. But that Coin, which is not considerable for the Matter, but for the Stamp of the Place, being unable to endure Change of Air, hath its Effect at home only; where also it is subject to the Change of Laws, and thereby to have the Value diminished, to the Prejudice many times of those that have it.

The Conduits and Ways of Money to the public Use.

The Conduits and Ways, by which it is convey'd to the public Use, are of two sorts; one, that conveyeth it to the public Coffers; the other, that issueth the same out again for public Payments. Of the first sort, are Collectors, Receivers, and Treasurers; of the second, are the Treasurers again, and the Officers appointed for Payment of several public or private Ministers. And in this also, the artificial Man maintains his Resemblance with the natural; whose Veins receiving the Blood from the several Parts of the Body, carry it to the Heart; where being made vital, the Heart by the Arteries sends it out again, to enliven, and enable for Motion, all the Members of the same.

The Children of a Commonwealth Colonies.

The Procreation, or Children of a Commonwealth, are those we call *Plantations*, or *Colonies*; which are Numbers of Men sent out from the Commonwealth, under a Conductor or Governor, to inhabit a foreign Country, either formerly void of Inhabitants, or made void then, by War. And when a Colony is settled, they are either a Commonwealth of themselves, discharged of their Subjection to their Sovereign that sent them (as hath been done by many Commonwealths of antient Time) in which Case the Commonwealth from which they went was called their Metropolis, or Mother, and requires no more of them, than Fathers require of the Children whom they emancipate, and make free from their domestic Government, which is, Honour and Friendship; or else they remain united to their Metropolis, as were the Colonies of the People of *Rome*; and then they are no Commonwealths themselves, but Provinces, and Parts of the Commonwealth that sent them. So that the Right of Colonies, saving Honour and League with their Metropolis, dependeth wholly on their Licence or Letters, by which their Sovereign authorized them to plant.

C H A P. XXV.

Of C O U N S E L.

Counsel, what.

HOW fallacious it is to judge of the Nature of Things, by the ordinary and inconstant Use of Words, appeareth in nothing more than in the Confusion of Counsels and Commands, arising from the imperative manner of speaking in them both, and in many other Occasions besides.

besides. For the Words *Do this*, are the Words not only of him that commandeth, but also of him that giveth Counsel, and of him that exhorteth; and yet there are but few, that see not, that these are very different Things; or that cannot distinguish between them, when they perceive who it is that speaketh, and to whom the Speech is directed, and upon what Occasion. But finding those Phrases in Men's Writings, and being not able, or not willing to enter into a Consideration of the Circumstances, they mistake sometimes the Precepts of Counsellors, for the Precepts of them that command; and sometimes the contrary; according as it best agreeth with the Conclusions they infer, or the Actions they approve. To avoid which Mistakes, and render to those Terms of Commanding, Counselling, and Exhorting, their proper and distinct Significations, I define them thus:

Command is, where a Man saith, *Do this*, or *Do not this*, without expecting other Reason than the Will of him that says it. From this it followeth manifestly, that he that commandeth, pretendeth thereby his own Benefit: For the Reason of his Command is his own Will only; and the proper Object of every Man's Will, is some Good to himself.

Counsel is where a Man saith, *Do*, or *Do not this*, and deduceth his Reasons from the Benefit that arriveth by it to him to whom he saith it. And from this it is evident, that he that giveth Counsel, pretendeth only (whatsoever he intendeth) the Good of him, to whom he giveth it.

Therefore between Counsel and Command, one great Difference is, that Command is directed to a Man's own Benefit, and Counsel to the Benefit of another Man. And from this ariseth another Difference, that a Man may be obliged to do what he is commanded; as when he hath covenanted to obey: But he cannot be obliged to do as he is counselled, because the Hurt of not following it, is his own; or if he should covenant to follow it, then is the Counsel turn'd into the Nature of a Command. A third Difference between them is, that no Man can pretend a Right to be of another Man's Counsel; because he is not to pretend Benefit by it to himself: but to demand Right to counsel another, argues a Will to know his Designs, or to gain some other Good to himself: which, as I said before, is of every Man's Will the proper Object.

This also is incident to the Nature of Counsel; that whatsoever it be, he that asketh it, cannot in Equity accuse or punish it: For to ask Counsel of another, is to permit him to give such Counsel as he shall think best: And consequently, he that giveth Counsel to his Sovereign, (whether a Monarch or an Assembly) when he asketh it, cannot in Equity be punished for it, whether the same be conformable to the Opinion of the most, or not, so it be to the Proposition in Debate. For if the Sense of the Assembly can be taken notice of, before the Debate be ended, they should neither ask, nor take any further Counsel, for the Sense of the Assembly is the Resolution of the Debate, and End of all Deliberation. And generally he that demandeth Counsel, is Author of it, and therefore cannot punish it; and what the Sovereign cannot, no Man else can. But if one Subject giveth Counsel to another, to do any thing contrary to the Laws, whether that Counsel proceed from evil Intention, or from Ignorance only, it is punishable by the Commonwealth; because Ignorance of the Law is no good Excuse, where every man is bound to take notice of the Laws to which he is subject.

Exhortation and *Dehortation*, is Counsel, accompanied with Signs in him that giveth it, of vehement Desire to have it followed; or to say it more briefly, *Counsel vehemently pressed*. For he that exhorteth, doth

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not

PART
II.

not deduce the Consequences of what he adviseth to be done, and tye himself therein to the Rigour of true Reasoning : but encourages him he counselleth, to Action : As he that dehortheth, deterreth him from it. And therefore they have in their Speeches, a Regard to the common Passions, and Opinions of Men, in deducing their Reasons ; and make use of Similitudes, Metaphors, Examples, and other Tools of Oratory, to persuade their Hearers of the Utility, Honour, or Justice of following their Advice.

From whence may be inferred, First, that Exhortation and Dehortation, is directed to the Good of him that giveth the Counsel, not of him that asketh it : which is contrary to the Duty of a Counsellor, who (by the Definition of Counsel) ought to regard, not his own Benefit, but his whom he adviseth. And that he directeth his Counsel to his own Benefit, is manifest enough, by the long and vehement Urging, or by the artificial Giving thereof ; which being not required of him, and consequently proceeding from his own Occasions, is directed principally to his own Benefit, and but accidentally to the Good of him that is counselled, or not at all.

Secondly, That the Use of Exhortation and Dehortation lieth only where a Man is to speak to a Multitude ; because when the Speech is addressed to one, he may interrupt him, and examine his Reasons more rigorously than can be done in a Multitude ; which are too many to enter into Dispute and Dialogue with him that speaketh indifferently to them all at once.

Thirdly, That they that exhort and dehorth, where they are required to give Counsel, are corrupt Counsellors, and as it were bribed by their own Interest. For though the Counsel they give be never so good ; yet he that gives it, is no more a good Counsellor, than he that giveth a just Sentence for a Reward, is a just Judge. But where a Man may lawfully command, as a Father in his Family, or a Leader in an Army, his Exhortations and Dehortations are not only lawful, but also necessary and laudable : But then they are no more Counsels, but Commands ; which when they are for Execution of sower Labour ; sometimes Necessity, and always Humanity requireth to be sweetened in the Delivery, by Encouragement, and in the Tune and Phrase of Counsel, rather than in the harsher Language of Command.

Examples of the Difference between Command and Counsel, we may take from the Forms of Speech that express them in Holy Scripture. *Have no other Gods but me ; Make to thyself no graven Image ; Take not God's Name in vain ; Sanctify the Sabbath ; Honour thy Parents ; Kill not ; Steal not, &c.* are Commands ; because the Reason for which we are to obey them, is drawn from the Will of God our King, whom we are obliged to obey. But these Words, *Sell all thou hast ; give it to the poor ; and follow me,* are Counsel ; because the Reason for which we are to do so, is drawn from our own Benefit ; which is this, that we shall have *Treasure in Heaven.* These Words, *Go into the Village over against you, and you shall find an Ass tied, and her Colt ; loose her, and bring her to me,* are a Command : for the Reason of their Fact is drawn from the Will of their Master : but these Words, *Repent, and be baptized in the Name of Jesus,* are Counsel ; because the Reason why we should so do, tendeth not to any Benefit of God Almighty, who shall still be King in what Manner soever we rebel ; but of ourselves, who have no other Means of avoiding the Punishment hanging over us for our Sins.

Differences
of fit and un-
fit Counsel-
lors.

As the Difference of Counsel from Command, hath been now deduced from the Nature of Counsel, consisting in a deducing of the Benefit,

nefit, or Hurt that may arife to him that is to be counfelled, by the neceffary or probable Confequences of the Action he propoundeth; fo may alfo the Differences between *apt* and *inept* Counfellors be derived from the fame. For Experience, being but Memory of the Confequences of like Actions formerly obferved, and Counfel but the Speech whereby that Experience is made known to another; the Virtues, and Defects of Counfel, are the fame with the Virtues and Defects intellectual: And to the Perfon of a Commonwealth, his Counfellors ferve him in the Place of Memory, and Mental Difcourfe. But with this Refemblance of the Commonwealth, to a natural Man, there is one Diffimilitude joined, of great Importance; which is, that a natural Man receiveth his Experience from the natural Objects of Senfe, which work upon him without Paffion, or Intereft of their own; whereas they that give Counfel to the representative Perfon of a Commonwealth, may have, and have often their particular Ends and Paffions, that render their Counfels always fufpected, and many times unfaithful. And therefore we may fet down for the firft Condition of a good Counfellow, *That his Ends, and Intereft, be not inconfiftent with the Ends and Intereft of him he counfelleth.*

Secondly, Becaufe the Office of a Counfellow, when an Action comes into Deliberation, is to make manifefit the Confequences of it, in fuch Manner, as he that is counfelled may be truly and evidently informed; he ought to propound his Advice, in fuch Form of Speech, as may make the Truth moft evidently appear; that is to fay, with as firm Ratiocination, as fignificant and proper Language, and as briefly as the Evidence will permit. And therefore *rafh, and unevident Inferences*, (fuch as are fetched only from Examples, or Authority of Books, and are not Arguments of what is Good or Evil, but Witneffes of Fact, or of Opinion) *obfcure, confufed, and ambiguous Exprefions, alfo all metaphorical Speeches, tending to the ftirring up of Paffion*, (becaufe fuch Reasoning, and fuch Exprefions, are ufeful only to deceive; or to lead him we counfel towards other Ends than his own) *are repugnant to the Office of a Counfellow.*

Thirdly, Becaufe the Ability of counfelling proceedeth from Experience and long Study; and no Man is prefumed to have Experience in all thofe Things that to the Adminiftration of a great Commonwealth are neceffary to be known, *No Man is prefumed to be a good Counfellow, but in fuch Bufinefs, as he hath not only been much verfed in, but hath alfo much meditated on, and confidered.* For feeing the Bufinefs of a Commonwealth is this, to preferve the People in Peace at Home, and defend them againft foreign Invaftion, we fhall find it requires great Knowledge of the Difpofition of Mankind, of the Rights of Government, and of the Nature of Equity, Law, Juftice, and Honour, not to be attained without Study; and of the Strength, Commodities, Places, both of their own Country, and their Neighbours; as alfo of the Inclinations, and Defigns of all Nations that may any Way annoy them. And this is not attained to, without much Experience. Of which Things, not only the whole Sum, but every one of the Particulars requires the Age, and Obfervation of a Man in Years, and of more than ordinary Study. The Wit required for Counfel, as I have faid before (Chap. VIII.) is Judgment. And the Differences of Men in that Point come from different Education, of fome to one Kind of Study or Bufinefs, and of others to another. When for the doing of any Thing, there be infallible Rules, (as in Engines, and Edifices, the Rules of Geometry) all the Experience of the World cannot equal his Counfel, that has learnt, or found out the Rule. And when there is no fuch Rule, he that hath moft

PART most Experience in that particular Kind of Business, has therein the best
 II. Judgment, and is the best Counsellor.

Fourthly, To be able to give Counsel to a Commonwealth, in a Business that hath Reference to another Commonwealth, *It is necessary to be acquainted with the Intelligences and Letters* that come from thence, and with all the Records of Treaties, and other Transactions of State between them; which none can do; but such as the Representative shall think fit. By which we may see, that they who are not called to counsel, can have no good Counsel in such Cases to obtrude.

Fifthly, Supposing the Number of Counsellors equal, a Man is better counselled by hearing them apart, than in an Assembly; and that for many Causes. First, in hearing them apart, you have the Advice of every Man; but in an Assembly many of them deliver their Advice with *I*, or *No*, or with their Hands, or Feet, not moved with their own Sense, but by the Eloquence of another, or for Fear of displeasing some that have spoken, or the whole Assembly, by Contradiction; or for Fear of appearing duller in Apprehension, than those that have applauded the contrary Opinion. Secondly, in an Assembly of many, there cannot chuse but be some whose Interests are contrary to that of the Public; and these their Interests make passionate, and Passion eloquent, and Eloquence draws others into the same Advice. For the Passions of Men, which asunder are moderate, as the Heat of one Brand; in Assembly are like many Brands, that enflame one another, (especially when they blow one another with Orations) to the setting of the Commonwealth on Fire, under Pretence of counselling it. Thirdly, in hearing every Man apart, one may examine (when there is Need) the Truth, or Probability of his Reasons, and of the Grounds of the Advice he gives, by frequent Interruptions and Objections; which cannot be done in an Assembly, where (in every difficult Question) a Man is rather astonished and dazled with the Variety of Discourse upon it, than informed of the Course he ought to take. Besides, there cannot be an Assembly of many, called together for Advice, wherein there be not some, that have the Ambition to be thought eloquent, and also learned in the Politics, and give not their Advice with Care of the Business propounded, but of the Applause of their motly Orations, made of the divers-coloured Threads or Shreds of Authors; which is an Impertinence at least, that takes away the Time of serious Consultation, and in the secret Way of counselling apart, is easily avoided. Fourthly, in Deliberations that ought to be kept secret (whereof there be many Occasions in public Business) the Counsels of many, and especially in Assemblies, are dangerous; and therefore great Assemblies are necessitated to commit such Affairs to lesser Numbers, and of such Persons as are most versed, and in whose Fidelity they have most Confidence.

To conclude. Who is there that so far approves the taking of Counsel from a great Assembly of Counsellors, that wisheth for, or would accept of their Pains, when there is a Question of marrying his Children, disposing of his Lands, governing his Household, or managing his private Estate, especially if there be amongst them such as wish not his Prosperity? A Man that doth his Business by the Help of many and prudent Counsellors, with every one consulting apart in his proper Element, does it best, as he that useth able Seconds at Tennis-play, placed in their proper Stations. He does next best, that useth his own Judgment only; as he that has no Second at all. But he that is carried up and down to his Business in a framed Counsel, which cannot

cannot move but by the Plurality of consenting Opinions, the Execution whereof is commonly (out of Envy, or Interest) retarded by the Part dissenting; does it worst of all, and like one that is carried to the Ball, though by good Players, yet in a Wheel-barrow, or other Frame, heavy of itself, and retarded also by the inconcurrent Judgments and Endeavours of them that drive it; and so much the more, as they be more that set their Hands to it; and most of all, when there is one or more amongst them that desire to have him lose. And though it be true, that many Eyes see more than one; yet it is not to be understood of many Counsellors; but then only, when the final Resolution is in one Man. Otherwise, because many Eyes see the same Thing in divers Lines, and are apt to look askint towards their private Benefit; they that desire not to miss their Mark, though they look about with two Eyes, yet they never aim but with one. And therefore no great popular Commonwealth was ever kept up; but either by a foreign Enemy that united them, or by the secret Counsel of a few, or by the mutual Fear of equal Factions; and not by the open Consultations of the Assembly. And as for very little Commonwealths, be they popular or monarchical, there is no human Wisdom can uphold them, longer than the Jealousy lasteth of their potent Neighbours.

CHAP.
XXVI.

C H A P. XXVI.

Of CIVIL LAWS.

BY *Civil Laws*, I understand the Laws, that Men are therefore *Civil Law*, bound to observe, because they are Members, not of this, or that ^{what} Commonwealth in particular, but of a Commonwealth. For the Knowledge of particular Laws belongeth to them that profess the Study of the Laws of their several Countries; but the Knowledge of Civil Law in general, to any Man. The ancient Law of *Rome* was called their *Civil Law*, from the Word *Civitas*, which signifieth a Commonwealth: And those Countries, which having been under the *Roman Empire*, and governed by that Law, retain still such Part thereof as they think fit, call that Part the Civil Law, to distinguish it from the rest of their own Civil Laws. But that is not it I intend to speak of here; my Design being not to shew what is Law here, and there; but what is Law, as *Plato*, *Aristotle*, *Cicero*, and divers others have done, without taking upon them the Profession of the Study of the Law.

And first, it is manifest, that Law in general, is not Counsel, but Command; nor a Command from any Man to any Man; but only of him, whose Command is addressed to one formerly obliged to obey him. And as for Civil Law, it addeth only the Person commanding, which is *Persona Civitatis*, the Person of the Commonwealth.

Which considered, I define Civil Law in this manner. *Civil Law, is to every Subject, those Rules which the Commonwealth hath commanded him, by Word, Writing, or other sufficient Sign of the Will, to make Use of, for the Distinction of Right and Wrong; that is to say, of what is contrary, and what is not contrary to the Rule.*

In which Definition, there is nothing that is not at first Sight evident. For every Man seeth, that some Laws are addressed to all the Subjects in general, some to particular Provinces, some to particular Vocations, and some to particular Men; and are therefore Laws to

PART every of those to whom the Command is directed, and to none else.
 II. As also, that Laws are the Rules of Just and Unjust; nothing being
 reputed unjust, that is not contrary to some Law. Likewise, that
 none can make Laws but the Commonwealth; because our Subjection
 is to the Commonwealth only: and that Commands are to be signi-
 fied by sufficient Signs; because a Man knows not otherwise how to
 obey them. And therefore, whatsoever can from this Definition by ne-
 cessary Consequence be deduced, ought to be acknowledged for Truth.
 Now I deduce from it this that followeth.

The Sove-
 reign is Le-
 gislator!

1. The Legislator in all Commonwealths, is only the Sovereign, be
 he one Man, as in a Monarchy, or one Assembly of Men, as in a
 Democracy, or Aristocracy. For the Legislator, is he that maketh the
 Law. And the Commonwealth only, prescribes and commandeth the
 Observation of those Rules, which we call Law: Therefore the Com-
 monwealth is the Legislator. But the Commonwealth is no Person, nor
 has Capacity to do any Thing, but by the Representative, (that is, the
 Sovereign;) and therefore the Sovereign is the sole Legislator. For the
 same Reason, none can abrogate a Law made, but the Sovereign; be-
 cause a Law is not abrogated, but by another Law, that forbiddeth it
 to be put in Execution.

And not sub-
 ject to Civil
 Law.

2. The Sovereign of a Commonwealth, be it an Assembly, or one
 Man, is not subject to the Civil Laws. For having Power to make,
 and repeal Laws, he may when he pleaseth, free himself from that Sub-
 jection, by repealing those Laws that trouble him, and making of new;
 and consequently he was free before. For he is free, that can be free
 when he will: Nor is it possible for any Person to be bound to him-
 self; because he that can bind, can release; and therefore he that is
 bound to himself only, is not bound.

Use, a Law
 not by Vir-
 tue of Time,
 but of the So-
 vereign's
 Consent.

3. When long Use obtaineth the Authority of a Law, it is not the
 Length of Time that maketh the Authority, but the Will of the
 Sovereign signified by his Silence, (for Silence is sometimes an Argument
 of Consent;) and it is no longer Law, than the Sovereign shall be silent
 therein. And therefore if the Sovereign shall have a Question of Right
 grounded, not upon his present Will, but upon the Laws formerly
 made; the Length of Time shall bring no Prejudice to his Right; but
 the Question shall be judged by Equity. For many unjust Actions, and
 unjust Sentences, go uncontrolled a longer Time, than any Man can re-
 member. And our Lawyers account no Customs Law, but such as
 are reasonable, and that evil Customs are to be abolished: But the Judg-
 ment of what is reasonable, and of what is to be abolished, belongeth to
 him that maketh the Law, which is the Sovereign Assembly or Monarch.

The Law of
 Nature and
 the Civil
 Law contain
 each other.

4. The Law of Nature, and the Civil Law, contain each other, and
 are of equal Extent. For the Laws of Nature, which consist in Equity,
 Justice, Gratitude, and other moral Virtues on these depending, in the
 Condition of mere Nature (as I have said before in the End of the XVth
 Chapter) are not properly Laws, but Qualities that dispose Men to
 Peace and to Obedience. When a Commonwealth is once settled, then
 are they actually Laws, and not before; as being then the Commands
 of the Commonwealth; and therefore also Civil Laws: For it is the
 Sovereign Power that obliges Men to obey them. For in the Differences
 of private Men, to declare what is Equity, what is Justice, and what
 is moral Virtue, and to make them binding, there is Need of the
 Ordinances of Sovereign Power, and Punishments to be ordained for such
 as shall break them; which Ordinances are therefore Part of the Civil
 Law. The Law of Nature, therefore, is Part of the Civil Law in all
 Commonwealths of the World. Reciprocally also, the Civil Law is a

Part

Part of the Dictates of Nature. For Justice, that is to say, Performance of Covenant, and giving to every Man his own, is a Dictate of the Law of Nature. But every Subject in a Commonwealth, hath covenanted to obey the Civil Law, (either one with the other, as when they assemble to make a common Representative, or with the Representative itself one by one, when subdued by the Sword they promise Obedience, that they may receive Life;) and therefore Obedience to the Civil Law is Part also of the Law of Nature. Civil, and Natural Law, are not different Kinds, but different Parts of Law; whereof one Part being written, is called Civil, the other unwritten, Natural. But the Right of Nature, that is, the natural Liberty of Man, may by the Civil Law be abridged and restrained: nay, the End of making Laws is no other, but such Restraint; without the which there cannot possibly be any Peace. And Law was brought into the World for nothing else, but to limit the natural Liberty of particular Men, in such Manner, as they might not hurt, but assist one another, and join together against a common Enemy.

5. If the Sovereign of one Commonwealth, subdue a People that have lived under other written Laws, and afterwards govern them by the same Laws, by which they were governed before; yet those Laws are the Civil Laws of the Victor, and not of the vanquished Commonwealth. For the Legislator is he, not by whose Authority the Laws were first made, but by whose Authority they now continue to be Laws. And therefore where there be divers Provinces within the Dominion of a Commonwealth, and in those Provinces Diversity of Laws, which commonly are called the Customs of each several Province, we are not to understand that such Customs have their Force, only from Length of Time; but that they were antiently Laws written, or otherwise made known, for the Constitutions and Statutes of their Sovereigns; and are now Laws, not by Virtue of the Prescription of Time, but by the Constitutions of their present Sovereigns. But if an unwritten Law, in all the Provinces of a Dominion, shall be generally observed, and no Iniquity appear in the Use thereof; that Law can be no other but a Law of Nature, equally obliging all Mankind.

6. Seeing then all Laws, written and unwritten, have their Authority and Force from the Will of the Commonwealth; that is to say, from the Will of the Representative; which in a Monarchy is the Monarch, and in other Commonwealths the Sovereign Assembly; a Man may wonder from whence proceed such Opinions, as are found in the Books of Lawyers of Eminence in several Commonwealths, directly, or by Consequence making the Legislative Power depend on private Men, or subordinate Judges. As for Example, *That the Common Law hath no Controuler but the Parliament*; which is true only where a Parliament has the Sovereign Power, and cannot be assembled, nor dissolved, but by their own Discretion. For if there be a Right in any else to dissolve them, there is a Right also to controul them, and consequently to controul their Controulings. And if there be no such Right, then the Controuler of Laws is not *Parliamentum*, but *Rex in Parlamento*. And where a Parliament is Sovereign, if it should assemble never so many, or so wise Men, from the Countries subject to them, for whatsoever Cause; yet there is no Man will believe, that such an Assembly hath thereby acquired to themselves a Legislative Power. *Item*, that the two Arms of a Commonwealth, are *Force and Justice*; the first whereof is in the King; the other deposited in the Parliament. As if a Commonwealth could consist, where the Force were in any Hand, which Justice had not the Authority to command and govern.

7. That

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Sir Edw.
Coke upon
Littleton,
Lib. ii. Ch. 6.
Fol. 97. b.

7 That Law can never be against Reason, our Lawyers are agreed; and that not the Letter, (that is, every Construction of it) but that which is according to the Intention of the Legislator, is the Law. And it is true: but the Doubt is, whose Reason it is, that shall be received for Law. It is not meant of any private Reason; for then there would be as much Contradiction in the Laws as there is in the Schools; nor yet (as Sir Ed. Coke makes it) an *artificial Perfection of Reason, gotten by long Study, Observation, and Experience*, (as his was.) For it is possible long Study may increase, and confirm erroneous Sentences: and where Men build on false Grounds, the more they build, the greater is the Ruin: and of those that study, and observe with equal Time and Diligence, the Reasons and Resolutions are, and must remain discordant: and therefore it is not that *Juris prudentia*, or Wisdom of subordinate Judges; but the Reason of this our artificial Man the Commonwealth, and his Command, that maketh Law: And the Commonwealth being in their Representative but one Person, there cannot easily arise any Contradiction in the Laws; and when there doth, the same Reason is able, by Interpretation or Alteration, to take it away. In all Courts of Justice, the Sovereign (which is the Person of the Commonwealth) is he that judgeth: The subordinate Judge ought to have regard to the Reason, which moved his Sovereign to make such a Law, that his Sentence may be according thereunto; which then is his Sovereign's Sentence; otherwise it is his own, and an unjust one.

Law made,
if not also
made known,
is no Law.

8. From this, that the Law is a Command, and a Command consisteth in Declaration, or Manifestation of the Will of him that commandeth, by Voice, Writing, or some other sufficient Argument of the same, we may understand, that the Command of the Commonwealth is Law only to those, that have Means to take notice of it. Over natural Fools, Children, or Madmen, there is no Law, no more than over brute Beasts; nor are they capable of the Title of Just, or Unjust; because they had never Power to make any Covenant, or to understand the Consequences thereof; and consequently never took upon them to authorise the Actions of any Sovereign, as they must do that make to themselves a Commonwealth. And as to those from whom Nature or Accident hath taken away the Notice of all Laws in general; so also every Man, from whom any Accident, not proceeding from his own Default, hath taken away the Means to take notice of any particular Law, is excused, if he observe it not; and to speak properly, that Law is no Law to him. It is therefore necessary to consider in this Place, what Arguments and Signs be sufficient for the Knowledge of what is the Law; that is to say, what is the Will of the Sovereign, as well in Monarchies, as in other Forms of Government.

Unwritten
Laws are all
of them
Laws of
Nature.

And first, if it be a Law that obliges all the Subjects without Exception, and is not written, nor otherwise published in such Places as they may take notice thereof, it is a Law of Nature. For whatsoever Men are to take knowledge of for Law, not upon other Men's Words, but every one from his own Reason, must be such as is agreeable to the Reason of all Men; which no Law can be, but the Law of Nature. The Laws of Nature therefore need not any Publishing nor Proclamation, as being contained in this one Sentence, approved by all the World, *Do not that to another, which thou thinkest unreasonable to be done by another to thy self.*

Secondly, if it be a Law that obliges only some Condition of Men, or one particular Man, and be not written, nor published by Word, then also it is a Law of Nature; and known by the same Arguments and Signs, that distinguish those in such a Condition from other Subjects.

For

For whatsoever Law is not written, or some way published by him that makes it Law, can be known no way, but by the Reason of him that is to obey it; and is therefore also a Law, not only Civil but Natural. For Example, if the Sovereign employ a public Minister, without written Instructions what to do, he is obliged to take for Instructions the Dictates of Reason: As if he make a Judge, the Judge is to take notice, that his Sentence ought to be according to the Reason of his Sovereign, which being always understood to be Equity, he is bound to it by the Law of Nature: Or if an Ambassador, he is (in all things not contain'd in his written Instructions) to take for Instruction that which Reason dictates to be most conducing to his Sovereign's Interest; and so of all other Ministers of the Sovereignty, public and private. All which Instructions of natural Reason may be comprehended under the Name of *Fidelity*; which is a Branch of natural Justice.

The Law of Nature excepted, it belongeth to the Essence of all other Laws, to be made known to every Man that shall be obliged to obey them, either by Word or Writing, or some other Act, known to proceed from the Sovereign Authority. For the Will of another cannot be understood, but by his own Word or Act, or by Conjecture taken from his Scope and Purpose; which in the Person of the Commonwealth is to be supposed always consonant to Equity and Reason. And in antient Time, before Letters were in common Use, the Laws were many times put into Verse; that the rude People taking Pleasure in singing, or reciting them, might the more easily retain them in Memory. And for the same Reason *Solomon* adviseth a Man, to bind the Ten Commandments * upon his Ten Fingers. And for the Law which *Moses* gave to the People of *Israel* at the renewing of the Covenant, † he biddeth them to teach it their Children, by discoursing of it both at home; and upon the Way; at going to Bed, and at rising from Bed; and to write it upon the Posts, and Doors of their Houses; and ‡ to assemble the People, Man, Woman, and Child, to hear it read.

* Prov. vii. 2.

† Deut. xi.

19.

‡ Deut. xxxi. 12.

Nor is it enough the Law be written; and published; but also that there be manifest Signs, that it proceedeth from the Will of the Sovereign. For private Men, when they have, or think they have Force enough to secure their unjust Designs, and convoy them safely to their ambitious Ends, may publish for Laws what they please, without or against the Legislative Authority. There is therefore requisite, not only a Declaration of the Law, but also sufficient Signs of the Author and Authority. The Author or Legislator, is supposed in every Commonwealth to be evident, because he is the Sovereign, who having been constituted by the Consent of every one, is supposed by every one to be sufficiently known. And though the Ignorance and Security of Men be such, for the most part, as that when the Memory of the first Constitution of their Commonwealth is worn out, they do not consider, by whose Power they use to be defended against their Enemies, and to have their Industry protected, and to be righted when Injury is done them; yet because no Man that considers, can make question of it, no Excuse can be derived from the Ignorance of where the Sovereignty is placed. And it is a Dictate of natural Reason, and consequently an evident Law of Nature, that no Man ought to weaken that Power, the Protection whereof himself hath demanded, or wittingly received against others. Therefore of who is Sovereign, no Man, but by his own Fault (whatsoever evil Men suggest) can make any Doubt. The Difficulty consisteth in the Evidence of the Authority derived from him: The removing whereof dependeth on the Knowledge of the public Registers,

Nothing is Law where the Legislator cannot be known.

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Difference between verifying and authorising. The Law verified by the subordinate Judge.

public Councils, public Ministers, and public Seals; by which all Laws are sufficiently verified; verified; I say, not authorised: for the Verification is but the Testimony and Record; not the Authority of the Law; which consisteth in the Command of the Sovereign only.

If therefore a Man have a Question of Injury, depending on the Law of Nature; that is to say, on common Equity; the Sentence of the Judge; that by Commission hath Authority to take Cognizance of such Causes, is a sufficient Verification of the Law of Nature in that individual Case. For though the Advice of one that professeth the Study of the Law; be useful for the avoiding of Contention; yet it is but Advice: it is the Judge must tell Men what is Law, upon the hearing of the Controversy.

By the public Registers.

But when the Question is of Injury, or Crime, upon a written Law, every Man by Recourse to the Registers, by himself, or others, may, if he will, be sufficiently informed, before he do such Injury, or commit such Crime, whether it be an Injury or not; nay, he ought to do so: For when a Man doubts whether the Act he goeth about be just or unjust; and may inform himself, if he will; the doing is unlawful. In like manner, he that supposeth himself injured, in a Case determined by the written Law, which he may by himself, or others see and consider; if he complain before he consults with the Law, he does unjustly, and bewrayeth a Disposition rather to vex other Men, than to demand his own Right.

By Letters Patent and public Seal.

If the Question be of Obedience to a public Officer; to have seen his Commission with the public Seal, and heard it read; or to have had the Means to be informed of it, if a Man would, is a sufficient Verification of his Authority. For every Man is to do his best Endeavour to inform himself of all written Laws that may concern his own future Actions:

The Interpretation of the Law dependeth on the Sovereign Power:

The Legislator known, and the Laws, either by Writing, or by the Light of Nature, sufficiently published; there wanteth yet another very material Circumstance to make them obligatory. For it is not the Letter, but the Intendment, or Meaning; that is to say, the authentic Interpretation of the Law (which is the Sense of the Legislator) in which the Nature of the Law consisteth; and therefore the Interpretation of all Laws dependeth on the Authority Sovereign; and the Interpreters can be none but those, which the Sovereign, to whom only the Subject oweth Obedience, shall appoint. For else, by the Craft of an Interpreter, the Law may be made to bear a Sense contrary to that of the Sovereign; by which Means the Interpreter becomes the Legislator

All Laws need Interpretation.

All Laws, written and unwritten, have Need of Interpretation. The unwritten Law of Nature, though it be easy to such, as without Partiality and Passion make Use of their natural Reason, and therefore leaves the Violaters thereof without Excuse; yet considering there be very few, perhaps none, that in some Cases are not blinded by Self-love, or some other Passion, it is now become, of all Laws the most obscure; and has consequently the greatest Need of able Interpreters. The written Laws, if they be short, are easily mis-interpreted, from the divers Significations of a Word or two: if long, they be more obscure, by the divers Significations of many Words: insomuch as no written Law, delivered in few, or many Words, can be well understood, without a perfect Understanding of the final Causes, for which the Law was made; the Knowledge of which final Causes is in the Legislator. To him therefore there cannot be any Knot in the Law insoluble; either

either by finding out the Ends, to undo it by ; or else by making what Ends he will (as *Alexander* did with his Sword in the Gordian Knot) by the Legislative Power ; which no other Interpreter can do. C H A P. XXVI.

The Interpretation of the Laws of Nature, in a Commonwealth, dependeth not on the Books of Moral Philosophy. The Authority of Writers, without the Authority of the Commonwealth, maketh not their Opinions Law, be they never so true. That which I have written in this Treatise, concerning the Moral Virtues, and of their Necessity, for the procuring, and maintaining Peace, though it be evident Truth, is not therefore presently Law ; but because in all Commonwealths in the World, it is Part of the Civil Law. For though it be naturally reasonable ; yet it is by the Sovereign Power that it is Law : Otherwise, it were a great Error to call the Laws of Nature unwritten Law ; whereof we see so many Volumes published, and in them many Contradictions of one another, and of themselves.

The Interpretation of the Law of Nature, is the Sentence of the Judge constituted by the Sovereign Authority to hear and determine such Controversies as depend thereon ; and consisteth in the Application of the Law to the present Case. For in the Act of Judicature, the Judge doth no more but consider, whether the Demand of the Party be consonant to natural Reason and Equity ; and the Sentence he giveth, is therefore the Interpretation of the Law of Nature ; which Interpretation is authentic ; not because it is his private Sentence ; but because he giveth it by Authority of the Sovereign, whereby it becomes the Sovereign's Sentence ; which is Law for that Time, to the Parties pleading.

But because there is no Judge, Subordinate nor Sovereign, but may err in a Judgment of Equity ; if afterwards in another like Case he find it more consonant to Equity to give a contrary Sentence, he is obliged to do it. No Man's Error becomes his own Law ; nor obliges him to persist in it. Neither (for the same Reason) becomes it a Law to other Judges, though sworn to follow it. For though a wrong Sentence given by Authority of the Sovereign, if he know and allow it, in such Laws as are mutable, be a Constitution of a new Law, in Cases in which every little Circumstance is the same ; yet in Laws immutable, such as are the Laws of Nature, they are no Laws to the same, or other Judges, in the like Cases for ever after. Princes succeed one another ; and one Judge passeth, another cometh ; nay, Heaven and Earth shall pass ; but not one Tittle of the Law of Nature shall pass ; for it is the eternal Law of God. Therefore all the Sentences of precedent Judges that have ever been, cannot all together make a Law contrary to natural Equity : Nor any Examples of former Judges, can warrant an unreasonable Sentence, or discharge the present Judge of the Trouble of studying what is Equity (in the Case he is to judge) from the Principles of his own natural Reason. For Example Sake, 'Tis against the Law of Nature, *to punish the innocent* ; and innocent is he that acquitteth himself judicially, and is acknowledged for innocent by the Judge. Put the Case now, that a Man is accused of a capital Crime, and seeing the Power and Malice of some Enemy, and the frequent Corruption and Partiality of Judges, runneth away for Fear of the Event, and afterwards is taken, and brought to a legal Trial, and maketh it sufficiently appear, he was not guilty of the Crime, and being thereof acquitted, is nevertheless condemned to lose his Goods ; this is a manifest Condemnation of the innocent. I say therefore, that there is no Place in the World, where this can be an Interpretation of a Law of Nature, or be made a Law by the Sentences of precedent Judges, that had done the same. For he that judged

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judged it first, judged unjustly; and no Injustice can be a Pattern of Judgment to succeeding Judges. A written Law may forbid innocent Men to fly, and they may be punished for flying: But that flying for Fear of Injury, should be taken for Presumption of Guilt, after a Man is already absolved of the Crime judicially, is contrary to the Nature of a Presumption, which hath no Place after Judgment given. Yet this is set down by a great Lawyer for the common Law of *England*. *If a Man (saith he) that is innocent, be accused of Felony, and for Fear flyeth for the same; albeit he judicially acquitteth himself of the Felony; yet if it be found that he fled for the Felony; he shall, notwithstanding his Innocency, forfeit all his Goods, Chattles, Debts, and Duties. For as to the Forfeiture of them, the Law will admit no Proof against the Presumption in Law, grounded upon his Flight.* Here you see, an innocent Man, judicially acquitted, notwithstanding his Innocency, (when no written Law forbade him to fly) after his Acquittal, upon a Presumption in Law, condemned to lose all the Goods he hath. If the Law ground upon his Flight a Presumption of the Fact, (which was capital) the Sentence ought to have been capital: if the Presumption were not of the Fact, for what then ought he to lose his Goods? This therefore is no Law of *England*; nor is the Condemnation grounded upon a Presumption of Law, but upon the Presumption of the Judges. It is also against Law, to say that no Proof shall be admitted against a Presumption of Law. For all Judges, Sovereign and Subordinate, if they refuse to hear Proof, refuse to do Justice: for though the Sentence be just, yet the Judges that condemn without hearing the Proofs offered, are unjust Judges; and their Presumption is but Prejudice; which no Man ought to bring with him to the Seat of Justice, whatsoever precedent Judgments or Examples he shall pretend to follow. There be other Things of this Nature, wherein Men's Judgments have been perverted by trusting to Precedents: but this is enough to shew, that though the Sentence of the Judge be a Law to the Party pleading, yet it is no Law to any Judge, that shall succeed him in that Office.

In like Manner, when Question is of the Meaning of written Laws, he is not the Interpreter of them, that writeth a Commentary upon them. For Commentaries are commonly more subject to Cavil, than the Text; and therefore need other Commentaries; and so there will be no End of such Interpretation. And therefore unless there be an Interpreter authorised by the Sovereign, from which the subordinate Judges are not to recede, the Interpreter can be no other than the ordinary Judges, in the same Manner as they are in Cases of the unwritten Law; and their Sentences are to be taken by them that plead, for Laws in that particular Case; but not to bind other Judges, in like Cases to give like Judgments. For a Judge may err in the Interpretation even of written Laws; but no Error of a subordinate Judge, can change the Law, which is the general Sentence of the Sovereign.

The Difference between the Letter and Sentence of the Law.

In written Laws, Men use to make a Difference between the Letter, and the Sentence of the Law: And when by the Letter, is meant whatsoever can be gathered from the bare Words, 'tis well distinguished. For the Significations of almost all Words, are either in themselves, or in the metaphorical Use of them, ambiguous; and may be drawn in Argument to make many Senses; but there is only one Sense of the Law. But if by the Letter, be meant the literal Sense, then the Letter, and the Sentence or Intention of the Law, is all one. For the literal Sense is that, which the Legislator intended should by the Letter of the Law be signified. Now the Intention of the Legislator is always supposed to be Equity: For it were a great Contumely for a Judge to think otherwise

otherwise of the Sovereign. He ought therefore, if the Word of the Law do not fully authorise a reasonable Sentence, to supply it with the Law of Nature ; or if the Case be difficult, to respite Judgment till he have received more ample Authority. For Example, a written Law ordaineth, that he which is thrust out of his House by Force, shall be restored by Force : It happens that a Man by Negligence leaves his House empty, and returning, is kept out by Force, in which Case there is no special Law ordained. It is evident that this Case is contained in the same Law : for else there is no Remedy for him at all ; which is to be supposed against the Intention of the Legislator. Again, the Word of the Law commandeth to judge according to the Evidence : A Man is accused falsely of a Fact, which the Judge saw himself done by another ; and not by him that is accused. In this Case neither the Letter of the Law shall be followed to the Condemnation of the Innocent, nor shall the Judge give Sentence against the Evidence of the Witnesses ; because the Letter of the Law is to the contrary : but procure of the Sovereign that another be made Judge, and himself Witness. So that the Incommodity that follows the bare Words of a written Law, may lead him to the Intention of the Law, whereby to interpret the same the better ; though no Incommodity can warrant a Sentence against the Law. For every Judge of Right and Wrong, is not Judge of what is commodious or incommodious to the Commonwealth.

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The Abilities required in a good Interpreter of the Law, that is to say, in a good Judge, are not the same with those of an Advocate ; namely, the Study of the Laws. For a Judge, as he ought to take Notice of the Fact, from none but the Witnesses ; so also he ought to take Notice of the Law, from nothing but the Statutes and Constitutions of the Sovereign, alledged in the Pleading, or declared to him by some that have Authority from the Sovereign Power to declare them ; and need not take Care before-hand, what he shall judge ; for it shall be given him what he shall say concerning the Fact, by Witnesses ; and what he shall say in Point of Law, from those that shall in their Pleadings shew it, and by Authority interpret it upon the the Place. The Lords of Parliament in *England* were Judges, and most difficult Causes have been heard and determined by them ; yet few of them were much versed in the Study of the Laws, and fewer had made Profession of them : and though they consulted with Lawyers, that were appointed to be present there for that Purpose ; yet they alone had the Authority of giving Sentence. In like manner, in the ordinary Trials of Right, twelve Men of the common People are Judges, and give Sentence, not only of the Fact, but also of the Right ; and pronounce simply for the Complainant, or for the Defendant ; that is to say, are Judges not only of the Fact, but also of the Right : and in a Question of Crime, not only determine whether done, or not done ; but also whether it be *Murder, Homicide, Felony, Assault*, and the like, which are Determinations of Law : but because they are not supposed to know the Law themselves, there is one that hath Authority to inform them of it, in the particular Case they are to judge of. But yet, if they judge not according to that he tells them, they are not subject thereby to any Penalty ; unless it be made appear, they did it against their Consciences, or had been corrupted by Reward.

The Abilities
required in a
Judge.

The Things that make a good Judge, or good Interpreter of the Laws, are, first, *A right understanding* of that principal Law of Nature called *Equity* ; which depending not on the reading of other Men's Writings,

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but on the Goodness of a Man's own natural Reason and Meditation, is presumed to be in those most, that have most Leisure, and had the most Inclination to meditate thereon. Secondly, *Contempt of unnecessary Riches,* and Preferments. Thirdly, *To be able in Judgment to divest himself of all Fear, Anger, Hatred, Love, and Compassion.* Fourthly, and lastly, *Patience to bear, diligent Attention in bearing, and Memory to retain, digest, and apply what he hath heard.*

Divisions of
Law.

The Difference and Division of the Laws has been made in divers Manners, according to the different Methods of those Men that have written of them. For it is a Thing that dependeth not on Nature, but on the Scope of the Writer; and is subservient to every Man's proper Method. In the Institutions of *Justinian*, we find seven Sorts of Civil Laws. 1. The *Edicts, Constitutions, and Epistles of the Prince*, that is, of the Emperor; because the whole Power of the People was in him. Like these, are the Proclamations of the Kings of *England*.

2. *The Decrees of the whole People of Rome* (comprehending the Senate) when they were put to the Question by the *Senate*. These were Laws, at first, by the Virtue of the Sovereign Power residing in the People; and such of them as by the Emperors were not abrogated, remained Laws by the Authority Imperial. For all Laws that bind, are understood to be Laws by his Authority that has Power to repeal them. Somewhat like to these Laws, are the Acts of Parliament in *England*.

3. *The Decrees of the common People* (excluding the Senate) when they were put to the Question by the *Tribune* of the People. For such of them as were not abrogated by the Emperors, remained Laws by the Authority Imperial. Like to these, were the Orders of the House of Commons in *England*.

4. *Senatus Consulta, the Orders of the Senate*; because when the People of *Rome* grew so numerous as it was inconvenient to assemble them; it was thought fit by the Emperor, that Men should consult the Senate, instead of the People: And these have some Resemblance with the Acts of Council.

5. *The Edicts of Prætors*, and (in some Cases) of the *Ædiles*: such as are the Chief Justices in the Courts of *England*.

6. *Responsa Prudentum*; which were the Sentences and Opinions of those Lawyers, to whom the Emperor gave Authority to interpret the Law, and to give Answer to such as in Matter of Law demanded their Advice; which Answers, the Judges in giving Judgment were obliged by the Constitutions of the Emperor to observe: And should be like the Reports of Cases judged, if other Judges be by the Law of *England* bound to observe them. For the Judges of the Common Law of *England*, are not properly Judges, but *Juris Consulti*; of whom the Judges, who are either the Lords, or twelve Men of the Country, are in Point of Law to ask Advice.

7. Also, *Unwritten Customs* (which in their own Nature are an Imitation of Law) by the tacit Consent of the Emperor; in case they be not contrary to the Law of Nature, are very Laws.

Another Division of Laws, is into *Natural* and *Positive*. *Natural* are those which have been Laws from all Eternity; and are called not only *Natural*, but *Moral* Laws; consisting in the Moral Virtues, as Justice, Equity, and all Habits of the Mind that conduce to Peace and Charity; of which I have already spoken in the fourteenth and fifteenth Chapters.

Positive are those which have not been from Eternity; but have been made Laws by the Will of those that had the Sovereign Power
over

over others; and are either written, or made known to Men, by some other Argument of the Will of their Legislator.

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Again, of Positive Laws, some are *Human*, some *Divine*: And of Human positive Laws, some are *distributive*, some *penal*. *Distributive* are those that determine the Rights of the Subjects, declaring to every Man what it is, by which he acquireth and holdeth a Propriety in Lands or Goods, and a Right or Liberty of Action; and these speak to all the Subjects. *Penal* are those, which declare what Penalty shall be inflicted on those that violate the Law; and speak to the Ministers and Officers ordained for Execution. For though every one ought to be informed of the Punishments ordained beforehand for their Transgression, nevertheless the Command is not addressed to the Delinquent (who cannot be supposed will faithfully punish himself) but to public Ministers appointed to see the Penalty executed. And these penal Laws are for the most part written together with the Laws distributive; and are sometimes called Judgments. For all Laws are general Judgments, or Sentences of the Legislator; as also every particular Judgment is a Law to him whose Case is judged.

Another Division of Law.

Divine positive Laws (for natural Laws being eternal and universal, are all divine) are those, which being the Commandments of God (not from all Eternity, nor universally addressed to all Men, but only to a certain People, or to certain Persons) are declared for such, by those whom God hath authorized to declare them. But this Authority of Man, to declare what be these positive Laws of God, how can it be known? God may command a Man by a supernatural way, to deliver Laws to other Men. But because it is of the Essence of Law, that he who is to be obliged, be assured of the Authority of him that declar-eth it, which we cannot naturally take notice to be from God, *How can a Man without supernatural Revelation be assured of the Revelations received, by the Declarer?* and, *how can he be bound to obey them?* For the first Question, how a Man can be assured of the Revelation of another, without a Revelation particularly to himself, it is evidently impossible: For though a Man may be induced to believe such Revelation, from the Miracles they see him do, or from seeing the extraordinary Sanctity of his Life, or from seeing the extraordinary Wisdom, or extraordinary Felicity of his Actions, all which are Marks of God's extraordinary Favour; yet they are not assured Evidences of special Revelation. Miracles are marvellous Works; but that which is marvellous to one, may not be so to another. Sanctity may be feigned; and the visible Felicities of this World, are most often the Work of God by natural and ordinary Causes. And therefore no Man can infallibly know by natural Reason, that another has had a supernatural Revelation of God's Will; but only a Belief; every one (as the Signs thereof shall appear greater or lesser) a firmer or a weaker Belief.

Divine positive Law, how made known to be Law.

But for the second, how he can be bound to obey them; it is not so hard. For if the Law declared be not against the Law of Nature, which is undoubtedly God's Law, and he undertake to obey it, he is bound by his own Act; bound I say to obey it, but not bound to believe it: for Men's Belief, and interior Cogitations, are not subject to the Commands, but only to the Operation of God, ordinary or extraordinary. Faith of supernatural Law, is not a fulfilling, but only an assenting to the same; and not a Duty that we exhibit to God, but a Gift which God freely giveth to whom he pleaseth; as also Unbelief is not a Breach of any of his Laws; but a Rejection of them all, except the Laws natural. But this that I say will be made yet clearer, by the Examples and Testimonies concerning this Point in holy Scripture. The

Covenant

PART II. Covenant God made with *Abraham* (in a supernatural manner) was thus, *This is the Covenant which thou shalt observe between me and thee, and thy Seed after thee.* *Abraham's* Seed had not this Revelation, nor were yet in being; yet they are a Party to the Covenant, and bound to obey what *Abraham* should declare to them for God's Law; which they could not be, but in virtue of the Obedience they owed to their Parents; who (if they be subject to no other earthly Power, as here in the Case of *Abraham*) have Sovereign Power over their Children and Servants. Again, where God saith to *Abraham*, *In thee shall all Nations of the Earth be blessed: For I know thou wilt command thy Children, and thy House after thee, to keep the Way of the Lord, and to observe Righteousness and Judgment*, it is manifest, the Obedience of his Family, who had no Revelation, depended on their former Obligation to obey their Sovereign. At Mount *Sinai* *Moses* only went up to God; the People were forbidden to approach on Pain of Death; yet were they bound to obey all that *Moses* declared to them for God's Law. Upon what Ground, but on this Submission of their own, *Speak thou to us, and we will hear thee; but let not God speak to us, lest we die?* By which two Places it sufficiently appeareth, that in a Commonwealth, a Subject that has no certain and assured Revelation particularly to himself concerning the Will of God, is to obey for such, the Command of the Commonwealth: for if Men were at Liberty to take for God's Commandments, their own Dreams and Fancies, or the Dreams and Fancies of private Men, scarce two Men would agree upon what is God's Commandment; and yet in respect of them, every Man will despise the Commandments of the Commonwealth. I conclude therefore, that in all things not contrary to the Moral Law, that is to say, to the Law of Nature, all Subjects are bound to obey that for Divine Law, which is declared to be so by the Laws of the Commonwealth. Which also is evident to any Man's Reason; for whatsoever is not against the Law of Nature, may be made Law in the Name of them that have the Sovereign Power; and there is no reason Men should be the less obliged by it, when 'tis propounded in the Name of God. Besides, there is no place in the World where Men are permitted to pretend other Commandments of God, than are declared for such by the Commonwealth. Christian States punish those that revolt from Christian Religion; and all other States, those that set up any Religion by them forbidden. For in whatsoever is not regulated by the Commonwealth, 'tis Equity (which is the Law of Nature, and therefore an eternal Law of God) that every Man equally enjoy his Liberty.

Another Division of Laws.

There is also another Distinction of Laws, into *fundamental*, and *not fundamental*: but I could never see in any Author, what a fundamental Law signifieth. Nevertheless one may very reasonably distinguish Laws in that manner.

A fundamental Law, what.

For a fundamental Law in every Commonwealth is that, which being taken away, the Commonwealth faileth, and is utterly dissolved; as a Building, whose Foundation is destroy'd. And therefore a fundamental Law is that, by which Subjects are bound to uphold whatsoever Power is given to the Sovereign, whether a Monarch, or a Sovereign Assembly, without which the Commonwealth cannot stand; such as is the Power of War and Peace, of Judicature, of Election of Officers, and of doing whatsoever he shall think necessary for the public Good. Not fundamental is that, the abrogating whereof, draweth not with it the Dissolution of the Commonwealth; such as are the Laws concerning Controversies between Subject and Subject. Thus much of the Division of Laws.

I find

I find the Words *Lex Civilis*, and *Jus Civile*, that is to say, *Law* and *Right Civil*, promiscuously used for the same Thing, even in the most learned Authors ; which nevertheless ought not to be so. For *Right* is *Liberty*, namely, that Liberty which the Civil Law leaves us : But *Civil Law* is an *Obligation* ; and takes from us the Liberty which the Law of Nature gave us. Nature gave a Right to every Man to secure himself by his own Strength, and to invade a suspected Neighbour, by Way of Prevention : but the Civil Law takes away that Liberty, in all Cases where the Protection of the Law may be safely staid for. Inasmuch as *Lex* and *Jus*, are as different as *Obligation* and *Liberty*.

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Difference
between Law
and Right:

Likewise *Laws* and *Charters* are taken promiscuously for the same Thing. Yet Charters are Donations of the Sovereign ; and not Laws, but Exemptions from Law. The Phrase of a Law is *Jubeo, Injuncto, I Command*, and *Enjoin* : the Phrase of a Charter is *Dedi, Concessi, I have Given, I have Granted* : but what is given or granted to a Man, is not forced upon him by a Law. A Law may be made to bind all the Subjects of a Commonwealth : a Liberty, or Charter, is only to one Man, or some one Part of the People. For to say all the People of a Commonwealth have Liberty in any Case whatsoever ; is to say, that in such Case, there hath been no Law made ; or else having been made, is now abrogated.

And between
a Law and a
Charter.

C H A P. XXVII.

Of CRIMES, EXCUSES, and EXTENUATIONS.

A *Sin*, is not only a Transgression of a Law, but also any Contempt of the Legislator. For such Contempt, is a Breach of all his Laws at once. And therefore may consist, not only in the Commission of a Fact, or in the Speaking of Words by the Laws forbidden, or in the Omission of what the Law commandeth, but also in the Intention, or Purpose to transgress. For the Purpose to break the Law, is some Degree of Contempt of him, to whom it belongeth to see it executed. To be delighted in the Imagination only of being possessed of another Man's Goods, Servants, or Wife, without any Intention to take them from him by Force or Fraud, is no Breach of the Law, that faith, *Thou shalt not covet* : nor is the Pleasure a Man may have in imagining, or dreaming of the Death of him, from whose Life he expecteth nothing but Damage and Displeasure, a Sin ; but the resolving to put some Act in Execution that tendeth thereto. For to be pleased in the Fiction of that, which would please a Man if it were real, is a Passion so adherent to the Nature both of Man and every other living Creature, as to make it a Sin, were to make Sin of being a Man. The Consideration of this, has made me think them too severe, both to themselves and others, that maintain, that the first Motions of the Mind, (though checked with the Fear of God) be Sins. But I confess it is safer to err on that hand, than on the other.

Sin, what.

A *Crime* is a Sin, consisting in the committing (by Deed or Word) of that which the Law forbiddeth, or the Omission of what it hath commanded. So that every Crime is a Sin ; but not every Sin a Crime. To intend to steal, or kill, is a Sin, though it never appear in Word or Fact ; for God that seeth the Thoughts of Man, can lay it to his

A Crime,
what.

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II.

Charge : but till it appear by something done, or said, by which the Intention may be argued by a human Judge, it hath not the Name of Crime : which Distinction the *Greeks* observed, in the Word *ἀμαρτία*, and *ἔγκλημα*, or *αἰτία* ; whereof the former, (which is translated *Sin*) signifieth any swerving from the Law whatsoever ; but the two latter, (which are translated *Crime*) signify that Sin only, whereof one Man may accuse another. But of Intentions, which never appear by any outward Act, there is no Place for human Accusation. In like Manner the *Latins* by *Peccatum*, which is *Sin*, signify all Manner of Deviation from the Law ; but by *Crimen*, (which Word they derive from *Cerno*, which signifies to perceive) they mean only such Sins, as may be made appear before a Judge ; and therefore are not mere Intentions.

Where no Civil Law is, there is no Crime.

From this Relation of Sin to the Law, and of Crime to the Civil Law, may be inferred, First, that where Law ceaseth, Sin ceaseth. But because the Law of Nature is eternal, Violation of Covenants, Ingratitude, Arrogance, and all Facts contrary to any moral Virtue, can never cease to be Sin. Secondly, That the Civil Law ceasing, Crimes cease : for there being no other Law remaining but that of Nature, there is no Place for Accusation ; every Man being his own Judge, and accused only by his own Conscience, and cleared by the Uprightness of his own Intention. When therefore his Intention is right, his Fact is no Sin : if otherwise, his Fact is Sin ; but not Crime. Thirdly, That when the Sovereign Power ceaseth, Crime also ceaseth : for where there is no such Power, there is no Protection to be had from the Law ; and therefore every one may protect himself by his own Power : for no Man in the Institution of Sovereign Power can be supposed to give away the Right of preserving his own Body ; for the Safety whereof all Sovereignty was ordained. But this is to be understood only of those that have not themselves contributed to the taking away of the Power that protected them : for that was a Crime from the Beginning.

Ignorance of the Law of Nature excuseth no Man.

The Source of every Crime, is some Defect of the Understanding ; or some Error in Reasoning ; or some sudden Force of the Passions. Defect in the Understanding, is *Ignorance* ; in Reasoning, *erroneous Opinion*. Again, Ignorance is of three Sorts ; of the *Law*, and of the *Sovereign*, and of the *Penalty*. Ignorance of the Law of Nature excuseth no Man ; because every Man that hath attained to the Use of Reason, is supposed to know, he ought not to do to another, what he would not have done to himself. Therefore into what Place soever a Man shall come, if he do any thing contrary to that Law, it is a Crime. If a Man come from the *Indies* hither, and persuade Men here to receive a new Religion, or teach them any thing that tendeth to Disobedience of the Laws of this Country, though he be never so well persuaded of the Truth of what he teacheth, he commits a Crime, and may be justly punished for the same, not only because his Doctrine is false, but also because he does that which he would not approve in another, namely, that coming from hence, he should endeavour to alter the Religion there. But Ignorance of the Civil Law, shall excuse a Man in a strange Country, till it be declared to him ; because, till then no Civil Law is binding.

Ignorance of the Civil Law excuseth sometimes.

In the like Manner, if the Civil Law of a Man's own Country, be not so sufficiently declared, as he may know it if he will ; nor the Action against the Law of Nature ; the Ignorance is a good Excuse : In other Cases, Ignorance of the Civil Law excuseth not.

Ignorance of the Sovereign Power excuseth not.

Ignorance of the Sovereign Power, in the Place of a Man's ordinary Residence, excuseth him not ; because he ought to take notice of the Power, by which he hath been protected there.

Ignorance of the Penalty, where the Law is declared, excuseth no Man: For in breaking the Law, which without a Fear of Penalty to follow, were not a Law, but vain Words, he undergoeth the Penalty, though he know not what it is; because, whosoever voluntarily doth any Action, accepteth all the known Consequences of it; but Punishment is a known Consequence of the Violation of the Laws, in every Commonwealth; which Punishment, if it be determined already by the Law, he is subject to that; if not, then he is subject to arbitrary Punishment. For it is Reason, that he which does Injury without other Limitation than that of his own Will, should suffer Punishment without other Limitation, than that of his Will whose Law is thereby violated.

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Ignorance of the Penalty excuseth not.

But when a Penalty is either annexed to the Crime in the Law itself, or hath been usually inflicted in the like Cases; there the Delinquent is excused from a greater Penalty. For the Punishment fore-known, if not great enough to deter Men from the Action, is an Invitement to it: because when Men compare the Benefit of their Injustice, with the Harm of their Punishment, by Necessity of Nature they chuse that which appeareth best for themselves: and therefore when they are punished more than the Law had formerly determined, or more than others were punished for the same Crime; it is the Law that tempted, and deceiveth them.

Punishments declared before the Fact, excuse from greater Punishments after it.

No Law made after a Fact done, can make it a Crime: because if the Fact be against the Law of Nature, the Law was before the Fact; and a positive Law cannot be taken Notice of before it be made; and therefore cannot be obligatory. But when the Law that forbiddeth a Fact, is made before the Fact be done; yet he that doth the Fact, is liable to the Penalty ordained after, in Case no lesser Penalty were made known before, neither by Writing, nor by Example, for the Reason immediately before alledged.

Nothing can be made a Crime by a Law made after the Fact.

From Defect in Reasoning, (that is to say, from Error) Men are prone to violate the Laws three Ways. First, by Presumption of false Principles: as when Men from having observed how in all Places, and in all Ages, unjust Actions have been authorized, by the Force and Victories of those who have committed them; and that potent Men, breaking through the Cob-web Laws of their Country, the weaker Sort, and those that have failed in their Enterprizes, have been esteemed the only Criminals; have thereupon taken for Principles, and Grounds of their Reasoning, *That Justice is but a vain Word: That whatsoever a Man can get by his own Industry, and Hazard, is his own: That the Practice of all Nations cannot be unjust: That Examples of former Times are good Arguments of doing the like again;* and many more of that Kind: Which being granted, no Act in itself can be a Crime, but be made so (not by the Law, but) by the Success of them that commit it; and the same Fact be virtuous or vicious, as Fortune pleaseth; so that what *Marius* makes a Crime, *Sylla* shall make meritorious, and *Cæsar* (the same Laws standing) turn again into a Crime, to the perpetual Disturbance of the Peace of the Commonwealth.

False Principles of Right and Wrong, Causes of Crime.

Secondly, By false Teachers, that either mis-interpret the Law of Nature, making it thereby repugnant to the Law Civil; or by teaching for Laws, such Doctrines of their own, or Traditions of former Times, as are inconsistent with the Duty of a Subject.

False Teachers mis-interpreting the Law of Nature.

Thirdly, By erroneous Inferences from true Principles; which happens commonly to Men that are hasty, and precipitate in concluding, and resolving what to do; such as are they that have both a great Opinion of their own Understanding, and believe that Things of this Nature require

And false Inferences from true Principles by Teachers.

PART require not Time and Study, but only common Experience and a good
 II. natural Wit; whereof no Man thinks himself unprovided: whereas the
 Knowledge of Right and Wrong, which is no less difficult, there is no
 Man will pretend to, without great and long Study. And of those De-
 fects in Reasoning, there is none that can excuse (though some of them
 may extenuate) a Crime, in any Man, that pretendeth to the Admini-
 stration of his own private Business; much less in them that undertake
 a public Charge; because they pretend to the Reason, upon the want
 whereof they would ground their Excuse.

By their
 Passions;

Of the Passions that most frequently are the Causes of Crime, one is
 Vain-glory, or a foolish over-rating of their own Worth; as if Diffe-
 rence of Worth were an Effect of their Wit, or Riches, or Blood, or
 some other natural Quality, not depending on the Will of those that
 have the Sovereign Authority. From whence proceedeth a Presumption
 that the Punishments ordained by the Laws, and extended generally to
 all Subjects, ought not to be inflicted on them, with the same Rigour
 they are inflicted on poor, obscure, and simple Men, comprehended
 under the Name of the *Vulgar*.

Presumption
 of Riches,

Therefore it happeneth commonly, that such as value themselves by
 the Greatness of their Wealth, adventure on Crimes, upon Hope of
 escaping Punishment, by corrupting public Justice, or obtaining Pardon
 by Money or other Rewards.

And Friends;

And that such as have Multitude of potent Kindred; and popular
 Men, that have gained Reputation amongst the Multitude, take Cou-
 rage to violate the Laws, from a Hope of oppressing the Power, to
 whom it belongeth to put them in Execution.

Wisdom.

And that such as have a great, and false Opinion of their own Wis-
 dom, take upon them to reprehend the Actions, and call in question
 the Authority of them that govern, and so to unsettle the Laws with
 their public Discourse, as that nothing shall be a Crime, but what their
 own Designs require should be so. It happeneth also to the same Men,
 to be prone to all such Crimes as consist in Craft, and in deceiving of
 their Neighbours; because they think their Designs are too subtle to be
 perceived. These, I say, are Effects of a false Presumption of their
 own Wisdom. For of them that are the first Movers in the Distur-
 bance of Commonwealth (which can never happen without a Civil War)
 very few are left alive long enough to see their new Designs established:
 so that the Benefit of their Crimes redoundeth to Posterity, and such as
 would least have wished it: which argues they were not so wise as
 they thought they were. And those that deceive upon Hope of not be-
 ing observed, do commonly deceive themselves, (the Darkness in which
 they believe they lie hidden, being nothing else but their own Blind-
 ness;) and are no wiser than Children, that think all hid by hiding
 their own Eyes.

And generally all vain-glorious Men, unless they be withal timorous,
 are subject to Anger; as being more prone than others to interpret for
 Contempt, the ordinary Liberty of Conversation: And there are few
 Crimes that may not be produced by Anger.

Hatred, Lust,
 Ambition,
 Covetous-
 ness, Causes
 of Crime.

As for the Passions of Hate, Lust, Ambition, and Covetousness, what
 Crimes they are apt to produce, is so obvious to every Man's Expe-
 rience and Understanding, as there needeth nothing to be said of them,
 saving that they are Infirmities, so annexed to the Nature of Man and
 all other living Creatures, as that their Effects cannot be hinder'd, but
 by extraordinary Use of Reason, or a constant Severity in punishing
 them. For in those Things Men hate, they find a continual and una-
 voidable Molestation; whereby either a Man's Patience must be ever-

lasting,

lasting, or he must be eased by removing the Power of that which molesteth him: The former is difficult; the latter is many times impossible, without some Violation of the Law. Ambition and Covetousness, are Passions also that are perpetually incumbent and pressing; whereas Reason is not perpetually present to resist them: and therefore whensoever the Hope of Impunity appears, their Effects proceed. And for Lust, what it wants in the Lasting, it hath in the Vehemence, which sufficeth to weigh down the Apprehension of all easy, or uncertain Punishments.

Of all Passions, that which inclineth Men least to break the Laws, is Fear. Nay, excepting some generous Natures, it is the only Thing, (when there is Apparance of Profit or Pleasure by breaking the Laws) that makes Men keep them. And yet in many Cafes a Crime may be committed through Fear.

Fear sometimes Cause of Crime, as when the Danger is neither present, nor corporeal.

For not every Fear justifies the Action it produceth, but the Fear only of corporeal Hurt, which we call *bodily Fear*, and from which a Man cannot see how to be delivered, but by the Action. A Man is assaulted, fears present Death, from which he sees not how to escape, but by wounding him that assaulteth him; if he wound him to Death, this is no Crime; because no Man is supposed at the making of a Commonwealth, to have abandoned the Defence of his Life or Limbs, where the Law cannot arrive time enough to his Assistance. But to kill a Man, because from his Actions or his Threatnings, I may argue he will kill me when he can (seeing I have Time and Means to demand Protection from the Sovereign Power) is a Crime. Again, a Man receives Words of Disgrace, or some little Injuries (for which they that made the Laws had assigned no Punishment, nor thought it worthy of a Man that hath the Use of Reason to take notice of) and is afraid, unless he revenge it, he shall fall into Contempt, and consequently be obnoxious to the like Injuries from others; and to avoid this breaks the Law, and protects himself for the future, by the Terror of his private Revenge: This is a Crime: For the Hurt is not corporeal but phantastical, and (though in this Corner of the World, made sensible by a Custom not many Years since begun, amongst young and vain Men) so light, as a gallant Man, and one that is assured of his own Courage, cannot take notice of. Also a Man may stand in Fear of Spirits, either through his own Superstition, or through too much Credit given to other Men, that tell him of strange Dreams and Visions; and thereby be made believe they will hurt him for doing, or omitting divers Things, which nevertheless to do, or omit, is contrary to the Laws; and that which is so done, or omitted, is not to be excused by this Fear; but is a Crime. For, as I have shewn before in the second Chapter, Dreams be naturally but Fancies remaining in Sleep, after the Impressions our Senses had formerly received waking; and when Men are by any Accident unassured they have slept, seem to be real Visions; and therefore he that presumes to break the Law upon his own, or another's Dream, or pretended Vision, or upon other Fancy of the Power of invisible Spirits, than is permitted by the Commonwealth, leaveth the Law of Nature, which is a certain Offence, and followeth the Imagery of his own, or another private Man's Brain, which he can never know whether it signifieth any thing or nothing, nor whether he that tells his Dream, say true or lye; which if every private Man should have Leave to do (as they must by the Law of Nature, if any one have it) there could no Law be made to hold, and so all Commonwealth would be dissolved.

From these different Sources of Crimes it appears already, that all Crimes are not (as the Stoics of old Time maintained) of the same Allay.

Crimes not equal.

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II.

There is Place not only for *Excuse*, by which that which seemed a Crime, is proved to be none at all; but also for *Extenuation*, by which the Crime, that seemed great, is made less. For though all Crimes do equally deserve the Name of Injustice, as all Deviation from a straight Line is equally Crookedness, which the Stoics rightly observed; yet it does not follow that all Crimes are equally unjust, no more than that all crooked Lines are equally crooked; which the Stoics not observing, held it as great a Crime to kill a Hen, against the Law, as to kill one's Father.

Total Ex-
cuses.

That which totally excuseth a Fact, and takes away from it the Nature of a Crime, can be none but that, which at the same time taketh away the Obligation of the Law. For the Fact committed once against the Law, if he that committed it be obliged to the Law, can be no other than a Crime.

The Want of Means to know the Law, totally excuseth: For the Law whereof a Man has no Means to inform himself, is not obligatory. But the Want of Diligence to enquire, shall not be considered as a Want of Means; nor shall any Man, that pretendeth to Reason enough for the Government of his own Affairs, be supposed to want Means to know the Laws of Nature; because they are known by the Reason he pretends to: only Children and Madmen are excused from Offences against the Law natural.

Where a Man is Captive, or in the Power of the Enemy (and he is then in the Power of the Enemy, when his Person or his Means of Living is so) if it be without his own Fault, the Obligation of the Law ceaseth; because he must obey the Enemy, or die; and consequently such Obedience is no Crime; for no Man is obliged, when the Protection of the Law faileth, not to protect himself, by the best Means he can.

If a Man by the Terror of present Death, be compelled to do a Fact against the Law, he is totally excused; because no Law can oblige a Man to abandon his own Preservation. And supposing such a Law were obligatory, yet a Man would reason thus: *If I do it not, I die presently; if I do it, I die afterwards; therefore by doing it, there is Time of Life gained*: Nature therefore compels him to the Fact.

When a Man is destitute of Food, or other thing necessary for his Life, and cannot preserve himself any other Way but by some Fact against the Law; as if in a great Famine he take the Food by Force or Stealth, which he cannot obtain for Money nor Charity; or in Defence of his Life, snatch away another Man's Sword, he is totally excused for the Reason next before alledged.

Excuses a-
gainst the
Author.

Again, Facts done against the Law by the Authority of another, are by that Authority excused against the Author; because no Man ought to accuse his own Fact in another, that is but his Instrument: but it is not excused against a third Person thereby injured; because in Violation of the Law, both the Author and Actor are Criminals. From hence it followeth, that when that Man, or Assembly, that hath the Sovereign Power, commandeth a Man to do that which is contrary to a former Law, the doing of it is totally excused: for he ought not to condemn it himself, because he is the Author; and what cannot justly be condemned by the Sovereign, cannot justly be punished by any other. Besides, when the Sovereign commandeth any thing to be done against his own former Law, the Command, as to that particular Fact, is an Abrogation of the Law.

If that Man, or Assembly, that hath the Sovereign Power, disclaim any Right essential to the Sovereignty, whereby there accrueth to the Subject any Liberty inconsistent with the Sovereign Power, that is to say, with the very Being of a Commonwealth; if the Subject shall refuse to obey the Command in any thing, contrary to the Liberty granted, this is nevertheless a Sin, and contrary to the Duty of the Subject: for he ought to take notice of what is inconsistent with the Sovereignty, because it was erected by his own Consent, and for his own Defence; and that such Liberty as is inconsistent with it, was granted through Ignorance of the evil Consequence thereof. But if he not only disobey, but also resist a public Minister in the Execution of it, then it is a Crime; because he might have been righted, without any Breach of the Peace, upon Complaint.

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XXVII.

The Degrees of Crime are taken on divers Scales, and measured, First, by the Malignity of the Source or Cause: Secondly, by the Contagion of the Example: Thirdly, by the Mischief of the Effect: and Fourthly, by Concurrence of Times, Places, and Persons.

The same Fact done against the Law, if it proceed from Prefumption of Strength, Riches, or Friends to resist those that are to execute the Law, is a greater Crime, than if it proceed from Hope of not being discovered, or of Escape by Flight: For Prefumption of Impunity by Force, is a Root, from whence springeth at all Times, and upon all Temptations, a Contempt of all Laws; whereas in the latter Case, the Apprehension of Danger, that makes a Man fly, renders him more obedient for the future. A Crime which we know to be so, is greater than the same Crime proceeding from a false Persuasion that it is lawful: For he that committeth it against his own Conscience, presumeth on his own Force, or other Power, which encourages him to commit the same again: but he that doth it by Error, after the Error shewn him, is conformable to the Law. Prefumption of Power aggravateth.

He, whose Error proceeds from the Authority of a Teacher, or an Interpreter of the Law publicly authorized, is not so faulty as he whose Error proceedeth from a peremptory Pursuit of his own Principles, and Reasoning: For what is taught by one that teacheth by public Authority, the Commonwealth teacheth, and hath a Resemblance of Law, till the same Authority controuleth it; and in Crimes that contain not in them a Denial of the Sovereign Power, nor are against an evident Law, excuseth totally: whereas he that groundeth his Actions on his private Judgment, ought according to the Rectitude or Error thereof to stand or fall.

Evil Teachers, extenuate.

The same Fact, if it have been constantly punished in other Men, is a greater Crime, than if there had been many precedent Examples of Impunity. For those Examples are so many Hopes of Impunity, given by the Sovereign himself: And because he which furnishes a Man with such a Hope and Presumption of Mercy, as encourageth him to offend, hath his Part in the Offence; he cannot reasonably charge the Offender with the Whole.

Examples of Impunity, extenuate.

A Crime arising from a sudden Passion, is not so great as when the same ariseth from long Meditation: For in the former Case there is a Place for Extenuation, in the common Infirmity of human Nature: but he that doth it with Premeditation, has used Circumspection, and cast his Eye on the Law, on the Punishment, and on the Consequence thereof to human Society; all which in committing the Crime, he hath contemned, and postponed to his own Appetite. But there is no Suddenness of Passion sufficient for a total Excuse: For

Premeditation, aggravateth.

or

PART all the Time between the first knowing of the Law, and the Commission of the Fact, shall be taken for a Time of Deliberation; because he ought by the Meditation of the Law, to rectify the Irregularity of his Passions.

Where the Law is publicly, and with Assiduity, before all the People read, and interpreted; a Fact done against it, is a greater Crime, than where Men are left without such Instruction, to enquire of it with Difficulty, Uncertainty, and Interruption of their Callings, and to be informed by private Men: for in this Case, Part of the Fault is discharged upon common Infirmary; but in the former there is apparent Negligence, which is not without some Contempt of the Sovereign Power.

Tacit Approbation of the Sovereign, extends.

Those Facts which the Law expressly condemneth, but the Law-maker by other manifest Signs of his Will tacitly approveth, are less Crimes, than the same Facts, condemned both by the Law, and Law-maker. For seeing the Will of the Law-maker is a Law, there appear in this Case two contradictory Laws; which would totally excuse, if Men were bound to take notice of the Sovereign's Approbation, by other Arguments, than are expressed by his Command. But because there are Punishments consequent, not only to the Transgression of his Law, but also to the observing of it, he is in part a Cause of the Transgression, and therefore cannot reasonably impute the whole Crime to the Delinquent. For Example, the Law condemneth Duels; the Punishment is made capital: On the contrary Part, he that refuseth Duel, is subject to Contempt and Scorn, without Remedy; and sometimes by the Sovereign himself thought unworthy to have any Charge or Preferment in War: If thereupon he accept Duel, considering all Men lawfully endeavour to obtain the good Opinion of them that have the Sovereign Power, he ought not in Reason to be rigorously punished; seeing Part of the Fault may be discharged on the Punisher: which I say, not as wishing Liberty of private Revenges, or any other Kind of Disobedience; but a Care in Governors, not to countenance any Thing obliquely, which directly they forbid. The Examples of Princes to those that see them, are, and ever have been more potent to govern their Actions, than the Laws themselves. And though it be our Duty to do, not what they do, but what they say; yet will that Duty never be performed, till it please God to give Men an extraordinary, and supernatural Grace to follow that Precept.

Comparifon of Crimes from their Effects.

Again, if we compare Crimes by the Mischief of their Effects, First, the same Fact, when it redounds to the Damage of many, is greater than when it redounds to the Hurt of few. And therefore, when a Fact hurteth, not only in the present, but also, (by Example) in the future, it is a greater Crime than if it hurt only in the present: for the former is a fertile Crime, and multiplies to the Hurt of many; the latter is barren. To maintain Doctrines contrary to the Religion established in the Commonwealth, is a greater Fault, in an authorized Preacher, than in a private Person: so also is it, to live prophanely, incontinently, or do any irreligious Act whatsoever. Likewise in a Professor of the Law, to maintain any Point, or do any Act, that tendeth to the weakening of the Sovereign Power, is a greater Crime, than in another Man: also in a Man that hath such Reputation for Wisdom, as that his Counsels are followed, or his Actions imitated by many, his Fact against the Law, is a greater Crime than the same Fact in another: For such Men not only commit Crime, but teach it for Law to all other Men. And generally all Crimes are the greater, by the Scandal they give; that is to say, by becoming Stumbling-blocks to the weak, that look not so much

much upon the Way they go in, as upon the Light that other Men carry before them.

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Also Facts of Hostility against the present State of the Commonwealth, are greater Crimes, than the same Acts done to private Men: For the Damage extends itself to all: such are the betraying of the Strengths, or revealing of the Secrets of the Commonwealth to an Enemy; also all Attempts upon the Representative of the Commonwealth, be it a Monarch, or an Assembly; and all Endeavours by Word, or Deed, to diminish the Authority of the same, either in the present Time, or in Succession: which Crimes the *Latins* understand by *Crimina læsæ Majestatis*, and consist in Design or Act, contrary to a fundamental Law.

Læsæ Majestatis.

Likewise those Crimes which render Judgments of no Effect, are greater Crimes, than Injuries done to one, or a few Persons; as to receive Money to give false Judgment, or Testimony, is a greater Crime, than otherwise to deceive a Man of the like, or a greater Sum; because not only he has Wrong, that falls by such Judgments; but all Judgments are rendered useless, and Occasion ministered to Force, and private Revenges.

Bribery and false Testimony.

Also Robbery, and Depeculation of the public Treasure, or Revenues, is a greater Crime, than the robbing or defrauding of a private Man; because to rob the public, is to rob many at once.

Depeculation.

Also the Counterfeit Usurpation of public Ministry, the counterfeiting of public Seals, or public Coin, than counterfeiting of a private Man's Person, or his Seal; because the Fraud thereof extendeth to the Damage of many.

Counterfeiting Authority.

Of Facts against the Law, done to private Men, the greater Crime is that, where the Damage in the common Opinion of Men is most sensible. And therefore

Crimes against private Men compared.

To kill against the Law, is a greater Crime, than any other Injury, Life preserved.

And to kill with Torment, greater, than simply to kill.

And Mutilation of a Limb, greater, than the spoiling a Man of his Goods.

And the spoiling a Man of his Goods, by Terror of Death, or Wounds, than by clandestine Surreption.

And by clandestine Surreption, than by Consent fraudulently obtained.

And the Violation of Chastity by Force, greater, than by Flattery.

And of a Woman married, than of a Woman not married.

For all these Things are commonly so valued; though some Men are more, and some less sensible of the same Offence. But the Law regardeth not the particular, but the general Inclination of Mankind.

And therefore the Offence Men take, from Contumely, in Words or Gesture, when they produce no other Harm, than the present Grief of him that is reproached, hath been neglected in the Laws of the *Greeks*, *Romans*, and other both antient and modern Commonwealths; supposing the true Cause of such Grief to consist, not in the Contumely, (which takes no Hold upon Men conscious of their own Virtue) but in the Pusillanimity of him that is offended by it.

Also a Crime against a private Man, is much aggravated by the Person, Time, and Place. For to kill one's Parent, is a greater Crime than to kill another: for the Parent ought to have the Honour of a Sovereign, (though he have surrendered his Power to the Civil Law) because he had it originally by Nature. And to rob a poor Man, is a greater Crime than to rob a rich Man; because 'tis to the poor a more sensible Damage.

And a Crime committed in the Time, or Place appointed for Devotion, is greater, than if committed at another Time or Place : for it proceeds from a greater Contempt of the Law.

Many other Cafes of Aggravation, and Extenuation, might be added : by these I have set down, it is obvious to every Man, to take the Altitude of any other Crime proposed.

Public
Crimes,
what.

Lastly, because in almost all Crimes there is an Injury done, not only to some private Men, but also to the Commonwealth ; the same Crime, when the Accusation is in the Name of the Commonwealth, is called a public Crime ; and when in the Name of a private Man, a private Crime ; and the Pleas according thereunto called Public, *Judicia Publica*, Pleas of the Crown ; or private Pleas. As in an Accusation of Murder, if the Accuser be a private Man, the Plea is a private Plea ; if the Accuser be the Sovereign, the Plea is a public Plea.

C H A P. XXVIII.

Of PUNISHMENTS, and REWARDS.

The Definition
of Punishment.

A *Punishment, is an Evil inflicted by public Authority, on him that hath done, or omitted that which is judged by the same Authority to be a Transgression of the Law ; to the end that the Will of Men may thereby the better be disposed to Obedience.*

Right to punish,
whence derived.

Before I infer any thing from this Definition, there is a Question to be answered of much Importance ; which is, by what Door the Right, or Authority of punishing in any Case, came in. For by that which has been said before, no Man is supposed bound by Covenant, not to resist Violence ; and consequently it cannot be intended, that he gave any Right to another to lay violent Hands upon his Person. In the making of a Commonwealth, every Man giveth away the Right of defending another ; but not of defending himself. Also he obligeth himself to assist him that hath the Sovereignty, in the punishing of another ; but of himself not. But to covenant to assist the Sovereign, in doing Hurt to another, unless he that covenanteth have a Right to do it himself, is not to give him a Right to punish. It is manifest therefore that the Right which the Commonwealth (that is, he, or they that represent it) hath to punish, is not grounded on any Concession or Gift of the Subjects. But I have also shewed formerly, that before the Institution of Commonwealth, every Man had a Right to every Thing, and to do whatsoever he thought necessary to his own Preservation ; subduing, hurting, or killing any Man in order thereunto. And this is the Foundation of that Right of punishing, which is exercised in every Commonwealth. For the Subjects did not give the Sovereign that Right ; but only in laying down theirs, strengthened him to use his own, as he should think fit, for the Preservation of them all : so that it was not given, but left to him, and to him only ; and (excepting the Limits set him by natural Law) as entire, as in the Condition of mere Nature, and of War of every one against his Neighbour.

Private Injuries,
and Revenges
no Punishments.

From the Definition of Punishment, I infer, First, that neither private Revenges, nor Injuries of private Men, can properly be stiled Punishment ; because they proceed not from public Authority.

Secondly,

Secondly, That to be neglected, and unpreferred by the public Fa-
 vour, is not a Punishment; because no Evil is thereby on any Man
 inflicted; he is only left in the Estate he was in before.

Thirdly, That the Evil inflicted by public Authority, without pre-
 cedent public Condemnation, is not to be stiled by the Name of Pu-
 nishment; but of an hostile Act; because the Fact for which a Man is
 punished, ought first to be judged by public Authority, to be a Trans-
 gression of the Law.

Fourthly, That the Evil inflicted by usurped Power, and Judges
 without Authority from the Sovereign, is not Punishment; but an Act
 of Hostility; because the Acts of Power usurped, have not for Author,
 the Person condemned; and therefore are not Acts of public Au-
 thority.

Fifthly, That all Evil which is inflicted without Intention, or Possi-
 bility of disposing the Delinquent, or (by his Example) other Men, to
 obey the Laws, is not Punishment; but an Act of Hostility; because
 without such an End, no Hurt done is contained under that Name.

Sixthly, Whereas to certain Actions, there be annexed by Nature,
 divers hurtful Consequences; as when a Man in assaulting another, is
 himself slain, or wounded; or when he falleth into Sicknefs by the doing
 of some unlawful Act; such Hurt, though in respect of God, who is
 the Author of Nature, it may be said to be inflicted, and therefore a
 Punishment divine; yet it is not contained in the Name of Punish-
 ment in respect of Men, because it is not inflicted by the Authority of
 Man.

Seventhly, If the Harm inflicted be less than the Benefit, or Con-
 tentment that naturally followeth the Crime committed, that Harm is
 not within the Definition; and is rather the Price, or Redemption, than
 the Punishment of a Crime: Because it is of the Nature of Punishment,
 to have for End, the disposing of Men to obey the Law; which End
 (if it be less than the Benefit of the Transgression) it attaineth not, but
 worketh a contrary Effect.

Eighthly, If a Punishment be determined and prescribed in the Law
 itself, and after the Crime committed, there be a greater Punishment in-
 flicted, the Excess is not Punishment, but an Act of Hostility. For
 seeing the Aim of Punishment is not a Revenge, but Terror; and the
 Terror of a great Punishment unknown, is taken away by the Decla-
 ration of a less, the unexpected Addition is no part of the Punishment.
 But where there is no Punishment at all determined by the Law, there
 whatsoever is inflicted, hath the Nature of Punishment. For he that
 goes about the Violation of a Law, wherein no Penalty is determined,
 expecteth an indeterminate, that is to say, an arbitrary Punishment.

Ninthly, Harm inflicted for a Fact done before there was a Law that
 forbid it, is not Punishment, but an Act of Hostility: For before the
 Law, there is no Transgression of the Law: But Punishment supposeth
 a Fact judged, to have been a Transgression of the Law; therefore
 Harm inflicted before the Law made, is not Punishment, but an Act of
 Hostility.

Tenthly, Hurt inflicted on the Representative of the Commonwealth,
 is not Punishment, but an Act of Hostility: Because it is of the Nature
 of Punishment, to be inflicted by public Authority, which is the Autho-
 rity only of the Representative itself.

Lastly, Harm inflicted upon one that is a declared Enemy, falls not
 under the Name of Punishment: Because seeing they were either never
 subject to the Law, and therefore cannot transgress it; or having been
 subject to it, and professing to be no longer so, by Consequence deny they

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Nor Denial
of Prefer-
ment:

Nor Pain in-
flicted with-
out public
Hearing:

Nor Pain in-
flicted by u-
surped Pow-
er:

Nor Pain in-
flicted with-
out Respect
to the future
Good.

Natural Evil
Conse-
quences, no
Punishments.

Hurt inflict-
ed, if less
than the Be-
nefit of trans-
gression, is
not Punish-
ment.

Where the
Punishment
is annexed to
the Law, a
greater Hurt
is not Pu-
nishment,
but Hostility.

Hurt in-
flicted for a
Fact done be-
fore the Law,
no Punish-
ment.

The Repre-
sentative of
the Com-
monwealth
unpunish-
able.

Hurt to re-
volted Sub-
jects is done
by Right of
War, not by
Way of Pu-
cannishment.

PART II. can transgress it, all the Harms that can be done them, must be taken as Acts of Hostility. But in declared Hostility, all Infliction of Evil is lawful. From whence it followeth, that if a Subject shall by Fact or Word, wittingly and deliberately, deny the Authority of the Representative of the Commonwealth, (whatsoever Penalty hath been formerly ordained for Treason) he may lawfully be made to suffer whatsoever the Representative will: For in denying Subjection, he denies such Punishment as by the Law hath been ordained; and therefore suffers as an Enemy of the Commonwealth; that is, according to the Will of the Representative. For the Punishments set down in the Law, are to Subjects, not to Enemies; such as are they, that having been by their own Act Subjects, deliberately revolting, deny the Sovereign Power.

The first, and most general Distribution of Punishments, is into *Divine* and *Human*. Of the former I shall have Occasion to speak in a more convenient Place hereafter.

Human, are those Punishments that be inflicted by the Commandment of Man; and are either *Corporal*, or *Pecuniary*, or *Ignominy*, or *Imprisonment*, or *Exile*, or mixt of these.

Punishments Corporal. *Corporal Punishment* is that, which is inflicted on the Body directly, and according to the Intention of him that inflicteth it: such as are Stripes, and Wounds, or Deprivation of such Pleasures of the Body, as were before lawfully enjoy'd.

Capital. And of these, some be *capital*, some *less* than *capital*. Capital is the Infliction of Death; and that either simply, or with Torment. Less than capital, are Stripes, Wounds, Chains, and any other corporal Pain, not in its own Nature mortal. For if upon the Infliction of a Punishment Death follow not in the Intention of the Inflicter, the Punishment is not to be esteemed capital, though the Harm prove mortal by an Accident not to be foreseen; in which Case Death is not inflicted, but hastened.

Pecuniary Punishment, is that which consisteth not only in the Deprivation of a Sum of Money, but also of Lands, or any other Goods which are usually bought and sold for Money. And in case the Law, that ordaineth such a Punishment, be made with Design to gather Money from such as shall transgress the same, it is not properly a Punishment, but the Price of Privilege, and Exemption from the Law, which doth not absolutely forbid the Fact, but only to those that are not able to pay the Money: except where the Law is natural, or Part of Religion; for in that Case, it is not an Exemption from the Law, but a Transgression of it. As where a Law exacteth a pecuniary Mulct of them that take the Name of God in vain, the Payment of the Mulct is not the Price of a Dispensation to swear, but the Punishment of the Transgression of a Law undispensable. In like manner if the Law impose a Sum of Money to be paid to him that has been injured, this is but a Satisfaction of the Hurt done him, and extinguisheth the Accusation of the Party injured, not the Crime of the Offender.

Ignominy. *Ignominy*, is the Infliction of such Evil as is made dishonourable; or the Deprivation of such Good, as is made honourable by the Commonwealth. For there be some Things honourable by Nature; as the Effects of Courage, Magnanimity, Strength, Wisdom, and other Abilities of Body and Mind: Others made honourable by the Commonwealth; as Badges, Titles, Offices, or any other singular Mark of the Sovereign's Favour. The former, though they may fail by Nature or Accident, cannot be taken away by a Law; and therefore the Loss of them is not Punishment. But the latter may be taken away by the public Authority that made them honourable, and are properly Punishments: Such

Such are degrading Men condemned, of their Badges, Titles, and Offices; or declaring them incapable of the like in Time to come. CHAP. XXVIII.

Imprisonment, is when a Man is by public Authority deprived of Liberty; and may happen from two divers Ends; whereof one is the safe Custody of a Man accused, the other is the inflicting of Pain on a Man condemned. The former is not Punishment; because no Man is supposed to be punished before he be judicially heard, and declared guilty. And therefore whatsoever Hurt a Man is made to suffer by Bonds or Restraint, before his Cause be heard, over and above that which is necessary to assure his Custody, is against the Law of Nature. But the latter is Punishment, because Evil, and inflicted by public Authority, for somewhat that has by the same Authority been judged a Transgression of the Law. Under this Word Imprisonment, I comprehend all Restraint of Motion, caused by an external Obstacle, be it a House, which is called by the general Name of a Prison; or an Island, as when Men are said to be confined to it; or a Place where Men are set to work, as in old Time Men have been condemned to Quarries, and in these Times to Gallies; or be it a Chain, or any other such Impediment.

Exile, [Banishment] is when a Man is for a Crime condemned to depart out of the Dominion of the Commonwealth, or out of a certain Part thereof; and during a prefixed Time, or for ever, not to return into it: and seemeth not in its own Nature, without other Circumstances, to be a Punishment; but rather an Escape, or a public Commandment to avoid Punishment by Flight. And *Cicero* says, there was never any such Punishment ordained in the City of *Rome*; but calls it a Refuge of Men in Danger. For if a Man banished, be nevertheless permitted to enjoy his Goods, and the Revenue of his Lands, the mere Change of Air is no Punishment; nor does it tend to that Benefit of the Commonwealth, for which all Punishments are ordained, that is to say, to the forming of Men's Wills to the Observation of the Law; but many times to the Damage of the Commonwealth. For a banished Man, is a lawful Enemy of the Commonwealth that banished him; as being no more a Member of the same. But if he be withal deprived of his Lands or Goods, then the Punishment lieth not in the Exile, but is to be reckoned amongst Punishments pecuniary.

All Punishments of innocent Subjects, be they great or little, are against the Law of Nature: For Punishment is only for Transgression of the Law, and therefore there can be no Punishment of the Innocent. It is therefore a Violation, first, of the Law of Nature, which forbiddeth all Men, in their Revenges, to look at any thing but some future Good: For there can arrive no Good to the Commonwealth by punishing the Innocent. Secondly, of that, which forbiddeth Ingratitude: For seeing all Sovereign Power is originally given by the Consent of every one of the Subjects, to the End they should, as long as they are obedient, be protected thereby; the Punishment of the Innocent, is a rendering of Evil for Good. And thirdly, of the Law that commandeth Equity; that is to say, an equal Distribution of Justice; which in punishing the Innocent is not observed.

But the Infliction of what Evil soever, on an innocent Man, that is not a Subject, if it be for the Benefit of the Commonwealth, and without Violation of any former Covenant, is no Breach of the Law of Nature. For all Men that are not Subjects, are either Enemies, or else they have ceased from being so, by some precedent Covenants. But against Enemies, whom the Commonwealth judgeth capable to do them Hurt, it is lawful by the original Right of Nature to make War; wherein the Sword judgeth not, nor doth the Victor make Distinction

PART of Nocent and Innocent, as to the Time past; nor has other Respect
 II. of Mercy, than as it conduceth to the Good of his own People. And
 upon this Ground it is, that also in Subjects, who deliberately deny the
 Authority of the Commonwealth established, the Vengeance is lawfully
 extended, not only to the Fathers, but also to the third and fourth Ge-
 neration not yet in being, and consequently innocent of the Fact for
 which they are afflicted: because the Nature of this Offence consisteth
 in the renouncing of Subjection; which is a Relapse into the Condition of
 War, commonly called Rebellion; and they that so offend, suffer not as
 Subjects, but as Enemies. For *Rebellion* is but War renewed.

Nor that
 which is done
 to declared
 Rebels.

Reward, is
 either Salary
 or Grace.

Reward, is either of *Gift*, or by *Contract*. When by *Contract*, it is
 called *Salary*, and *Wages*; which is Benefit due for Service performed or
 promised. When of *Gift*, it is Benefit proceeding from the *Grace* of
 them that bestow it, to encourage, or enable Men to do them Service.
 And therefore when the Sovereign of a Commonwealth appointeth a
 Salary to any public Office, he that receiveth it, is bound in Justice to
 perform his Office; otherwise, he is bound only in Honour to Acknow-
 ledgment, and an Endeavour of Requitall. For though Men have no
 lawful Remedy, when they be commanded to quit their private Busi-
 ness to serve the Public, without Reward or Salary; yet they are not
 bound thereto by the Law of Nature, nor by the Institution of the
 Commonwealth, unless the Service cannot otherwise be done; because
 it is supposed the Sovereign may make use of all their Means, in-
 fomuch as the most common Soldier may demand the Wages of his
 Warfare as a Debt.

Benefits be-
 stowed for
 Fear, are not
 Rewards.

The Benefits which a Sovereign bestoweth on a Subject, for Fear of
 some Power and Ability he hath to do Hurt to the Commonwealth, are
 not properly Rewards, for they are not Salaries; because there is in this
 Case no *Contract* supposed, every Man being obliged already not to do
 the Commonwealth Disservice: nor are they *Graces*, because they be
 extorted by Fear, which ought not to be incident to the Sovereign Power:
 but are rather *Sacrifices*, which the Sovereign (considered in his natural
 Person, and not in the Person of the Commonwealth) makes, for the
 appeasing the Discontent of him he thinks more potent than himself;
 and encourage not to Obedience, but on the contrary, to the Continuance
 and Increasing of further Extortion.

Salaries, cer-
 tain and ca-
 sual.

And whereas some Salaries are certain, and proceed from the public
 Treasure; and others uncertain, and casual, proceeding from the Execu-
 tion of the Office for which the Salary is ordain'd; the latter is in some
 Cases hurtful to the Commonwealth; as in the Case of Judicature.
 For where the Benefit of the Judges, and Ministers of a Court of Ju-
 stice, ariseth from the Multitude of Causes that are brought to their
 Cognifance, there must needs follow two Inconveniences: One, is the
 nourishing of Suits; for the more Suits, the greater Benefit: and ano-
 ther that depends on that, which is Contention about Jurisdiction; each
 Court drawing to itself as many Causes as it can. But in Offices of
 Execution there are not those Inconveniences; because their Employ-
 ment cannot be increased by any Endeavour of their own. And thus
 much shall suffice for the Nature of Punishment, and Reward; which
 are, as it were, the Nerves and Tendons that move the Limbs and Joints
 of a Commonwealth.

Hitherto I have set forth the Nature of Man (whose Pride and other
 Passions have compelled him to submit himself to Government) toge-
 ther with the great Power of his Governor, whom I compared to *Le-
 viathan*, taking that Comparison out of the two last Verses of the
 forty-first Chapter of *Job*; where God having set forth the great Power
 of

of *Leviathan*, calleth him King of the Proud. *There is nothing, saith he, on Earth to be compared with him. He is made so as not to be afraid. He seeth every high Thing below him; and is King of all the Children of Pride.* But because he is mortal, and subject to Decay, as all other earthly Creatures are; and because there is that in Heaven (though not on Earth) that he should stand in Fear of, and whose Laws he ought to obey; I shall in the next following Chapters speak of his Diseases, and the Causes of his Mortality; and of what Laws of Nature he is bound to obey.

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CHAP. XXIX.

Of those Things that weaken, or tend to the DISSOLUTION of a Commonwealth.

THOUGH nothing can be immortal, which Mortals make; yet, if Men had the Use of Reason they pretend to, their Commonwealths might be secured, at least, from perishing by internal Diseases. For by the Nature of their Institution, they are designed to live as long as Mankind, or as the Laws of Nature, or as Justice itself, which gives them Life. Therefore when they come to be dissolved, not by external Violence, but intestine Disorder, the Fault is not in Men, as they are the *Matter*; but as they are the *Makers*, and Orderers of them. For Men, as they become at last weary of irregular juggling and hewing one another, and desire with all their Hearts to conform themselves into one firm and lasting Edifice; so for Want, both of making fit Laws to square their Actions by, and also of Humility and Patience, to suffer the rude and cumbersome Points of their present Greatness to be taken off, they cannot without the Help of a very able Architect, be compiled into any other than a crazy Building, such as hardly lasting out their own Time, must assuredly fall upon the Heads of their Posterity.

Diffolution of Commonwealths proceedeth from their imperfect Institution.

Amongst the *Infirmities* therefore of a Commonwealth, I will reckon in the first Place, those that arise from an imperfect Institution, and resemble the Diseases of a natural Body, which proceed from a defective Procreation.

Of which, this is one, *That a Man to obtain a Kingdom, is sometimes content with less Power, than to the Peace and Defence of the Commonwealth is necessarily required.* From whence it cometh to pass, that when the Exercise of the Power laid by is for the public Safety to be resumed, it hath the Resemblance of an unjust Act; which disposeth great Numbers of Men, when Occasion is presented, to rebel: in the same Manner as the Bodies of Children, gotten by diseased Parents, are subject either to untimely Death, or to purge the ill Quality derived from their vicious Conception, by breaking out into Biles and Scabs. And when Kings deny themselves some such necessary Power, it is not always, though sometimes, out of Ignorance of what is necessary to the Office they undertake; but many times out of a Hope to recover the same again at their Pleasure: Wherein they reason not well; because such as will hold them to their Promises, shall be maintained against them by foreign Commonwealths; who in order to the Good of their own Subjects, let slip few Occasions to weaken the Estate

Want of absolute Power.

PART II. Estate of their Neighbours. So was *Thomas Becket*, Archbishop of *Canterbury*, supported against *Henry the Second*, by the Pope; the Subjection of Ecclesiastics to the Commonwealth, having been dispensed with by *William the Conqueror* at his Reception, when he took an Oath not to infringe the Liberty of the Church. And so were the *Barons*, whose Power was by *William Rufus* (to have their Help in transferring the Succession from his elder Brother to himself) increased to a Degree, inconsistent with the Sovereign Power, maintained in their Rebellion against King *John* by the *French*.

Nor does this happen in Monarchy only. For whereas the Stile of the ancient *Roman Commonwealth*, was, *The Senate, and People of Rome*; neither Senate, nor People, pretended to the whole Power; which first caused the Seditions of *Tiberius Gracchus*, *Caius Gracchus*, *Lucius Saturninus*, and others; and afterwards the Wars between the Senate and the People, under *Marius* and *Sylla*; and again under *Pompey* and *Cæsar*; to the Extinction of their Democracy, and the setting up of Monarchy.

The People of *Athens* bound themselves but from one only Action; which was, that no Man, on Pain of Death, should propound the renewing the War for the Island of *Salamis*: And yet thereby, if *Solon* had not caused to be given out he was mad, and afterwards in Gesture and Habit of a Madman, and in Verse, propounded it to the People that flocked about him, they had had an Enemy perpetually in Readiness, even at the Gates of their City; such Damage or Shifts are all Commonwealths forced to, that have their Power never so little limited.

Private Judgment of Good and Evil.

In the second Place, I observe the *Diseases* of a Commonwealth, that proceed from the Poison of seditious Doctrines; whereof one is, *That every private Man is Judge of good and evil Actions*. This is true in the Condition of mere Nature, where there are no Civil Laws; and also under Civil Government, in such Cases as are not determined by the Law. But otherwise it is manifest, that the Measure of good and evil Actions, is the Civil Law; and the Judge the Legislator, who is always Representative of the Commonwealth. From this false Doctrine, Men are disposed to debate with themselves, and dispute the Commands of the Commonwealth; and afterwards to obey, or disobey them, as in their private Judgments they shall think fit. Whereby the Commonwealth is distracted and weakened.

Erroneous Conscience.

Another Doctrine repugnant to Civil Society, is, that *whatsoever a Man does against his Conscience, is Sin*; and it dependeth on the Presumption of making himself Judge of Good and Evil. For a Man's Conscience, and his Judgment, is the same Thing; and as the Judgment, so also the Conscience, may be erroneous. Therefore, though he that is subject to no Civil Law, sinneth in all he does against his Conscience, because he has no other Rule to follow but his own Reason; yet it is not so with him that lives in a Commonwealth; because the Law is the public Conscience, by which he hath already undertaken to be guided. Otherwise in such Diversity, as there is of private Consciences, which are but private Opinions, the Commonwealth must needs be distracted, and no Man dare to obey the Sovereign Power, farther than it shall seem good in his own Eyes.

Pretence of Inspiration.

It hath also been commonly taught, *That Faith and Sanctity are not to be attained by Study and Reason, but by supernatural Inspiration or Infusion*. Which granted, I see not why any Man should render a Reason of his Faith: or why every Christian should not be also a Prophet; or why any Man should take the Law of his Country, rather than

than his own Inspiration, for the Rule of his Action. And thus we fall again into the Fault of taking upon us to judge of Good and Evil; or to make Judges of it such private Men as pretend to be supernaturally inspired; to the Dissolution of all Civil Government. Faith comes by Hearing, and Hearing by those Accidents which guide us into the Presence of them that speak to us; which Accidents are all contrived by God Almighty; and yet are not supernatural, but only, for the great Number of them that concur to every Effect, unobservable. Faith, and Sanctity, are indeed not very frequent; but yet they are not Miracles, but brought to pass by Education, Discipline, Correction, and other natural Ways, by which God worketh them in his Elect, at such Time as he thinketh fit. And these three Opinions, pernicious to Peace and Government, have in this Part of the World, proceeded chiefly from the Tongues and Pens of unlearned Divines; who joining the Words of Holy Scripture together, otherwise than is agreeable to Reason, do what they can, to make Men think, that Sanctity and natural Reason cannot stand together.

A fourth Opinion, repugnant to the Nature of a Commonwealth, is this, *That he that hath the Sovereign Power, is subject to the Civil Laws.* It is true, that Sovereigns are all subject to the Laws of Nature; because such Laws be divine, and cannot by any Man, or Commonwealth, be abrogated. But to those Laws which the Sovereign himself, that is, which the Commonwealth maketh, he is not subject. For to be subject to Laws, is to be subject to the Commonwealth, that is, to the Sovereign Representative, that is, to himself; which is not Subjection, but Freedom from the Laws. Which Error, because it setteth the Laws above the Sovereign, setteth also a Judge above him, and a Power to punish him; which is to make a new Sovereign: and again for the same Reason a third, to punish the second; and so continually without End, to the Confusion and Dissolution of the Commonwealth.

Subjecting
the Sovereign
Power to Civil
Laws.

A fifth Doctrine, that tendeth to the Dissolution of a Commonwealth, is, *That every private Man has an absolute Propriety in his Goods; such, as excludeth the Right of the Sovereign.* Every Man has indeed a Propriety that excludes the Right of every Subject: and he has it only from the Sovereign Power; without the Protection whereof, every other Man should have equal Right to the same. But if the Right of the Sovereign be also excluded, he cannot perform the Office they have put him into; which is, to defend them both from foreign Enemies, and from the Injuries of one another; and consequently there is no longer a Commonwealth.

Attributing
of absolute
Propriety to
Subjects.

And if the Propriety of Subjects, exclude not the Right of the Sovereign Representative to their Goods; much less to their Offices of Judicature, or Execution, in which they represent the Sovereign himself.

There is a sixth Doctrine, plainly and directly against the Essence of a Commonwealth; and it is this, *That the Sovereign Power may be divided.* For what is it to divide the Power of a Commonwealth, but to dissolve it? for Powers divided, mutually destroy each other. And for these Doctrines, Men are chiefly beholding to some of those, that making Profession of the Laws, endeavour to make them depend upon their own Learning, and not upon the Legislative Power.

Dividing the
Sovereign
Power.

And as false Doctrine, so also oftentimes the Example of different Government in a neighbouring Nation, disposeth Men to Alteration of the Form already settled. So the People of the *Jews* were stirred up to reject God, and to call upon the Prophet *Samuel*, for a King after the Manner of the Nations: So also the lesser Cities of *Greece*, were

Imitation of
Neighbour
Nations.

PART
II.

continually disturbed, with Seditions of the Aristocratical, and Democratical Factions ; one Part of almost every Commonwealth, desiring to imitate the *Lacedæmonians* ; the other, the *Athenians*. And I doubt not, but many Men have been contented to see the late Troubles in *England*, out of an Imitation of the *Low Countries* ; supposing there needed no more to grow rich, than to change, as they had done, the Form of their Government. For the Constitution of Man's Nature, is of itself subject to desire Novelty : When therefore they are provoked to the same, by the Neighbourhood also of those that have been enriched by it, it is almost impossible for them not to be content with those that solicit them to change ; and love the first Beginnings, though they be grieved with the Continuance of Disorder ; like hot Bloods, that have gotten the Itch, tear themselves with their own Nails, till they can endure the Smart no longer.

Imitation of
the Greeks,
and Romans.

And as to Rebellion in particular against Monarchy ; one of the most frequent Causes of it, is the Reading of the Books of Policy, and Histories, of the ancient *Greeks* and *Romans* ; from which young Men, and all others that are unprovided of the Antidote of solid Reason, receiving a strong and delightful Impression of the great Exploits of War, atchieved by the Conductors of their Armies, receive withal a pleasing Idea of all they have done besides ; and imagine their great Prosperity, not to have proceeded from the Emulation of particular Men, but from the Virtue of their popular Form of Government : Not considering the frequent Seditions, and Civil Wars, produced by the Imperfection of their Policy. From the reading, I say, of such Books, Men have undertaken to kill their Kings, because the *Greek* and *Latin* Writers, in their Books, and Discourses of Policy, make it lawful, and laudable, for any Man so to do ; provided before he do it, he call him Tyrant. For they say not *Regicide*, that is, killing of a King, but *Tyrannicide*, that is, killing of a Tyrant, is lawful. From the same Books, they that live under a Monarch conceive an Opinion, that the Subjects in a popular Commonwealth enjoy Liberty ; but that in a Monarchy they are all Slaves. I say, they that live under a Monarchy conceive such an Opinion ; not they that live under a popular Government : for they find no such Matter. In sum, I cannot imagine, how any Thing can be more prejudicial to a Monarchy, than the allowing such Books to be publicly read, without present applying such Correctives of discreet Masters as are fit to take away their Venom : Which Venom I will not doubt to compare to the biting of a mad Dog, which is a Disease the Physicians call *Hydrophobia*, or *Fear of Water*. For as he that is bitten, has a continual Torment of Thirst, and yet abhorreth Water ; and is in such an Estate, as if the Poison endeavoured to convert him into a Dog : so when a Monarchy is once bitten to the Quick, by those Democratical Writers, that continually snarl at that Estate ; it wanteth nothing more than a strong Monarch, which nevertheless out of a certain *Tyrannophobia*, or Fear of being strongly governed, when they have him, they abhor.

As there have been Doctors, that hold there be three Souls in Man ; so there be also that think there may be more Souls (that is, more Sovereigns) than one in a Commonwealth ; and set up a *Supremacy* against the *Sovereignty* ; *Canons* against *Laws* ; and a *Ghostly Authority* against the *Civil* ; working on Men's Minds, with Words and Distinctions, that of themselves signify nothing, but bewray (by their Obscurity) that there walketh (as some think invisibly) another Kingdom, as it were a Kingdom of Fairies, in the Dark. Now seeing it is manifest, that the Civil Power, and the Power of the Commonwealth, is the same Thing ;

and that Supremacy, and the Power of making Canons, and granting Faculties, implyeth a Commonwealth ; it followeth, that where one is Sovereign, another Supreme ; where one can make Laws, and another make Canons ; there must needs be two Commonwealths, of one and the same Subjects ; which is a Kingdom divided in itself, and cannot stand. For notwithstanding the insignificant Distinction of *Temporal* and *Ghostly*, they are still two Kingdoms, and every Subject is subject to two Masters. For seeing the *Ghostly* Power challengeth the Right to declare what is Sin, it challengeth by Consequence to declare what is Law, (Sin being nothing but the Transgression of the Law ;) and again, the Civil Power challenging to declare what is Law, every Subject must obey two Masters, who both will have their Commands be observed as Laws ; which is impossible. Or, if it be but one Kingdom, either the *Civil*, which is the Power of the Commonwealth, must be subordinate to the *Ghostly*, and then there is no Sovereignty but the *Ghostly* ; or the *Ghostly* must be subordinate to the *Temporal*, and then there is no *Supremacy* but the *Temporal*. When therefore these two Powers oppose one another, the Commonwealth cannot but be in great Danger of Civil War and Dissolution. For the *Civil* Authority being more visible, and standing in the clearer Light of natural Reason, cannot chuse but draw to it in all Times a very considerable Part of the People : And the *Spiritual*, though it stand in the Darknes of School Distinctions, and hard Words ; yet because the Fear of Darknes, and Ghosts, is greater than other Fears, cannot want a Party sufficient to trouble, and sometimes to destroy a Commonwealth. And this is a Disease, which not unfitly may be compared to the Epilepsy or Falling-sickness (which the *Jews* took to be one Kind of Possession by Spirits) in the Body Natural. For as in this Disease, there is an unnatural Spirit, or Wind in the Head, that obstructeth the Roots of the Nerves, and moving them violently, taketh away the Motion which naturally they have from the Power of the Soul in the Brain, and thereby causeth violent and irregular Motions (which Men call Convulsions) in the Parts ; infomuch as he that is seized therewith, falleth down sometimes into the Water, and sometimes into the Fire, as a Man deprived of his Senses ; so also in the Body Politic, when the spiritual Power moveth the Members of a Commonwealth, by the Terror of Punishments, and Hope of Rewards, (which are the Nerves of it) otherwise than by the Civil Power, (which is the Soul of the Commonwealth) they ought to be moved ; and by strange, and hard Words, suffocates their Understanding, it must needs thereby distract the People, and either overwhelm the Commonwealth with Oppression, or cast it into the Fire of a Civil War

Sometimes also in the merely Civil Government, there be more than one Soul : as when the Power of levying Money, (which is the nutritive Faculty) has depended on a general Assembly ; the Power of Conduct and Command, (which is the motive Faculty) on one Man ; and the Power of making Laws, (which is the rational Faculty) on the accidental Consent, not only of those two, but also of a third : this endangereth the Commonwealth, sometimes for Want of Consent to good Laws ; but most often for Want of such Nourishment as is necessary to Life and Motion. For although few perceive that such Government isn't Government, but Division of the Commonwealth into three Factions, and call it mixt Monarchy ; yet the Truth is, that it is not one independent Commonwealth, but three independent Factions ; nor one Representative Person, but three. In the Kingdom of God, there may be three Persons independent, without Breach of Unity in God that reigneth ; but where

Mixt Government.

PART
II.

where Men reign, that be subject to Diversity of Opinions, it cannot be so. And therefore if the King bear the Person of the People, and the general Assembly bear also the Person of the People, and another Assembly bear the Person of a Part of the People, they are not one Person, nor one Sovereign, but three Persons, and three Sovereigns.

To what Disease in the natural Body of Man, I may exactly compare this Irregularity of a Commonwealth, I know not. But I have seen a Man, that had another Man growing out of his Side, with an Head, Arms, Breast, and Stomach of his own: If he had another Man growing out of his other Side, the Comparison might then have been exact.

Want of
Money.

Hitherto I have named such Diseases of a Commonwealth, as are of the greatest and most present Danger. There be other, not so great; which nevertheless are not unfit to be observed. As first, the Difficulty of raising Money for the necessary Uses of the Commonwealth; especially in the Approach of War. This Difficulty ariseth from the Opinion, that every Subject hath of a Propriety in his Lands and Goods, exclusive of the Sovereign Right to the Use of the same. From whence it cometh to pass, that the Sovereign Power, which foreseeeth the Necessities and Dangers of the Commonwealth, (finding the Passage of Money to the public Treasure obstructed by the Tenacity of the People) whereas it ought to extend itself, to encounter, and prevent such Dangers in their Beginnings, contracteth itself as long as it can, and when it cannot longer, struggles with the People by Stratagems of Law, to obtain little Sums, which not sufficing, he is fain at last violently to open the Way for present Supply, or perish; and being put often to these Extremities, at last reduceth the People to their due Temper; or else the Commonwealth must perish. Insomuch as we may compare this Distemper very aptly to an Ague; wherein, the fleshy Parts being congealed, or by venomous Matter obstructed; the Veins, which by their natural Course emptying themselves into the Heart, are not (as they ought to be) supplied from the Arteries, whereby there succeedeth at first a cold Contraction, and trembling of the Limbs; and afterwards a hot, and strong Endeavour of the Heart to force a Passage for the Blood; and before it can do that, contenteth itself with the small Refreshments of such Things as cool for a Time, till, if Nature be strong enough, it break at last the Contumacy of the Parts obstructed, and dissipateth the Venom into Sweat; or, if Nature be too weak, the Patient dieth.

Monopolies
and Abuses
of Publicans.

Again, there is sometimes in a Commonwealth a Disease, which resembleth the Pleurisy; and that is, when the Treasure of the Commonwealth, flowing out of its due Course, is gathered together in too much Abundance, in one, or a few private Men, by Monopolies, or by Farms of the public Revenues; in the same Manner as the Blood in a Pleurisy, getting into the Membrane of the Breast, breedeth there an Inflammation, accompanied with a Fever, and painful Stitches.

Popular
Men.

Also, the Popularity of a potent Subject, (unless the Commonwealth have very good Caution of his Fidelity) is a dangerous Disease; because the People, (which should receive their Motion from the Authority of the Sovereign) by the Flattery, and by the Reputation of an ambitious Man, are drawn away from their Obedience to the Laws, to follow a Man, of whose Virtues and Designs they have no Knowledge. And this is commonly of more Danger in a popular Government, than in a Monarchy; because an Army is of so great Force, and Multitude, as it may easily be made believe they are the People. By this Means it was, that *Julius Cæsar*, who was set up by the People against the Senate, having won to himself the Affections of the Army, made himself

Master

Master both of Senate and People. And this proceeding of popular and ambitious Men, is plain Rebellion; and may be resembled to the Effects of Witchcraft. CHAP. XXX.

Another Infirmity of a Commonwealth, is the immoderate Greatness of a Town, when it is able to furnish out of its own Circuit, the Number and Expence of a great Army: As also the great Number of Corporations; which are as it were lesser Commonwealths in the Bowels of a greater, like Worms in the Entrails of a natural Man. To which may be added, the Liberty of disputing against absolute Power, by Pretenders to Political Prudence; which though bred for the most Part in the Lees of the People, yet animated by false Doctrines, are perpetually meddling with the fundamental Laws, to the Molestation of the Commonwealth; like the little Worms, which Physicians call *Ascarides*. Excessive Greatness of a Town, Multitude of Corporations. Liberty of disputing against Sovereign Power.

We may further add, the insatiable Appetite, or *Bulimia*, of enlarging Dominion; with the incurable *Wounds* thereby many times received from the Enemy; and the *Wens*, of ununited Conquests, which are many times a Burthen, and with less Danger lost, than kept; as also the *Lethargy* of Ease, and *Consumption* of Riot, and vain Expence.

Lastly, when in a War (foreign or intestine) the Enemies get a final Victory; so as (the Forces of the Commonwealth keeping the Field no longer) there is no farther Protection of Subjects in their Loyalty; then is the Commonwealth *dissolved*, and every Man at Liberty to protect himself by such Courses as his own Discretion shall suggest unto him. For the Sovereign is the public Soul, giving Life and Motion to the Commonwealth; which expiring, the Members are governed by it no more than the Carcase of a Man, by his departed (though immortal) Soul. For though the Right of a Sovereign Monarch cannot be extinguished by the Act of another; yet the Obligation of the Members may. For he that wants Protection may seek it any where; and when he hath it, is obliged (without fraudulent Pretence of having submitted himself out of Fear) to protect his Protection as long as he is able. But when the Power of an Assembly is once suppressed, the Right of the same perisheth utterly; because the Assembly itself is extinct; and consequently, there is no Possibility for the Sovereign to re-enter. Dissolution of the Commonwealth.

CHAP. XXX.

Of the OFFICE of the Sovereign Representative.

THE Office of the Sovereign (be it a Monarch, or an Assembly) consisteth in the End, for which he was trusted with the Sovereign Power, namely, the Procuration of *the Safety of the People*; to which he is obliged by the Law of Nature, and to render an Account thereof to God, the Author of that Law, and to none but him. But by Safety here, is not meant a bare Preservation, but also all other Contentments of Life, which every Man by lawful Industry, without Danger or Hurt to the Commonwealth, shall acquire to himself. The Procuration of the Good of the People.

And this is intended should be done, not by Care applied to Individuals, further than their Protection from Injuries, when they shall complain; but by a general Providence, contained in public Instruction, both of Doctrine and Example; and in the making and By Instructions and Laws.

PART II. executing of good Laws, to which individual Persons may apply their own Cafes.

Against the Duty of a Sovereign to relinquish any essential Right of Sovereignty : And because, if the essential Right of Sovereignty (specified before in the eighteenth Chapter) be taken away, the Commonwealth is thereby dissolved, and every Man returneth into the Condition and Calamity of a War with every other Man, (which is the greatest Evil that can happen in this Life ;) it is the Office of the Sovereign, to maintain those Rights entire ; and consequently against his Duty, First, to transfer to another, or to lay from himself, any of them. For he that deserteth the Means, deserteth the Ends ; and he deserteth the Means, that being the Sovereign, acknowledgeth himself subject to the Civil Laws ; and renounceth the Power of Supreme Judicature ; or of making War or Peace by his own Authority ; or of judging of the Necessities of the Commonwealth ; or of levying Money and Soldiers, when, and as much as in his own Conscience he shall judge necessary ; or of making Officers and Ministers both of War and Peace ; or of appointing Teachers, and examining what Doctrines are conformable, or contrary to the Defence, Peace, and Good of the People. Secondly, it is against his Duty, to let the People be ignorant, or misinformed of the Grounds and Reasons of those his essential Rights ; because thereby Men are easy to be seduced, and drawn to resist him, when the Commonwealth shall require their Use and Exercise.

Or not to fee the People taught the Grounds of them.

And the Grounds of these Rights have the rather need to be diligently and truly taught, because they cannot be maintained by any Civil Law, or Terror of legal Punishment. For a Civil Law that shall forbid Rebellion, (and such is all Resistance to the essential Rights of Sovereignty) is not, as a Civil Law, any Obligation, but by Virtue only of the Law of Nature, that forbiddeth the Violation of Faith ; which natural Obligation if Men know not, they cannot know the Right of any Law the Sovereign maketh. And for the Punishment, they take it but for an Act of Hostility ; which when they think they have Strength enough, they will endeavour by Acts of Hostility to avoid.

Objection of those that say there are no Principles of Reason for absolute Sovereignty. As I have heard some say, that Justice is but a Word, without Substance ; and that whatsoever a Man can by Force or Art acquire to himself, (not only in the Condition of War, but also in a Commonwealth) is his own, which I have already shewed to be false : So there be also that maintain, that there are no Grounds nor Principles of Reason, to sustain those essential Rights, which make Sovereigns absolute. For if there were, they would have been found out in some Place or other ; whereas we see, there has not hitherto been any Commonwealth, where those Rights have been acknowledged or challenged. Wherein they argue as ill, as if the savage People of *America* should deny there were any Grounds or Principles of Reason, so to build a House as to last as long as the Materials, because they never yet saw any so well built. Time and Industry, produce every Day new Knowledge. And as the Art of well Building is derived from Principles of Reason, observed by industrious Men, that had long studied the Nature of Materials, and the divers Effects of Figure and Proportion, long after Mankind began (though poorly) to build : so, long time after Men have begun to constitute Commonwealths, imperfect, and apt to relapse into Disorder, there may Principles of Reason be found out, by industrious Meditation, to make their Constitution (excepting by external Violence) everlasting. And such are those which I have in this Discourse set forth : which whether they come not into the Sight of those that have Power to make use of them, or be neglected by them, or not, concerneth my particular Interest, at this Day, very little. But supposing that these of mine

mine are not such Principles of Reason, yet I am sure they are Principles from Authority of Scripture ; as I shall make it appear, when I shall come to speak of the Kingdom of God (administer'd by *Moses*) over the *Jews*, his peculiar People by Covenant. C H A P.
XXX.

But they say again, that though the Principles be right, yet common People are not of Capacity enough to be made to understand them. I should be glad that the rich and potent Subjects of a Kingdom, or those that are accounted the most learned, were no less incapable than they. But all Men know, that the Obstructions to this kind of Doctrine, proceed not so much from the Difficulty of the Matter, as from the Interest of them that are to learn. Potent Men digest hardly any thing that fet- teth up a Power to bridle their Affections ; and learned Men, any thing that discovereth their Errors, and thereby lesseneth their Authority : whereas the common People's Minds, unless they be tainted with Dependance on the Potent, or scribbled over with the Opinions of their Doctors, are like clean Paper, fit to receive whatsoever by public Authority shall be imprinted in them. Shall whole Nations be brought to *acquiesce* in the great Mysteries of Christian Religion, which are above Reason ; and Millions of Men be made believe, that the same Body may be in innumerable Places at one and the same Time, which is against Reason ? and shall not Men be able, by their teaching and preaching, protected by the Law, to make that received which is so consonant to Reason, that any unprejudiced Man needs no more to learn it, than to hear it ? I conclude therefore, that in the Instruction of the People in the essential Rights (which are the natural and fundamental Laws) of Sovereignty, there is no Difficulty, whilst a Sovereign has his Power entire, but what proceeds from his own Fault, or the Fault of those whom he trusteth in the Administration of the Commonwealth ; and consequently, it is his Duty, to cause them so to be instructed ; and not only his Duty, but his Benefit also, and Security, against the Danger that may arrive to himself in his natural Person, from Rebellion.

And, to descend to Particulars, the People are to be taught, First, that they ought not to be in Love with any Form of Government they see in their neighbour Nations, more than with their own, nor (what soever present Prosperity they behold in Nations that are otherwise governed than they) to desire Change. For the Prosperity of a People ruled by an aristocratical or democratical Assembly, cometh not from Aristocracy, nor from Democracy, but from the Obedience and Concord of the Subjects : nor do the People flourish in a Monarchy, because one Man has the Right to rule them, but because they obey him. Take away, in any kind of State, the Obedience, and consequently the Concord of the People, and they shall not only not flourish, but in a short Time be dissolved. And they that go about by Disobedience, to do no more than reform the Commonwealth, shall find they do thereby destroy it ; like the foolish Daughters of *Peleus*, in the Fable, who desiring to renew the Youth of their decrepid Father, did, by the Counsel of *Medea*, cut him in Pieces, and boil him, together with strange Herbs, but made not of him a new Man. This Desire of Change, is like the Breach of the first of God's Commandments : for there God says, *Non habebis Deos alienos* ; Thou shalt not have the Gods of other Nations ; and in another Place concerning *Kings*, that they are *Gods*.

Secondly, they are to be taught, that they are not to be led with Ad- miration of the Virtue of any of their fellow Subjects, how high soever he stand, nor how conspicuously soever he shine in the Commonwealth ; nor of any Assembly, except the Sovereign Assembly, so as to defer to them

Objection
I from the In-
capacity of
the Vulgar.

Subjects are
to be taught,
not to affect
Change of
Govern-
ment :

Nor adhere,
against the
Sovereign,
to popular
Men :

PART
II.



them any Obedience or Honour, appropriate to the Sovereign only, whom, in their particular Stations, they represent; nor to receive any Influence from them, but such as is convey'd by them from the Sovereign Authority. For that Sovereign cannot be imagined to love his People as he ought, that is not jealous of them, but suffers them, by the Flattery of popular Men, to be seduced from their Loyalty, as they have often been, not only secretly, but openly, so as to proclaim Marriage with them *in facie Ecclesiæ* by Preachers; and by publishing the same in the open Street: which may fitly be compared to the Violation of the second of the Ten Commandments.

Nor to dispute the Sovereign Power:

Thirdly, in Consequence of this, they ought to be informed, how great a Fault it is, to speak Evil of the Sovereign Representative, whether one Man, or an Assembly of Men; or to argue and dispute his Power, or any way to use his Name irreverently, whereby he may be brought into Contempt with his People, and their Obedience (in which the Safety of the Commonwealth consisteth) slackened. Which Doctrine the third Commandment by Resemblance pointeth to.

And to have Days set apart to learn their Duty:

Fourthly, seeing People cannot be taught this, nor when it is taught, remember it, nor after one Generation past, so much as know in whom the Sovereign Power is placed, without setting apart from their ordinary Labour, some certain Times, in which they may attend those that are appointed to instruct them; it is necessary that some such Times be determined, wherein they may assemble together, and (after Prayers and Praises given to God, the Sovereign of Sovereigns) hear those their Duties told them, and the positive Laws, such as generally concern them all, read and expounded, and be put in mind of the Authority that maketh them Laws. To this End had the *Jews* every seventh Day, a *Sabbath*, in which the Law was read and expounded; and in the Solemnity whereof they were put in mind, that their King was God; that having created the World in six Days, he rested the seventh Day; and by their resting on it from their Labour, that that God was their King, which redeemed them from their servile and painful Labour in *Egypt*, and gave them a Time, after they had rejoiced in God, to take Joy also in themselves, by lawful Recreation. So that the first Table of the Commandments is spent all, in setting down the Sum of God's absolute Power; not only as God, but as King by Pact (in peculiar) of the *Jews*; and may therefore give Light to those that have Sovereign Power conferred on them by the Consent of Men, to see what Doctrine they ought to teach their Subjects.

And to honour their Parents:

And because the first Instruction of Children dependeth on the Care of their Parents, it is necessary that they should be obedient to them, whilst they are under their Tuition; and not only so, but that also afterwards, as Gratitude requireth, they acknowledge the Benefit of their Education, by external Signs of Honour. To which End they are to be taught, that originally the Father of every Man was also his Sovereign Lord, with Power over him of Life and Death; and that the Fathers of Families, when by instituting a Commonwealth they resigned that absolute Power, yet it was never intended they should lose the Honour due unto them for their Education. For to relinquish such Right, was not necessary to the Institution of Sovereign Power; nor would there be any reason why any Man should desire to have Children, or take the Care to nourish and instruct them, if they were afterwards to have no other Benefit from them, than from other Men. And this accordeth with the fifth Commandment.

And to avoid doing of Injury:

Again, every Sovereign ought to cause Justice to be taught, which (consisting in taking from no Man what is his) is as much as to say, to cause

cause Men to be taught not to deprive their Neighbours, by Violence, or Fraud, of any thing which by the Sovereign Authority is theirs. Of Things held in Propriety, those that are dearest to a Man are his own Life and Limbs; and in the next Degree, (in most Men) those that concern conjugal Affection; and after them Riches and Means of Living. Therefore the People are to be taught, to abstain from Violence to one another's Person, by private Revenges; from Violation of conjugal Honour; and from forcible Rapine, and fraudulent Surreption of one another's Goods. For which Purpose it is also necessary they be shewed the evil Consequences of false Judgment, by Corruption either of Judges or Witnesses, whereby the Distinction of Propriety is taken away, and Justice becomes of no Effect: all which Things are intimated in the sixth, seventh, eighth, and ninth Commandments.

Lastly, they are to be taught, that not only the unjust Facts, but the Designs and Intentions to do them, though by Accident hindered, are Injustice; which consisteth in the Pravity of the Will, as well as in the Irregularity of the Act. And this is the Intention of the tenth Commandment, and the Sum of the second Table; which is reduced all to this one Commandment of mutual Charity, *Thou shalt love thy Neighbour as thyself*: as the Sum of the first Table is reduced to the *Love of God*; whom they had then newly received as their King.

And to do all this sincerely from the Heart.

As for the Means and Conduits, by which the People may receive this Instruction, we are to search, by what Means so many Opinions, contrary to the Peace of Mankind, upon weak and false Principles, have nevertheless been so deeply rooted in them. I mean those, which I have in the precedent Chapter specified: as, That Men shall judge of what is lawful and unlawful, not by the Law itself, but by their own Consciences; that is to say, by their own private Judgments: that Subjects sin in obeying the Commands of the Commonwealth, unless they themselves have first judged them to be lawful: that their Propriety in their Riches is such, as to exclude the Dominion, which the Commonwealth hath over the same: that it is lawful for Subjects to kill such, as they call Tyrants: that the Sovereign Power may be divided, and the like; which come to be instilled into the People by this Means. They whom Necessity, or Covetousness keepeth attent on their Trades and Labour; and they, on the other Side, whom Superfluity or Sloth carrieth after their sensual Pleasures (which two Sorts of Men take up the greatest part of Mankind) being diverted from the deep Meditation, which the learning of Truth, not only in the Matter of natural Justice, but also of all other Sciences necessarily requireth, receive the Notions of their Duty, chiefly from Divines in the Pulpit, and partly from such of their Neighbours, or familiar Acquaintance, as having the Faculty of discoursing readily and plausibly, seem wiser and better learned in Cases of Law and Conscience, than themselves. And the Divines, and such others as make Shew of Learning, derive their Knowledge from the Universities, and from the Schools of Law, or from the Books, which by Men eminent in those Schools and Universities have been published. It is therefore manifest, that the Instruction of the People dependeth wholly on the right teaching of Youth in the Universities. But are not (may some Man say) the Universities of *England* learned enough to do that? or is it you will undertake to teach the Universities? Hard Questions. Yet to the first, I doubt not to answer; that towards the latter end of *Henry the Eighth*, the Power of the Pope was always upheld against the Power of the Commonwealth, principally by the Universities; and that the Doctrines maintained by so many Preachers, against the Sovereign Power of the King, and by so

The Use of Universities.

PART
II.

many Lawyers and others, that had their Education there, is a sufficient Argument, that though the Universities were not Authors of those false Doctrines, yet they knew not how to plant the true. For in such a Contradiction of Opinions, it is most certain, that they have not been sufficiently instructed; and it is no Wonder, if they yet retain a Relish of that subtle Liquor, wherewith they were first seasoned, against the Civil Authority. But to the latter Question, it is not fit, nor needful for me to say either Ay, or No: for any Man that sees what I am doing, may easily perceive what I think.

The Safety of the People requireth further, from him or them that have the Sovereign Power, that Justice be equally administered to all Degrees of People; that is, that as well the rich and mighty, as poor and obscure Persons, may be righted of the Injuries done them; so as the Great, may have no greater Hope of Impunity, when they do Violence, Dishonour, or any Injury to the meaner Sort, than when one of these does the like to one of them: For in this consisteth Equity; to which, as being a Precept of the Law of Nature, a Sovereign is as much subject, as any of the meanest of his People. All Breaches of the Law, are Offences against the Commonwealth: but there be some, that are also against private Persons. Those that concern the Commonwealth only, may without breach of Equity be pardoned; for every Man may pardon what is done against himself, according to his own Discretion. But an Offence against a private Man, cannot in Equity be pardoned, without the Consent of him that is injured; or reasonable Satisfaction.

The Inequality of Subjects, proceedeth from the Acts of Sovereign Power; and therefore has no more Place in the Presence of the Sovereign; that is to say, in a Court of Justice, than the Inequality between Kings and their Subjects, in the Presence of the King of Kings. The Honour of great Persons, is to be valued for their Beneficence, and the Aids they give to Men of inferior Rank, or not at all. And the Violences, Oppressions, and Injuries they do, are not extenuated, but aggravated by the Greatness of their Persons; because they have least Need to commit them. The Consequences of this Partiality towards the Great, proceed in this Manner. Impunity maketh Insolence; Insolence, Hatred; and Hatred, an Endeavour to pull down all oppressing and contumelious Greatness, though with the Ruin of the Commonwealth.

Equal Taxes. To equal Justice, appertaineth also the equal Imposition of Taxes; the Equality whereof dependeth not on the Equality of Riches, but on the Equality of the Debt, that every Man oweth to the Commonwealth for his Defence. It is not enough, for a Man to labour for the Maintenance of his Life; but also to fight, if need be, for the securing of his Labour. They must either do as the *Jews* did after their Return from Captivity, in re-edifying the Temple, build with one Hand, and hold the Sword in the other; or else they must hire others to fight for them. For the Impositions that are laid on the People by the Sovereign Power, are nothing else but the Wages due to them that hold the public Sword, to defend private Men in the Exercise of several Trades and Callings. Seeing then the Benefit that every one receiveth thereby, is the Enjoyment of Life, which is equally dear to poor and rich; the Debt which a poor Man oweth them that defend his Life, is the same which a rich Man oweth for the Defence of his; saving that the rich, who have the Service of the poor, may be Debtors not only for their own Persons, but for many more. Which considered, the Equality of Imposition, consisteth rather in the Equality of that which is consumed, than

than of the Riches of the Persons that consume the same. For what Reason is there, that he which laboureth much, and sparing the Fruits of his Labour, consumeth little, should be more charged, than he that living idly, getteth little, and spendeth all he gets; seeing the one hath no more Protection from the Commonwealth than the other? But when the Impositions are laid upon those Things which Men consume, every Man payeth equally for what he useth: Nor is the Commonwealth defrauded by the luxurious Waste of private Men.

And whereas many Men, by Accident unavoidable, become unable to maintain themselves by their Labour; they ought not to be left to the Charity of private Persons; but to be provided for, as far-forth as the Necessities of Nature require, by the Laws of the Commonwealth. For as it is Uncharitableness in any Man to neglect the impotent; so it is in the Sovereign of a Commonwealth to expose them to the Hazard of such uncertain Charity.

But for such as have strong Bodies the Case is otherwise: they are to be forced to work; and to avoid the Excuse of not finding Employment, there ought to be such Laws as may encourage all Manner of Art; as Navigation, Agriculture, Fishing, and all Manner of Manufacture that requires Labour. The Multitude of poor, and yet strong People still increasing, they are to be transplanted into Countries not sufficiently inhabited: where nevertheless, they are not to exterminate those they find there; but constrain them to inhabit closer together, and not range a great deal of Ground, to snatch what they find; but to court each little Plot with Art and Labour, to give them their Sustainance in due Season. And when all the World is overcharged with Inhabitants, then the last Remedy of all is War; which provideth for every Man, by Victory or Death.

To the Care of the Sovereign, belongeth the making of good Laws. But what is a good Law? By a good Law, I mean not a just Law: for no Law can be unjust. The Law is made by the Sovereign Power, and all that is done by such Power, is warranted, and owned by every one of the People; and that which every Man will have so, no Man can say is unjust. It is in the Laws of a Commonwealth, as in the Laws of Gaming: whatsoever the Gamesters all agree on, is Injustice to none of them. A good Law is that, which is *needful*, for the *Good of the People*, and withal *perspicuous*.

For the Use of Laws, (which are but Rules authorized) is not to bind the People from all voluntary Actions; but to direct and keep them in such a Motion, as not to hurt themselves by their own impetuous Desires, Rashness, or Indiscretion; as Hedges are set, not to stop Travelers, but to keep them in the Way. And therefore a Law that is not needful, having not the true End of a Law, is not good. A Law may be conceived to be good, when it is for the Benefit of the Sovereign; though it be not necessary for the People; but it is not so. For the Good of the Sovereign and People cannot be separated. It is a weak Sovereign, that has weak Subjects; and a weak People, whose Sovereign wanteth Power to rule them at his Will. Unnecessary Laws are not good Laws; but Traps for Money: which where the Right of Sovereign Power is acknowledged, are superfluous; and where it is not acknowledged, insufficient to defend the People.

The Perspicuity, consisteth not so much in the Words of the Law itself, as in a Declaration of the Causes and Motives, for which it was made. That it is, that shews us the Meaning of the Legislator; and the Meaning of the Legislator known, the Law is more easily understood by few, than many Words. For all Words, are subject to Ambiguity; and therefore Multiplication of Words in the Body of the Law, is Multiplication

PART II. tiplication of Ambiguity: Besides, it seems to imply, by too much Diligence, that whosoever can evade the Words, is without the Compass of the Law. And this is a Cause of many unnecessary Proceffes. For when I consider how short were the Laws of ancient Times; and how they grew by Degrees still longer; methinks I see a Contention between the Penners, and Pleaders of the Law; the former seeking to circumscribe the latter; and the latter to evade their Circumscriptions; and that the Pleaders have got the Victory. It belongeth therefore to the Office of a Legislator (such as is in all Commonwealths the supreme Representative, be it one Man, or an Assembly) to make the Reason perspicuous, why the Law was made; and the Body of the Law itself, as short, but in as proper and significant Terms, as may be.

Punish-
ments.

It belongeth also to the Office of the Sovereign, to make a right Application of Punishments and Rewards. And seeing the End of Punishing is not Revenge, and Discharge of Choler; but Correction, either of the Offender, or of others by his Example; the severest Punishments are to be inflicted for those Crimes, that are of most Danger to the Public; such as are those which proceed from Malice to the Government established; those that spring from Contempt of Justice; those that provoke Indignation in the Multitude; and those, which unpunished, seem authorised, as when they are committed by Sons, Servants, or Favourites of Men in Authority: For Indignation carrieth Men, not only against the Actors, and Authors of Injustice, but against all Power that is likely to protect them; as in the Case of *Tarquin*; when for the insolent Act of one of his Sons, he was driven out of *Rome*, and the Monarchy itself dissolved. But Crimes of Infirmity; such as are those which proceed from great Provocation, from great Fear, great Need, or from Ignorance whether the Fact be a great Crime, or not, there is Place many times for Lenity, without Prejudice to the Commonwealth; and Lenity, when there is such Place for it, is required by the Law of Nature. The Punishment of the Leaders, and Teachers in a Commotion, not the poor seduced People, when they are punished, can profit the Commonwealth by their Example. To be severe to the People, is to punish that Ignorance, which may in great part be imputed to the Sovereign, whose Fault it was they were no better instructed.

Rewards.

In like manner it belongeth to the Office and Duty of the Sovereign, to apply his Rewards always so, as there may arise from them Benefit to the Commonwealth: wherein consisteth their Use and End; and is then done, when they that have well served the Commonwealth, are with as little Expence of the common Treasure, as is possible, so well recompensed, as others thereby may be encouraged, both to serve the same as faithfully as they can, and to study the Arts by which they may be enabled to do it better. To buy with Money, or Preferment, from a popular ambitious Subject, to be quiet, and desist from making ill Impressions on the Minds of the People, has nothing of the Nature of Reward; (which is ordained, not for Disservice, but for Service past;) nor a Sign of Gratitude, but of Fear: nor does it tend to the Benefit, but to the Damage of the Public. It is a Contention with Ambition, like that of *Hercules* with the Monster *Hydra*, which having many Heads, for every one that was vanquished, there grew up three. For in like manner, when the Stubbornness of one popular Man is overcome with Reward, there arise many more, by the Example, that do the same Mischief, in hope of like Benefit: and as all Sorts of Manufacture, so also Malice increaseth by being vendible. And though sometimes a Civil War may be deferred, by such Ways as that, yet the Danger grows still the greater, and the public Ruin more assured. It is therefore

therefore against the Duty of the Sovereign, to whom the public Safety is committed, to reward those that aspire to Greatness by disturbing the Peace of their Country, and not rather to oppose the Beginnings of such Men, with a little Danger, than after a longer Time with greater.

Another Business of the Sovereign, is to chuse good Counsellors ; I mean such, whose Advice he is to take in the Government of the Commonwealth. For this Word Counsel, *Consilium*, corrupted from *Confiduum*, is of a large Signification, and comprehendeth all Assemblies of Men that sit together, not only to deliberate what is to be done hereafter, but also to judge of Facts past, and of Law for the present. I take it here in the first Sense only : And in this Sense, there is no Choice of Counsel, neither in a Democracy, nor Aristocracy ; because the Persons counselling are Members of the Person counselled. The Choice of Counsellors therefore is proper to Monarchy ; in which, the Sovereign that endeavoureth not to make choice of those, that in every Kind are the most able, dischargeth not his Office as he ought to do. The most able Counsellors, are they that have least Hope of Benefit by giving evil Counsel, and most Knowledge of those Things that conduce to the Peace and Defence of the Commonwealth. It is a hard Matter to know who expecteth Benefit from public Troubles ; but the Signs that guide to a just Suspicion, is the soothing of the People in their unreasonable, or irremediable Grievances, by Men whose Estates are not sufficient to discharge their accustomed Expences, and may easily be observed by any one whom it concerns to know it. But to know, who has most Knowledge of the public Affairs, is yet harder ; and they that know them, need them a great deal less. For to know, who knows the Rules almost of any Art, is a great Degree of the Knowledge of the same Art ; because no Man can be assured of the Truth of another's Rules, but he that is first taught to understand them. But the best Signs of Knowledge of any Art, are, much conversing in it, and constant good Effects of it. Good Counsel comes not by Lot, nor by Inheritance ; and therefore there is no more Reason to expect good Advice from the rich or noble, in Matter of State, than in delineating the Dimensions of a Fortres ; unless we shall think there needs no Method in the Study of the Politics, (as there does in the Study of Geometry) but only to be Lookers on ; which is not so. For the Politics is the harder Study of the two. Whereas in these Parts of *Europe*, it hath been taken for a Right of certain Persons, to have place in the highest Council of State by Inheritance ; it is derived from the Conquests of antient *Germans* ; wherein many absolute Lords joining together to conquer other Nations, would not enter into the Confederacy without such Privileges, as might be Marks of Difference in Time following, between their Posterity, and the Posterity of their Subjects ; which Privileges being inconsistent with the Sovereign Power, by the Favour of the Sovereign, they may seem to keep ; but contending for them as their Right, they must needs by Degrees let them go, and have at last no further Honour than adhereth naturally to their Abilities.

And how able soever be the Counsellors in any Affair, the Benefit of their Counsel is greater, when they give every one his Advice, and the Reasons of it, apart, than when they do it in an Assembly, by way of Orations ; and when they have premeditated, than when they speak on the sudden ; both because they have more Time, to survey the Consequences of Action ; and are less subject to be carried away to Contradiction, through Envy, Emulation, or other Passions arising from the Difference of Opinion.

PART
II.

The best Counsel in those Things that concern not other Nations, but only the Ease and Benefit the Subjects may enjoy, by Laws that look only inward, is to be taken from the general Informations and Complaints of the People of each Province, who are best acquainted with their own Wants, and ought therefore, when they demand nothing in Derogation of the essential Rights of Sovereignty, to be diligently taken Notice of. For without those essential Rights, as I have often before said, the Commonwealth cannot at all subsist.

Comman-
ders.

A Commander of an Army in Chief, if he be not popular, shall not be beloved, nor feared as he ought to be by his Army; and consequently cannot perform that Office with good Success. He must therefore be industrious, valiant, affable, liberal and fortunate, that he may gain an Opinion both of Sufficiency, and of loving his Soldiers. This is Popularity, and breeds in the Soldiers both Desire, and Courage, to recommend themselves to his Favour; and protects the Severity of the General, in punishing, when Need is, the mutinous or negligent Soldiers. But this Love of Soldiers, if Caution be not given of the Commander's Fidelity, is a dangerous Thing to Sovereign Power; especially when it is in the Hands of an Assembly not popular. It belongeth therefore to the Safety of the People, both that they be good Conductors and faithful Subjects, to whom the Sovereign commits his Armies.

But when the Sovereign himself is popular; that is, revered and beloved of his People, there is no Danger at all from the Popularity of a Subject. For Soldiers are never so generally unjust, as to side with their Captain, though they love him, against their Sovereign, when they love not only his Person, but also his Cause. And therefore those, who by Violence have at any time suppressed the Power of their lawful Sovereign, before they could settle themselves in his Place, have been always put to the Trouble of contriving their Titles, to save the People from the Shame of receiving them. To have a known Right to Sovereign Power, is so popular a Quality, as he that has it needs no more, for his Part, to turn the Hearts of his Subjects to him, but that they see him able absolutely to govern his own Family: nor, on the Part of his Enemies, but a disbanding of their Armies. For the greatest and most active part of Mankind, has never hitherto been well contented with the present.

Concerning the Offices of one Sovereign to another, which are comprehended in that Law which is commonly called the *Law of Nations*, I need not say any thing in this Place; because the Law of Nations, and the Law of Nature, is the same thing. And every Sovereign hath the same Right, in procuring the Safety of his People, that any particular Man can have, in procuring the Safety of his own Body. And the same Law that dictateth to Men that have no Civil Government, what they ought to do, and what to avoid in regard of one another, dictateth the same to Commonwealths, that is, to the Consciences of Sovereign Princes, and Sovereign Assemblies; there being no Court of natural Justice, but in the Conscience only, where not Man, but God reigneth; whose Laws (such of them as oblige all Mankind) in respect of God, as he is the Author of Nature, are *natural*; and in respect of the same God, as he is King of Kings, are *Laws*. But of the Kingdom of God, as King of Kings, and as King also of a peculiar People, I shall speak in the rest of this Discourse.

Of the Kingdom of GOD by NATURE.

THAT the Condition of mere Nature, that is to say, of absolute Liberty, such as is theirs, that neither are Sovereigns, nor Subjects, is Anarchy, and the Condition of War: that the Precepts, by which Men are guided to avoid that Condition, are the Laws of Nature: that a Commonwealth, without Sovereign Power, is but a Word, without Substance, and cannot stand: that Subjects owe to Sovereigns, simple Obedience in all things, wherein their Obedience is not repugnant to the Laws of God, I have sufficiently proved, in that which I have already written. There wants only, for the entire Knowledge of Civil Duty, to know what are those Laws of God. For without that, a Man knows not, when he is commanded any thing by the Civil Power, whether it be contrary to the Law of God, or not: And so, either by too much Civil Obedience, offends the Divine Majesty, or through Fear of offending God, transgresses the Commandments of the Commonwealth. To avoid both these Rocks, it is necessary to know what are the Laws Divine. And seeing the Knowledge of all Law, dependeth on the Knowledge of the Sovereign Power; I shall say something in that which followeth of the *Kingdom of God*.

God is King, let the Earth rejoice, saith the Psalmist. And again, *God is King, though the Nations be angry; and he that sitteth on the Cherubims, though the Earth be moved.* Whether Men will or not, they must be subject always to the Divine Power. By denying the Existence or Providence of God, Men shake off their Ease, but not their Yoke. But to call this Power of God, which extendeth itself not only to Man, but also to Beasts, and Plants, and Bodies inanimate, by the Name of Kingdom, is but a metaphorical Use of the Word. For he only is properly said to reign, that governs his Subjects, by his Word, and by Promise of Rewards to those that obey it, and by threatening them with Punishment that obey it not. Subjects therefore, in the Kingdom of God, are not Bodies inanimate, nor Creatures irrational; because they understand no Precepts as his: nor Atheists; nor they that believe not that God has any Care of the Actions of Mankind; because they acknowledge no Word for his, nor have Hope of his Rewards, or Fear of his Threatenings. They therefore that believe there is a God that governeth the World, and hath given Precepts, and propounded Rewards and Punishments to Mankind, are God's Subjects; all the rest are to be understood as Enemies.

To rule by Words, requires that such Words be manifestly made known; for else they are no Laws: For to the Nature of Laws belongeth a sufficient and clear Promulgation, such as may take away the Excuse of Ignorance; which in the Laws of Men is but of one only Kind, and that is, Proclamation, or Promulgation by the Voice of Man. But God declareth his Laws three Ways; by the Dictates of *natural Reason*, by *Revelation*, and by the *Voice* of some *Man*, to whom by the Operation of Miracles he procureth Credit with the rest. From hence there ariseth a triple Word of God, *Rational*, *Sensible*, and *Prophetic*: to which correspondeth a triple Hearing: *Right Reason*, *Sense Supernatural*, and *Faith*. As for Sense Supernatural, which consisteth in Revelation, or Inspiration, there have not been any universal Laws so given,

The Scope
of the follow-
ing Chapters:

Psal. xcvi. 1.
Psal. xcvi. 1.
Who are
Subjects in
the King-
dom of God.

A three-fold
Word of
God, Reason,
Revelation,
Prophecy.

PART II. because God speaketh not in that manner, but to particular Persons, and to divers Men divers Things.

A twofold Kingdom of God, Natural and Prophetic. From the Difference between the other two kinds of God's Word, *rational* and *prophetic*, there may be attributed to God, a twofold Kingdom, *natural* and *prophetic*: Natural, wherein he governeth as many of Mankind as acknowledge his Providence, by the natural Dictates of right Reason; and prophetic, wherein having chosen out one peculiar Nation (the *Jews*) for his Subjects, he governed them, and none but them, not only by natural Reason, but by positive Laws, which he gave them by the Mouths of his holy Prophets. Of the natural Kingdom of God I intend to speak in this Chapter.

The Right of God's Sovereignty is derived from his Omnipotence. The Right of Nature, whereby God reigneth over Men, and punisheth those that break his Laws, is to be derived, not from his creating them, as if he required Obedience as of Gratitude for his Benefits; but from his *irresistible Power*. I have formerly shewn, how the Sovereign Right ariseth from Pact: To shew how the same Right may arise from Nature, requires no more, but to shew in what Case it is never taken away. Seeing all Men by Nature had Right to all Things, they had Right every one to reign over all the rest. But because this Right could not be obtained by Force, it concerned the Safety of every one, laying by that Right, to set up Men (with Sovereign Authority) by common Consent, to rule and defend them: whereas if there had been any Man of Power irresistible, there had been no Reason why he should not by that Power have ruled and defended both himself and them, according to his own Discretion. To those therefore whose Power is irresistible, the Dominion of all Men adhereth naturally by their Excellence of Power; and consequently it is from that Power, that the Kingdom over Men, and the Right of afflicting Men at his Pleasure, belongeth naturally to God Almighty; not as Creator and gracious, but as omnipotent. And though Punishment be due for Sin only, because by that Word is understood Affliction for Sin; yet the Right of afflicting is not always derived from Men's Sin, but from God's Power.

Sin, not the Cause of all Affliction. This Question, *Why evil Men often prosper, and good Men suffer Adversity*, has been much disputed by the Antients, and is the same with this of ours, *by what Right God dispenseth the Prosperities and Adversities of this Life*; and is of that Difficulty, as it hath shaken the Faith, not only of the Vulgar, but of Philosophers, and which is more, of the Saints, concerning the Divine Providence. *How good (saith David). is the God of Israel to those that are upright in Heart; and yet my Feet were almost gone, my Treadings had well-nigh slipt; for I was grieved at the Wicked, when I saw the Ungodly in such Prosperity.* And *Job*, how earnestly does he expostulate with God, for the many Afflictions he suffered, notwithstanding his Righteousness? This Question in the Case of *Job*, is decided by God himself, not by Arguments derived from *Job's* Sin, but his own Power. For whereas the Friends of *Job* drew their Arguments from his Affliction to his Sin, and he defended himself by the Conscience of his Innocence, God himself taketh up the Matter, and having justified the Affliction by Arguments drawn from his Power, such as this, *Where wast thou when I laid the Foundations of the Earth?* and the like, both approved *Job's* Innocence, and reproved the erroneous Doctrine of his Friends. Conformable to this Doctrine is the Sentence of our Saviour, concerning the Man that was born blind, in these Words, *Neither hath this Man sinned, nor his Fathers; but that the Works of God might be made manifest in him.* And though it be said, *That Death entered into the World by Sin* (by which is meant, that if *Adam* had never sinned, he had never died, that is, never suffered any Separation of his Soul

Psal. lxxii.
1, 2, 3.

Job xxxviii.
4.

Soul from his Body) it follows not thence, that God could not justly have afflicted him, though he had not sinned, as well as he afflicteth other living Creatures that cannot sin. CHAP. XXXI.

Having spoken of the Right of God's Sovereignty, as grounded only on Nature, we are to consider next, what are the Divine Laws, or Dictates of natural Reason; which Laws concern either the natural Duties of one Man to another, or the Honour naturally due to our Divine Sovereign. The first are the same Laws of Nature, of which I have spoken already in the fourteenth and fifteenth Chapters of this Treatise, namely, Equity, Justice, Mercy, Humility, and the rest of the moral Virtues. It remaineth therefore that we consider, what Precepts are dictated to Men by their natural Reason only, without other Word of God, touching the Honour and Worship of the Divine Majesty.

Honour consisteth in the inward Thought, and Opinion of the Power and Goodness of another: and therefore to honour God, is to think as highly of his Power and Goodness as is possible. And of that Opinion, the external Signs appearing in the Words and Actions of Men, are called *Worship*; which is one Part of that which the *Latins* understand by the Word *Cultus*: For *Cultus* signifieth properly and constantly, that Labour which a Man bestows on any thing, with a Purpose to make Benefit by it. Now those Things whereof we make Benefit, are either subject to us, and the Profit they yield followeth the Labour we bestow upon them, as a natural Effect; or they are not subject to us, but answer our Labour, according to their own Wills. In the first Sense, the Labour bestowed on the Earth is called *Culture*; and the Education of Children, a *Culture* of their Minds. In the second Sense, where Men's Wills are to be wrought to our Purpose, not by Force, but by Complaisance, it signifieth as much as courting, that is, a winning of Favour by good Offices; as by Praises, by acknowledging their Power, and by whatsoever is pleasing to them from whom we look for any Benefit. And this is properly *Worship*: in which Sense *Publicola* is understood for a Worshipper of the People, and *Cultus Dei* for the Worship of God. Honour and
Worship,
what.

From internal Honour, consisting in the Opinion of Power and Goodness, arise three Passions; *Love*, which hath Reference to Goodness; and *Hope* and *Fear*, that relate to Power: And three Parts of external Worship; *Praise*, *Magnifying*, and *Blessing*: The Subject of Praise, being Goodness; the Subject of Magnifying and Blessing, being Power, and the Effect thereof Felicity. Praise and Magnifying are signified both by Words and Actions: By Words, when we say a Man is good or great; by Actions, when we thank him for his Bounty, and obey his Power. The Opinion of the Happiness of another, can only be expressed by Words. Several Signs
of Honour.

There be some Signs of Honour, both in Attributes and Actions, that be naturally so; as amongst Attributes, *good*, *just*, *liberal*, and the like; and amongst Actions, *Prayers*, *Thanks*, and *Obedience*. Others are so by Institution, or Custom of Men; and in some Times and Places are honourable, in others dishonourable, in others indifferent: such as are the Gestures in Salutation, Prayer, and Thanksgiving, in different Times and Places, differently used. The former is *natural*, the latter *arbitrary* Worship. Worship,
natural and
arbitrary.

And of arbitrary Worship, there be two Differences: For sometimes it is a *commanded*, sometimes *voluntary* Worship: Commanded, when it is such as he requireth, who is worshipped; free, when it is such as the Worshipper thinks fit. When it is commanded, not the Words, or Gesture, but the Obedience is the Worship. But when free, the Worship,
commanded
and free.

PART II. Worship consists in the Opinion of the Beholders : for if to them the Words or Actions by which we intend Honour, seem ridiculous, and tending to Contumely, they are no Worship; because no Signs of Honour; and no Signs of Honour, because a Sign is not a Sign to him that giveth it, but to him to whom it is made; that is, to the Spectator.

Worship,
public and
private.

Again, there is a *public* and a *private* Worship. Public; is the Worship that a Commonwealth performeth, as one Person. Private, is that which a private Person exhibiteth. Public, in Respect of the whole Commonwealth, is free; but in Respect of particular Men is not so. Private, is in secret free; but in the Sight of the Multitude, it is never without some Restraint, either from the Laws, or from the Opinion of Men; which is contrary to the Nature of Liberty.

The End of
Worship.

The End of Worship amongst Men, is Power. For where a Man seeth another worshipped, he supposeth him powerful, and is the readier to obey him; which makes his Power greater. But God has no Ends: the Worship we do him, proceeds from our Duty, and is directed according to our Capacity, by those Rules of Honour, that Reason dictateth to be done by the weak to the more potent Men, in hope of Benefit, for fear of Damage, or in Thankfulness for Good already received from them.

Attributes of
divine Ho-
nour.

That we may know what Worship of God is taught us by the Light of Nature, I will begin with his Attributes. Where, First, it is manifest, we ought to attribute to him *Existence*: For no Man can have the Will to honour that, which he thinks not to have any Being.

Secondly, That those Philosophers, who said the World, or the Soul of the World, was God, spake unworthily of him; and denied his Existence: For by God, is understood the Cause of the World; and to say the World is God, is to say there is no Cause of it, that is, no God.

Thirdly, To say the World was not created, but eternal, (seeing that which is eternal has no Cause) is to deny there is a God.

Fourthly, That they who attributing (as they think) Ease to God, take from him the Care of Mankind; take from him his Honour: for it takes away Men's Love, and Fear of him; which is the Root of Honour.

Fifthly, In those Things that signify Greatness and Power; to say he is *finite*, is not to honour him: For it is not a Sign of the Will to honour God, to attribute to him less than we can; and finite is less than we can; because to finite, it is easy to add more.

Therefore to attribute *Figure* to him, is not Honour; for all Figure is finite:

Nor to say we conceive, and imagine, or have an *Idea* of him, in our Mind: for whatsoever we conceive is finite:

Nor to attribute to him *Parts*, or *Totality*; which are the Attributes only of Things finite:

Nor to say he is in this, or that *Place*: for whatsoever is in Place, is bounded, and finite:

Nor that he is *moved*, or *resteth*: for both these Attributes ascribe to him Place:

Nor that there be more Gods than one; because it implies them all finite: for there cannot be more than one infinite:

Nor to ascribe to him (unless metaphorically, meaning not the Passion, but the Effect) Passions that partake of Grief; as *Repentance*, *Anger*, *Mercy*: or of Want; as *Appetite*, *Hope*, *Desire*; or of any passive Faculty: For Passion is Power limited by somewhat else.

And

And therefore when we ascribe to God a *Will*, it is not to be understood, as that of Man, for a *rational Appetite*; but as the Power, by which he effecteth every thing. CHAP. XXXI.

Likewise when we attribute to him *Sight*, and other Acts of Sense; as also *Knowledge*, and *Understanding*; which in us is nothing else, but a Tumult of the Mind, raised by external Things that press the organical Parts of Man's Body: For there is no such Thing in God; and Things that depend on natural Causes, cannot be attributed to him.

He that will attribute to God, nothing but what is warranted by natural Reason, must either use such negative Attributes, *Infinite*, *Eternal*, *Incomprehensible*; or Superlatives, as *most High*, *most Great*, and the like; or Indefinite, as *Good*, *Just*, *Holy*, *Creator*; and in such Sense, as if he meant not to declare what he is, (for that were to circumscribe him within the Limits of our Fancy) but how much we admire him, and how ready we would be to obey him; which is a Sign of Humility, and of a Will to honour him as much as he can: For there is but one Name to signify the Conception of his Nature, and that is, I AM: and but one Name of his Relation to us, and that is GOD; in which is contained Father, King, and Lord.

Concerning the Actions of Divine Worship, it is a most general Precept of Reason, that they be Signs of the Intention to honour God; such as are, First, *Prayers*: For not the Carvers, when they made Images, were thought to make them Gods; but the People that prayed to them. Actions that are Signs of divine Honour.

Secondly, *Thanksgiving*; which differeth from Prayer in Divine Worship, no otherwise, than that Prayers precede, and Thanks succeed the Benefit; the End both of the one and the other, being to acknowledge God, for Author of all Benefits, as well past, as future.

Thirdly, *Gifts*; that is to say, *Sacrifices* and *Oblations*, (if they be of the best) are Signs of Honour: for they are Thanksgivings.

Fourthly, *Not to swear by any but God*, is naturally a Sign of Honour; for it is a Confession that God only knoweth the Heart; and that no Man's Wit, or Strength, can protect a Man against God's Vengeance on the perjured.

Fifthly, It is a Part of rational Worship, to speak considerately of God; for it argues a Fear of him, and Fear is a Confession of his Power. Hence followeth, That the Name of God is not to be used rashly and to no Purpose; for that is as much, as in Vain: And it is to no Purpose, unless it be by Way of Oath, and by Order of the Commonwealth, to make Judgments certain; or between Commonwealths, to avoid War. And that disputing of God's Nature is contrary to his Honour: For it is supposed, that within this natural Kingdom of God, there is no other Way to know any Thing, but by natural Reason; that is, from the Principles of natural Science; which are so far from teaching us any thing of God's Nature, as they cannot teach us our own Nature, nor the Nature of the smallest Creature living. And therefore, when Men out of the Principles of natural Reason, dispute of the Attributes of God, they but dishonour him: For in the Attributes which we give to God, we are not to consider the Signification of philosophical Truth; but the Signification of pious Intention, to do him the greatest Honour we are able. From the Want of which Consideration, have proceeded the Volumes of Disputation about the Nature of God, that tend not to his Honour, but to the Honour of our own Wits, and Learning; and are nothing else but inconsiderate, and vain Abuses of his sacred Name.

Sixthly,

PART
II.

Sixthly, In *Prayers, Thanksgiving, Offerings and Sacrifices*, it is a Dictate of natural Reason, that they be every one in his Kind the best, and most significant of Honour. As for Example, that Prayers, and Thanksgiving, be made in Words and Phrases, not sudden, nor light, nor plebeian; but beautiful, and well-composed; for else we do not God as much Honour as we can. And therefore the Heathens did absurdly, to worship Images for Gods: But their doing it in Verse, and with Music, both of Voice and Instruments, was reasonable. Also that the Beasts they offered in Sacrifice, and the Gifts they offered, and their Actions in worshipping, were full of Submission, and commemorative of Benefits received, was according to Reason, as proceeding from an Intention to honour him.

Seventhly, Reason directeth not only to worship God in secret; but also, and especially in public, and in the Sight of Men: For without that, (that which in Honour is most acceptable) the procuring others to honour him, is lost.

Lastly, Obedience to his Laws (that is, in this Case to the Laws of Nature) is the greatest Worship of all. For as Obedience is more acceptable to God than Sacrifice; so also to set light by his Commandments, is the greatest of all Contumelies. And these are the Laws of that Divine Worship which natural Reason dictateth to private Men.

Public Wor-
ship consist-
eth in Uni-
formity.

But seeing a Commonwealth is but one Person, it ought also to exhibit to God but one Worship; which then it doth, when it commandeth it to be exhibited by private Men, publicly. And this is public Worship; the Property whereof, is to be *uniform*: For those Actions that are done differently by different Men, cannot be said to be a public Worship. And therefore, where many Sorts of Worship be allowed, proceeding from the different Religions of private Men, it cannot be said there is any public Worship, nor that the Commonwealth is of any Religion at all.

All Attri-
butes depend
on the Laws
Civil.

And because Words (and consequently the Attributes of God) have their Signification by Agreement, and Constitution of Men; those Attributes are to be held significative of Honour, that Men intend shall so be; and whatsoever may be done by the Wills of particular Men, where there is no Law but Reason, may be done by the Will of the Commonwealth, by Laws Civil. And because a Commonwealth hath no Will, nor makes no Laws, but those that are made by the Will of him, or them, that have the Sovereign Power; it followeth, that those Attributes which the Sovereign ordaineth, in the Worship of God, for Signs of Honour, ought to be taken and used for such, by private Men in their public Worship.

Not all
Actions.

But because not all Actions are Signs by Constitution; but some are naturally Signs of Honour, others of Contumely, these latter (which are those that Men are ashamed to do in the Sight of them they reverence) cannot be made by human Power a Part of Divine Worship; nor the former (such as are decent, modest, humble Behaviour) ever be separated from it. But whereas there be an infinite Number of Actions and Gestures of an indifferent Nature; such of them as the Commonwealth shall ordain to be publicly and universally in Use, as Signs of Honour, and Part of God's Worship, are to be taken and used for such by the Subjects. And that which is said in the Scripture, *It is better to obey God than Men*, hath Place in the Kingdom of God by Pact, and not by Nature.

Natural Pu-
nishments.

Having thus briefly spoken of the natural Kingdom of God, and his natural Laws, I will add only to this Chapter a short Declaration of his natural Punishments. There is no Action of Man in this Life, that

is

is not the Beginning of so long a Chain of Consequences, as no human Providence is high enough, to give a Man a Prospect to the End. And in this Chain, there are linked together both pleasing and unpleasing Events; in such manner, as he that will do any thing for his Pleasure, must engage himself to suffer all the Pains annexed to it; and these Pains, are the natural Punishments of those Actions, which are the Beginning of more Harm than Good. And hereby it comes to pass, that Intemperance is naturally punished with Diseases; Rashness, with Mischances; Injustice, with the Violence of Enemies; Pride, with Ruin; Cowardice, with Oppression; negligent Government of Princes, with Rebellion; and Rebellion, with Slaughter. For seeing Punishments are consequent to the Breach of Laws, natural Punishments must be naturally consequent to the Breach of the Laws of Nature; and therefore follow them as their natural, not arbitrary Effects.

And thus far concerning the Constitution, Nature, and Right of Sovereigns; and concerning the Duty of Subjects, derived from the Principles of natural Reason. And now, considering how different this Doctrine is, from the Practice of the greatest part of the World, especially of these Western parts, that have received their Moral Learning from *Rome* and *Athens*; and how much Depth of Moral Philosophy is required, in them that have the Administration of the Sovereign Power; I am at the Point of believing this my Labour, as useless, as the Commonwealth of *Plato*; for he also is of Opinion, that it is impossible for the Disorders of State, and Change of Government by Civil War, ever to be taken away, till Sovereigns be Philosophers. But when I consider again, that the Science of natural Justice, is the only Science necessary for Sovereigns, and their principal Ministers; and that they need not be charged with the Sciences Mathematical (as by *Plato* they are) further, than by good Laws to encourage Men to the Study of them; and that neither *Plato*, nor any other Philosopher hitherto, hath put into Order, and sufficiently, or probably proved all the Theorems of Moral Doctrine, that Men may learn thereby, both how to govern, and how to obey; I recover some Hope, that one time or other, this Writing of mine may fall into the Hands of a Sovereign, who will consider it himself (for it is short, and I think clear) without the Help of any interested, or envious Interpreter; and by the Exercise of entire Sovereignty, in protecting the public teaching of it, convert this Truth of Speculation, into the Utility of Practice.

CHAP.
XXXI.

The Conclusion of the
Second Part.

O F A

Christian Commonwealth.

P A R T III.

C H A P. XXXII.

Of the Principles of CHRISTIAN POLITICS.

The Word of God delivered by Prophets; is the main Principle of Christian Politics.

I Have derived the Rights of Sovereign Power, and the Duty of Subjects, hitherto, from the Principles of Nature only; such as Experience has found true, or Consent (concerning the Use of Words) has made so; that is to say, from the Nature of Men, known to us by Experience, and from Definitions (of such Words as are essential to all political Reasoning) universally agreed on. But in that I am next to handle, which is the Nature and Rights of a *Christian Commonwealth*, whereof there dependeth much upon supernatural Revelations of the Will of God; the Ground of my Discourse must be, not only the natural Word of God, but also the prophetic.

Yet is not natural Reason to be renounced.

Nevertheless, we are not to renounce our Senses, and Experience; nor (that which is the undoubted Word of God) our natural Reason. For they are the Talents which he hath put into our Hands to negotiate, till the coming again of our blessed Saviour; and therefore not to be folded up in the Napkin of implicit Faith, but employed in the Purchase of Justice, Peace, and true Religion. For though there be many Things in God's Word above Reason; that is to say, which cannot by natural Reason be either demonstrated, or confuted; yet there is nothing contrary to it; but when it seemeth so, the Fault is either in our unskilful Interpretation, or erroneous Ratiocination.

Therefore when any thing therein written is too hard for our Examination, we are bidden to captivate our Understanding to the Words; and not to labour in sifting out a philosophical Truth by Logic, of such Mysteries as are not comprehensible, nor fall under any Rule of natural Science. For it is with the Mysteries of our Religion, as with wholesome Pills for the Sick, which swallowed whole, have the Virtue to cure; but chewed, are for the most part cast up again without Effect.

What it is to captivate the Understanding.

But by the Captivity of our Understanding, is not meant a Submission of the intellectual Faculty, to the Opinion of any other Man; but of the Will to Obedience, where Obedience is due. For Sense, Memory, Understanding, Reason, and Opinion, are not in our Power to change; but always, and necessarily such, as the Things we see, hear, consider, and suggest unto us; and therefore are not Effects of our Will, but our Will of them. We then captivate our Understanding and Reason, when we forbear Contradiction; when we so speak, as (by lawful Authority) we are

are commanded, and when we live accordingly; which in sum, is Trust and Faith reposed in him that speaketh, though the Mind be incapable of any Notion at all from the Words spoken.

CHAP.
XXXII.

When God speaketh to Man, it must be either immediately, or by Mediation of another Man, to whom he had formerly spoken by himself immediately. How God speaketh to a Man immediately, may be understood by those well enough, to whom he hath so spoken; but how the same should be understood by another, is hard, if not impossible to know. For if a Man pretend to me, that God hath spoken to him supernaturally and immediately, and I make doubt of it, I cannot easily perceive what Argument he can produce, to oblige me to believe it. It is true, that if he be my Sovereign, he may oblige me to Obedience, so, as not by Act or Word to declare I believe him not; but not to think any otherwise than my Reason persuades me. But if one that hath not such Authority over me, shall pretend the same, there is nothing that exacteth either Belief or Obedience.

How God
speaketh to
Men.

For to say that God hath spoken to him in the holy Scripture, is not to say God hath spoken to him immediately, but by Mediation of the Prophets, or of the Apostles, or of the Church, in such manner as he speaks to all other Christian Men. To say he hath spoken to him in a Dream, is no more than to say he dreamed that God spake to him; which is not of Force to win Belief from any Man, that knows Dreams are for the most part natural, and may proceed from former Thoughts; and such Dreams as that, from Self-conceit, and foolish Arrogance, and false Opinion of a Man's own Godliness, or other Virtue, by which he thinks he hath merited the Favour of extraordinary Revelation. To say he hath seen a Vision, or heard a Voice, is to say, that he hath dreamed between sleeping and waking: for in such manner a Man doth many times naturally take his Dream for a Vision, as not having well observed his own slumbering. To say he speaks by supernatural Inspiration, is to say he finds an ardent Desire to speak, or some strong Opinion of himself, for which he can alledge no natural and sufficient Reason. So that though God Almighty can speak to a Man by Dreams, Visions; Voice, and Inspiration; yet he obliges no Man to believe he hath so done to him that pretends it; who, being a Man, may err; and, which is more, may lie.

How then can he, to whom God hath never revealed his Will immediately, saving by the way of natural Reason, know when he is to obey, or not to obey his Word, delivered by him that says he is a Prophet? Of four hundred Prophets, of whom the King of *Israel* asked Counsell, concerning the War he made against *Ramoth-Gilead*, only *Micaiab* was a true one. The Prophet that was sent to prophesy against the Altar set up by *Jeroboam*, though a true Prophet, and that by two Miracles done in his Presence appears to be a Prophet sent from God, was yet deceived by another old Prophet, that persuaded him as from the Mouth of God, to eat and drink with him. If one Prophet deceive another, what Certainty is there of knowing the Will of God, by other Way than that of Reason? To which I answer out of the holy Scripture, that there be two Marks, by which together, not asunder, a true Prophet is to be known. One is the doing of Miracles; the other is the not teaching any other Religion than that which is already established. Asunder, I say, neither of these is sufficient. *If a Prophet rise amongst you, or a Dreamer of Dreams, and shall pretend the doing of a Miracle, and the Miracle come to pass; if he say, Let us follow strange Gods, which thou hast not known, thou shalt not hearken to him, &c. But that Prophet and Dreamer of Dreams shall be put to Death, because he*

By what
Marks Pro-
phets are
known.

i Kings xxii.

i Kings xiii.

Deut. xiii.

1, 2, 3, 4, 5.

hath

PART
III.

hath spoken to you to revolt from the Lord your God. In which Words two Things are to be observed: First, That God will not have Miracles alone serve for Arguments, to approve the Prophet's Calling; but (as it is in the third Verse) for an Experiment of the Constancy of our Adherence to himself: for the Works of the *Egyptian* Sorcerers, though not so great as those of *Moses*, yet were great Miracles. Secondly, That how great soever the Miracle be, yet if it tend to stir up Revolt against the King, or him that governeth by the King's Authority, he that doth such Miracle, is not to be considered otherwise than as sent to make Trial of their Allegiance. For these Words, *revolt from the Lord your God*, are in this Place equivalent to *revolt from your King*. For they had made God their King by Pact at the Foot of Mount *Sinai*; who ruled them by *Moses* only; for he only spake with God, and from Time to Time declared God's Commandments to the People. In like manner, after our Saviour *Christ* had made his Disciples acknowledge him for the *Messiah*, (that is to say, for God's Anointed, whom the Nation of the *Jews* daily expected for their King, but refused when he came) he omitted not to advertise them of the Danger of Miracles. *There shall arise*, saith he, *false Christs and false Prophets, and shall do great Wonders and Miracles, even to the seducing (if it were possible) of the very Elect.* By which it appears, that false Prophets may have the Power of Miracles; yet are we not to take their Doctrine for God's Word. *St. Paul* says further to the *Galatians*, that *if himself, or an Angel from Heaven, preach another Gospel to them than he had preached, let him be accursed.* That Gospel was, that *Christ* was King; so that all Preaching against the Power of the King received, in Consequence to these Words, is by *St. Paul* accursed. For his Speech is addressed to those, who by his Preaching had already received *Jesus* for the *Christ*, that is to say, for King of the *Jews*.

Matth. xxiv.
24.

Gal. i. 8.

The Marks
of a Prophet
in the old
Law, Mira-
cles, and
Doctrine
conformable
to the Law.

And as Miracles, without preaching that Doctrine which God hath established; so preaching the true Doctrine without the doing of Miracles, is an insufficient Argument of immediate Revelation. For if a Man that teacheth not false Doctrine, should pretend to be a Prophet without shewing any Miracle, he is never the more to be regarded for his Pretence, as is evident by *Deut. xviii. 21, 22.* *If thou say in thy Heart, How shall we know that the Word (of the Prophet) is not that which the Lord hath spoken. When the Prophet shall have spoken in the Name of the Lord, that which shall not come to pass, that is the Word which the Lord hath not spoken, but the Prophet has spoken it out of the Pride of his own Heart; fear him not.* But a Man may here again ask, When the Prophet hath foretold a Thing, how shall we know whether it will come to pass or not? For he may foretell it as a Thing to arrive after a certain long Time, longer than the Time of Man's Life; or indefinitely, that it will come to pass one Time or other: in which Case this Mark of a Prophet is unuseful; and therefore the Miracles that oblige us to believe a Prophet, ought to be confirmed by an immediate, or a not long deferred Event. So that it is manifest, that the teaching of the Religion which God hath established, and the shewing of a present Miracle, joined together, were the only Marks whereby the Scripture would have a true Prophet, that is to say, immediate Revelation, to be acknowledged; neither of them being singly sufficient to oblige any other Man to regard what he saith.

Miracles
ceasing, Pro-
phets cease,
and the Scrip-
ture supplies
their Place.

Seeing therefore Miracles now cease, we have no Sign left, whereby to acknowledge the pretended Revelations, or Inspirations of any private Man; nor Obligation to give ear to any Doctrine, farther than it is conformable to the holy Scriptures, which since the Time of our Saviour,

vour,

viour, supply the Place, and sufficiently recompense the Want of all other Prophecy ; and from which, by wise and learned Interpretation, and careful Ratiocination, all Rules and Precepts necessary to the Knowledge of our Duty both to God and Man, without Enthusiasm, or supernatural Inspiration, may easily be deduced. And this Scripture is it, out of which I am to take the Principles of my Discourse, concerning the Rights of those that are the supreme Governors on Earth, of Christian Commonwealths ; and of the Duty of Christian Subjects towards their Sovereigns. And to that end, I shall speak in the next Chapter of the Books, Writers, Scope and Authority of the Bible.

CHAP.
XXXIII.

C H A P. XXXIII.

Of the Number, Antiquity, Scope, Authority, and Interpreters of the Books of Holy Scripture.

BY the Books of Holy Scripture, are understood those, which ought to be the Canon, that is to say, the Rules of Christian Life. And because all Rules of Life, which Men are in Conscience bound to observe, are Laws ; the Question of the Scripture, is the Question of what is Law throughout all Christendom, both Natural and Civil. For tho' it be not determined in Scripture, what Laws every Christian King shall constitute in his own Dominions ; yet it is determined what Laws he shall not constitute. Seeing therefore I have already proved, that Sovereigns in their own Dominions are the sole Legislators ; those Books only are Canonical, that is, Law, in every Nation, which are established for such by the Sovereign Authority. It is true, that God is the Sovereign of all Sovereigns ; and therefore, when he speaks to any Subject, he ought to be obeyed, whatsoever any earthly Potentate command to the contrary. But the Question is not of Obedience to God, but of *when* and *what* God hath said ; which to Subjects that have no supernatural Revelation, cannot be known but by natural Reason which guided them, for the obtaining of Peace and Justice, to obey the Authority of their several Commonwealths ; that is to say, of their lawful Sovereigns. According to this Obligation, I can acknowledge no other Books of the Old Testament, to be Holy Scripture, but those which have been commanded to be acknowledged for such by the Authority of the Church of *England*. What Books these are, is sufficiently known, without a Catalogue of them here ; and they are the same that are acknowledged by St. *Jerom*, who holdeth the rest, namely, the *Wisdom of Solomon*, *Ecclesiasticus*, *Judith*, *Tobias*, the first and the second of *Maccabees*, (though he had seen the first in *Hebrew*) and the third and fourth of *Esdras*, for *Apocrypha*. Of the Canonical, *Josephus* a learned *Jew*, that wrote in the Time of the Emperor *Domitian*, reckoneth *twenty-two*, making the Number agree with the *Hebrew* Alphabet. St. *Jerom* does the same, though they reckon them in different Manner. For *Josephus* numbers *five* Books of *Moses*, *thirteen* of *Prophets*, that writ the History of their own Times (which how it agrees with the Prophets Writings contained in the Bible we shall see hereafter) and *four* of *Hymns* and moral Precepts. But St. *Jerom* reckons *five* Books of *Moses*, *eight* of *Prophets*, and *nine* of other Holy Writ, which he calls of *Hagiographa*. The *Septuagint*, who were *seventy* learned Men of the *Jews*, sent for by *Ptolemy* King of *Egypt*, to translate the *Jewish* Law, out of the *Hebrew* into the *Greek*, have left us no other for Holy Scripture

Of the Books
of Holy
Scripture.

PART II. in the *Greek* Tongue, but the same that are received in the Church of *England*.

As for the Books of the New Testament, they are equally acknowledged for Canon by all Christian Churches, and by all Sects of Christians, that admit any Books at all for Canonical.

Their Antiquity.

Who were the original Writers of the several Books of Holy Scripture, has not been made evident by any sufficient Testimony of other History, (which is the only Proof of Matter of Fact;) nor can be by any Arguments of natural Reason: for Reason serves only to convince the Truth (not of Fact, but) of Consequence. The Light therefore that must guide us in this Question, must be that which is held out unto us from the Books themselves: And this Light, though it shew us not the Writer of every Book, yet it is not unuseful to give us Knowledge of the Time wherein they were written.

The Pentateuch not written by Moses.

And first, for the *Pentateuch*, it is not Argument enough that they were written by *Moses*, because they are called the five Books of *Moses*; no more than these Titles, the Book of *Joshua*, the Book of *Judges*, the Book of *Ruth*, and the Books of the *Kings*, are Arguments sufficient to prove, that they were written by *Joshua*, by the *Judges*, by *Ruth*, and by the *Kings*. For in Titles of Books, the Subject is marked, as often as the Writer. The *History of Livy*, denotes the Writer; but the *History of Scanderbeg*, is denominated from the Subject. We read in the last Chapter of *Deuteronomy*, ver. 6. concerning the Sepulchre of *Moses*, that no Man knoweth of his Sepulchre to this Day, that is, to the Day wherein those Words were written. It is therefore manifest, that those Words were written after his Interment. For it were a strange Interpretation to say, *Moses* spoke of his own Sepulchre, though by Prophecy, that it was not found to that Day, wherein he was yet living. But it may perhaps be alledged, that the last Chapter only, not the whole *Pentateuch*, was written by some other Man, but the rest not: Let us therefore consider that which we find in the Book of *Genesis*, Chap. xii. 6. *And Abraham passed through the Land to the Place of Sichem, unto the Plain of Moreh, and the Canaanite was then in the Land*; which must needs be the Words of one that wrote when the *Canaanite* was not in the Land; and consequently, not of *Moses*, who died before he came into it. Likewise *Numbers* xxi. 14. the Writer citeth another more ancient Book, entitled, *The Book of the Wars of the Lord*, wherein were registered the Acts of *Moses*, at the *Red-sea*, and at the Brook of *Arnon*. It is therefore sufficiently evident, that the five Books of *Moses* were written after his Time, though how long after it be not so manifest.

Deut. xxxi. 9.

But though *Moses* did not compile those Books entirely, and in the Form we have them; yet he wrote all that which he is there said to have written: as for Example, the Volume of the Law which is contained, as it seemeth, in the XIth of *Deuteronomy*, and the following Chapters to the XXVIIth, which was also commanded to be written on Stones, in their Entry into the Land of *Canaan*. And this did *Moses* himself write, and deliver to the Priests and Elders of *Israel*, to be read every seventh Year to all *Israel*, at their assembling in the Feast of *Tabernacles*. And this is that Law which God commanded, that their Kings (when they should have established that Form of Government) should take a Copy of from the Priests and Levites; and which *Moses* commanded the Priests and Levites to lay in the Side of the Ark; and the same which having been lost, was long after found again by *Hilkiab*, and sent to King *Josiah*, who causing it to be read to the People, renewed the Covenant between God and them.

Deut. xxxi.

26.
2 Kings xxii.
8. and xxiii.
1, 2, 3.

That

That the Book of *Joshua* was also written long after the Time of CHAP. *Joshua*, may be gathered out of many Places of the Book itself. *Joshua* XXXIII. had set up twelve Stones in the Midst of *Jordan*, for a Monument of their Passage ; of which this Writer saith thus, * *They are there unto this Day* ; for *unto this Day*, is a Phrase that signifieth a Time past, beyond the Memory of Man. In like manner, upon the Saying of the Lord, that he had rolled off from the People the Reproach of *Egypt*, the Writer saith, *The Place is called Gilgal unto this Day* ; which to have said in the Time of *Joshua*, had been improper. So also the Name of the Valley of *Achor*, from the Trouble that *Achan* raised in the Camp, the Writer saith, *remaineth unto this Day* ; which must need be therefore long after the Time of *Joshua*. Arguments of this Kind there be many other ; as *Josh. viii. 29. xiii. 13. xiv. 14. xv. 63.*

The same is manifest by like Arguments of the Book of *Judges*, Chap. i. 21, 26. vi. 24. x. 4. xv. 19. xvii. 6. and *Ruth* i. 1. but especially *Judg. xviii. 30.* where it is said, that *Jonathan and his Sons were Priests to the Tribe of Dan, until the Day of the Captivity of the Land.*

That the Books of *Samuel* were also written after his own Time, there are the like Arguments, *1 Sam. v. 5. vii. 13, 15. xxvii. 6. and xxx. 25.* where, after *David* had adjudged equal Part of the Spoils, to them that guarded the Ammunition, with them that fought, the Writer saith, *He made it a Statute and an Ordinance to Israel to this Day.* Again, when *David* (displeased, that the Lord had slain *Uzzab*, for putting out his Hand to sustain the Ark) called the Place *Perez-Uzzab*, the Writer saith, it is called so *to this Day* : the Time therefore of the Writing of that Book, must be long after the Time of the Fact, that is, long after the Time of *David*.

As for the two Books of the *Kings*, and the two Books of the *Chronicles*, besides the Places which mention such Monuments, as the Writer saith, remained till his own Days ; such as are *1 Kings ix. 13. ix. 21. x. 12. xii. 19. 2 Kings ii. 22. viii. 22. x. 27. xiv. 7. xvi. 6. xvii. 23. xvii. 34. xvii. 41. 1 Chron. iv. 41. v. 26.* It is Argument sufficient they were written after the Captivity in *Babylon*, that the History of them is continued till that Time. For the Facts registered are always more ancient than the Register ; and much more ancient than such Books as make mention of, and quote the Register ; as these Books do in divers Places, referring the Reader to the Chronicles of the Kings of *Judah*, to the Chronicles of the Kings of *Israel*, to the Books of the Prophet *Samuel*, of the Prophet *Nathan*, of the Prophet *Abijah* ; to the Vision of *Jehdo*, to the Books of the Prophet *Serveiab*, and of the Prophet *Addo*.

The Books of *Ezra* and *Nehemiah* were written certainly after their Return from Captivity ; because their Return, the Re-edification of the Walls and Houses of *Jerusalem*, the Renovation of the Covenant, and Ordination of their Policy, are therein contained.

The History of Queen *Esther*, is of the Time of the Captivity ; and therefore the Writer must have been of the same Time, or after it.

The Book of *Job* hath no Mark in it of the Time wherein it was written : and though it appear sufficiently (*Ezekiel xiv. 14. and James v. 11.*) that he was no feigned Person ; yet the Book itself seemeth not to be a History, but a Treatise concerning a Question in ancient time much disputed, *why wicked Men have often prospered in this World, and good Men have been afflicted* ; and it is the more probable, because from the Beginning, to the third Verse of the third Chapter, where the Complaint of *Job* beginneth, the *Hebrew* is, as *St. Jerom* testifies, in Prose ; and from thence to the sixth Verse of the last Chapter, in Hexameter Verses ; and the rest of that Chapter again in Prose. So that the

Dispute

PART III. Dispute is all in Verse; and the Prose is added, but as a Preface in the Beginning, and an Epilogue in the End. But Verse is no usual Stile of such, as either are themselves in great Pain, as *Job*; or of such as come to comfort them, as his Friends; but in Philosophy, especially Moral Philosophy, in ancient time frequent.

The Psalter. The *Psalms* were written the most part by *David*, for the Use of the Choir. To these are added some Songs of *Moses*, and other holy Men; and some of them after the return from the Captivity, as the cxxxvii. and cxxvi. whereby it is manifest that the Psalter was compiled, and put into the Form it now hath, after the Return of the *Jews* from *Babylon*.

The Proverbs. The *Proverbs*, being a Collection of wise and godly Sayings, partly of *Solomon*, partly of *Agur* the Son of *Jakeb*, and partly of the Mother of King *Lemuel*, cannot probably be thought to have been collected by *Solomon*, rather than by *Agur*, or the Mother of *Lemuel*; and that, though the Sentences be theirs, yet the Collection or compiling them into this one Book, was the Work of some other godly Man, that lived after them all.

Ecclesiastes and the Canticles. The Books of *Ecclesiastes* and the *Canticles* have nothing that was not *Solomon's*, except it be the Titles, or Inscriptions. For, *The Words of the Preacher, the Son of David, King in Jerusalem*; and, *The Song of Songs, which is Solomon's*, seem to have been made for Distinction Sake, then, when the Books of Scripture were gathered into one Body of the Law; to the end, that not the Doctrine only, but the Authors also might be extant.

The Prophets. Of the Prophets, the most ancient, are *Zephaniab, Jonab, Amos, Hosea, Isaiab* and *Micab*, who lived in the Time of *Amaziab*, and *Azariab*, otherwise *Ozias*, Kings of *Judab*. But the Book of *Jonab* is not properly a Register of his Prophecy, (for that is contained in these few Words, *Forty Days and Nineveh shall be destroyed*) but a History or Narration of his Frowardness and disputing God's Commandments; so that there is small Probability he should be the Author, seeing he is the Subject of it. But the Book of *Amos* is his Prophecy.

Jeremiab, Obadiab, Nabum, and Habakkuk prophesied in the Time of *Josiab*.

Ezekiel, Daniel, Haggai, and Zechariab, in the Captivity.

When *Joel* and *Malachi* prophesied, is not evident by their Writings. But considering the Inscriptions, or Titles of their Books, it is manifest enough, that the whole Scripture of the Old Testament, was set forth in the Form we have it, after the Return of the *Jews* from their Captivity in *Babylon*, and before the Time of *Ptolemæus Pbiladelphus*, that caused it to be translated into *Greek* by seventy Men, which were sent him out of *Judea* for that Purpose. And if the Books of *Apocrypha* (which are recommended to us by the Church, though not for Canonical, yet for profitable Books for our Instruction) may in this Point be credited, the Scripture was set forth in the Form we have it in, by *Esdra*s; as may appear by that which he himself saith, in the second Book, Chap. xiv. 21, 22, &c. where speaking to God, he saith thus, *Thy Law is burnt; therefore no Man knoweth the Things which thou hast done, or the Works that are to begin. But if I have found Grace before thee, send down the holy Spirit into me, and I shall write all that hath been done in the World, since the Beginning, which were written in thy Law, that Men may find thy Path, and that they which will live in the latter Days, may live.* And ver. 45. *And it came to pass when the forty Days were fulfilled, that the Higbest spake, saying, The first that thou hast written, publish openly, that the worthy and unworthy may read it; but keep the seventy last, that thou mayst deliver them only to such as be wise among the People.* And thus

much

much concerning the Time of the Writing of the Books of the Old Testament. CHAP. XXXIII.

The Writers of the New Testament lived all in less than an Age after Christ's Ascension, and had all of them seen our Saviour, or been his Disciples, except St. *Paul*, and St. *Luke*; and consequently whatsoever was written by them, is as ancient as the Time of the Apostles. But the Time wherein the Books of the New Testament were received, and acknowledged by the Church to be of their Writing, is not altogether so ancient. For, as the Books of the Old Testament are derived to us, from no higher Time than that of *Esdra*s, who by the Direction of God's Spirit retrieved them, when they were lost: Those of the New Testament, of which the Copies were not many, nor could easily be all in any one private Man's Hand, cannot be derived from a higher Time; than that wherein the Governors of the Church collected, approved, and recommended them to us, as the Writings of those Apostles and Disciples under whose Names they go. The Enumeration of all the Books both of the Old and New Testament, is in the Canons of the Apostles, supposed to be collected by *Clement* the first (after St. *Peter*) Bishop of *Rome*. But because that is but supposed, and by many questioned, the Council of *Laodicea* is the first we know, that recommended the Bible to the then Christian Churches, for the Writings of the Prophets and Apostles: and this Council was held in the 364th Year after Christ. At which Time, though Ambition had so far prevailed on the great Doctors of the Church, as no more to esteem Emperors, though Christian, for the Shepherds of the People, but for Sheep; and Emperors not Christian, for Wolves; and endeavoured to pass their Doctrine, not for Counsel and Information, as Preachers; but for Laws, as absolute Governors; and thought such Frauds as tended to make the People the more obedient to Christian Doctrine, to be pious; yet I am persuaded they did not therefore falsify the Scriptures, though the Copies of the Books of the New Testament, were in the Hands only of the Ecclesiastics; because if they had had an Intention so to do, they would surely have made them more favourable to their Power over Christian Princes, and Civil Sovereignty, than they are. I see not therefore any Reason to doubt, but the Old and New Testament, as we have them now, are the true Registers of those Things which were done and said by the Prophets and Apostles. And so perhaps are some of those Books which are called *Apocrypha*, if left out of the Canon, not for Inconformity of Doctrine with the rest, but only because they are not found in the *Hebrew*. For after the Conquest of *Asia* by *Alexander* the Great, there were few *Jews*, that were not perfect in the *Greek* Tongue. For the seventy Interpreters that converted the Bible into *Greek*, were all of them *Hebrews*; and we have extant the Works of *Philo* and *Josephus*, both *Jews*, written by them eloquently in *Greek*. But it is not the Writer, but the Authority of the Church, that maketh a Book Canonical. And although these Books were written by divers Men, yet it is manifest the Writers were all inducted with one and the same Spirit, in that they conspire to one and the same End, which is the setting forth of the Rights of the Kingdom of God, the *Father*, *Son*, and *Holy Ghost*. For the Book of *Genesis*, deriveth the Genealogy of God's People, from the Creation of the World, to the going into *Egypt*: the other four Books of *Moses*, contain the Election of God for their King, and the Laws which he prescribed for their Government: The Books of *Joshua*, *Judges*, *Ruth*, and *Samuel*, to the Time of *Saul*, describe the Acts of God's People, till the Time they cast off God's Yoke, and called for a King, after the Manner of their Neighbour Nations: The rest of the History of the Old Testament,

The New Testament.

Their Scope.

PART
III.

derives the Succession of the Line of *David* to the Captivity, out of which Line was to spring the Restorer of the Kingdom of God, even our Blessed Saviour *God the Son*, whose Coming was foretold in the Books of the Prophets, after whom the Evangelists writ his Life and Actions, and his Claim to the Kingdom, whilst he lived on Earth: And lastly, the Acts and Epistles of the Apostles, declare the Coming of God the *Holy Ghost*, and the Authority he left with them and their Successors, for the Direction of the *Jews*, and for the Invitation of the *Gentiles*. In sum, the Histories and the Prophecies of the Old Testament, and the Gospels and Epistles of the New Testament, have had one and the same Scope, to convert Men to the Obedience of God: 1. In *Moses* and the Priests: 2. In the Man *Christ*: And, 3. In the *Apostles*, and the Successors to apostolical Power. For these three at several Times did represent the Person of God: *Moses*, and his Successors the High Priests, and Kings of *Judab*, in the Old Testament: *Christ* himself, in the Time he lived on Earth: and the *Apostles*, and their Successors, from the Day of Pentecost (when the *Holy Ghost* descended on them) to this Day.

The Question of the Authority of the Scriptures stated.

It is a Question much disputed between the divers Sects of Christian Religion, *From whence the Scriptures derive their Authority?* Which Question is also propounded in other Terms, as *How we know them to be the Word of God*; or, *why we believe them to be so?* And the Difficulty of resolving it, ariseth chiefly from the Impropriety of the Words wherein the Question itself is couched. For it is believed on all hands, that the first and original *Author* of them is God; and consequently the Question disputed, is not that. Again, it is manifest, that none can know they are God's Word, though all true Christians believe it, but those to whom God himself hath revealed it supernaturally; and therefore the Question is not rightly moved, of our *Knowledge* of it. Lastly, when the Question is propounded of our *Belief*; because some are moved to believe for one, and others for other Reasons, there can be rendered no one general Answer for them all. The Question truly stated is, *By what Authority they are made Law?*

Their Authority and Interpretation.

As far as they differ not from the Laws of Nature, there is no doubt but they are the Law of God, and carry their Authority with them, legible to all Men that have the Use of natural Reason: but this is no other Authority, than that of all other moral Doctrine consonant to Reason, the Dictates whereof are Laws, not *made*, but *eternal*.

If they be made Law by God himself, they are of the Nature of written Law, which are Laws to them only to whom God hath so sufficiently published them, as no Man can excuse himself, by saying, he knew not they were his.

He therefore, to whom God hath not supernaturally revealed that they are his, nor that those that published them were sent by him, is not obliged to obey them by any Authority, but his, whose Commands have already the Force of Laws; that is to say, by any other Authority than that of the Commonwealth residing in the Sovereign, who only has the Legislative Power. Again, if it be not the Legislative Authority of the Commonwealth, that giveth them the Force of Laws, it must be some other Authority derived from God, either private or public: if private, it obliges only him to whom in particular God hath been pleased to reveal it. For if every Man should be obliged to take for God's Law, what particular Men, on Pretence of private Inspiration or Revelation, should obtrude upon him, (in such a Number of Men, that out of Pride and Ignorance, take their own Dreams, and extravagant Fancies, and Madness, for Testimonies of God's Spirit; or out of Ambition, pretend

to

to such Divine Testimonies falsely, and contrary to their own Con-
 sciences) it were impossible that any Divine Law should be acknow-
 ledged. If public, it is the Authority of the *Commonwealth*, or of the
Church. But the Church, if it be one Person, is the same thing with
 a Commonwealth of Christians; called a *Commonwealth*, because it con-
 sisteth of Men united in one Person, their Sovereign; and a *Church*, be-
 cause it consisteth in Christian Men, united in one Christian Sovereign.
 But if the Church be not one Person, then it hath no Authority at all;
 it can neither command, nor do any Action at all; nor is capable of
 having any Power, or Right to any thing; nor has any Will, Reason,
 nor Voice; for all these Qualities are personal. Now if the whole
 Number of Christians be not contained in one Commonwealth, they
 are not one Person; nor is there an universal Church that hath any
 Authority over them; and therefore the Scriptures are not made Laws
 by the universal Church: or if it be one Commonwealth, then all Chri-
 stian Monarchs and States are private Persons, and subject to be judged,
 deposed, and punished by an universal Sovereign of all *Christendom*. So
 that the Question of the Authority of the Scriptures is reduced to this,
*Whether Christian Kings, and the Sovereign Assemblies in Christian Com-
 monwealths, be absolute in their own Territories, immediately under God;
 or subject to one Vicar of Christ, constituted over the universal Church;
 to be judged, condemned, deposed, and put to Death, as he shall think ex-
 pedient, or necessary for the common Good.*

Which Question cannot be resolved, without a more particular Con-
 sideration of the Kingdom of God; from whence also, we are to judge
 of the Authority of interpreting the Scripture. For, whosoever hath a
 lawful Power over any Writing, to make it Law, hath the Power also
 to approve, or disapprove the Interpretation of the same.

C H A P. XXXIV.

*Of the Signification of SPIRIT, ANGEL, and INSPIRATION,
 in the Books of holy Scripture.*

Seeing the Foundation of all true Ratiocination is the constant Signi-
 fication of Words; which, in the Doctrine following, dependeth
 not, as in natural Science, on vulgar Use, but on the Sense they carry
 in the Scripture; it is necessary, before I proceed any farther, to deter-
 mine out of the Bible, the Meaning of such Words, as by their Am-
 biguity, may render what I am to infer upon them, obscure or disput-
 able. I will begin with the Words *Body* and *Spirit*, which in the Lan-
 guage of the Schools are termed *Substances, corporeal* and *incorporeal*.

The Word *Body*, in the most general Acceptation, signifieth that
 which filleth or occupieth some certain Room, or imagined Place; and
 dependeth not on the Imagination, but is a real Part of that we call
 the *Universe*. For the *Universe* being the Aggregate of all Bodies, there
 is no real Part thereof that is not also *Body*; nor any thing properly a
Body, that is not also Part of that Aggregate of all *Bodies*, the *Universe*.
 The same also, because Bodies are subject to Change, that is to say, to
 Variety of Appearance to the Sense of living Creatures, is called *Sub-
 stance*, that is to say, *subject* to various Accidents; as sometimes to be
 moved, sometimes to stand still; and to seem to our Senses sometimes
 hot, sometimes cold, sometimes of one Colour, Smell, Taste, or Sound,
 sometimes of another. And this Diversity of seeming, (produced by
 the

Body and
 Spirit, how
 taken in the
 Scripture.

PART III. the Diversity of the Operation of Bodies on the Organs of our Sense) we attribute to Alterations of the Bodies that operate, and call them *Accidents* of those Bodies. And according to this Acceptation of the Word, *Substance* and *Body* signify the same Thing; and therefore *Substance incorporeal* are Words, which when they are joined together, destroy one another, as if a Man should say, an *incorporeal Body*.

But in the Sense of common People, not all the Universe is called Body, but only such Parts thereof as they can discern by the Sense of Feeling, to resist their Force, or by the Sense of their Eyes, to hinder them from a farther Prospect. Therefore in the common Language of Men, *Air*, and *aerial Substances*, use not to be taken for *Bodies*, but, as often as Men are sensible of the Effects, are called *Wind*, or *Breath*, or (because the same are called in the *Latin*, *Spiritus*) *Spirits*; as when they call that aerial Substance, which in the Body of any living Creature, gives it Life and Motion, *vital* and *animal Spirits*. But for those Idols of the Brain, which represent Bodies to us, where they are not, as in a Looking-glass, in a Dream, or to a distempered Brain waking, they are (as the Apostle saith generally of all Idols) nothing; nothing at all, I say, there where they seem to be; and in the Brain itself, nothing but Tumult, proceeding either from the Action of the Objects, or from the disorderly Agitation of the Organs of our Sense. And Men, that are otherwise employed, than to search into their Causes, know not of themselves, what to call them; and may therefore easily be persuaded, by those whose Knowledge they much reverence, some to call them *Bodies*, and think them made of Air compacted by a Power supernatural, because the Sight judges them corporeal; and some to call them *Spirits*, because the Sense of Touch discerneth nothing in the Place where they appear, to resist their Fingers: so that the common Signification of *Spirit* in common Speech, is either a subtile, fluid, and invisible Body, or a Ghost, or other Idol Phantasm of the Imagination. But for metaphorical Significations there be many: for sometimes it is taken for Disposition or Inclination of the Mind; as when for the Disposition to controul the Sayings of other Men, we say, *a Spirit of Contradiction*; for *a Disposition to Uncleanness*, *an unclean Spirit*; for *Perverseness*, *a froward Spirit*; for *Sullenness*, *a dumb Spirit*; and for *Inclination to Godliness*, and *God's Service*, *the Spirit of God*: sometimes for any eminent Ability, or extraordinary Passion, or Disease of the Mind, as when *great Wisdom* is called the *Spirit of Wisdom*; and *Madmen* are said to be *possessed with a Spirit*.

Other Signification of *Spirit* I find no where any; and where none of these can satisfy the Sense of that Word in Scripture, the Place falleth not under human Understanding; and our Faith therein consisteth not in our Opinion, but in our Submission; as in all Places, where God is said to be a *Spirit*; or where by the *Spirit of God*, is meant God himself. For the Nature of God is incomprehensible; that is to say, we understand nothing of *what he is*, but only *that he is*; and therefore the Attributes we give him, are not to tell one another, *what he is*, nor to signify our Opinion of his Nature, but our Desire to honour him with such Names as we conceive most honourable amongst ourselves.

The Spirit of God taken in the Scripture sometimes for a Wind, or Breath.

Gen. i. 2. *The Spirit of God moved upon the Face of the Waters*. Here if by the *Spirit of God* be meant God himself, then is *Motion* attributed to God, and consequently *Place*, which are intelligible only of Bodies, and not of Substances incorporeal; and so the Place is above our Understanding, that can conceive nothing moved that changes not Place, or that has not Dimension; and whatsoever has Dimension, is Body. But the Meaning of these Words is best understood by the like Place, Gen.

viii. 1. Where when the Earth was covered with Waters, as in the Beginning, God intending to abate them, and again to discover the dry Land, useth the like Words, *I will bring my Spirit upon the Earth, and the Waters shall be diminished*: in which Place by *Spirit* is understood a Wind, that is, an Air, or *Spirit moved*, which might be called, as in the former Place, the *Spirit of God*, because it was God's Work.

Gen. xli. 38. *Pharaoh* called the *Wisdom of Joseph*, the *Spirit of God*. For *Joseph* having advised him to look out a wise and discreet Man, and to set him over the Land of *Egypt*, he saith thus, *Can we find such a Man as this is, in whom is the Spirit of God?* And Exod. xxviii. 3. *Thou shalt speak* (saith God) *to all that are wise-hearted, whom I have filled with the Spirit of Wisdom, to make Aaron Garments, to consecrate him.* Where extraordinary Understanding, though but in making Garments, as being the Gift of God, is called the *Spirit of God*. The same is found again, Exod. xxxi. 3, 4, 5, 6. and xxxv. 31. and *Isaiab* xi. 2, 3. where the Prophet speaking of the *Messiah*, saith, *The Spirit of the Lord shall abide upon him, the Spirit of Wisdom and Understanding, the Spirit of Counsel, and Fortitude, and the Spirit of the Fear of the Lord*: where manifestly is meant, not so many Ghosts, but so many eminent graces that God would give him.

In the Book of *Judges*, an extraordinary Zeal and Courage in the Defence of God's People, is called the *Spirit of God*; as when it excited *Othniel*, *Gideon*, *Jephtha*, and *Samson*, to deliver them from Servitude, *Judg.* iii. 10. vi. 34. xi. 29. xiii. 25. xiv. 6, 19. And of *Saul*, upon the News of the Insolence of the *Ammonites* towards the Men of *Jabesh-Gilead*, it is said 1 *Sam.* xi. 6. that *The Spirit of God came upon Saul, and his Anger*, (or, as it is in the *Latin*, *his Fury*) *was kindled greatly.* Where it is not probable was meant a Ghost, but an extraordinary Zeal to punish the Cruelty of the *Ammonites*. In like manner by the *Spirit of God*, that came upon *Saul*, when he was amongst the Prophets that praised God in Songs, and Music, 1 *Sam.* xix, 20. is to be understood, not a Ghost, but an unexpected and sudden Zeal to join with them in their Devotion.

The false Prophet *Zedekiah*, saith to *Micaiah*, 1 *Kings* xxii. 24. *Which way went the Spirit of the Lord from me to speak to thee?* Which cannot be understood of a Ghost; for *Micaiah* declared before the Kings of *Israel* and *Judah*, the Event of the Battle, as from a *Vision*, and not as from a *Spirit*, speaking in him.

In the same manner it appeareth, in the Books of the Prophets, that though they spake by the *Spirit of God*, that is to say, by a special Grace of Prediction; yet their Knowledge of the future, was not by a Ghost within them, but by some supernatural *Dream* or *Vision*.

Gen. ii. 7. It is said, *God made Man of the Dust of the Earth, and breathed into his Nostrils* (spiraculum vitæ) *the Breath of Life, and Man was made a living Soul.* There the *Breath of Life* inspired by God, signifies no more, but that God gave him Life. And *Job* xxvii. 3. *As long as the Spirit of God is in my Nostrils*; is no more than to say, *as long as I live.* So in *Ezek.* i. 20. *The Spirit of Life was in the Wheels*, is equivalent to, *the Wheels were alive.* And *Ezek.* ii. 30. *the Spirit entered into me, and set me on my Feet*, that is, *I recovered my vital Strength*; not that any Ghost, or incorporeal Substance entered into, and possessed his Body.

In the xi. Chap. of *Numbers*, Verse 17. *I will take* (saith God) *of the Spirit, which is upon thee, and will put it upon them, and they shall bear the Burthen of the People with thee*; that is, upon the seventy Elders: whereupon two of the seventy are said to prophesy in the Camp; of whom

whom some complained, and *Joshua* desired *Moses* to forbid them; which *Moses* would not do. Whereby it appears, that *Joshua* knew not they had received Authority so to do, and prophesied according to the Mind of *Moses*, that is to say, by a *Spirit*, or *Authority* subordinate to his own.

In the like Sense we read, *Deut.* xxxiv. 9. that *Joshua* was full of the *Spirit of Wisdom*, because *Moses* had laid his Hands upon him: that is, because he was ordained by *Moses*, to prosecute the Work he had himself begun, (namely, the bringing of God's People into the promised Land,) but prevented by Death, could not finish.

In the like Sense it is said, *Rom.* viii. 9. *If any Man have not the Spirit of Christ, he is none of his*: not meaning thereby the Ghost of Christ, but a Submission to his Doctrine. As also, *1 John* iv. 2. *Hereby you shall know the Spirit of God. Every Spirit that confesseth that Jesus Christ is come in the Flesh, is of God*; by which is meant the Spirit of unfeigned Christianity, or Submission to that main Article of Christian Faith, that Jesus is the Christ, which cannot be interpreted of a Ghost.

Likewise these Words, *Luke* iv. 1. *And Jesus full of the Holy Ghost* (that is, as it is express'd, *Mat.* iv. 1. and *Mark* i. 12. *of the Holy Spirit*;) may be understood, for Zeal to do the Work for which he was sent by God the Father: but to interpret it of a Ghost, is to say, that God himself (for so our Saviour was,) was filled with God; which is very improper, and insignificant. How we came to translate *Spirits*, by the Word *Ghosts*, which signifieth nothing, neither in Heaven, nor Earth, but the imaginary Inhabitants of Man's Brain, I examine not: but this I say, the word *Spirit* in the Text signifieth no such thing; but either properly a real Substance, or metaphorically, some extraordinary Ability or Affection of the Mind, or of the Body.

Seventhly,
for aerial
Bodies.

The Disciples of Christ, seeing him walking upon the Sea, *Mat.* xiv. 26. and *Mark* vi. 49. supposed him to be a *Spirit*, meaning thereby an aerial Body, and not a Phantasm: for it is said, they all saw him; which cannot be understood of the Delusions of the Brain, (which are not common to many at once, as visible Bodies are; but singular, because of the Differences of Fancies,) but of Bodies only. In like manner, where he was taken for a *Spirit*, by the same Apostles, *Luke* xxiv. 3, 7. So also, *Acts* xii. 15. when St. Peter was delivered out of Prison, it would not be believed; but when the Maid said he was at the Door, they said it was his *Angel*; by which must be meant a corporeal substance, or we must say, the Disciples themselves did follow the common Opinion of both *Jews* and *Gentiles*, that some such Apparitions were not imaginary, but real; and such as needed not the Fancy of Man for their Existence: These the *Jews* called *Spirits*, and *Angels*, good or bad; as the *Greeks* called the same by the Name of *Dæmons*. And some such Apparitions may be real, and substantial; that is to say, subtle Bodies, which God can form by the same Power, by which he formed all things, and make use of, as of Ministers, and Messengers, (that is to say, Angels) to declare his Will, and execute the same when he pleaseth, in extraordinary and supernatural manner. But when he hath so formed them, they are Substances, endued with Dimensions, and take up room, and can be moved from Place to Place, which is peculiar to Bodies; and therefore are not Ghosts incorporeal, that is to say, Ghosts that are in *no place*; that is to say, that are *no where*; that is to say, that seeming to be somewhat, are nothing. But if Corporeal be taken in the most vulgar manner, for such Substances as are perceptible by our external Senses; then is Substance incorporeal, a thing not imaginary, but real; namely, a thin Substance invisible, but that hath the same Dimensions that are in grosser Bodies.

By

By the Name of *Angel*, is signified generally a *Messenger*; and most often, a *Messenger of God*: and by a Messenger of God, is signified any thing that makes known his extraordinary Presence; that is to say, the extraordinary Manifestation of his Power, especially by a Dream, or Vision.

Concerning the Creation of *Angels*, there is nothing delivered in the Scriptures. That they are Spirits, is often repeated: but by the Name of Spirit, is signified both in Scripture and vulgarly both among *Jews* and *Gentiles*, sometimes thin Bodies; as the Air, the Wind, the Spirits vital and animal, of living Creatures; and sometimes the Images that rise in the Fancy in Dreams, and Visions; which are not real Substances, nor last any longer than the Dream or Vision they appear in; which Apparitions, though no real Substances, but Accidents of the Brain; yet when God raiseth them supernaturally, to signify his Will, they are not improperly termed God's Messengers, that is to say, his *Angels*.

And as the *Gentiles* did vulgarly conceive the Imagery of the Brain, for Things really subsistent without them, and not dependent on the Fancy; and out of them framed their Opinions of *Dæmons*, good and evil; which because they seemed to subsist really, they called *Substances*; and because they could not feel them with their Hands, *incorporeal*: so also the *Jews* upon the same Ground, without any Thing in the Old Testament that constrained them thereunto, had generally an Opinion, (except the Sect of the *Sadducees*) that those Apparitions, which it pleased God sometimes to produce in the Fancy of Men, for his own Service, and therefore called them his *Angels*, were Substances, not dependent on the Fancy, but permanent Creatures of God; whereof those which they thought were good to them, they esteemed the *Angels of God*, and those they thought would hurt them, they called *evil Angels*, or evil Spirits; such as was the Spirit of *Python*, and the Spirits of Madmen, of Lunatics and Epileptics: For they esteemed such as were troubled with such Diseases, *Dæmoniacs*.

But if we consider the Places of the Old Testament where Angels are mentioned, we shall find, that in most of them, there can nothing else be understood by the Word *Angel*, but some Image raised (supernaturally) in the Fancy, to signify the Presence of God in the Execution of some supernatural work; and therefore in the rest, where their Nature is not express'd, it may be understood in the same Manner.

For we read, *Gen. xvi.* that the same Apparition is called, not only an *Angel*, but *God*; where that which, ver. 7. is called the *Angel* of the Lord, in the tenth Verse, saith to *Agar*, *I will multiply thy Seed exceedingly*; that is, speaketh in the Person of God. Neither was this Apparition a Fancy figured, but a Voice. By which it is manifest, that *Angel* signifieth there, nothing but *God* himself, that caused *Agar* supernaturally to apprehend a Voice from Heaven; or rather, nothing else but a Voice supernatural, testifying God's special Presence there. Why therefore may not the Angels that appeared to *Lot*, and are called, *Gen. xix. 13. Men*; and to whom, though they were two, *Lot* speaketh, ver. 18. as but to one, and that one, as God, (for the Words are, *Lot said unto them, Oh not so my Lord*) be understood of Images of Men, supernaturally formed in the Fancy; as well as before by Angel was understood a fancied Voice? When the Angel called to *Abraham* out of Heaven, to stay his Hand, *Gen. xxii. 11.* from slaying *Isaac*, there was no Apparition, but a Voice; which nevertheless was called properly enough a Messenger, or *Angel* of God, because it declared God's Will supernaturally, and saves the Labour of supposing any permanent Ghosts. The Angels which
Jacob

PART III. *Jacob* saw on the Ladder of Heaven, *Gen.* xxviii. 12. were a Vision of his Sleep; therefore only Fancy and a Dream; yet being supernatural, and Signs of God's special Presence, those Apparitions are not improperly called *Angels*. The same is to be understood, *Gen.* xxxi. 11. where *Jacob* saith thus, *The Angel of the Lord appeared to me in my Sleep*. For an Apparition made to a Man in his Sleep, is that which all Men call a Dream, whether such Dream be natural, or supernatural: and that which there *Jacob* called an *Angel*, was God himself; for the same *Angel* saith ver. 13. *I am the God of Bethel*.

Also *Exod.* xiv. 9. the *Angel* that went before the Army of *Israel* to the *Red-sea*, and then came behind it, is, ver. 19. the Lord himself; and he appeared not in the Form of a beautiful Man, but in Form (by Day) of a *Pillar of Cloud*, and (by Night) in Form of a *Pillar of Fire*; and yet this *Pillar* was all the Apparition, and *Angel* promised to *Moses*, *Exod.* xiv. 9. for the Army's Guide: For this cloudy *Pillar* is said to have descended, and stood at the Door of the *Tabernacle*, and to have talked with *Moses*.

There you see Motion and Speech, which are commonly attributed to *Angels*, attributed to a *Cloud*, because the *Cloud* served as a Sign of God's Presence; and was no less an *Angel*, than if it had had the Form of a Man, or Child of never so great Beauty; or Wings, as usually they are painted, for the false Instruction of common People. For it is not the Shape, but their Use, that makes them *Angels*. But their Use is to be Significations of God's Presence in supernatural Operations; as when *Moses*, *Exod.* xxxiii. 14. had desired God to go along with the Camp; (as he had done always before the making of the *Golden Calf*) God did not answer, *I will go*, nor *I will send an Angel in my stead*; but thus, *My Presence shall go with thee*.

To mention all the Places of the Old Testament where the Name of *Angel* is found, would be too long. Therefore to comprehend them at once, I say, there is no Text in that Part of the Old Testament, which the Church of *England* holdeth for Canonical, from which we can conclude, there is, or hath been created, any permanent Thing (understood by the Name of *Spirit* or *Angel*) that hath not Quantity; and that may not be, by the Understanding divided; that is to say, considered by Parts; so as one Part may be in one Place, and the next Part in the next Place to it; and in sum, which is not (taking Body for that, which is somewhat, or somewhere) corporeal: but in every Place, the Sense will bear the Interpretation of *Angel* for Messenger; as *John Baptist* is called an *Angel*, and *Christ* the *Angel* of the Covenant; and as (according to the same Analogy) the *Dove*, and the *Fiery Tongues*, in that they were Signs of God's special Presence, might also be called *Angels*. Though we find in *Daniel* two Names of *Angels*, *Gabriel*, and *Michael*; yet it is clear out of the Text itself, *Dan.* xii. 1. that by *Michael* is meant *Christ*, not as an *Angel*, but as a Prince: and that *Gabriel* (as the like Apparitions made to other holy Men in their Sleep) was nothing but a supernatural Phantasm, by which it seemed to *Daniel*, in his Dream, that two Saints being in Talk, one of them said to the other, *Gabriel, let us make this Man understand his Vision*: For God needeth not to distinguish his celestial Servants by Names, which are useful only to the short Memories of Mortals. Nor in the New Testament is there any Place, out of which it can be proved, that *Angels* (except when they are put for such Men, as God hath made the Messengers and Ministers of his Word or Works) are Things permanent, and withal incorporeal. That they are permanent, may be gathered from the Words of our Saviour himself, *Mat.* xxv. 41. where he saith, it shall be said to the wicked in the last

last Day, Go ye Cursed into everlasting Fire, prepared for the Devil and CHAP.
 his Angels: which Place is manifest for the Permanence of evil An- XXXIV.
 gels, (unless we might think the Name of Devil and his Angels may be
 understood of the Church's Adversaries and their Ministers: but then
 it is repugnant to their Immateriality; because everlasting Fire is no
 Punishment to impatible Substances; such as are all things incorporeal.
 Angels therefore are not thence proved to be incorporeal. In like manner
 where St. Paul says, 1 Cor. vi. 3. *Know ye not that we shall judge the An-*
gels? And 2 Pet. ii. 4. *For if God spared not the Angels that sinned, but cast*
them down into Hell. And Jude 6. *And the Angels that kept not their*
first Estate, but left their own Habitation, he hath reserved in everlasting
Chains under Darknes unto the Judgment of the last Day; though it prove
 the Permanence of angelical Nature, it confirmeth also their Materiality.
 And Mat. xxii. 30. *In the Resurrection Men do neither marry; nor give in*
Marriage, but are as the Angels of God in Heaven: but in the Resurrection
 Men shall be permanent, and not incorporeal; so therefore also are the Angels:

There be divers other Places out of which may be drawn the like Con-
 clusion. To Men that understand the Signification of these Words, *Sub-*
stance, and *Incorporeal;* as *Incorporeal* is taken not for subtile Body, but
 for *not Body,* they imply a Contradiction: infomuch as to say, an Angel,
 or Spirit is (in that Sense) an incorporeal Substance, is to say in Effect,
 there is no Angel nor Spirit at all. Considering therefore the Signification
 of the Word *Angel* in the Old Testament, and the Nature of Dreams
 and Visions that happen to Men by the ordinary Way of Nature; I was
 inclined to this Opinion, that Angels were nothing but supernatural Ap-
 paritions of the Fancy, raised by the special and extraordinary Operation
 of God, thereby to make his Presence and Commandments known to
 Mankind, and chiefly to his own People. But the many Places of the
 New Testament, and our Saviour's own Words, and in such Texts,
 wherein is no Suspicion of the Corruption of the Scripture, have ext-
 orted from my feeble Reason, an Acknowledgment and Belief, that there
 be also Angels substantial and permanent. But to believe they be in no
 Place, that is to say, no where, that is to say, nothing, as they (though
 indirectly) say, that will have them incorporeal, cannot by Scripture
 be evinced.

On the Signification of the Word *Spirit* dependeth that of the Word Inspiration;
Inspiration; which must either be taken properly, and then it is no- what:
 thing but the blowing into a Man some thin and subtile Air or Wind,
 in such manner as a Man filleth a Bladder with his Breath; and if Spi-
 rits be not corporeal, but have their Existence only in the Fancy, it is
 nothing but the blowing in of a Phantasm; which is improper to say,
 and impossible; for Phantasms are not, but only seem to be somewhat.
 That Word therefore is used in the Scripture metaphorically only: as
 Gen. ii. 7. where it is said, that God *inspired* into Man the Breath
 of Life, no more is meant, than that God gave unto him vital Motion.
 For we are not to think that God first made a living Breath, and then blew
 it into *Adam* after he was made, whether that Breath were real, or seem-
 ing; but only as it is Acts xvii. 25. *that he gave him Life; and Breath:*
 that is, made him a living Creature. And where it is said 2 Tim. iii. 16.
all Scripture is given by Inspiration from God; speaking there of the Scrip-
 ture of the Old Testament, it is an easy Metaphor, to signify, that God
 inclined the Spirit or Mind of those Writers, to write that which should
 be useful, in teaching, reprovng, correcting, and instructing Men in
 the way of righteous Living. But where St. Peter saith 2 Pet. i. 21.
 that *Prophecy came not in old time by the Will of Man, but the holy Men*
of God spake as they were moved by the Holy Spirit; by the Holy Spi-

PART
III.

rit, is meant the Voice of God in a Dream, or Vision supernatural, which is not *Inspiration*: Nor when our Saviour breathing on his Disciples, said, *Receive the Holy Spirit*, was that Breath the Spirit, but a Sign of the spiritual Graces he gave unto them. And though it be said of many, and of our Saviour himself, that he was full of the *Holy Spirit*; yet that Fulness is not to be understood for *Infusion* of the Substance of God, but for Accumulation of his Gifts, such as are the Gift of Sanctity of Life, of Tongues, and the like; whether attained supernaturally, or by Study and Industry; for in all Cases they are the Gifts of God. So likewise where God says, *Joel ii. 28. I will pour out my Spirit upon all Flesh, and your Sons and your Daughters shall prophesy, your old Men shall dream Dreams, and your young Men shall see Visions*, we are not to understand it in the proper Sense, as if his *Spirit* were like Water, subject to Effusion or Infusion; but as if God had promised to give them prophetic Dreams, and Visions. For the proper Use of the Word *infused*, in speaking of the Graces of God, is an Abuse of it; for those Graces are Virtues, not Bodies, to be carried hither and thither, and to be poured into Men, as into Barrels.

In the same manner, to take *Inspiration* in the proper Sense, or to say that good *Spirits* entered into Men, to make them prophesy, or evil *Spirits* into those that became frantic, lunatic, or epileptic, is not to take the Word in the Sense of the Scripture; for the Spirit there is taken for the Power of God, working by Causes to us unknown. As also *Acts ii. 2.* the Wind, that is there said to fill the House wherein the Apostles were assembled on the Day of Pentecost, is not to be understood for the *Holy Spirit*, which is the Deity itself; but for an external Sign of God's special working on their Hearts, to effect the internal Graces, and holy Virtues he thought requisite for the Performance of their Apostleship.

C H A P. XXXV.

Of the Signification in Scripture of KINGDOM of GOD,
of HOLY, SACRED, and SACRAMENT.

The Kingdom of God taken by Divines metaphorically, but in the Scriptures properly.

THE *Kingdom of God* in the Writings of Divines, and especially in Sermons, and Treatises of Devotion, is taken most commonly for eternal Felicity, after this Life, in the highest Heaven, which they also call the Kingdom of Glory; and sometimes for (the Earnest of that Felicity) Sanctification, which they term the Kingdom of Grace; but never for the Monarchy, the Sovereign Power of God over any Subjects acquired by their own Consent, which is the proper Signification of Kingdom.

To the contrary, I find the *Kingdom of God*, to signify in most Places of Scripture, a *Kingdom properly so named*, constituted by the Votes of the People of *Israel* in peculiar manner; wherein they chose God for their King by Covenant made with him, upon God's promising them the Possession of the Land of *Canaan*; and but seldom metaphorically; and then it is taken for *Dominion over Sin*; and only in the New Testament; because such a Dominion as that, every Subject shall have in the Kingdom of God, and without Prejudice to the Sovereign.

From the very Creation, God not only reigned over all Men *naturally* by his Might; but also had *peculiar* Subjects, whom he commanded by a Voice, as one Man speaketh to another. In which manner he *reigned* over *Adam*, and gave him Commandment to abstain from the Tree of

of

of Cognizance of Good and Evil ; which when he obeyed not, but tasting thereof, took upon him to be as God, judging between Good and Evil, not by his Creator's Commandment, but by his own Sense, his Punishment was a Privation of the Estate of eternal Life, wherein God had at first created him : And afterwards God punished his Posterity for their Vices, all but eight Persons, with an universal Deluge ; and in these eight did consist the then *Kingdom of God*.

After this, it pleased God to speak to *Abraham*, and (*Gen. xvii. 7, 8.*) The Original of the Kingdom of God. *I will establish my Covenant between me and thee, and thy Seed after thee in their Generations, for an everlasting Covenant, to be a God to thee, and to thy Seed after thee : And I will give unto thee, and to thy Seed after thee, the Land wherein thou art a Stranger, all the Land of Canaan for an everlasting Possession.* In this Covenant, *Abraham* promiseth for himself and his Posterity, to obey as God the Lord that spake to him : and God on his Part, promiseth to *Abraham* the Land of Canaan for an everlasting Possession. And for a Memorial, and a Token of this Covenant, he ordaineth (*Verse 11.*) the *Sacrament of Circumcision*. This is it which is called the *Old Covenant*, or *Testament* ; and containeth a Contract between God and *Abraham* ; by which *Abraham* obligeth himself, and his Posterity, in a peculiar manner to be subject to God's positive Law ; for to the Law moral, he was obliged before, as by an Oath of Allegiance. And tho' the Name of *King* be not yet given to God, nor of *Kingdom* to *Abraham* and his Seed ; yet the Thing is the same ; namely, an Institution by Pact, of God's peculiar Sovereignty over the Seed of *Abraham* ; which in the renewing of the same Covenant by *Moses*, at Mount *Sinai*, is expressly called a peculiar *Kingdom of God* over the *Jews* : and it is of *Abraham* (not of *Moses*) *St. Paul* saith, *Rom. iv. 11.* that he is the *Father of the Faithful* ; that is, of those that are loyal, and do not violate their Allegiance sworn to God, then by Circumcision, and afterwards in the *New Covenant* by Baptism.

This Covenant, at the Foot of Mount *Sinai*, was renewed by *Moses*, *Exod. xix. 5.* where the Lord commandeth *Moses* to speak to the People in this manner : *If you will obey my Voice indeed, and keep my Covenant, then ye shall be a peculiar People to me, for all the Earth is mine : And ye shall be unto me a sacerdotal Kingdom, and an holy Nation.* For a peculiar People, the vulgar *Latin* hath, *peculium de cunctis populis* : the *English* Translation made in the beginning of the Reign of King *James*, hath, *a peculiar Treasure unto me above all Nations* ; and the *Geneva French*, *the most precious Jewel of all Nations*. But the truest Translation is the first, because it is confirmed by *St. Paul* himself, *Tit. ii. 14.* where he saith, alluding to that Place, that our blessed Saviour gave himself for us, that he might purify us to himself, a peculiar (that is, an extraordinary) *People* : for the Word is in the *Greek* περιίσσιος, which is opposed commonly to the Word ἐπιίσσιος ; and as this signifieth ordinary, quotidian, or (as in the Lord's Prayer) of daily Use ; so the other signifieth that which is overplus, and stored up, and enjoyed in a special manner ; which the *Latins* call *peculium* : and this Meaning of the Place is confirmed by the Reason God rendereth of it, which followeth immediately, in that he addeth, *For all the Earth is mine* ; as if he should say, *All the Nations of the World are mine* ; but it is not so that you are mine, but in a special manner : For they are all mine, by reason of my Power ; but you shall be mine, by your own Consent and Covenant ; which is an Addition to his ordinary Title to all Nations.

The same is again confirmed in express Words in the same Text, *Ye shall be to me a sacerdotal Kingdom, and an holy Nation.* The vulgar *Latin*

PART III. *Latin* hath it, *regnum sacerdotale*, to which agreeth the Translation of that Place, *1 Pet. ii. 9. sacerdotium regale, a regal Priesthood*; as also the Institution itself, by which no Man might enter into the *Sanctum Sanctorum*, that is to say, no Man might enquire God's Will immediately of God himself, but only the High Priest. The *English* Translation before mentioned, following that of *Geneva*, has, *a Kingdom of Priests*; which is either meant of the Succession of one High Priest after another, or else it accordeth not with *St. Peter*, nor with the Exercise of the High Priesthood: For there was never any but the High Priest only, that was to inform the People of God's Will; nor any Convocation of Priests ever allowed to enter into the *Sanctum Sanctorum*.

Again, the Title of a *Holy Nation* confirms the same: For *holy* signifies that which is God's by special, not by general, Right. All the Earth (as is said in the Text) is God's; but all the Earth is not called *holy*, but that only which is set apart for his special Service, as was the Nation of the *Jews*. It is therefore manifest enough by this one Place, that by the *Kingdom of God*, is properly meant a Commonwealth, instituted, by the Consent of those which were to be subject thereto, for their Civil Government, and the regulating of their Behaviour, not only towards God their King, but also towards one another in Point of Justice, and towards other Nations in Peace and War; which properly was a Kingdom, wherein God was King, and the High Priest was to be, after the Death of *Moses*, his sole Viceroy or Lieutenant.

But there be many other Places that clearly prove the same. As first, *1 Sam. viii. 7.* when the Elders of *Israel* (grieved with the Corruption of the Sons of *Samuel*) demanded a King, *Samuel* displeas'd therewith, prayed unto the Lord; and the Lord answering said unto him, *Hearken unto the Voice of the People, for they have not rejected thee, but they have rejected me, that I should not reign over them.* Out of which it is evident, that God himself was then their King; and *Samuel* did not command the People, but only delivered to them that which God from Time to Time appointed him.

Again, *1 Sam. xii. 12.* where *Samuel* saith to the People, *When ye saw that Nabash King of the Children of Ammon came against you, ye said unto me, Nay, but a King shall reign over us, when the Lord your God was your King*: It is manifest that God was their King, and governed the Civil State of their Commonwealth.

And after the *Israelites* had rejected God, the Prophets did foretell his Restitution; as *Isaiab xxiv. 23.* *Then the Moon shall be confounded, and the Sun ashamed, when the Lord of Hosts shall reign in Mount Zion, and in Jerusalem*; where he speaketh expressly of his Reign in *Zion* and *Jerusalem*; that is, on Earth. And, *Micah iv. 7.* *And the Lord shall reign over them in Mount Zion*: this *Mount Zion* is in *Jerusalem* upon the Earth. And *Ezek. xx. 33.* *As I live, saith the Lord God, surely with a mighty Hand, and a stretched-out Arm, and with Fury poured out, I will rule over you*: And, Verse 37. *I will cause you to pass under the Rod, and I will bring you into the Bond of the Covenant*; that is, I will reign over you, and make you to stand to that Covenant which you made with me by *Moses*, and brake in your Rebellion against me in the Days of *Samuel*, and in your Election of another King.

And in the New Testament, the Angel *Gabriel* saith of our Saviour, *Luke i. 32, 33.* *He shall be great, and be called the Son of the Most High, and the Lord shall give him the Throne of his Father David; and he shall reign over the House of Jacob for ever; and of his Kingdom there shall be no End.* This is also a Kingdom upon Earth; for the Claim whereof, as Enemy to *Cæsar*, he was put to death; the Title of his Cross

was, *Jesus of Nazareth, King of the Jews*; he was crowned in Scorn CHAP. with a Crown of Thorns; and for the proclaiming of him, it is said of XXXV. the Disciples *Acts xvii. 7. That they did all of them contrary to the Decrees of Cæsar, saying, There was another King, one Jesus.* The Kingdom therefore of God, is a real, not a metaphorical Kingdom; and so taken, not only in the Old Testament, but the New; when we say, *For thine is the Kingdom, the Power, and Glory*, it is to be understood of God's Kingdom, by Force of our Covenant, not by the Right of God's Power; for such a Kingdom God always hath; so that it were superfluous to say in our Prayer, *Thy Kingdom come*, unless it be meant of the Restauration of that Kingdom of God by Christ, which by Revolt of the *Israelites* had been interrupted in the Election of *Saul*. Nor had it been proper to say, *The Kingdom of Heaven is at hand*, or to pray, *Thy Kingdom come*, if it had still continued.

There be so many other Places that confirm this Interpretation, that it were a wonder there is no greater notice taken of it, but that it gives too much light to Christian Kings to see their Right of Ecclesiastical Government. This they have observed, that instead of a *Sacerdotal Kingdom*, translate, a *Kingdom of Priests*: for they may as well translate a *Royal Priesthood*, (as it is in *St. Peter*) into a *Priesthood of Kings*. And whereas, for a *peculiar People*, they put a *precious Jewel*, or *Treasure*, a Man might as well call the special Regiment, or Company of a General, the General's precious Jewel, or his Treasure.

In short, the Kingdom of God is a Civil Kingdom; which consisted, first in the Obligation of the People of *Israel* to those Laws, which *Moses* should bring unto them from Mount *Sinai*; and which afterwards the High Priest for the Time being, should deliver to them from before the *Cerberubims* in the *Sanctum Sanctorum*; and which Kingdom having been cast off, in the Election of *Saul*, the Prophets foretold, should be restored by Christ; and the Restauration whereof we daily pray for, when we say in the Lord's Prayer, *Thy Kingdom come*; and the Right whereof we acknowledge, when we add, *For thine is the Kingdom, the Power, and Glory, for ever and ever, Amen*; and the Proclaiming whereof, was the Preaching of the Apostles; and to which Men are prepared, by the Teachers of the Gospel; to embrace which Gospel, that is to say, to promise Obedience to God's Government, is, to be in the *Kingdom of Grace*, because God hath, *gratis*, given to such the Power to be the Subjects, that is, Children, of God hereafter, when Christ shall come in Majesty to judge the World, and actually to govern his own People, which is called *the Kingdom of Glory*. If the Kingdom of God (called also the Kingdom of Heaven, from the Gloriousness, and admirable Height of that Throne) were not a Kingdom which God by his Lieutenants, or Vicars, who deliver his Commandments to the People, did exercise on Earth; there would not have been so much Contention, and War, about who it is, by whom God speaketh to us; neither would many Priests have troubled themselves with Spiritual Jurisdiction, nor any King have denied it them.

Out of this literal Interpretation of the *Kingdom of God*, ariseth also the Holy, what. true Interpretation of the Word *Holy*. For it is a Word, which in God's Kingdom answereth to that, which Men in their Kingdoms use to call *Public*, or the *King's*.

The King of any Country is the *Public Person*, or Representative of all his own Subjects. And God the King of *Israel* was the *Holy One* of *Israel*. The Nation which is subject to one earthly Sovereign, is the Nation of that Sovereign, that is, of the Public Person. So the *Jews*, who were God's Nation, were called *Exod. xix. 6. a Holy Nation*. For

PART by *Holy*, is always understood, either God himself, or that which is God's
 III. in Propriety; as by *Public*, is always meant, either the Person of the
 Commonwealth itself, or something that is so the Commonwealth's, as no
 private Person can claim any Property therein.

Therefore the Sabbath (God's Day) is a *Holy Day*; the Temple, (God's House) a *Holy House*; Sacrifices, Tithes, and Offerings, (God's Tribute) *Holy Duties*; Priests, Prophets, and anointed Kings, under Christ, (God's Ministers) *Holy Men*; the Celestial ministring Spirits, (God's Messengers) *Holy Angels*; and the like: and wheresoever the Word *Holy* is taken properly, there is still something signified of Propriety, gotten by Consent. In saying *Hallowed be thy Name*, we do but pray to God for Grace to keep the first Commandment, of *having no other Gods but him*. Mankind is God's Nation in Propriety: but the *Jews* only were a *Holy Nation*. Why, but because they became his Propriety by Covenant?

And the Word *Profane*, is usually taken in the Scripture for the same with *Common*; and consequently their contraries, *Holy*, and *Proper*, in the Kingdom of God, must be the same also. But figuratively, those Men are also called *Holy*, that led such godly Lives, as if they had forsaken all worldly Designs, and wholly devoted, and given themselves to God. In the proper Sense, that which is made *Holy* by God's appropriating or separating it to his own Use, is said to be *sanctified* by God, as the Seventh Day in the fourth Commandment; and as the Elect in the New Testament were said to be *sanctified*, when they were endued with the Spirit of Godliness. And that which is made *Holy* by the Dedication of Men, and given to God, so as to be used only in his public Service, is called also *Sacred*, and said to be consecrated, as Temples, and other Houses of public Prayer, and their Utensils, Priests, and Ministers, Victims, Offerings, and the external Matter of Sacraments.

Sacred, what.

Degrees of Sanctity.

Of *Holiness* there be Degrees: for of those Things that are set apart for the Service of God, there may be some set apart again, for a nearer and more especial Service. The whole Nation of the *Israelites* were a People *Holy* to God; yet the Tribe of *Levi* was amongst the *Israelites* a *Holy Tribe*; and amongst the *Levites*, the Priests were yet more *Holy*; and amongst the Priests, the High Priest was the most *Holy*. So the Land of *Judea* was the *Holy Land*; but the *Holy City* wherein God was to be worshipped, was more *Holy*; and again, the Temple more *Holy* than the City; and the *Sanctum Sanctorum* more *Holy* than the rest of the Temple.

Sacrament.

A *Sacrament*, is a Separation of some visible Thing from common Use; and a Consecration of it to God's Service, for a Sign, either of our Admission into the Kingdom of God, to be of the Number of his peculiar People, or for a Commemoration of the same. In the Old Testament, the sign of Admission was *Circumcision*; in the New Testament, *Baptism*. The Commemoration of it in the Old Testament, was the *Eating* (at a certain time, which was Anniversary) of the *Paschal Lamb*; by which they were put in mind of the Night wherein they were delivered out of their Bondage in *Egypt*: and in the New Testament, the celebrating of the *Lord's Supper*; by which we are put in mind of our Deliverance from the Bondage of Sin, by our Blessed Saviour's Death upon the Cross. The Sacraments of *Admission*, are but once to be used, because there needs but one *Admission*; but because we have need of being often put in mind of our Deliverance, and of our Allegiance, the Sacraments of *Commemoration* have need to be reiterated. And these are the principal Sacraments, and as it were the solemn Oaths we make of our Allegiance. There be also other Consecrations, that may be called Sacraments, as the Word implieth only Consecration to God's Service; but as it implies an Oath, or Promise

of

of Allegiance to God, there were no other in the Old Testament, but *Circumcision*, and the *Passover*; nor are there any other in the New Testament, but *Baptism*, and the *Lord's Supper*.

C H A P. XXXVI.

Of the WORD OF GOD, and of PROPHEETS.

WHEN there is mention of the *Word of God*, or of *Man*, it doth not signify a part of Speech, such as Grammarians call a Noun or a Verb, or any simple Voice, without a Contexture with other Words to make it significative; but a perfect Speech or Discourse, whereby the Speaker affirmeth, denieth, commandeth, promiseth, threateneth, wisbeth, or interrogateth. In which Sense it is not *Vocabulum*, that signifies a *Word*; but *Sermo*, (in Greek *λόγος*) that is, some *Speech*, *Discourse*, or *Saying*.

Again, if we say the *Word of God*, or of *Man*, it may be understood sometimes of the Speaker, as the Words that God hath spoken, or that a Man hath spoken: In which Sense, when we say the Gospel of St. *Matthew*, we understand St. *Matthew* to be the Writer of it. And sometimes of the Subject: In which Sense, when we read in the Bible, *The Words of the Days of the Kings of Israel or Judah*, 'tis meant, that the Acts that were done in those Days, were the Subject of those Words; and in the *Greek*, which in Scripture retaineth many *Hebraisms*, by the Word of God is oftentimes meant, not that which is spoken by God, but concerning God, and his Government; that is to say, the Doctrine of Religion: Insomuch, as it is all one, to say *λόγος θεός*, and *Theologia*; which is, that Doctrine which we usually call *Divinity*, as is manifest by the Places following. *Acts* xiii. 46. *Then Paul and Barnabas waxed bold and said, It was necessary that the Word of God should first have been spoken to you; but seeing you put it from you, and judge yourselves unworthy of everlasting Life, lo, we turn to the Gentiles.* That which is here called the Word of God, was the Doctrine of Christian Religion; as it appears evidently by that which goes before. And *Acts* v. 20. where it is said to the Apostles by an Angel, *Go stand and speak in the Temple, all the Words of this Life*; by the Words of this Life, is meant, the Doctrine of the Gospel; as is evident by what they did in the Temple, and is expressed in the last Verse of the same Chapter, *Daily in the Temple, and in every House, they ceased not to teach and preach Christ Jesus*: In which Place it is manifest, that *Jesus Christ* was the Subject of this *Word of Life*; or (which is all one) the Subject of the *Words of this Life eternal*, that our Saviour offered them. So *Acts* xv. 7. the Word of God is called *the Word of the Gospel*, because it containeth the Doctrine of the Kingdom of Christ; and the same Word, *Rom.* x. 8, 9. is called *the Word of Faith*; that is, as is there expressed, the Doctrine of Christ come, and raised from the dead. Also *Mat.* xiii. 19. *When any one heareth the Word of the Kingdom*; that is, the Doctrine of the Kingdom taught by Christ. Again, the same Word is said, *Acts* xii. 24. *to grow, and to be multiplied*; which to understand of the Evangelical Doctrine is easy, but of the Voice or Speech of God, hard and strange. In the same Sense the *Doctrine of Devils*, signifieth not the Words of any Devil, but the Doctrine of Heathen Men concerning *Dæmons*, and those Phantasms which they worshipped as Gods.

The Words spoken by God, and concerning God, both are called God's Word in Scripture.

I Tim. iv. 1.

Considering these two Significations of the *Word of God*, as it is taken in Scripture, it is manifest in this latter Sense (where it is taken for the

the

PART the Doctrine of Christian Religion) the whole Scripture is the Word
 III. of God : but in the former Sense not so. For Example, though these
 Words, *I am the Lord thy God, &c.* to the End of the Ten Command-
 ments, were spoken by God to *Moses*; yet the Preface, *God spake these
 Words and said,* is to be understood for the Words of him that wrote
 the holy History. The *Word of God*, as it is taken for that which he
 hath spoken, is understood sometimes *properly*, sometimes *metaphorically*.
 Properly, as to Words, he hath spoken to his Prophets: *Metaphorically*,
 for his Wisdom, Power, and eternal Decree, in making the World; in
 which Sense, those *Fiats, Let there be Light, Let there be a Firmament,
 Let us make Man, &c.* [Gen. i.] are the Word of God. And in the
 same Sense it is said, *John i. 3. All Things were made by it, and without
 it was nothing made that was made: And Heb. i. 3. He upholdeth all
 Things by the Word of his Power; that is, by the Power of his Word;
 that is, by his Power: and Heb. xi. 3. The Worlds were framed by the
 Word of God; and many other Places to the same Sense: As also among
 the Latins, the Name of Fate, which signifieth properly the Word spoken,
 is taken in the same Sense.*

The Word
 of God me-
 taphorically
 used, for the
 Decrees and
 Power of
 God.

Secondly, Secondly, for the Effect of his Word; that is to say, for the Thing
 for the Effect itself, which by his Word is affirmed, commanded, threatened, or pro-
 of his Word. mised; as *Psal. cv. 19.* where *Joseph* is said to have been kept in Prison,
till his Word was come; that is, till that was come to pass which he
 had, *Gen. xl. 13.* foretold to *Pharaoh's* Butler, concerning his being
 restored to his Office: for there by *his Word was come*, is meant, the
 Thing itself was come to pass. So also *1 Kings xviii. 36.* *Elijah* saith to
 God, *I have done all these thy Words*, instead of *I have done all these
 Things at thy Word*, or Commandment: and *Jer. xvii. 15.* *Where is the
 Word of the Lord*, is put for, *Where is the Evil he threatened*: and *Ezek. xii.*
There shall none of my Words be prolonged any more: by *Words* are un-
 derstood those *Things*, which God promised to his People. And in the
 New Testament, *Mat. xxiv. 35.* *Heaven and Earth shall pass away, but my
 Word shall not pass away*; that is, there is nothing that I have promised or
 foretold, that shall not come to pass. And in this Sense it is, that *St. John*
 the Evangelist, and, I think, *St. John* only called our Saviour himself as
 in the Flesh *the Word of God*, as *John i. 14.* *the Word was made Flesh*;
 that is to say, the Word, or Promise that Christ should come into the
 World; *who in the Beginning was with God*; that is to say, it was in the
 Purpose of God the Father, to send God the Son into the World, to en-
 lighten Men in the Way of eternal Life; but it was not till then put in
 Execution, and actually incarnate; so that our Saviour is there called
the Word, not because he was the Promise, but the Thing promised.
 They that taking Occasion from this Place, do commonly call him the
 Verb of God, do but render the Text more obscure. They might as
 well term him the Noun of God: for as by *Noun*, so also by *Verb*,
 Men understand nothing but a Part of Speech, a Voice, a Sound, that
 neither affirms, nor denies, nor commands, nor promiseth, nor is any
 Substance corporeal or spiritual; and therefore it cannot be said to be
 either God or Man; whereas our Saviour is both. And this *Word* which
St. John in his Gospel saith was with God, is, in his first Epistle, Chap.
 i. 1. called the *Word of Life*; and, ver. 2. *the eternal Life, which was with
 the Father*: so that he can be in no other Sense called the *Word*, than in
 that, wherein he is called eternal Life; that is, *he that hath procured us
 eternal Life*, by his coming in the Flesh. So also, *Apocalypse xix. 13.*
 the Apostle speaking of Christ, cloathed in a Garment dipt in Blood,
 saith, his Name is *the Word of God*; which is to be understood, as if
 he had said his Name had been, *He that was come according to the Pur-
 pose*

pose of God from the Beginning, and according to his Word and Promises delivered by the Prophets. So that there is nothing here of the Incarnation of a Word, but of the Incarnation of God the Son, therefore called *the Word*, because his Incarnation was the Performance of the Promise; in like Manner as the Holy Ghost is called *the Promise*.

CHAP.

XXXVI.

Acts i. 4.
Luke xxiv.

49.
Thirdly, for the Words of Reason and Equity.

There are also Places of the Scripture, where, by the *Word of God*, is signified such Words as are consonant to Reason and Equity, though spoken sometimes neither by Prophet, nor by a holy Man. For *Pharaoh Necho* was an Idolater; yet his Words to the good King *Josiah*, in which he adviseth him by Messengers, not to oppose him in his March against *Carchemish*, are said to have proceeded from the Mouth of God; and that *Josiah* not hearkening to them, was slain in the Battle; as is to be read *2 Chron. xxxv. 21, 22, 23*. It is true, that as the same History is related in the first Book of *Esdra*s, not *Pharaoh*, but *Jeremiah* spake these Words to *Josiah*, from the Mouth of the Lord. But we are to give credit to the Canonical Scripture, whatsoever be written in the *Apocrypha*.

The *Word of God* is then also to be taken for the Dictates of Reason, and Equity, when the same is said in the Scriptures to be written in Man's Heart; as *Psal. xxxvi. 31. Jer. xxxi. 33. Deut. xxx. 11, 14.* and many other like Places.

The Name of *Prophet*, signifieth in Scripture sometimes *Prolocutor*; that is, he that speaketh from God to Man, or from Man to God: And sometimes *Prædictor*, or a Foreteller of Things to come: And sometimes one that speaketh incoherently, as Men that are distracted. It is most frequently used in the Sense of speaking from God to the People. So *Moses, Samuel, Elijah, Jeremiah*, and others, were *Prophets*. And in this Sense the High Priest was a *Prophet*, for he only went into the *Sanctum Sanctorum*, to enquire of God; and was to declare his Answer to the People. And therefore, when *Caiaphas* said, it was expedient that one Man should die for the People, *St. John* saith, *Chap. xi. 51.* that *He spake not this of himself, but being High Priest that Year, he prophesied that one Man should die for the Nation*. Also they that in Christian Congregations taught the People, *1 Cor. xiv. 3.* are said to prophesy. In the like Sense it is, that God saith to *Moses, Exod. iv. 16.* concerning *Aaron, He shall be thy Spokesman to the People; and shall be to thee a Mouth, and thou shalt be to him instead of God: that which here is Spokesman, is [Chap. vii. 1.] interpreted Prophet; See (saith God) I have made thee a God to Pharaoh, and Aaron thy Brother shall be thy Prophet.* In the Sense from Man to God, *Abraham* is called a Prophet, *Gen. xx. 7.* where God in a Dream speaketh to *Abimelech* in this Manner, *Now therefore restore the Man his Wife, for he is a Prophet, and shall pray for thee*; whereby may be also gathered, that the Name of Prophet may be given, not improperly, to them that in Christian Churches have a Calling to say public Prayers for the Congregation. In the same Sense, the Prophets that came down from the high Place, (or Hill of God) with a Psaltery, and a Tabret, and a Pipe, and a Harp, *1 Sam. x. 5, 6.* and (ver. 10.) *Saul* amongst them, are said to prophesy, in that they praised God in that Manner publicly. In the like Sense, is *Miriam, Exod. xv. 20.* called a Prophetess. So is it also to be taken, *1 Cor. xi. 4, 5.* where *St. Paul* said, *Every Man that prayeth or prophesieth with his Head covered, &c. and every Woman that prayeth or prophesieth with her Head uncovered: For Prophecy in that Place, signifieth no more but praising God in Psalms, and holy Songs; which Women might do in the Church, though it were not lawful for them to speak to the Congregation.* And in this Signification it is, that the Poets of the Hea-

Divers Acceptations of the Word Prophet.

PART then, that composed Hymns and other sorts of Poems in Honour of their
 III. Gods, were called *Vates*, Prophets, as is well enough known by all that
 are versed in the Books of the Gentiles, and as is evident, *Tit. i. 12.*
 where St. *Paul* saith of the *Cretians*, that a Prophet of their own said,
 they were Liars; not that St. *Paul* held their Poets for Prophets, but ac-
 knowledgeth that the Word Prophet was commonly used to signify them
 that celebrated the Honour of God in Verse.

Prediction
 of future
 Contingents,
 not always
 Prophecy.

When by Prophecy is meant Prediction, or foretelling of future Con-
 tingents; not only they were Prophets, who were God's Spokesmen, and
 foretold those things to others, which God had foretold to them; but
 also all those Impostors, that pretend by the Help of familiar Spirits, or
 by superstitious Divination of Events past, from false Causes, to foretel
 the like Events in time to come: of which (as I have declared already
 in the twelfth Chapter of this Discourse) there be many Kinds, who
 gain in the Opinion of the common sort of Men, a greater Reputation
 of Prophecy, by one casual Event that may be wrested to their Pur-
 pose, than can be lost again by never so many Failings. Prophecy is
 not an Art, nor, when it is taken for Prediction, a constant Vocation;
 but an extraordinary, and temporary Employment from God, most often
 of good Men, but sometimes also of the Wicked. The Woman of
Endor, who is said to have had a familiar Spirit, and thereby to have
 raised a Phantasm of *Samuel*, and foretold *Saul* his Death, was not
 therefore a Prophetess; for neither had she any Science, whereby she
 could raise such a Phantasm; nor does it appear that God commanded
 the raising of it; but only guided that Imposture to be a Means of *Saul's*
 Terror and Discouragement; and consequently, of the Discomfiture by
 which he fell. And for incoherent Speech, it was amongst the Gentiles
 taken for one sort of Prophecy, because the Prophets of their Oracles,
 intoxicated with a Spirit or Vapour from the Cave of the *Pythian* Oracle
 at *Delphi*, were for the time really mad, and spake like Madmen; of
 whose loose Words a Sense might be made to fit any Event, in such
 sort, as all Bodies are said to be made of *Materia prima*. In the Scrip-
 ture I find it also so taken 1 *Sam. xviii. 10.* in these Words: *And the evil
 Spirit came upon Saul, and he prophesied in the Midst of the House.*

The manner
 how God
 hath spoken
 to the Pro-
 phets.

And although there be so many Significations in Scripture of the Word
Prophet; yet is that the most frequent, in which it is taken for him, to
 whom God speaketh immediately, that which the Prophet hath to say
 from him, to some other Man, or to the People. And hereupon a
 Question may be asked, in what manner God speaketh to such a Pro-
 phet? Can it (may some say) be properly said, that God hath Voice
 and Language, when it cannot be properly said, he hath a Tongue,
 or other Organs, as a Man? The Prophet *David* argueth thus; *Shall
 he that made the Eye, not see? or he that made the Ear, not hear?* But
 this may be spoken, not (as usually) to signify God's Nature, but to
 signify our Intention to honour him. For to *see*, and *hear*, are honour-
 able Attributes, and may be given to declare, as far as our Capacity can
 conceive, his Almighty Power. But if it were to be taken in the strict
 and proper Sense, one might argue from his making of all other Parts of
 Man's Body, that he had the same Use of them as we have; which
 would be many of them so uncomely, as it would be the greatest Con-
 tumely in the World to ascribe them to him. Therefore we are to in-
 terpret God's speaking to Men immediately, for that Way, whatsoever it
 be, by which God makes them understand his Will: and the Ways
 whereby he doth this, are many; and to be sought only in the Holy
 Scripture: where though many times it be said, that God spake to this,
 and that Person, without declaring in what manner; yet there be again
 many

many Places, that deliver also the Signs by which they were to acknowledge his Presence and Commandment; and by these may be understood, how he spake to many of the rest. CHAP. XXXVI.

In what manner God spake to *Adam*, and *Eve*, and *Cain*, and *Noah*, is not expressed; nor how he spake to *Abraham*, till such time as he came out of his own Country to *Sichem* in the Land of *Canaan*; and then, *Gen. xii. 7.* God is said to have *appeared* to him. So there is one way, whereby God made his Presence manifest; that is, by an *Apparition* or *Vision*. And again, *Gen. xv. 1.* the Word of the Lord came to *Abraham* in a Vision; that is to say, somewhat, as a Sign of God's Presence, appeared as God's Messenger, to speak to him. Again, the Lord appeared to *Abraham*, *Gen. xviii. 1.* by an Apparition of three Angels; and to *Abimelech*, *Gen. xx. 3.* in a Dream: To *Lot*, *Gen. xix. 1.* by an Apparition of two Angels: And to *Hagar*, *Gen. xxi. 17.* by the Apparition of one Angel: And to *Abraham* again, *Gen. xxii. 11.* by the Apparition of a Voice from Heaven: And, *Gen. xxvi. 24.* to *Isaac* in the Night; that is, in his Sleep, or by Dream: And to *Jacob*, *Gen. xxviii. 12.* in a Dream; that is to say, as are the Words of the Text, *Jacob dreamed that he saw a Ladder, &c.* And, *Gen. xxxii. 1.* in a Vision of Angels: And to *Moses*, *Exod. iii. 2.* in the Apparition of a Flame of Fire out of the midst of a Bush: And after the Time of *Moses* (where the manner how God spake immediately to Man in the Old Testament is expressed) he spake always by a Vision or by a Dream, as to *Gideon*, *Samuel*, *Elijah*, *Elisha*, *Isaiab*, *Ezekiel*, and the rest of the Prophets; and often in the New Testament, as to *Joseph*, to *St. Peter*, to *St. Paul*, and to *St. John* the Evangelist in the *Apocalypse*.

To the extraordinary Prophets of the Old Testament, he spake by Dreams, or Visions.

Only to *Moses* he spake in a more extraordinary manner in Mount *Sinai*, and in the *Tabernacle*; and to the High Priest in the *Tabernacle*, and in the *Sanctum Sanctorum* of the Temple. But *Moses*, and after him the High Priests, were Prophets of a more eminent Place and Degree in God's Favour; and God himself in express Words declareth, that to other Prophets he spake in Dreams and Visions, but to his Servant *Moses*, in such manner as a Man speaketh to his Friend. The Words are these, *Numb. xii. 6, 7, 8.* *If there be a Prophet among you, I the Lord will make myself known unto him in a Vision, and will speak unto him in a Dream. My Servant Moses is not so, who is faithful in all my House; with him I will speak Mouth to Mouth, even apparently, not in dark Speeches; and the Similitude of the Lord shall he behold.* And *Exod. xxxiii. 11.* *The Lord spake to Moses Face to Face, as a Man speaketh to his Friend.* And yet this speaking of God to *Moses*, was by Mediation of an Angel, or Angels, as appears expressly, *Acts vii. 35, 53.* and *Gal. iii. 19.* and was therefore a Vision, though a more clear Vision than was given to other Prophets. And conformable hereunto, where God saith, *Deut. xiii. 1.* *If there arise among you a Prophet, or Dreamer of Dreams,* the latter Word is but the Interpretation of the former. And, *Joel ii. 28.* *Your Sons and your Daughters shall prophesy; your old Men shall dream Dreams, and your young Men shall see Visions:* where again, the Word *Prophecy* is expounded by *Dream* and *Vision*. And in the same manner it was, that God spake to *Solomon*, promising him Wisdom, Riches, and Honour; for the Text saith, *1 Kings iii. 15.* *And Solomon awoke, and behold it was a Dream:* So that generally the Prophets extraordinary in the Old Testament took notice of the Word of God no otherwise, than from their Dreams or Visions; that is to say, from the Imaginations which they had in their Sleep, or in an Extasy: which Imaginations in every true Prophet were supernatural; but in false Prophets were either natural or feigned.

PART III. The same Prophets were nevertheless said to speak by the Spirit; as *Zech. vii. 12.* where the Prophet speaking of the *Jews*, saith, *They made their Hearts hard as Adamant, lest they should hear the Law, and the Words which the Lord of Hosts hath sent in his Spirit by the former Prophets.* By which it is manifest, that speaking by the Spirit, or Inspiration, was not a particular Manner of God's speaking, different from Vision, when they that were said to speak by the Spirit, were extraordinary Prophets, such as for every new Message, were to have a particular Commission, or (which is all one) a new Dream or Vision.

To Prophets of perpetual Calling, and Supreme, God spake in the Old Testament from the Mercy-Seat, in a Manner not expressed in the Scripture.

Of Prophets, that were so by a perpetual Calling in the Old Testament, some were *supreme*, and some *subordinate*: Supreme were, first *Moses*, and after him the High Priests, every one for his Time, as long as the Priesthood was Royal; and after the People of the *Jews* had rejected God, that he should no more reign over them, those Kings which submitted themselves to God's Government, were also his chief Prophets; and the High Priest's Office became Ministerial. And when God was to be consulted, they put on the holy Vestments, and enquired of the Lord, as the King commanded them, and were deprived of their Office, when the King thought fit. For King *Saul*, *1 Sam. xiii. 9.* commanded the Burnt-offering to be brought, and *1 Sam. xiv. 18.* he commands the Priest to bring the Ark near him; and, ver. 19. again to let it alone, because he saw an Advantage upon his Enemies. And in the same Chapter *Saul* asketh Counsel of God. In like Manner King *David*, after his being anointed, though before he had Possession of the Kingdom, is said to enquire of the Lord, *1 Sam. xxiii. 2.* whether he should fight against the *Philistines* at *Keilah*; and ver. 10. *David* commandeth the Priest to bring him the Ephod, to enquire whether he should stay in *Keilah*, or not. And King *Solomon*, *1 Kings ii. 27.* took the Priesthood from *Abiathar*, and gave it, ver. 35. to *Zadoc*. Therefore *Moses*, and the High Priests, and the pious Kings, who enquired of God on all extraordinary Occasions, how they were to carry themselves, or what Event they were to have, were all Sovereign Prophets. But in what Manner God spake unto them, is not manifest. To say that when *Moses* went up to God in Mount *Sinai*, it was a Dream or Vision, such as other Prophets had, is contrary to that Distinction which God made between *Moses* and other Prophets, *Numb. xii. 6, 7, 8.* To say God spake or appeared as he is in his own Nature, is to deny his Infiniteness, Invisibility, Incomprehensibility. To say he spake by Inspiration, or Infusion of the Holy Spirit, as the Holy Spirit signifieth the Deity, is to make *Moses* equal with Christ, in whom only the Godhead, as St. *Paul* speaketh *Col. ii. 9.* dwelleth bodily. And lastly, to say he spake by the Holy Spirit, as it signifieth the Graces, or Gifts of the Holy Spirit, is to attribute nothing to him supernatural. For God disposeth Men to Piety, Justice, Mercy, Truth, Faith, and all Manner of Virtue, both Moral and Intellectual, by Doctrine, Example, and by several Occasions, natural and ordinary.

And as these Ways cannot be applied to God, in his speaking to *Moses* at Mount *Sinai*; so also, they cannot be applied to him, in his speaking to the High Priests, from the Mercy-Seat. Therefore in what Manner God spake to those Sovereign Prophets of the Old Testament, whose Office it was to enquire of him, is not intelligible. In the Time of the New Testament, there was no Sovereign Prophet but our Saviour; who was both God that spake, and the Prophet to whom he spake.

To prophets of Perpetual Calling, but subordinate, God spake by the Spirit.

To subordinate Prophets of perpetual Calling, I find not any Place that proveth God spake to them supernaturally; but only in such Manner, as naturally he inclineth Men to Piety, to Belief, to Righteousness, and

and to other Virtues all other Christian Men. Which Way, though it consist in Constitution, Instruction, Education, and the Occasions and Invitements Men have to Christian Virtues; yet it is truly attributed to the Operation of the Spirit of God, or Holy Spirit, (which we in our Language call the Holy Ghost): For there is no good Inclination, that is not of the Operation of God. But these Operations are not always supernatural. When therefore a Prophet is said to speak in the Spirit, or by the Spirit of God, we are to understand no more, but that he speaks according to God's Will, declared by the supreme Prophet. For the most common Acceptation of the Word Spirit, is in the Signification of a Man's Intention, Mind, or Disposition.

In the time of *Moses*, there were seventy Men besides himself, that prophesied in the Camp of the *Israelites*. In what manner God spake to them, is declared in the xi. of *Numbers*, verse 25. *The Lord came down in a Cloud, and spake unto Moses, and took of the Spirit that was upon him, and gave it to the seventy Elders. And it came to pass, when the Spirit rested upon them, they prophesied, and did not cease.* By which it is manifest, first, that their prophesying to the People, was subservient, and subordinate to the prophesying of *Moses*; for that God took of the Spirit of *Moses*, to put upon them; so that they prophesied as *Moses* would have them: otherwise they had not been suffered to prophesy at all. For there was, verse 27. a Complaint made against them to *Moses*; and *Joshua* would have *Moses* to have forbidden them; which he did not, but said to *Joshua*, *Be not jealous in my behalf.* Secondly, that the Spirit of God in that Place, signifieth nothing but the Mind and Disposition to obey, and assist *Moses* in the Administration of the Government. For if it were meant they had the substantial Spirit of God; that is, the Divine Nature, inspired into them, then they had it in no less manner than Christ himself, in whom only the Spirit dwelt bodily. It is meant therefore of the Gift and Grace of God, that guided them to co-operate with *Moses*, from whom their Spirit was derived. And it appeareth, verse 16. that they were such as *Moses* himself should appoint for Elders and Officers of the People. For the Words are, *Gather unto me seventy Men, whom thou knowest to be Elders and Officers of the People: where, thou knowest, is the same with thou appointest, or hast appointed to be such.* For we are told before, *Exod.* 18. that *Moses* following the Counsel of *Jethro* his Father-in-law, did appoint Judges, and Officers over the People, such as feared God; and of these, were those Seventy, whom God by putting upon them *Moses's* Spirit, inclined to aid *Moses* in the Administration of the Kingdom: and in this Sense the Spirit of God is said, *1 Sam.* xvi. 13, 14. presently upon the anointing of *David*, to have come upon *David*, and left *Saul*; God giving his Graces to him he chose to govern his People, and taking them away from him he rejected. So that by the Spirit is meant Inclination to God's Service; and not any supernatural Revelation.

God spake also many times by the event of Lots; which were ordered by such as he had put in Authority over his People. So we read that God manifested by the Lots which *Saul* caused to be drawn, *1 Sam.* xiv. 43. the Fault that *Jonathan* had committed, in eating a *Honey-comb*, contrary to the Oath taken by the People. And, *Josh.* xviii. 10. God divided the Land of *Canaan* amongst the *Israelites*, by the Lots that *Joshua* did cast before the Lord in *Shiloh*. In the same manner it seemeth to be, that God discovered, *Joshua* vii. 16, &c. the Crime of *Achan*. And these are the ways whereby God declared his Will in the Old Testament.

All which ways he used also in the New Testament. To the *Virgin Mary*, by a Vision of an Angel: to *Joseph* in a Dream: again to *Paul* in the way to *Damascus* in a Vision of our Saviour: and to *Peter* in the

PART
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Vision of a Sheet let down from Heaven, with divers sorts of Flesh, of clean, and unclean Beasts; and in Prison, by Vision of an Angel: And to all the Apostles, and Writers of the New Testament, by the Graces of his Spirit; and to the Apostles again, at the chusing of *Matthias* in the place of *Judas Iscariot*, by Lot.

Every Man ought to examine the probability of a pretended Prophet's Calling.

Seeing then all Prophecy supposeth Vision, or Dream, (which two, when they be natural, are the same,) or some especial gift of God, so rarely observed in Mankind, as to be admired where observed; and seeing as well such Gifts, as the most extraordinary Dreams, and Visions, may proceed from God, not only by his supernatural, and immediate, but also by his natural Operation, and by Mediation of second Causes; there is need of Reason and Judgment to discern between natural and supernatural Gifts, and between natural and supernatural Visions, or Dreams. And consequently Men had need to be very circumspect, and wary, in obeying the Voice of Man, that pretending himself to be a Prophet, requires us to obey God in that way, which he in God's Name telleth us to be the way to Happiness. For he that pretends to teach Men the way of so great Felicity, pretends to govern them; that is to say, to rule, and reign over them; which is a thing, that all Men naturally desire, and is therefore worthy to be suspected of Ambition and Imposture; and consequently, ought to be examined, and tryed by every Man, before he yield them Obedience; unless he have yielded it them already, in the Institution of a Commonwealth; as when the Prophet is the Civil Sovereign, or by the Civil Sovereign authorised. And if this Examination of Prophets, and Spirits, were not allowed to every one of the People, it had been to no purpose, to set out the Marks, by which every Man might be able to distinguish between those whom they ought, and those whom they ought not to follow. Seeing therefore such Marks are set out, *Deut. xiii. 1, &c.* to know a Prophet by; and *1 John iv. 1, &c.* to know a Spirit by: and seeing there is so much Prophecy in the Old Testament, and so much Preaching in the New Testament against Prophets; and so much greater a Number ordinarily of false Prophets, than of true; every one is to beware of obeying their Directions, at their own Peril. And first, that there were many more false than true Prophets, appears by this, that when *Abab*, *1 Kings xxii.* consulted four hundred Prophets, they were all Impostors, but only one *Micaiah*. And a little before the time of the Captivity, the Prophets were generally Lyars. *The Prophets*, saith the Lord by *Jeremy*, chap. xiv. verse 14. *prophecy Lies in my Name. I sent them not, neither have I commanded them, nor spake unto them; they prophecy to you a false Vision, a thing of nought, and the Deceit of their Heart.* Inasmuch as God commanded the People by the Mouth of the Prophet *Jeremiah*, chap. xxiii. 16. not to obey them. *Thus saith the Lord of Hosts, hearken not unto the Words of the Prophets, that prophecy to you. They make you vain, they speak a Vision of their own Heart, and not out of the Mouth of the Lord.*

All Prophecy but of the Sovereign Prophet, is to be examined by every Subject.

Seeing then there was in the time of the Old Testament, such Quarrels amongst the Visionary Prophets, one contesting with another, and asking, *When departed the Spirit from me, to go to thee?* as between *Micaiah*, and the rest of the four hundred; and such giving of the Lye to one another, as in *Jerem. xiv. 14.* and such Controversies in the New Testament at this Day, amongst the Spiritual Prophets: Every Man then was, and now is bound to make use of his natural Reason, to apply to all Prophecy those Rules which God hath given us, to discern the true from the false. Of which Rules, in the Old Testament, one was, conformable Doctrine to that which *Moses* the Sovereign Prophet had taught them; and the other, the miraculous Power of foretelling what God would bring

to pass, as I have already shewn out of *Deut. xiii. 1, &c.* And in the New Testament there was but one only Mark; and that was the preaching of this Doctrine, *That Jesus is the Christ*, that is, the King of the Jews, promised in the Old Testament. Whosoever denied that Article, he was a false Prophet, whatsoever Miracles he might seem to work; and he that taught it was a true Prophet. For St. *John, 1 Epist. iv. 2, &c.* speaking expressly of the Means to examine Spirits, whether they be of God, or not; after he had told them that there would arise false Prophets, saith thus, *Hereby know ye the Spirit of God. Every Spirit that confesseth that Jesus Christ is come in the Flesh, is of God*; that is, is approved and allowed as a Prophet of God: not that he is a godly Man, or one of the Elect, for this, that he confesseth, professeth, or preacheth *Jesus* to be the *Christ*; but for that he is a Prophet avowed. For God sometimes speaketh by Prophets, whose Persons he hath not accepted; as he did by *Baalam*; and as he foretold *Saul* of his Death, by the Witch of *Endor*. Again in the next Verse, *Every Spirit that confesseth not that Jesus Christ is come in the Flesh, is not of Christ. And this is the Spirit of Antichrist.* So that the Rule is perfect on both sides; that he is a true Prophet which preacheth the Messiah already come, in the Person of *Jesus*; and a false one that denieth him come, and looketh for him in some future Impostor, that shall take upon him that Honour falsely, whom the Apostle there properly calleth Antichrist. Every Man therefore ought to consider who is the Sovereign Prophet; that is to say, who it is that is God's Vicegerent on Earth; and hath, next under God, the Authority of governing Christian Men; and to observe for a Rule that Doctrine, which in the Name of God he hath commanded to be taught; and thereby to examine and try out the Truth of those Doctrines, which pretended Prophets with Miracle, or without, shall at any Time advance: and if they find it contrary to that Rule, to do as they did that came to *Moses* and complain'd, that there were some that prophesied in the Camp, whose Authority so to do they doubted of; and leave to the Sovereign, as they did to *Moses*, to uphold or to forbid them, as he should see Cause; and if he disavow them, then no more to obey their Voice; or, if he approve them, then to obey them, as Men to whom God hath given a Part of the Spirit of their Sovereign. For when Christian Men take not their Christian Sovereign for God's Prophet, they must either take their own Dreams for the Prophecy they mean to be governed by, and the Tumour of their own Hearts for the Spirit of God; or they must suffer themselves to be led by some strange Prince, or by some of their Fellow-Subjects, that can bewitch them, by Slander of the Government, into Rebellion, without other Miracle to confirm their Calling, than sometimes an extraordinary Success and Impunity, and by this means destroying all Laws, both divine and human, reduce all Order, Government, and Society, to the first Chaos of Violence and civil War.

C H A P. XXXVII.

Of MIRACLES, and their Use.

BY *Miracles* are signified the admirable Works of God, and therefore they are also called *Wonders*. And because they are, for the most part, done for a Signification of his Commandment, on such Occasions, as without them, Men are apt to doubt (following their private natural

A Miracle is a Work that causeth Admiration:

PART natural reasoning) what he hath commanded, and what not, they are
 III. commonly in holy Scripture called *Signs*, in the same Sense as they are
 called by the *Latins*, *Ostenta*, and *Portenta*, from shewing and fore-
 signifying that, which the Almighty is about to bring to pass.

And must
 therefore be
 rare, and
 whereof
 there is no
 natural Cause
 known.

To understand therefore what is a Miracle, we must first understand what Works they are, which Men wonder at and call admirable. And there be but two Things which make Men wonder at any Event: The one is, if it be strange, that is to say, such as the like of it hath never, or very rarely been produced: The other is, if when it is produced, we cannot imagine it to have been done by natural Means, but only by the immediate Hand of God. But when we see some possible, natural Cause of it, how rarely soever the like has been done; or if the like have been often done, how impossible soever it be to imagine a natural Means thereof, we no more wonder, nor esteem it for a Miracle.

Therefore, if a Horse or Cow should speak, it were a Miracle; because both the Thing is strange, and the natural Cause difficult to imagine: So also were it, to see a strange Deviation of Nature, in the Production of some new Shape of a living Creature. But when a Man, or other Animal, engenders his like, though we know no more how this is done than the other, but because 'tis usual, it is no Miracle. In like manner, if a Man be metamorphosed into a Stone, or into a Pillar, it is a Miracle, because strange: but if a Piece of Wood be so changed, because we see it often, it is no Miracle: and yet we know no more, by what Operation of God the one is brought to pass, than the other.

The first Rainbow that was seen in the World was a Miracle, because the first, and consequently strange, and served for a Sign from God, placed in Heaven, to assure his People, there should be no more an universal Destruction of the World by Water. But at this Day, because they are frequent, they are not Miracles, neither to them that know their natural Causes, nor to them who know them not. Again, there be many rare Works produced by the Art of Man; yet when we know they are done, because thereby we know also the Means how they are done, we count them not for Miracles, because not wrought by the immediate Hand of God, but by Mediation of human Industry.

That which
 seemeth a
 Miracle to
 one Man,
 may seem
 otherwise to
 another.

Furthermore, seeing Admiration and Wonder is consequent to the Knowledge and Experience wherewith Men are endued, some more, some less; it followeth, that the same Thing may be a Miracle to one, and not to another. And thence it is, that ignorant and superstitious Men make great Wonders of those Works, which other Men, knowing to proceed from Nature, (which is not the immediate, but the ordinary Work of God) admire not at all: As when Eclipses of the Sun and Moon have been taken for supernatural Works, by the common People; when nevertheless there were others could, from their natural Causes, have foretold the very Hour they should arrive: or, as when a Man, by Confederacy and secret Intelligence, getting Knowledge of the private Actions of an ignorant unwary Man, thereby tells him what he has done in former Time, it seems to him a miraculous Thing; but amongst wise, and cautious Men, such Miracles as those cannot easily be done.

The End of
 Miracles.

Again, it belongeth to the Nature of a Miracle, that it be wrought for the procuring of Credit to God's Messengers, Ministers, and Prophets, that thereby Men may know they are called, sent, and employ'd by God, and thereby be the better inclin'd to obey them. And therefore, though the Creation of the World, and after that the Destruction of all living Creatures in the universal Deluge, were admirable Works; yet because they were not done to procure Credit to any Prophet, or other Minister of God, they use not to be called Miracles. For how admirable

rable foever any Work be, the Admiration consisteth not in that it could be done, because Men naturally believe the Almighty can do all things, but because he does it at the Prayer or Word of a Man. But the Works of God in *Egypt*, by the Hand of *Moses*, were properly Miracles; because they were done with Intention to make the People of *Israel* believe that *Moses* came unto them, not out of any Design of his own Interest, but as sent from God. Therefore after God had commanded him to deliver the *Israelites* from the *Egyptian* Bondage; when he said, *They will not believe me, but will say, the Lord hath not appeared unto me,* Exod: iv. 1, &c. God gave him Power to turn the Rod he had in his Hand into a Serpent, and again to return it into a Rod; and by putting his Hand into his Bosom, to make it leprous; and again, by pulling it out, to make it whole, to make the Children of *Israel* believe, as it is verse 5, that the God of their Fathers had appeared unto him: And if that were not enough, he gave him Power to turn their Waters into Blood. And when he had done these Miracles before the People, it is said; verse 31, that *they believed him*. Nevertheless, for fear of *Pharaoh*, they durst not yet obey him. Therefore the other Works which were done to plague *Pharaoh*, and the *Egyptians*, tended all to make the *Israelites* believe in *Moses*, and were properly Miracles. In like manner if we consider all the Miracles done by the Hand of *Moses*, and all the rest of the Prophets, till the Captivity; and those of our Saviour, and his Apostles afterwards; we shall find, their End was always to beget or confirm Belief, that they came not of their own Motion, but were sent by God. We may further observe in Scripture, that the End of Miracles was to beget Belief, not universally in all Men, elect and reprobate, but in the Elect only; that is to say, in such as God determined should become his Subjects. For those miraculous Plagues of *Egypt*, had not for End, the Conversion of *Pharaoh*; for God had told *Moses* before, that he would harden the Heart of *Pharaoh*, that he should not let the People go: And when he let them go at last, not the Miracles persuaded him; but the Plagues forced him to it. So also of our Saviour, it is written, *Matth. xiii. 58.* that he wrought not many Miracles in his own Country, because of their Unbelief; and in *Mark vi. 5.* instead of, *he wrought not many,* it is, *he could work none.* It was not because he wanted Power; which to say, were Blasphemy against God; nor that the End of Miracles, was not to convert incredulous Men to *Christ*; for the End of all the Miracles of *Moses*, of the Prophets, of our Saviour, and of his Apostles, was to add Men to the Church; but it was, because the End of their Miracles was to add to the Church, not all Men, but such as should be saved; that is to say, such as God had elected. Seeing therefore our Saviour was sent from his Father, he could not use his Power in the Conversion of those whom his Father had rejected. They that expounding this Place of *St. Mark*, say, that this Word, *he could not,* is put for *he would not,* do it without Example in the *Greek* Tongue, (where *would not* is put sometimes for *could not*, in Things inanimate, that have no Will; but *could not*, for *would not*, never) and thereby lay a Stumbling-block before weak Christians; as if *Christ* could do no Miracles but amongst the Credulous.

From that which I have here set down, of the Nature and Use of a Miracle, we may define it thus: *A Miracle is a Work of God (besides his Operation by the way of Nature, ordained in the Creation) done, for the making manifest to his Elect, the Mission of an extraordinary Minister for their Salvation.* The Definition of a Miracle.

And from this Definition we may infer, First, that in all Miracles, the Work done, is not the Effect of any Virtue in the Prophet; because

PART III. it is the Effect of the immediate Hand of God ; that is to say, God hath done it, without using the Prophet therein, as a subordinate Cause.

Secondly, that no Devil, Angel, or other created Spirit, can do a Miracle. For it must either be by Virtue of some natural Science, or by Incantation, that is, Virtue of Words. For if the Inchanters do it by their own Power independent, there is some Power that proceedeth not from God ; which all Men deny : and if they do it by Power given them, then is the Work not from the immediate Hand of God, but ; natural, and consequently no Miracle.

There be some Texts of Scripture, that seem to attribute the Power of working Wonders (equal to some of those immediate Miracles, wrought by God himself) to certain Arts of Magic and Incantation. As for Example, when we read that after the Rod of *Moses* being cast on
 Exod. vii. 11. the Ground became a Serpent, *the Magicians of Egypt did the like by their Enchantments* ; and that after *Moses* had turned the Waters of the
 Exod. vii. 22. *Egyptian Streams, Rivers, Ponds and Pools of Water into Blood, the Magicians of Egypt did so likewise, with their Enchantments* ; and that after
 Exod. viii. 7. *Moses* had by the Power of God brought Frogs upon the Land, *the Magicians also did so with their Enchantments, and brought up Frogs upon the Land of Egypt* ; will not a Man be apt to attribute Miracles to Enchantments ; that is to say, to the Efficacy of the Sound of Words ; and think the same very well proved out of this, and other such Places ? and yet there is no Place of Scripture, that telleth us what an Enchantment is. If therefore Enchantment be not, as many think it, a working of strange Effects by Spells, and Words ; but Imposture and Delusion, wrought by ordinary Means ; and so far from supernatural, as the Impostors need not the Study so much as of natural Causes, but the ordinary Ignorance, Stupidity, and Superstition of Mankind, to do them ; these Texts that seem to countenance the Power of Magic, Witchcraft, and Enchantment, must needs have another Sense, than at first sight they seem to bear.

That Men are apt to be deceived by false Miracles.

For it is evident enough, that Words have no Effect, but on those that understand them ; and then they have no other, but to signify the Intentions, or Passions of them that speak ; and thereby produce Hope, Fear, or other Passions or Conceptions in the Hearer. Therefore when a Rod seemeth a Serpent, or the Waters Blood, or any other Miracle seemeth done by Enchantment ; if it be not to the Edification of God's People, not the Rod, nor the Water, nor any other thing is enchanted ; that is to say, wrought upon by the Words, but the Spectator. So that all the Miracle consisteth in this, that the Enchanter has deceived a Man ; which is no Miracle, but a very easy matter to do.

For such is the Ignorance and Aptitude to Error generally of all Men, but especially of them that have not much Knowledge of natural Causes, and of the Nature, and Interests of Men ; as by innumerable and easy Tricks to be abused. What Opinion of miraculous Power, before it was known there was a Science of the Course of the Stars, might a Man have gained, that should have told the People, This Hour, or Day, the Sun should be darkened ? A Juggler by the handling of his Goblets, and other Trinkets, if it were not now ordinarily practised, would be thought to do his Wonders by the Power at least of the Devil. A Man that hath practised to speak by drawing in of his Breath (which kind of Men in ancient time were called *Ventriloqui*) and so make the Weakness of his Voice seem to proceed, not from the weak Impulsion of the Organs of Speech, but from Distance of Place, is able to make very many Men believe it is a Voice from Heaven, whatsoever he please to tell them. And for a crafty Man, that hath enquired into the Secrets, and familiar

familiar Confessions that one Man ordinarily maketh to another of his Actions and Adventures past, to tell them him again is no hard Matter; and yet there be many, that by such Means as that, obtain the Reputation of being Conjurers. But it is too long a Business, to reckon up the several Sorts of those Men, which the *Greeks* called *Thaumaturgi*, that is to say, Workers of Things wonderful; and yet these do all they do, by their own single Dexterity. But if we look upon the Impostures wrought by Confederacy, there is nothing how impossible soever to be done, that is impossible to be believed. For two Men conspiring, one to seem lame, the other to cure him with a Charm, will deceive many: but many conspiring, one to seem lame, another so to cure him, and all the rest to bear Witnesses; will deceive many more.

In this Aptitude of Mankind, to give too hasty Belief to pretended Miracles, there can be no better, nor I think any other Caution, than that which God hath prescribed, first by *Moses*, as I have said before in the precedent Chapter, in the Beginning of the 13th and End of the 18th of *Deuteronomy*; That we take not any for Prophets, that teach any other Religion, than that which God's Lieutenant, which at that time was *Moses*, hath established; nor any, though he teach the same Religion, whose Prediction we do not see come to pass. *Moses* therefore in his Time, and *Aaron*, and his Successors in their Times, and the Sovereign Governor of God's People, next under God himself, that is to say, the Head of the Church in all Times, are to be consulted, what Doctrine he hath established, before we give Credit to a pretended Miracle, or Prophet. And when that is done, the Thing they pretend to be a Miracle, we must both see it done, and use all Means possible to consider, whether it be really done; and not only so, but whether it be such, as no Man can do the like by his natural Power, but that it requires the immediate Hand of God. And in this also we must have Recourse to God's Lieutenant, to whom, in all doubtful Cases, we have submitted our private Judgments. For Example; if a Man pretend, that after certain Words spoken over a Piece of Bread, that presently God hath made it not Bread, but a God, or a Man, or both, and nevertheless it looketh still as like Bread as ever it did; there is no Reason for any Man to think it really done; nor consequently to fear him, till he enquire of God, by his Vicar, or Lieutenant, whether it be done, or not. If he say not, then followeth that which *Moses* saith, *Deut. xviii. 22. He hath spoken it presumptuously, thou shalt not fear him.* If he say it is done, then he is not to contradict it. So also if we see not, but only hear tell of a Miracle, we are to consult the lawful Church; that is to say, the lawful Head thereof, how far we are to give Credit to the Relaters of it. And this is chiefly the Case of Men, that in these Days live under Christian Sovereigns. For in these Times, I do not know one Man, that ever saw any such wondrous Work, done by the Charm, or at the Word or Prayer of a Man, that a Man endued but with a Mediocrity of Reason, would think supernatural: and the Question is no more, whether what we see done, be a Miracle; whether the Miracle we hear, or read of, were a real Work, and not the Act of a Tongue or Pen; but in plain Terms, whether the Report be true, or a Lye. In which Question we are not every one to make our own private Reason, or Conscience, but the public Reason, that is, the Reason of God's supreme Lieutenant, Judge; and indeed we have made him Judge already, if we have given him a Sovereign Power, to do all that is necessary for our Peace and Defence. A private Man has always the Liberty, because Thought is free, to believe, or not believe in his Heart, those Acts that have been given out for Miracles, according as he shall see, what Benefit can

Cautions against the Imposture of Miracles.

accrue

PART III. accrue by Men's Belief, to those that pretend, or countenance them; and thereby conjecture, whether they be Miracles or Lies. But when it comes to Confession of their Faith, the private Reason must submit to the public; that is to say, to God's Lieutenant. But who is this Lieutenant of God, and Head of the Church, shall be considered in its proper Place hereafter.

C H A P. XXXVIII.

Of the Signification in Scripture of ETERNAL LIFE, HELL, SALVATION, THE WORLD TO COME, and REDEMPTION.

THE Maintenance of Civil Society depending on Justice; and Justice, or the Power of Life and Death, and other less Rewards and Punishments, residing in them that have the Sovereignty of the Commonwealth; it is impossible a Commonwealth should stand, where any other than the Sovereign hath a Power of giving greater Rewards than Life; and of inflicting greater Punishments than Death. Now seeing *eternal Life* is a greater Reward than the *Life present*; and *eternal Torment* a greater Punishment than the *Death of Nature*; it is a Thing worthy to be well considered, of all Men that desire (by obeying Authority) to avoid the Calamities of Confusion and Civil War, what is meant in holy Scripture, by *Life eternal*, and *Torment eternal*; and for what Offences, and against whom committed, Men are to be *eternally tormented*; and for what Actions they are to obtain *eternal Life*.

The Place of Adam's Eternity if he had not sinned, had been the terrestrial Paradise. And first we find, that *Adam* was created in such a Condition of Life, as had he not broken the Commandment of God, he had enjoyed it in the Paradise of *Eden* everlastingly. For there was the *Tree of Life*; whereof he was so long allowed to eat, as he should forbear to eat of the *Tree of Knowledge of Good and Evil*; which was not allowed him. And therefore as soon as he had eaten of it, God thrust him out of Paradise, *lest he should put forth his Hand, and take also of the Tree of Life, and live for ever*. By which it seemeth to me, (with Submission nevertheless both in this, and in all Questions, whereof the Determination dependeth on the Scriptures, to the Interpretation of the Bible authorized by the Commonwealth, whose Subject I am) that *Adam*, if he had not sinned, had had an eternal Life on Earth: and that Mortality entered upon himself, and his Posterity, by his first Sin. Not that actual Death then entered; for *Adam* then could never have had Children; whereas he lived long after, and saw a numerous Posterity before he died. But where it is said, *In the Day that thou eatest thereof, thou shalt surely die*, it must needs be meant of his Mortality and Certitude of Death. Seeing then eternal Life was lost by *Adam's* Forfeiture, in committing Sin, he that should cancel that Forfeiture was to recover thereby that Life again. Now Jesus Christ hath satisfied for the Sins of all that believe in him; and therefore recovered to all Believers, that *eternal Life*, which was lost by the Sin of *Adam*. And in this Sense it is, that the Comparison of *St. Paul* holdeth, *Rom. v. 18, 19. As by the Offence of one, Judgment came upon all Men to Condemnation, even so by the Righteousness of one, the free Gift came upon all Men to Justification of Life*. Which is again, *1 Cor. xv. 21, 22. more perspicuously delivered in these Words, For since by Man came Death, by Man came also the Resurrection of the Dead. For as in Adam all die, even so in Christ shall all be made alive*.

Con-

Concerning the Place wherein Men shall enjoy that eternal Life, which Christ hath obtained for them, the Texts next before alledged seem to make it on Earth. For if, as in *Adam* all die, that is, have forfeited Paradise and eternal Life on Earth, even so in Christ all shall be made alive; then all Men shall be made to live on Earth; for else the Comparifon were not proper. Hereunto seemeth to agree that of the Psalmist, *Pfal.* cxxxiii. 3. *Upon Zion God commanded the Blessing, even Life for evermore: for Zion is in Jerusalem, upon Earth: as also that of St. John, Rev. ii. 7. To him that overcometh I will give to eat of the Tree of Life, which is in the midst of the Paradise of God.* This was the Tree of *Adam's* eternal Life; but his Life was to have been on Earth. The same seemeth to be confirmed again by *St. John, Rev. xxii. 2.* where he saith, *I John saw the holy City, new Jerusalem, coming down from God out of Heaven, prepared as a Bride adorned for her Husband: and again, ver. 10. to the same Effect: As if he should say, the new Jerusalem, the Paradise of God, at the coming again of Christ, should come down to God's People from Heaven, and not they go up to it from Earth.* And this differs nothing from that, which the two Men in white Clothing (that is, the two Angels) said to the Apostles, that were looking upon Christ ascending, *Acts i. 11. This same Jesus, who is taken up from you into Heaven, shall so come, as you have seen him go up into Heaven.* Which soundeth as if they had said, he should come down to govern them under his Father, eternally here; and not take them up to govern them in Heaven; and is conformable to the Restauration of the Kingdom of God, instituted under *Moses*; which was a political Government of the *Jews* on Earth. Again, that Saying of our Saviour, *Mat. xxii. 30. That in the Resurrection they neither marry, nor are given in Marriage, but are as the Angels of God in Heaven,* is a Description of an eternal Life, resembling that which we lost in *Adam* in the Point of Marriage. For seeing *Adam* and *Eve*, if they had not sinned, had lived on Earth eternally in their individual Persons; it is manifest, they should not continually have procreated their Kind. For if Immortals should have generated, as Mankind doth now; the Earth in a small Time would not have been able to afford them place to stand on. The *Jews* that asked our Saviour the Question, *Whose Wife the Woman that married many Brothers, should be in the Resurrection?* knew not what were the Consequences of Life eternal: and therefore our Saviour puts them in mind of this Consequence of Immortality; that there shall be no Generation, and consequently no Marriage, no more than there is Marriage or Generation among the Angels. The Comparifon between the eternal Life which *Adam* lost, and our Saviour by his Victory over Death hath recovered, holdeth also in this, that as *Adam* lost eternal Life by his Sin, and yet lived after it for a time; so the faithful Christian hath recovered eternal Life by Christ's Passion, though he die a natural Death, and remain dead for a Time; namely, till the Resurrection. For as Death is reckoned from the Condemnation of *Adam*, not from the Execution; so Life is reckoned from the Absolution, not from the Resurrection of them that are elected in Christ.

That the Place wherein Men are to live eternally after the Resurrection, is the Heavens, meaning by Heaven, those Parts of the World, which are the most remote from Earth, as where the Stars are, or above the Stars, in another higher Heaven called *Cælum Empyreum*, (whereof there is no Mention in Scripture, nor Ground in Reason) is not easily to be drawn from any Text that I can find. By the Kingdom of Heaven, is meant the Kingdom of the King that dwelleth in Heaven; and his Kingdom was the People of *Israel*, whom he ruled by the Prophets his Lieutenants, first *Moses*, and after him *Eleazar*, and the Sovereign Priests,

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till in the Days of *Samuel* they rebelled, and would have a mortal Man for their King, after the manner of other Nations. And when our Saviour Christ, by the preaching of his Ministers, shall have persuaded the *Jews* to return, and called the *Gentiles* to his Obedience, then shall there be a new Kingdom of Heaven; because our King shall then be God, whose *Throne* is Heaven; without any Necessity evident in the Scripture, that Man shall ascend to his Happiness any higher than God's *Footstool* the Earth. On the contrary, we find written, *John* iii. 13. that *no Man hath ascended into Heaven, but he that came down from Heaven, even the Son of Man, that is in Heaven.* Where I observe by the way, that these Words are not, as those which go immediately before, the Words of our Saviour, but of St. *John* himself; for Christ was then not in Heaven, but upon the Earth. The like is said of *David*, *Acts* ii. 34. where St. *Peter*, to prove the Ascension of Christ, using the Words of the Psalmist, *Psal.* xvi. 10. *Thou wilt not leave my Soul in Hell, nor suffer thine Holy One to see Corruption,* saith, they were spoken, not of *David*; but, of Christ; and to prove it, addeth this Reason, *For David is not ascended into Heaven.* But to this a Man may easily answer, and say, that though their Bodies were not to ascend till the general Day of Judgment, yet their Souls were in Heaven as soon as they departed from their Bodies; which also seemeth to be confirmed by the Words of our Saviour, *Luke* xx. 37, 38. who proving the Resurrection out of the Words of *Moses*, saith thus, *That the Dead are raised, even Moses shewed, at the Bush, when he calleth the Lord, the God of Abraham, and the God of Isaac, and the God of Jacob. For he is not a God of the Dead, but of the Living; for they all live to him.* But if these Words be to be understood only of the Immortality of the Soul, they prove not at all that which our Saviour intended to prove, which was the Resurrection of the Body, that is to say, the Immortality of the Man. Therefore our Saviour meaneth, that those Patriarchs were immortal; not by a Property consequent to the Essence, and Nature of Mankind; but by the Will of God, that was pleased of his mere Grace, to bestow *eternal Life* upon the faithful. And though at that time the Patriarchs and many other faithful Men were *dead*, yet as it is in the Text, they *lived to God*; that is, they were written in the Book of Life, with them that were absolved of their Sins, and ordained to Life eternal at the Resurrection. That the Soul of Man is in its own Nature eternal, and a living Creature independent on the Body; or that any mere Man is immortal, otherwise than by the Resurrection in the last Day, (except *Enoch* and *Elias*;) is a Doctrine not apparent in Scripture. The whole xiv. Chapter of *Job*, which is the Speech not of his Friends, but of himself, is a Complaint of this Mortality of Nature; and yet no Contradiction of the Immortality at the Resurrection. *There is hope of a Tree* (saith he, verse 7.) *if it be cast down, though the Root thereof wax Old, and the Stock thereof die in the Ground, yet when it senteth the Water it will bud, and bring forth Boughs like a Plant. But Man dyeth, and wasteth away, yea, Man giveth up the Ghost, and where is he?* And verse 12. *Man lieth down, and riseth not, till the Heavens be no more.* But when is it, that the Heavens shall be no more? St. *Peter* tells us that it is at the general Resurrection. For in his 2 Epistle, iii. Chapter, and 7 verse, he saith, that *the Heavens and the Earth that are now, are reserved unto Fire against the Day of Judgment, and Perdition of ungodly Men,* and verse 12. *looking for, and hastening to the coming of God, wherein the Heavens shall be on Fire, and shall be dissolved, and the Elements shall melt with fervent Heat. Nevertheless, we according to the Promise look for new Heavens, and a new Earth, wherein dwelleth Righteousness.* Therefore where *Job* saith, *Man riseth not till the*

Heavens be no more; it is all one, as if he had said, the immortal Life (and Soul and Life in the Scripture, do usually signify the same thing) beginneth not in Man, till the Resurrection, and Day of Judgment; and hath for Cause, not his specifical Nature, and Generation; but the Promise. For St. Peter says not, *We look for new Heavens, and a new Earth, (from Nature) but from Promise.* C H A P.
XXXVIII.

Lastly, seeing it hath been already proved out of divers evident Places of Scripture, in the xxxv. Chapter of this Book, that the Kingdom of God is a Civil Commonwealth, where God himself is a Sovereign, by vertue first of the *Old*, and since of the *New* Covenant, wherein he reigneth by his Vicar, or Lieutenant; the same Places do therefore also prove, that after the coming again of our Saviour in his Majesty and Glory, to reign actually, and eternally; the Kingdom of God is to be on Earth. But because this Doctrine (though proved out of Places of Scripture not few, nor obscure) will appear to most Men a Novelty; I do but propound it; maintaining nothing in this, or any other Paradox of Religion; but attending the End of that Dispute of the Sword, concerning the Authority, not yet amongst my Countrymen decided, by which all sorts of Doctrine are to be approved, or rejected; and whose Commands, both in Speech and Writing, whatsoever be the Opinions of private Men, must by all Men, that mean to be protected by their Laws, be obeyed. For the Points of Doctrine concerning the Kingdom of God, have so great Influence on the Kingdom of Man, as not to be determined, but by them, that under God have the Sovereign Power.

As the Kingdom of God, and eternal Life, so also God's Enemies, and their Torments after Judgment, appear by the Scripture, to have their Place on Earth. The Name of the Place, where all Men remain till the Resurrection, that were either buried, or swallowed up of the Earth, is usually called in Scripture, by Words that signify *under Ground*; which the *Latins* read generally *Infernus*, and *Inferni*, and the *Greeks* Ἅδης; that is to say, a Place where Men cannot see; and containeth as well the Grave, as any other deeper Place. But for the Place of the Damned after the Resurrection, it is not determined, neither in the Old, nor New Testament, by any Note of Situation; but only by the Company: as that it shall be, where such wicked Men were, as God in former times in extraordinary, and miraculous manner, had destroyed from off the Face of the Earth: As for example, that they are *in Inferno*, in *Tartarus*, or in the bottomless Pit; because *Corah*, *Dathan*, and *Abiram*, were swallowed up alive into the Earth. Not that the Writers of the Scripture would have us believe, there could be in the Globe of the Earth, which is not only finite, but also (compared to the Height of the Stars) of no considerable Magnitude, a Pit without a Bottom; that is, a Hole of infinite Depth, such as the *Greeks* in their *Dæmonology* (that is to say, in their Doctrine concerning *Dæmons*,) and after them the *Romans*, called *Tartarus*; of which *Virgil* says,

*Bis patet in præceps, tantum tenditque sub umbras,
Quantus ad æthereum cæli suspectus Olympum:*

for that is a thing the Proportion of Earth to Heaven cannot bear: but that we should believe them there, indefinitely, where those Men are, on whom God inflicted that exemplary Punishment.

Again, because those mighty Men of the Earth, that lived in the time of *Noah*, before the Flood, (which the *Greeks* called *Heroes*, and the Scripture *Giants*, and both say, were begotten, by Copulation of the Children of God, with the Children of Men,) were for their wicked Life destroyed by the general Deluge; the Place of the Damned, is therefore also sometimes marked out, by the Company of those deceased Giants;

The Place after Judgment, of those who were never in the Kingdom of God, or having been in, are cast out.

Tartarus.

The Congregation of Giants.

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Lake of Fire. Thirdly, because the Cities of *Sodom*, and *Gomorrab*, by the extraordinary Wrath of God, were consumed for their Wickedness with *Fire* and *Brimstone*, and together with them the Country about made a stinking bituminous Lake: the Place of the Damned is sometimes expressed by *Fire*, and a *Fiery Lake*: as in the *Apocalypse* xxi. 8. *But the timorous, incredulous, and abominable, and Murderers, and Whoremongers, and Sorcerers, and Idolaters, and all Lyars, shall have their Part in the Lake that burneth with Fire and Brimstone; which is the second Death.* So that it is manifest, that *Hell Fire*, which is here expressed by *Metaphor*, from the real *Fire of Sodom*, signifieth not any certain Kind, or Place of Torment; but is to be taken indefinitely, for *Destruction*, as it is in the xx. Chapter, at the 14. verse, where it is said, that *Death and Hell were cast into the Lake of Fire*; that is to say, were abolished, and destroyed; as if after the Day of Judgment, there shall be no more *Dying*, nor no more going into *Hell*; that is, no more going to *Hades* (from which Word perhaps our Word *Hell* is derived,) which is the same with no more *Dying*.

Utter Dark-
ness. Fourthly, from the Plague of *Darkness* inflicted on the *Egyptians*, of which it is written *Exod.* x. 23. *They saw not one another, neither rose any Man from his Place for three Days; but all the Children of Israel had Light in their Dwellings*; the Place of the Wicked after Judgment, is called *utter Darkness*, or (as it is in the Original) *Darkness without*. And so it is expressed, *Mat.* xxii. 13. where the King commandeth his Servants, to *bind Hand and Foot the Man that had not on his Wedding Garment, and to cast him out, eis to sùlos to èxwtegn, External Darkness, or Darkness without*: which though translated *utter Darkness*, does not signify *how great*, but *where* that *Darkness* is to be; namely, *without the Habitation of God's Elect*.

Gehenna,
and Tophet. Lastly, whereas there was a Place near *Jerusalem*, called the *Valley of the Children of Hinnon*; in a Part whereof, called *Tophet*, the *Jews* had committed most grievous *Idolatri*, sacrificing their Children to the *Idol Moloch*; and wherein also God had afflicted his Enemies with most grievous Punishments; and wherein *Josiah* had burnt the Priests of *Moloch* upon their own Altars, as appeareth at large in 2 *Kings* chap. xxiii. the Place served afterwards, to receive the Filth and Garbage which was carried thither out of the City; and there used to be Fires made, from time to time, to purify the Air, and take away the Stench of Carrion. From this abominable Place, the *Jews* used ever after to call the Place of the Damned, by the Name of *Gehenna*, or *Valley of Hinnon*. And this *Gehenna*, is that Word, which is usually now translated *Hell*; and from the Fires from time to time there burning, we have the notion of *everlasting, and unquenchable Fire*.

Of the literal
Sense of the
Scripture
concerning
Hell. Seeing now there is none, that so interprets the Scripture, as that after the Day of Judgment, the Wicked are all eternally to be punished in the Valley of *Hinnon*; or that they shall so rise again, as to be ever after under Ground, or under Water; or that after the Resurrection, they shall no more see one another; nor stir from one Place to another; it followeth, methinks, very necessarily, that that which is thus said concerning *Hell Fire*, is spoken metaphorically; and that therefore there is a proper Sense to be enquired after, (for of all Metaphors there is some

real ground, that may be expressed in proper Words) both of the Place CHAP. of Hell, and the nature of *Hellish Torments*, and *Tormentors*. XXXVIII.

And first for the Tormentors, we have their Nature, and Properties, exactly and properly delivered by the Names of, *The Enemy*, or *Satan*; *The Accuser*, or *Diabolus*; *The Destroyer*, or *Abaddon*. Which significant Names, *Satan*, *Devil*, *Abaddon*, set not forth to us any individual Person, as proper Names use to do; but only an Office, or Quality; and are therefore Appellatives; which ought not to have been left untranslated, as they are, in the *Latin*, and modern Bibles; because thereby they seem to be the proper Names of *Dæmons*; and Men are the more easily seduced to believe the Doctrine of *Devils*; which at that time was the Religion of the *Gentiles*, and contrary to that of *Moses*, and of *Christ*.

And, because, by the *Enemy*, the *Accuser*, and *Destroyer*, is meant, the Enemy of them that shall be in the Kingdom of God; therefore if the Kingdom of God after the Resurrection, be upon the Earth, (as in the former Chapter I have shewn by Scripture it seems to be,) the Enemy, and his Kingdom must be on Earth also. For so also was it, in the time before the *Jews* had deposed God. For God's Kingdom was in *Palestine*; and the Nations round about were the Kingdoms of the Enemy; and consequently by *Satan*, is meant an Earthly Enemy of the Church.

The Torments of Hell, are expressed sometimes, by *Weeping*, and *Gnashing of Teeth*, as *Mat. viii. 12.* Sometimes, by *the Worm of Conscience*; as *Isa. lxvi. 24.* and *Mark ix. 44, 46, 48.* sometimes, by *Fire*, as in the Place now quoted, *where the Worm dyeth not, and the Fire is not quenched*, and many Places beside: sometimes, by *Shame and Contempt*, as *Dan. xii. 2.* *And many of them that sleep in the Dust of the Earth, shall awake; some to everlasting Life; and some to Shame, and everlasting Contempt.* All which Places design metaphorically a Grief, and Discontent of Mind, from the Sight of that eternal Felicity in others; which they themselves, through their own Incredulity and Disobedience, have lost. And because such Felicity in others, is not sensible but by comparison with their own actual Miseries; it followeth that they are to suffer such bodily Pains, and Calamities, as are incident to those, who not only live under evil and cruel Governors, but have also for Enemy, the Eternal King of the Saints, God Almighty. And amongst these bodily Pains, is to be reckoned also to every one of the Wicked, a second Death. For though the Scripture be clear for an universal Resurrection; yet we do not read, that to any of the Reprobate is promised an eternal Life. For whereas *St. Paul, 1 Cor. xv. 42, 43.* to the Question concerning what Bodies Men shall rise with again, saith, that *the Body is sown in Corruption, and is raised in Incorruption; it is sown in Dishonour, it is raised in Glory; it is sown in Weakness, it is raised in Power;* Glory and Power cannot be applied to the Bodies of the Wicked: Nor can the Name of *second Death*, be applied to those that can never die but once: And although in metaphorical Speech, a calamitous Life everlasting, may be called an everlasting Death, yet it cannot well be understood of a *Second Death*. The Fire prepared for the Wicked, is an everlasting Fire; that is to say, the Estate wherein no Man can be without Torture, both of Body and Mind, after the Resurrection, shall endure for ever; and in that Sense the Fire shall be unquenchable, and the Torments everlasting: but it cannot thence be inferred, that he who shall be cast into that Fire, or be tormented with those Torments, shall endure, and resist them so, as to be eternally burnt, and tortured, and yet never destroyed, nor die. And though there be many Places that affirm everlasting Fire, and Torments, (into which Men may be cast successively one after another for ever); yet I find none that affirm there shall be an eternal Life therein of

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Apoc. xx.
13, 14.

The Joys of
Life eternal,
and Salvati-
on, the same
Thing.

Salvation
from Sin, and
from Misery,
all one.

The Place of
eternal Sal-
vation.

any individual Person; but to the contrary, an everlasting Death, which is the second Death: *For after Death and the Grave shall have delivered up the Dead which were in them, and every Man be judged according to his Works; Death and the Grave shall also be cast into the Lake of Fire. This is the second Death.* Whereby it is evident, that there is to be a second Death of every one that shall be condemned at the Day of Judgment, after which he shall die no more.

The Joys of Life eternal, are in Scripture comprehended all under the Name of *Salvation*, or *being saved*. To be saved, is to be secured, either respectively, against special Evils, or absolutely, against all Evil; comprehending Want, Sicknes, and Death itself. And because Man was created in a Condition immortal, not subject to Corruption, and consequently to nothing that tendeth to the Dissolution of his Nature; and fell from that Happiness by the Sin of *Adam*; it followeth, that to be saved from Sin, is to be saved from all the Evil and Calamities that Sin hath brought upon us. And therefore in the holy Scripture, Remission of Sin, and Salvation from Death and Misery, is the same thing; as it appears by the Words of our Saviour, who having cured a Man sick of the Palsy, by saying, *Matth. ix. 2. Son, be of good Cheer, thy Sins be forgiven thee*; and knowing that the Scribes took for Blasphemy, that a Man should pretend to forgive Sins, asked them, verse 5. *Whether it were easier to say, Thy Sins be forgiven thee, or, Arise and walk?* signifying thereby, that it was all one, as to the saving of the Sick, to say, *Thy Sins are forgiven*, and *Arise and walk*; and that he used that Form of Speech, only to shew he had Power to forgive Sins. And it is besides evident in Reason, that since Death and Misery were the Punishments of Sin, the Discharge of Sin must also be a Discharge of Death and Misery; that is to say, Salvation absolute, such as the Faithful are to enjoy after the Day of Judgment, by the Power and Favour of *Jesus Christ*, who for that Cause is called our *Saviour*.

Concerning particular Salvations, such as are understood, *1 Sam. xiv. 39. As the Lord liveth that saveth Israel*, that is, from their temporary Enemies; and *2 Sam. xxii. 4. Thou art my Saviour, thou savest me from Violence*; and *2 Kings xiii. 5. God gave the Israelites a Saviour, and so they were delivered from the Hand of the Assyrians*, and the like; I need say nothing; there being neither Difficulty nor Interest, to corrupt the Interpretation of Texts of that Kind.

But concerning the general Salvation, because it must be in the Kingdom of Heaven, there is great Difficulty concerning the Place. On one side, by *Kingdom* (which is an Estate ordained by Men for their perpetual Security against their Enemies and Want) it seemeth that this Salvation should be on Earth. For by Salvation is set forth unto us, a glorious Reign of our King, by Conquest; not a Safety, by Escape: and therefore there where we look for Salvation, we must look also for Triumph; and before Triumph, for Victory; and before Victory, for Battle; which cannot well be supposed, shall be in Heaven. But how good soever this Reason may be, I will not trust to it, without very evident Places of Scripture. The State of Salvation is described at large, *Isaiab xxxiii. 20, 21, 22, 23, 24.*

Look upon Zion, the City of our Solemnities; thine Eyes shall see Jerusalem a quiet Habitation, a Tabernacle that shall not be taken down; not one of the Stakes thereof shall ever be removed, neither shall any of the Cords thereof be broken.

But there the glorious Lord will be unto us a Place of broad Rivers, and Streams; wherein shall go no Gally with Oars, neither gallant Ship pass thereby.

For

For the Lord is our Judge, the Lord is our Lawgiver, the Lord is our King, he will save us. CHAP. XXXVIII.

Thy Tacklings are loosed; they could not well strengthen their Mast; they could not spread the Sail: then is the Prey of a great Spoil divided; the Lame take the Prey.

And the Inhabitant shall not say, I am sick; the People that shall dwell therein shall be forgiven their Iniquity.

In which Words we have the Place from whence Salvation is to proceed, *Jerusalem, a quiet Habitation*; the Eternity of it, *a Tabernacle that shall not be taken down, &c.* the Saviour of it, *the Lord, their Judge, their Lawgiver, their King, he will save us*; the Salvation, *the Lord shall be unto them as a broad Mote of swift Waters, &c.* the Condition of their Enemies, *their Tacklings are loose, their Masts weak, the Lame shall take the Spoil of them*; the Condition of the Saved, *The Inhabitant shall not say, I am sick*: and lastly, all this is comprehended in Forgiveness of Sin, *The People that dwell there shall be forgiven their Iniquity*. By which it is evident, that Salvation shall be on Earth, then, when God shall reign (at the Coming again of Christ) in *Jerusalem*; and from *Jerusalem* shall proceed the Salvation of the *Gentiles* that shall be received into God's Kingdom: as is also more expressly declared by the same Prophet, Chap. lxxv. 20, 21. *And they (that is, the Gentiles who had any Jew in Bondage) shall bring all your Brethren, for an Offering to the Lord, out of all Nations, upon Horses, and in Chariots, and in Litters, and upon Mules, and upon swift Beasts, to my holy Mountain, Jerusalem, saith the Lord; as the Children of Israel bring an Offering in a clean Vessel in the House of the Lord. And I will also take of them for Priests and for Levites, saith the Lord*: Whereby it is manifest, that the chief Seat of God's Kingdom (which is the Place from whence the Salvation of us that were *Gentiles*, shall proceed) shall be in *Jerusalem*: And the same is also confirmed by our Saviour, in his Discourse with the Woman of *Samaria*, concerning the Place of God's Worship; to whom he saith, *John iv. 22.* that the *Samaritans* worshipped they knew not what, but the *Jews* worship what they knew, *For Salvation is of the Jews (ex Judæis, that is, begins at the Jews:)* as if he should say, You worship God, but know not by whom he will save you, as we do, that know it shall be by one of the Tribe of *Judah*, a *Jew*, not a *Samaritan*. And therefore also the Woman not impertinently answered him again, *We know the Messiah shall come*. So that which our Saviour saith, *Salvation is from the Jews*, is the same that *Paul* says, *Rom. i. 16, 17.* *The Gospel is the Power of God to Salvation to every one that believeth: To the Jew first, and also to the Greek. For therein is the Righteousness of God revealed from Faith to Faith; from the Faith of the Jew to the Faith of the Gentile.* In the like Sense the Prophet *Joel* describing the Day of Judgment, Chap. ii. 30, 31. that God would shew Wonders in Heaven, and in Earth, *Blood, Fire, and Pillars of Smoke. The Sun shall be turned to Darknes, and the Moon into Blood. before the great and terrible Day of the Lord come*; he addeth, *verse 32.* *and it shall come to pass, that whosoever shall call upon the Name of the Lord, shall be saved. For in Mount Zion and in Jerusalem, shall be Salvation.* And *Obadiab*, *verse 17.* saith the same, *Upon Mount Zion shall be Deliverance; and there shall be Holiness, and the House of Jacob shall possess their Possessions; that is, the Possessions of the Heathen; which Possessions he expresseth more particularly in the following Verses, by the Mount of Esau, the Land of the Philistines, the Fields of Ephraim, of Samaria, Gilead, and the Cities of the South, and concludes with these Words, the Kingdom shall be the Lord's. All these Places shall be for*

Salva-

PART III. Salvation, and the Kingdom of God, after the Day of Judgment, upon Earth. On the other side, I have not found any Text that can probably be drawn to prove any Ascension of the Saints into Heaven; that is to say, into any *Cælum Empyreum*, or other ætherial Region; saving, that it is called the Kingdom of Heaven: which Name it may have, because God, that was King of the *Jews*, governed them by his Commands, sent to *Moses* by Angels from Heaven; and after their Revolt, sent his Son from Heaven, to reduce them to their Obedience; and shall send him thence again, to rule both them and all other faithful Men, from the Day of Judgment, everlastingly: or from that, that the Throne of this our Great King is in Heaven; whereas the Earth is but his Footstool. But that the Subjects of God should have any Place as high as his Throne, or higher than his Footstool, it seemeth not suitable to the Dignity of a King, nor can I find any evident Text for it in holy Scripture.

From this that hath been said of the Kingdom of God, and of Salvation, it is not hard to interpret what is meant by the *World to come*. There are three Worlds mentioned in Scripture, the *old World*, the *present World*, and the *World to come*. Of the first, St. Peter speaks, 2 Pet. ii. 5. *If God spared not the old World, but saved Noah the eighth Person, a Preacher of Righteousness, bringing the Flood upon the World of the Ungodly, &c.* So the *first World*, was from *Adam* to the general Flood. Of the present World our Saviour speaks, *John xviii. 36. My Kingdom is not of this World.* For he came only to teach Men the Way of Salvation, and to renew the Kingdom of his Father, by his Doctrine. Of the World to come, St. Peter speaks, *Nevertheless we, according to his Promise, look for new Heavens and a new Earth.* This is that *World*, wherein Christ coming down from Heaven, in the Clouds, with great Power and Glory, shall send his Angels, and shall gather together his Elect, from the four Winds, and from the uttermost Parts of the Earth, and thenceforth reign over them, under his Father, everlastingly.

Redemption. Salvation of a Sinner supposeth a precedent *Redemption*; for he that is once guilty of Sin, is obnoxious to the Penalty of the same; and must pay (or some other for him) such Ransom, as he that is offended, and has him in his Power, shall require. And seeing the Person offended is God Almighty, in whose Power are all things; such Ransom is to be paid before Salvation can be acquired, as God hath been pleased to require. By this Ransom is not intended a Satisfaction for Sin, equivalent to the Offence; which no Sinner for himself, nor righteous Man can ever be able to make for another: The Damage a Man does to another, he may make Amends for by Restitution or Recompence, but Sin cannot be taken away by Recompence; for that were to make the Liberty to sin, a Thing vendible. But Sins may be pardoned to the Repentant, either *gratis*, or upon such Penalty as God is pleased to accept. That which God usually accepted in the Old Testament, was some Sacrifice or Oblation. To forgive Sin is not an Act of Injustice, though the Punishment have been threatened. Even amongst Men, though the Promise of Good bind the Promiser; yet Threats, that is to say, Promises of Evil, bind them not; much less shall they bind God, who is infinitely more merciful than Men. Our Saviour Christ therefore to *redeem* us, did not in that Sense satisfy for the Sins of Men, as that his Death, of its own Virtue, could make it unjust in God to punish Sinners with eternal Death; but did make that Sacrifice and Oblation of himself, at his first Coming, which God was pleased to require, for the Salvation at his second Coming, of such, as in the mean time should repent and believe in him. And though this Act of our *Redemption*

tion be not always in Scripture called a *Sacrifice* and *Oblation*, but sometimes a *Price*; yet by *Price* we are not to understand any thing, by the Value whereof he could claim Right to a Pardon for us, from his offended Father; but that Price which God the Father was pleased in Mercy to demand.

C H A P. XXXIX.

Of the Signification in Scripture of the Word CHURCH.

THE Word *Church* (*Ecclesia*) signifieth in the Books of Holy Scripture divers Things. Sometimes, tho' not often, it is taken for *God's House*, that is to say, for a Temple, wherein Christians assemble to perform holy Duties publicly; as, *1 Cor. xiv. 34. Let your Women keep Silence in the Churches*: but this is metaphorically put for the Congregation there assembled; and hath been since used for the Edifice itself, to distinguish between the Temples of Christians, and Idolaters. The Temple of *Jerusalem* was *God's House*, and the House of Prayer; and so is any Edifice dedicated by Christians to the Worship of Christ; *Christ's House*: and therefore the *Greek* Fathers call it *Κυριακή*, the *Lord's House*; and thence, in our Language it came to be called *Kirk*, and *Church*.

Church (when not taken for a House) signifieth the same that *Ecclesia* signified in the *Grecian* Commonwealths; that is to say, a Congregation, or an Assembly of Citizens, called forth, to hear the Magistrate speak unto them; and which in the Commonwealth of *Rome* was called *Concilio*, as he that spake was called *Ecclesiastes*, and *Concionator*. And when they were called forth by lawful Authority, it was *Ecclesia legitima*, a *lawful Church*, *ἐνομος Εκκλησία*. But when they were excited by tumultuous and seditious Clamour, then it was a confused Church, *Εκκλησία συμεχυμένη*.

It is taken also sometimes for the Men that have Right to be of the Congregation, though not actually assembled; that is to say, for the whole Multitude of Christian Men, how far soever they be dispersed: as, *Acts viii. 3.* where it is said, that *Saul made Havock of the Church*: And in this Sense is *Christ* said to be Head of the Church. And sometimes for a certain Part of Christians, as *Col. iv. 15. Salute the Church that is in his House*. Sometimes also for the Elect only; as *Ephes. v. 27. A glorious Church, without Spot, or Wrinkle, holy, and without Blemish*; which is meant of the *Church triumphant*, or *Church to come*. Sometimes, for a Congregation assembled, of Professors of Christianity, whether their Profession be true or counterfeit, as it is understood, *Mat. xviii. 17.* where it is said, *Tell it to the Church, and if he neglect to hear the Church, let him be to thee as a Gentile, or Publican*.

And in this last Sense only it is that the *Church* can be taken for one Person, that is to say, that it can be said to have Power to will, to pronounce, to command, to be obeyed, to make Laws, or to do any other Action whatsoever: For without Authority from a lawful Congregation, whatsoever Act be done in a Concourse of People, it is the particular Act of every one of those that were present, and gave their Aid to the Performance of it; and not the Act of them all in gross, as of one Body; much less the Act of them that were absent, or that being present, were not willing it should be done. According to this Sense, I define a *Church* to be, a *Company of Men professing Christian Religion, united in the Per-*

PART III. *son of one Sovereign; at whose Command they ought to assemble, and without whose Authority they ought not to assemble.* And because in all Commonwealths, that Assembly which is without Warrant from the Civil Sovereign, is unlawful; that Church also, which is assembled in any Commonwealth that hath forbidden them to assemble, is an unlawful Assembly.

A Christian Commonwealth, and a Church, all one.

It followeth also, that there is on Earth, no such universal Church, as all Christians are bound to obey; because there is no Power on Earth, to which all other Commonwealths are subject: There are Christians, in the Dominions of several Princes and States; but every one of them is subject to that Commonwealth, whereof he himself is a Member; and consequently cannot be subject to the Commands of any other Person. And therefore a Church, such a one as is capable to command, to judge, absolve, condemn, or do any other Act, is the same thing with a Civil Commonwealth, consisting of Christian Men; and is called a *Civil State*, for that the Subjects of it are *Men*; and a *Church*, for that the Subjects thereof are *Christians*. *Temporal* and *Spiritual* Government are but two Words brought into the World, to make Men see double, and mistake their *lawful Sovereign*. It is true, that the Bodies of the Faithful, after the Resurrection, shall be not only spiritual, but eternal: but in this Life they are gross and corruptible. There is therefore no other Government in this Life, neither of State, nor Religion, but temporal; nor teaching of any Doctrine, lawful to any Subject, which the Governor both of the State, and of the Religion, forbiddeth to be taught: And that Governor must be one; or else there must needs follow Faction, and Civil War in the Commonwealth, between the *Church* and *State*; between *Spiritualists* and *Temporalists*; between the *Sword of Justice*, and the *Shield of Faith*; and, which is more, in every Christian Man's own Breast, between the *Christian* and the *Man*. The Doctors of the Church, are called Pastors; so also are Civil Sovereigns: But if Pastors be not subordinate one to another, so as that there may be one chief Pastor, Men will be taught contrary Doctrines, whereof both *may* be, and one *must* be false. Who that one Pastor is, according to the Law of Nature, hath been already shewn; namely, that it is the Civil Sovereign: And to whom the Scripture hath assigned that Office, we shall see in the Chapters following.

C H A P. XL.

Of the RIGHTS of the Kingdom of God, in Abraham, Moses, the High Priests, and the Kings of Judah.

The Sovereign Right of Abraham.

THE Father of the Faithful, and first in the Kingdom of God by Covenant, was *Abraham*. For with him was the Covenant first made; wherein he obliged himself, and his Seed after him, to acknowledge and obey the Commands of God; not only such, as he could take notice of, as Moral Laws, by the Light of Nature; but also such, as God should in special manner deliver to him by Dreams and Visions. For as to the Moral Law, they were already obliged, and needed not have been contracted withal, by Promise of the Land of *Canaan*. Nor was there any Contract, that could add to, or strengthen the Obligation, by which both they, and all Men else, were bound naturally to obey God Almighty: And therefore the Covenant which *Abraham* made with God,

was to take for the Commandment of God, that which in the Name of God was commanded him, in a Dream or Vision; and to deliver it to his Family, and cause them to observe the same.

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In this Contract of God with *Abraham*, we may observe three Points of important Consequence in the Government of God's People. First, that at the making of this Covenant, God spake only to *Abraham*; and therefore contracted not with any of his Family, or Seed, otherwise than as their Wills (which make the Essence of all Covenants) were before the Contract involved in the Will of *Abraham*; who was therefore supposed to have had a lawful Power, to make them perform all he covenanted for them. According whereunto, *Gen. xviii. 18, 19.* God saith, *All the Nations of the Earth shall be blessed in him, for I know him that he will command his Children, and his Household after him, and they shall keep the Way the Lord.* From whence may be concluded this first Point, that they to whom God hath not spoken immediately, are to receive the positive Commandments of God from their Sovereign; as the Family and Seed of *Abraham* did from *Abraham* their Father, and Lord, and Civil Sovereign. And consequently in every Commonwealth, they who have no supernatural Revelation to the contrary, ought to obey the Laws of their own Sovereign, in the external Acts and Profession of Religion. As for the inward *Thought* and *Belief* of Men, which human Governors can take no Notice of, (for God only knoweth the Heart) they are not voluntary, nor the Effect of the Laws, but of the unrevealed Will, and of the Power of God; and consequently fall not under Obligation.

Abraham had the sole Power of ordering the Religion of his own People.

From whence proceedeth another Point; that it was not unlawful for *Abraham*, when any of his Subjects should pretend private Vision, or Spirit, or other Revelation from God, for the countenancing any Doctrine which *Abraham* should forbid; or when they followed, or adhered to any such Pretender, to punish them; and consequently that it is lawful now for the Sovereign to punish any Man that shall oppose his private Spirit against the Laws: For he hath the same Place in the Commonwealth, that *Abraham* had in his own Family.

No Pretence of private Spirit against the Religion of Abraham.

There ariseth also from the same, a third Point; that as none but *Abraham* in his Family, so none but the Sovereign in a Christian Commonwealth, can take notice what is, or what is not the Word of God. For God spake only to *Abraham*; and it was he only, that was able to know what God said, and to interpret the same to his Family: And therefore also, they that have the Place of *Abraham* in a Commonwealth, are the only Interpreters of what God hath spoken.

Abraham sole Judge, and Interpreter of what God spake.

The same Covenant was renewed with *Isaac*, and afterwards with *Jacob*, but afterwards no more, till the *Israelites* were freed from the *Egyptians*, and arrived at the Foot of Mount *Sinai*: and then it was renewed by *Moses* (as I have said before, Chap. xxxv.) in such Manner, as they became from that Time forward the peculiar Kingdom of God; whose Lieutenant was *Moses*, for his own Time; and the Succession to that Office was settled upon *Aaron*, and his Heirs after him, to be to God a sacerdotal Kingdom for ever.

The Authority of Moses whereon grounded.

By this Constitution, a Kingdom is acquired to God. But seeing *Moses* had no Authority to govern the *Israelites*, as a Successor to the Right of *Abraham*, because he could not claim it by Inheritance; it appeareth not as yet, that the People were obliged to take him for God's Lieutenant, longer than they believed that God spake unto him. And therefore his Authority (notwithstanding the Covenant they made with God) depended yet merely upon the Opinion they had of his Sanctity, and of the Reality of his Conferences with God, and the Verity

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John v. 31.

Moses was, under God, Sovereign of the Jews, all his own Time, tho' Aaron had the Priesthood.

And notwithstanding the Covenant constituteth a sacerdotal Kingdom, that is to say, a Kingdom hereditary to *Aaron*; yet that is to be understood of the Succession, after *Moses* should be dead. For whatsoever ordereth, and establisheth the Policy, as first Founder of a Commonwealth (be it Monarchy, Aristocracy, or Democracy) must needs have Sovereign Power over the People all the while he is doing of it. And that *Moses* had that Power all his own Time, is evidently affirmed in the Scripture. First, in the Text last before cited, because the People promised Obedience, not to *Aaron*, but to him. Secondly, *Exod. xxiv. 1, 2. And God said unto Moses, Come up unto the Lord, thou, and Aaron, Nadab and Abihu, and seventy of the Elders of Israel. And Moses alone shall come near the Lord, but they shall not come nigh, neither shall the People go up with him.* By which it is plain, that *Moses* who was alone called up to God (and not *Aaron*, nor the other Priests, nor the Seventy Elders, nor the People who were forbidden to come up) was alone he, that represented to the *Israelites* the Person of God; that is to say, was their sole Sovereign under God. And though afterwards it be said, verse 9. *Then went up Moses, and Aaron, Nadab and Abihu, and seventy of the Elders of Israel, and they saw the God of Israel, and there was under his Feet, as it were a paved Work of a Saphire Stone, &c.* yet this was not till after *Moses* had been with God before, and had brought to the People the Words which God had said to him. He only went for the Business of the People; the others, as the Nobles of his Retinue, were admitted for Honour to that special Grace, which was not allowed to the People; which was, as in the Verse after appeareth, to see God and live. *God laid not his Hand upon them, they saw God, and did eat and drink*; that is, did live, but did not carry any Commandment from him to the People. Again, it is every where said, *The Lord spake unto Moses*, as in all other Occasions of Government, so also in the ordering of the Ceremonies of Religion, contained in the xxv, xxvi, xxvii, xxviii, xxix, xxx, and xxxi Chapters of *Exodus*, and throughout *Leviticus*: to *Aaron* seldom. The Calf that *Aaron* made, *Moses* threw into the Fire. Lastly, the Question of the Authority of *Aaron*, by Occasion of his and *Miriam's* Mutiny against *Moses*, was, *Numb. xii.* judged by God himself for *Moses*. So also in the Question between *Moses* and the People, Who had the Right of governing the People, when *Corah, Dathan, and Abiram*, and two hundred and fifty Princes of the Assembly gathered themselves together,

Numb.

Numb. xvi. 3. *against Moses, and against Aaron, and said unto them, Ye take too much upon you, seeing all the Congregation are holy, every one of them, and the Lord is amongst them, why lift you up yourselves above the Congregation of the Lord?* God caused the Earth to swallow *Corah, Dathan, and Abiram, with their Wives and Children, alive, and consumed those two hundred and fifty Princes with Fire.* Therefore neither *Aaron,* nor the People, nor any Aristocracy of the chief Princes of the People, but *Moses* alone, had next under God the Sovereignty over the *Israelites*; and that not only in Causes of Civil Policy, but also of Religion: For *Moses* only spake with God, and therefore only could tell the People, what it was that God required at their Hands. No Man upon Pain of Death might be so presumptuous as to approach the Mountain where God talked with *Moses.* *Thou shalt set Bounds* (saith the Lord, *Exod. xix. 12.*) *to the People round about, and say, Take Heed to yourselves that you go not up into the Mount, or touch the Border of it; whosoever toucheth the Mount shall surely be put to Death.* And again, ver. 21. *Go down, charge the People, lest they break through unto the Lord to gaze.* Out of which we may conclude, that whosoever in a Christian Commonwealth holdeth the Place of *Moses*, is the sole Messenger of God, and Interpreter of his Commandments. And according hereunto, no Man ought in the Interpretation of the Scripture, to proceed further than the Bounds which are set by their several Sovereigns. For the Scriptures, since God now speaketh in them, are the Mount *Sinai*; the Bounds whereof are the Laws of them that represent God's Person on Earth. To look upon them, and therein to behold the wondrous Works of God, and learn to fear him, is allowed; but to interpret them, that is, to pry into what God saith to him whom he appointed to govern under him, and make themselves Judges whether he govern as God commandeth him or not, is to transgress the Bounds God hath set us, and to gaze upon God irreverently.

There was no Prophet in the Time of *Moses*, nor Pretender to the Spirit of God, but such as *Moses* had approved, and authorised. For there were in his Time but seventy Men, that are said to prophesy by the Spirit of God, and these were all of *Moses* his Election; concerning whom God said to *Moses*, *Numb. xi. 16. Gather to me seventy of the Elders of Israel, whom thou knowest to be the Elders of the People.* To these God imparted his Spirit; but it was not a different Spirit from that of *Moses*; for it is said, ver. 23. *God came down in a Cloud, and took of the Spirit that was upon Moses, and gave it to the seventy Elders.* But as I have shewn before, Chap. XXXVI. by *Spirit*, is understood the *Mind*; so that the Sense of the Place is no other than this, that God endued them with a Mind conformable, and subordinate to that of *Moses*, that they might prophesy, that is to say, speak to the People in God's Name, in such Manner, as to set forward (as Ministers of *Moses*, and by his Authority) such Doctrine as was agreeable to *Moses* his Doctrine. For they were but Ministers; and when two of them prophesied in the Camp, it was thought a new and unlawful Thing; and as it is in the 27th and 28th Verses of the same Chapter, they were accused of it, and *Joshua* advised *Moses* to forbid them, as not knowing that it was by *Moses* his Spirit that they prophesied. By which it is manifest, that no Subject ought to pretend to Prophecy, or to the Spirit, in Opposition to the Doctrine established by him, whom God hath set in the Place of *Moses*.

Aaron being dead, and after him also *Moses*, the Kingdom, as being a Sacerdotal Kingdom, descended by Virtue of the Covenant, to *Aaron's* Son, *Eleazar* the High Priest: And God declared him (next under himself) for Sovereign, at the same Time that he appointed *Joshua* for the

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All Spirits were subordinate to the Spirit of Moses.

After Moses, the Sovereignty was in the High Priest.

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General of their Army. For thus God saith expressly, *Numb. xxvii. 21.* concerning *Joshua*; *He shall stand before Eleazar the Priest, who shall ask Counsel for him, before the Lord; at his Word shall they go out, and at his Word they shall come in, both he, and all the Children of Israel with him*: Therefore the supreme Power of making War and Peace, was in the Priest. The supreme Power of Judicature belongeth also to the High Priest: For the Book of the Law was in their keeping; and the Priests and Levites only, were the subordinate Judges in Causes Civil, as appears in *Deut. xvii. 8, 9, 10.* And for the Manner of God's Worship, there was never Doubt made, but that the High Priest till the Time of *Saul*, had the supreme Authority. Therefore the Civil and Ecclesiastical Power were both joined together in one and the same Person, the High Priest; and ought to be so, in whosoever governeth by Divine Right; that is, by Authority immediate from God.

Of the Sovereign Power between the Time of *Joshua* and *Saul*.

After the Death of *Joshua*, till the Time of *Saul*, the Time between is noted frequently in the Book of Judges, *that there was in those Days no King in Israel*; and sometimes with this Addition, *that every Man did that which was right in his own Eyes*. By which is to be understood, that where it is said, *there was no King*, is meant, *there was no Sovereign Power* in Israel. And so it was, if we consider the Act, and Exercise of such Power. For after the Death of *Joshua* and *Eleazar*, *there arose another Generation*, *Judges ii. 10.* *that knew not the Lord, nor the Works which he had done for Israel, but did Evil in the Sight of the Lord, and served Baalim*. And the Jews had that Quality which *St. Paul* noteth, *to look for a Sign*, not only before they would submit themselves to the Government of *Moses*, but also after they had obliged themselves by their Submission. Whereas Signs and Miracles had for End to procure Faith, not to keep Men from violating it, when they have once given it; for to that Men are obliged by the Law of Nature. But if we consider not the Exercise, but the Right of governing, the Sovereign Power was still in the High Priest. Therefore whatsoever Obedience was yielded to any of the Judges (who were Men chosen by God extraordinarily, to save his rebellious Subjects out of the Hands of the Enemy) it cannot be drawn into Argument against the Right the High Priest had to the Sovereign Power, in all Matters, both of Policy and Religion. And neither the Judges, nor *Samuel* himself had an ordinary, but extraordinary Calling to the Government; and were obeyed by the *Israelites*, not out of Duty, but out of Reverence to their Favour with God, appearing in their Wisdom, Courage, or Felicity. Hitherto therefore the Right of regulating both the Policy, and the Religion, were inseparable.

Of the Rights of the Kings of Israel.

To the Judges, succeeded Kings: And whereas before, all Authority, both in Religion and Policy, was in the High Priest; so now it was all in the King. For the Sovereignty over the People, which was before, not only by Virtue of the Divine Power, but also by a particular Pact of the *Israelites* in God, and next under him, in the High Priest, as his Vicegerent on Earth, was cast off by the People, with the Consent of God himself. For when they said to *Samuel*, *1 Sam. viii. 5.* *Make us a King to judge us, like all the Nations*, they signified that they would no more be governed by the Commands that should be laid upon them by the Priest, in the Name of God; but by one that should command them in the same Manner that all other Nations were commanded; and consequently in deposing the High Priest of Royal Authority, they deposed that peculiar Government of God. And yet God consented to it, saying to *Samuel*, *ver. 7.* *Hearken unto the Voice of the People, in all that they shall say unto thee; for they have not rejected thee, but they have rejected me, that I should not reign over them*. Having therefore rejected God, in

whose

whose Right the Priests governed, there was no Authority left to the Priests, but such as the King was pleased to allow them; which was more or less, according as the Kings were good, or evil. And for the Government of Civil Affairs, it is manifest, it was all in the Hands of the King. For in the same Chapter, ver. 20. they say they will be like all the Nations; that their King shall be their Judge, and go before them, and fight their Battles; that is, he shall have the whole Authority, both in Peace and War. In which is contained also the ordering of Religion: for there was no other Word of God in that Time, by which to regulate Religion, but the Law of *Moses*, which was their Civil Law. Besides, we read, *1 Kings* ii. 27. that *Solomon thrust out Abiathar from being Priest before the Lord*: He had therefore Authority over the High Priest, as over any other Subject; which is a great Mark of Supremacy in Religion. And we read also, *1 Kings* viii. that he dedicated the Temple; that he blessed the People; and that he himself in Person made that excellent Prayer, used in the Consecrations of all Churches, and Houses of Prayer; which is another great Mark of Supremacy in Religion. Again, we read, *2 Kings* xxii. that when there was Question concerning the Book of the Law found in the Temple, the same was not decided by the High Priest, but *Josiah* sent both him and others to enquire concerning it, of *Hulda*, the Prophetess; which is another Mark of the Supremacy in Religion. Lastly, we read, *1 Chron.* xxvi. 30. that *David* made *Hashbiab* and his Brethren, *Hebronites*; Officers of *Israel* among them Westward, in all Business of the Lord; and in the Service of the King. Likewise, ver. 32. that he made other *Hebronites*; Rulers over the *Reubenites*, the *Gadites*, and half Tribe of *Manasseh* (these were the rest of *Israel* that dwelt beyond *Jordan*) for every Matter pertaining to God, and Affairs of the King. Is not this full Power, both Temporal and Spiritual, as they call it that would divide it? To conclude; from the first Institution of God's Kingdom, to the Captivity, the Supremacy of Religion was in the same Hand with that of the Civil Sovereignty; and the Priest's Office, after the Election of *Saul*, was not Magisterial, but Ministerial.

Notwithstanding the Government both in Policy and Religion were joined, first in the High Priests, and afterwards in the Kings, so far forth as concerned the Right; yet it appeareth by the same holy History, that the People understood it not; but there being amongst them a great Part, and probably the greatest Part, that no longer than they saw great Miracles, or (which is equivalent to a Miracle) great Abilities, or great Felicity in the Enterprizes of their Governors, gave sufficient Credit, either to the Fame of *Moses*, or to the Colloquies between God and the Priests; they took Occasion, as often as their Governors displeased them, by blaming sometimes the Policy, sometimes the Religion, to change the Government, or revolt from their Obedience at their Pleasure: And from thence proceeded from time to time the Civil Troubles, Divisions, and Calamities of the Nation. As for Example, after the Death of *Eleazar* and *Joshua*, the Generation which had not seen the Wonders of God, but were left to their own weak Reason, not knowing themselves obliged by the Covenant of a Sacerdotal Kingdom, regarded no more the Commandment of the Priest, nor any Law of *Moses*, but did every Man that which was right in his own Eyes; and obeyed in Civil Affairs, such Men, as from time to time they thought able to deliver them from the neighbour Nations that oppressed them; and consulted not with God (as they ought to do) but with such Men, or Women, as they guessed to be Prophets by their Predictions of Things to come; and though they had

The Practice of Supremacy in Religion, was not in the Time of the Kings, according to the Right thereof.

PART an Idol in their Chapel, yet if they had a *Levite* for their Chaplain, they
III. made Account they worshipped the God of *Israel*.

And afterwards when they demanded a King, after the Manner of the Nations; yet it was not with a Design to depart from the Worship of God their King; but despairing of the Justice of the Sons of *Samuel*, they would have a King to judge them in Civil Actions; but not that they would allow their King to change the Religion which they thought was recommended to them by *Moses*. So that they always kept in Store a Pretext, either of Justice, or Religion, to discharge themselves of their Obedience, whensoever they had Hope to prevail. *Samuel* was displeas'd with the People, for that they desired a King, (for God was their King already, and *Samuel* had but an Authority under him;) yet did *Samuel*, when *Saul* observ'd not his Counsel, in destroying *Agag* as God had commanded, anoint another King, namely, *David*, to take the Succession from his Heirs. *Reboam* was no Idolater; but when the People thought him an Oppressor, that Civil Pretence carried from him ten Tribes to *Jeroboam* an Idolater. And generally through the whole History of the Kings, as well of *Judab*, as of *Israel*, there were Prophets that always controlled the Kings, for transgressing the Religion; and sometimes also for Errors of State; as *Jehosaphat* was reprov'd by the Prophet *Jehu*, for aiding the King of *Israel* against the *Syrians*; and *Hezekiah*, by *Isaiab*, for shewing his Treasures to the Ambassadors of *Babylon*. By all which it appeareth, that though the Power both of State and Religion were in the Kings; yet none of them were uncontrolled in the Use of it, but such as were gracious for their own natural Abilities, or Felicities. So that from the Practice of those Times, there can no Arguments be drawn, that the Right of Supremacy in Religion was not in the Kings, unless we place it in the Prophets; and conclude, that because *Hezekiah* praying to the Lord before the Cherubims, was not answer'd from thence, nor then, but afterwards by the Prophet *Isaiab*, therefore *Isaiab* was supreme Head of the Church; or because *Josiah* consult'd *Hulda* the Prophetess, concerning the Book of the Law, that therefore neither he, nor the High Priest, but *Hulda* the Prophetess, had the supreme Authority in Matter of Religion; which I think is not the Opinion of any Doctor.

After the Captivity the Jews had no settled Commonwealth. During the Captivity, the *Jews* had no Commonwealth at all: And after their Return, though they renewed their Covenant with God, yet there was no Promise made of Obedience, neither to *Esdra*s, nor to any other: And presently after they became Subjects to the *Greeks* (from whose Customs, and Dæmonology, and from the Doctrine of the Cabalists, their Religion became much corrupted:) In such Sort as nothing can be gathered from their Confusion, both in State and Religion, concerning the Supremacy in either. And therefore so far forth as concerneth the Old Testament, we may conclude, that whosoever had the Sovereignty of the Commonwealth amongst the *Jews*, the same had also the supreme Authority in Matter of God's external Worship, and represented God's Person; that is, the Person of God the Father; though he were not called by the Name of Father, till such Time as he sent into the World his Son *Jesus Christ*, to redeem Mankind from their Sins, and bring them into his everlasting Kingdom, to be sav'd for evermore. Of which we are to speak in the Chapter following.

Of the OFFICE of our BLESSED SAVIOUR.

WE find in Holy Scripture three Parts of the *Office* of the *Messiah*: Three Parts of the Office of Christ. The first of a *Redeemer*, or *Saviour*: The second of a *Pastor*, *Counsellor*, or *Teacher*, that is, of a Prophet sent from God, to convert such as God hath elected to Salvation: The third of a *King*, an *eternal King*, but under his Father, as *Moses* and the High Priests were in their several Times. And to these three Parts are correspondent three Times. For our Redemption he wrought at his first coming, by the Sacrifice, wherein he offered up himself for our Sins upon the Cross: Our Conversion he wrought partly then in his own Person; and partly worketh now by his Ministers; and will continue to work till his coming again: And after his coming again, shall begin that his glorious Reign over his Elect, which is to last eternally.

To the *Office* of a *Redeemer*, that is, of one that payeth a Ransom His Office, as a Redeemer. of Sin (which Ransom is Death) it appertaineth, that he was sacrificed, and thereby bare upon his own Head, and carried away from us our Iniquities, in such sort as God had required. Not that the Death of one Man, though without Sin, can satisfy for the Offences of all Men, in the Rigour of Justice, but in the Mercy of God, that ordained such Sacrifices for Sin, as he was pleased in his Mercy to accept. In the old Law, as we may read, *Leviticus* xvi. the Lord required that there should every Year once, be made an Atonement for the Sins of all *Israel*, both Priests, and others; for the doing whereof, *Aaron* alone was to sacrifice for himself and the Priests a young Bullock; and for the rest of the People, he was to receive from them two young Goats; of which he was to sacrifice one; but as for the other, which was the *Scape Goat*, he was to lay his Hands on the Head thereof, and by a Confession of the Iniquities of the People, to lay them all on that Head; and then by some opportune Man, to cause the Goat to be led into the Wilderness, and there to escape, and carry away with him the Iniquities of the People. As the Sacrifice of the one Goat was a sufficient (because an acceptable) Price for the Ransom of all *Israel*; so the Death of the *Messiah* is a sufficient Price for the Sins of all Mankind, because there was no more required. Our Saviour Christ's Sufferings seem to be here figured, as clearly, as in the Oblation of *Isaac*, or in any other Type of him in the Old Testament: He was both the sacrificed Goat, and the *Scape Goat*: *He was oppressed, and he was afflicted*, *Isa.* liii. 7. *he opened not his Mouth; he is brought as a Lamb to the Slaughter, and as a Sheep is dumb before the Shearer, so opened he not his Mouth*: here he is the sacrificed Goat. *He hath born our Grievs*, ver. 4. *and carried our Sorrows*: and again, ver. 6. *the Lord hath laid upon him the Iniquity of us all*: and so he is the *Scape Goat*. *He was cut off from the Land of the Living*, ver. 8. *for the Transgression of my People*: there again he is the sacrificed Goat. And again, ver. 11. *he shall bear their Sins*: he is the *Scape Goat*. Thus is the Lamb of God equivalent to both those Goats; sacrificed in that he died; and escaping in his Resurrection; being raised opportunely by his Father, and removed from the Habitation of Men in his Ascension.

Forasmuch therefore, as he that *redeemeth*, hath no Title to the *Thing* Christ's Kingdom not of this World. *redeemed*, before the *Redemption*, and Ransom paid; and this Ransom was the Death of the Redeemer; it is manifest, that our Saviour, as Man, was not King of those he redeemed, before he suffered Death;

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that is, during that Time he conversed bodily on the Earth. I say, he was not then King in present, by Virtue of the Pa&ct, which the Faithful make with him in Baptism: Nevertheless, by their renewing of their Pa&ct with God in Baptism, they were obliged to obey him for King, under his Father, whensoever he should be pleased to take the Kingdom upon him. According whereunto, our Saviour himself expressly saith, *John xviii 36. My Kingdom is not of this World.* Now seeing the Scripture maketh mention but of two Worlds; this that is now, and shall remain to the Day of Judgment, which is therefore also called *the last Day*; and that which shall be after the Day of Judgment, when there shall be a new Heaven, and a new Earth; the Kingdom of Christ is not to begin till the general Refurrection. And that is it which our Saviour saith, *Mat. xvi. 27. The Son of Man shall come in the Glory of his Father, with his Angels; and then he shall reward every Man according to his Works.* To reward every Man according to his Works, is to execute the Office of a King; and this is not to be till he come in the Glory of his Father, with his Angels. When our Saviour saith, *Mat. xxiii. 2. The Scribes and Pharisees sit in Moses Seat: All therefore whatsoever they bid you do, that observe and do;* he declareth plainly, that he ascribeth kingly Power, at that Time, not to himself, but to them. And so he doth also, when he saith, *Luke xii. 14. Who made me a Judge, or Divider over you?* And *John xii. 47. I came not to judge the World, but to save the World.* And yet our Saviour came into this World that he might be a King, and a Judge in the World to come: For he was the Messiah, that is, the Christ, that is, the anointed Priest, and the Sovereign Prophet of God; that is to say, he was to have all the Power that was in *Moses* the Prophet, in the High Priests that succeeded *Moses*, and in the Kings that succeeded the Priests. And St. *John* says expressly, Chap. v. Ver. 22. *The Father judgeth no Man, but hath committed all Judgment to the Son.* And this is not repugnant to that other Place, *I came not to judge the World:* for this is spoken of the World present, the other of the World to come; as also where it is said, that at the second coming of Christ, *Mat. xix. 28. Ye that have followed me in the Regeneration, when the Son of Man shall sit in the Throne of his Glory, ye shall also sit on twelve Thrones, judging the twelve Tribes of Israel.*

The End of Christ's coming, was to renew the Covenant of the Kingdom of God, and to persuade the Elect to embrace it, which was the second Part of his Office.

If then Christ whilst he was on Earth, had no Kingdom in this World, to what End was his first coming? It was to restore unto God, by a new Covenant, the Kingdom, which being his by the old Covenant, had been cut off by the Rebellion of the *Israelites* in the Election of *Saul*. Which to do, he was to preach unto them, that he was the *Messiah*, that is, the King promised to them by the Prophets; and to offer himself in Sacrifice for the Sins of them that should by Faith submit themselves thereto; and in case the Nation generally should refuse him, to call to his Obedience such as should believe in him amongst the *Gentiles*. So that there are two Parts of our Saviour's Office during his Abode upon the Earth: One to proclaim himself the Christ; and another by teaching, and by working of Miracles, to persuade, and prepare Men to live so, as to be worthy of the Immortality Believers were to enjoy, at such time as he should come in Majesty, to take Possession of his Father's Kingdom. And therefore it is, that the Time of his preaching, is often by himself called the *Regeneration*; which is not properly a Kingdom, and thereby a Warrant to deny Obedience to the Magistrates that then were, for he commanded to obey those that sate then in *Moses* Chair, and to pay Tribute to *Cæsar*; but only an Earnest of the Kingdom of God that was to come, to those to whom God had given the Grace to be his Disciples,

principles, and to believe in him; for which Cause the Godly are said to be already in the *Kingdom of Grace*, as naturalized in that heavenly Kingdom.

Hitherto therefore there is nothing done, or taught by Christ, that tendeth to the Diminution of the Civil Right of the *Jews*, or of *Cæsar*. For as touching the Commonwealth which then was among the *Jews*, both they that bare rule amongst them, and they that were governed, did all expect the *Messiah*, and Kingdom of God; which they could not have done, if their Laws had forbidden him, when he came, to manifest, and declare himself. Seeing therefore he did nothing, but by Preaching, and Miracles, go about to prove himself to be that *Messiah*, he did therein nothing against their Laws. The Kingdom he claimed was to be in another World: He taught all Men to obey in the mean time them that sat in *Moses* Seat: He allowed them to give *Cæsar* his Tribute, and refused to take upon himself to be a Judge. How then could his Words, or Actions, be seditious, or tend to the Overthrow of their then Civil Government? But God having determined his Sacrifice, for the Reduction of his Elect to their former covenanted Obedience, for the Means whereby he would bring the same to effect, made use of their Malice, and Ingratitude. Nor was it contrary to the Laws of *Cæsar*. For though *Pilate* himself, to gratify the *Jews*, delivered him to be crucified; yet before he did so, he pronounced openly, that he found no fault in him: and put for Title of his Condemnation, not as the *Jews* required, *that he pretended to be King*, but simply, *That he was King of the Jews*; and notwithstanding their Clamour, refused to alter it; saying, *What I have written, I have written*.

The preaching of Christ not contrary to the then Law of the Jews, nor of Cæsar.

As for the third Part of his Office, which was to be *King*, I have already shewn that his Kingdom was not to begin till the Resurrection. But then he shall be King, not only as God, in which Sense he is King already, and ever shall be, of all the Earth, in virtue of his Omnipotence; but also peculiarly of his own Elect, by virtue of the Pact they made with him in their Baptism. And therefore it is, that our Saviour saith, *Mat. xix. 28.* that his Apostles should sit on twelve Thrones, judging the twelve Tribes of *Israel*, *When the Son of Man shall sit in the Throne of his Glory*: whereby he signified that he should reign then in his human Nature; and *Mat. xvi. 27.* *The Son of Man shall come in the Glory of his Father, with his Angels, and then he shall reward every Man according to his Works*. The same we may read, *Mark xiii. 26.* and *xiv. 62.* and more expressly for the time, *Luke xxii. 29, 30.* *I appoint unto you a Kingdom, as my Father hath appointed to me, that you may eat and drink at my Table in my Kingdom, and sit on Thrones judging the twelve Tribes of Israel*. By which it is manifest, that the Kingdom of Christ appointed to him by his Father, is not to be before the Son of Man shall come in Glory, and make his Apostles Judges of the twelve Tribes of *Israel*. But a Man may here ask, seeing there is no Marriage in the Kingdom of Heaven, whether Men shall then eat, and drink; what eating therefore is meant in this Place? This is expounded by our Saviour, *John vi. 27.* where he saith, *Labour not for the Meat which perisheth, but for that Meat which endureth unto everlasting Life, which the Son of Man shall give you*. So that by eating at Christ's Table, is meant the eating of the Tree of Life; that is to say, the enjoying of Immortality, in the Kingdom of the Son of Man. By which Places, and many more, it is evident, that our Saviour's Kingdom is to be exercised by him in his human Nature.

The third Part of his Office was to be King, under his Father, of the Elect.

Again, he is to be King then, no otherwise than as subordinate, or Vicegerent of God the Father, as *Moses* was in the Wilderness; and as the High Priests were before the Reign of *Saul*; and as the Kings were after it. For it is one of the Prophecies concerning Christ, that he

Christ's Authority in the Kingdom of God, subordinate to that of his Father.

should

PART III. should be like, in Office, to *Moses*: *I will raise them up a Prophet, faith the Lord, Deut. xviii. 18. from amongst their Brethren, like unto thee, and will put my Words into his Mouth*; and this Similitude with *Moses*, is also apparent in the Actions of our Saviour himself, whilst he was conversant on Earth. For as *Moses* had chose twelve Princes of the Tribes, to govern under him; so did our Saviour chuse twelve Apostles, who shall sit on twelve Thrones, and judge the twelve Tribes of *Israel*. And as *Moses* authorized seventy Elders to receive the Spirit of God, and to prophesy to the People, that is, as I have said before, to speak unto them in the Name of God; so our Saviour also ordained seventy Disciples, to preach his Kingdom, and Salvation to all Nations. And as when a Complaint was made to *Moses*, against those of the seventy that prophesied in the Camp of *Israel*, he justified them in it, as being subservient therein to his Government; so also our Saviour, when St. *John* complained to him of a certain Man that cast out Devils in his Name, justified him therein, saying, *Luke ix. 50. Forbid him not, for he that is not against us, is on our part.*

Again, our Saviour resembled *Moses* in the Institution of *Sacraments*, both of *Admission* into the Kingdom of God, and of *Commemoration* of his Deliverance of his Elect from their miserable Condition. As the Children of *Israel* had for Sacrament of their Reception into the Kingdom of God, before the Time of *Moses*, the Rite of *Circumcision*, which Rite having been omitted in the Wilderness, was again restored as soon as they came into the *Land of Promise*; so also the *Jews*, before the coming of our Saviour, had a Rite of *Baptizing*, that is, of washing with Water, all those that being *Gentiles*, embraced the God of *Israel*. This Rite St. *John* the *Baptist* used in the Reception of all them that gave their Names to the Christ, whom he preached to be already come into the World; and our Saviour instituted the same for a Sacrament to be taken by all that believed in him. From what Cause the Rite of Baptism first proceeded, is not expressed formally in the Scripture; but it may be probably thought to be an Imitation of the Law of *Moses*, concerning *Leprosy*; wherein the leprous Man was commanded to be kept out of the Camp of *Israel* for a certain Time; after which Time being judged by the Priest to be clean, he was admitted into the Camp after a solemn Washing. And this may therefore be a Type of the Washing in Baptism; wherein such Men as are cleansed of the Leprosy of Sin by Faith, are received into the Church with the Solemnity of Baptism. There is another Conjecture drawn from the Ceremonies of the *Gentiles*, in a certain Case that rarely happens; and that is, when a Man that was thought dead, chanced to recover, other Men made scruple to converse with him, as they would do to converse with a Ghost, unless he were received again into the Number of Men, by Washing, as Children new born were washed from the Uncleaness of their Nativity, which was a kind of new Birth. This Ceremony of the *Greeks*, in the Time that *Judea* was under the Dominion of *Alexander*, and the *Greeks* his Successors, may probably enough have crept into the Religion of the *Jews*. But seeing it is not likely our Saviour would countenance a Heathen Rite, it is most likely it proceeded from the legal Ceremony of Washing after Leprosy. And for the other Sacrament, of eating the *Paschal Lamb*, it is manifestly imitated in the Sacrament of the *Lord's Supper*; in which the breaking of the Bread, and the pouring out of the Wine, do keep in memory our Deliverance from the Misery of Sin, by Christ's Passion, as the eating of the *Paschal Lamb* kept in memory the Deliverance of the *Jews* out of the Bondage of *Egypt*. Seeing therefore the Authority of *Moses* was but subordinate, and he but a Lieutenant to God; it followeth, that Christ, whose

whose Authority, as Man, was to be like that of *Moses*, was no more but subordinate to the Authority of his Father. The same is more expressly signified, by that that he teacheth us to pray, *Our Father, let thy Kingdom come*; and, *For thine is the Kingdom, the Power, and the Glory*; and by that it is said, that *He shall come in the Glory of his Father*; and by that which *St. Paul* saith, *1 Cor. xv. 24. then cometh the End, when he shall have delivered up the Kingdom to God, even the Father*; and by many other most express Places.

Our Saviour therefore, both in teaching, and reigning, representeth, as *Moses* did, the Person of God; which God from that time forward, but not before, is called the Father; and being still one and the same Substance, is one Person as represented by *Moses*, and another Person as represented by his Son the Christ. For *Person* being a Relative to a *Representer*, it is consequent to Plurality of Representers, that there be a Plurality of Persons, though of one and the same Substance.

One and the same God is the Person represented by *Moses* and by *Christ*.

C H A P. XLII.

Of POWER ECCLESIASTICAL.

FOR the understanding of *Power Ecclesiastical*, what, and in whom it is, we are to distinguish the Time from the Ascension of our Saviour, into two Parts; one before the Conversion of Kings, and Men endued with Sovereign Civil Power; the other after their Conversion. For it was long after the Ascension, before any King, or Civil Sovereign embraced, and publicly allowed the teaching of Christian Religion.

And for the Time between, it is manifest, that the *Power Ecclesiastical* was in the Apostles; and after them in such as were by them ordained to preach the Gospel, and to convert Men to Christianity, and to direct them that were converted in the Way to Salvation; and after these the Power was delivered again to others by these ordained, and this was done by Imposition of Hands upon such as were ordained; by which was signified the giving of the Holy Spirit, or Spirit of God, to those whom they ordained Ministers of God, to advance his Kingdom. So that Imposition of Hands, was nothing else but the Seal of their Commission to preach Christ, and teach his Doctrine; and the giving of the Holy Ghost by that Ceremony of Imposition of Hands, was an Imitation of that which *Moses* did. For *Moses* used the same Ceremony to his Minister *Joshua*, as we read *Deut. xxxiv. 9. And Joshua the Son of Nun was full of the Spirit of Wisdom; for Moses had laid his Hands upon him.* Our Saviour therefore, between his Resurrection and Ascension, gave his Spirit to the Apostles; first, by *breathing on them, and saying, John xx. 22. Receive ye the Holy Spirit*; and after his Ascension, *Acts ii. 2, 3. by sending down upon them, a mighty Wind, and cloven Tongues of Fire*; and not by Imposition of Hands; as neither did God lay his Hands on *Moses*: and his Apostles afterwards transmitted the same Spirit by Imposition of Hands, as *Moses* did to *Joshua*. So that it is manifest hereby, in whom the Power Ecclesiastical continually remained, in those first Times, where there was not any Christian Commonwealth; namely, in them that received the same from the Apostles, by successive laying on of Hands.

Of the Holy Spirit that fell on the Apostles.

Here we have the Person of God born now the third Time. For as *Moses* and the High Priests were God's Representative in the Old Testament; and our Saviour himself, as Man, during his Abode on Earth;

Of the Trinity.

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so the Holy Ghost, that is to say, the Apostles and their Successors, in the Office of preaching and teaching, that had received the Holy Spirit, have represented him ever since. But a Person, as I have shewn before, Chap. XIII. is he that is represented, as often as he is represented; and therefore God, who has been represented, that is, personated, thrice, may properly enough be said to be three Persons; though neither the Word *Person* nor *Trinity*, be ascribed to him in the Bible. St. *John* indeed, 1 Epist. v. 7. saith, *There be Three that bear Witness in Heaven, the Father, the Word, and the Holy Spirit; and these Three are One*: But this disagreeeth not, but accordeth fitly with three Persons in the proper Signification of Persons; which is, that which is represented by another. For so God the Father, as represented by *Moses*, is one Person; and as represented by his Son, another Person; and as represented by the Apostles, and by the Doctors that taught by Authority from them derived, is a third Person; and yet every Person here, is the Person of one and the same God. But a Man may here ask, What it was whereof these three bare Witnesses? St. *John* therefore tells us, verse 11. that they bare Witness, that *God hath given us eternal Life in his Son*. Again, if it should be asked, Wherein that Testimony appeareth? the Answer is easy; for he hath testified the same by the Miracles he wrought, first by *Moses*; secondly, by his Son himself; and lastly, by his Apostles that had received the Holy Spirit; all which in their Times represented the Person of God; and either prophesied or preached *Jesus Christ*. And as for the Apostles, it was the Character of the Apostleship, in the twelve first great Apostles, to bear Witness of his Resurrection; as appeareth expressly, *Acts* i. 21, 22. where St. *Peter*, when a new Apostle was to be chosen in the Place of *Judas Iscariot*, useth these Words, *Of these Men which have companied with us all the Time that the Lord Jesus went in and out amongst us, beginning at the Baptism of John, unto that same Day that he was taken up from us, must one be ordained to be a Witness with us of his Resurrection*: which Words interpret the bearing of Witness, mentioned by St. *John*. There is in the same Place mentioned another Trinity of Witnesses in Earth; for, verse 8. he saith, *There are Three that bear Witness in Earth, the Spirit, and the Water, and the Blood; and these Three are One*: that is to say, the Graces of God's Spirit, and the two Sacraments, Baptism and the Lord's Supper, which all agree in one Testimony, to assure the Consciences of Believers of eternal Life; of which Testimony he saith, verse 10. *He that believeth on the Son of Man hath the Witness in himself*. In this Trinity on Earth, the Unity is not of the Thing; for the Spirit, the Water, and the Blood, are not the same Substance, though they give the same Testimony: But in the Trinity of Heaven, the Persons are the Persons of one and the same God, though represented in three different Times and Occasions. To conclude, the Doctrine of the Trinity, as far as can be gathered directly from the Scripture, is in Substance this: That God, who is always One and the same, was the Person represented by *Moses*; the Person represented by his Son incarnate; and the Person represented by the Apostles. As represented by the Apostles, the Holy Spirit by which they spake, is God; as represented by his Son (that was God and Man) the Son is that God; as represented by *Moses* and the High Priests, the Father, that is to say, the Father of our Lord *Jesus Christ*, is that God: From whence we may gather the Reason why those Names, *Father, Son, and Holy Spirit*, in the Signification of the Godhead, are never used in the Old Testament: For they are Persons, that is, they have their Names from representing, which could not be, till divers Men had represented God's Person in ruling, or directing under him.

Thus

Thus we see how the Power Ecclesiastical was left by our Saviour to the Apostles; and how they were (to the End they might the better exercise that Power) endued with the Holy Spirit, which is therefore called sometimes in the New Testament *Paracletus*, which signifieth an *Assister*, or one called to for Help, though it be commonly translated a *Comforter*. Let us now consider the Power itself, what it was, and over whom.

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Cardinal *Bellarmino*, in his third general Controversy, hath handled a great many Questions concerning the Ecclesiastical Power of the Pope of *Rome*; and begins with this, Whether it ought to be Monarchical, Aristocratical, or Democratical? All which sorts of Power are Sovereign and Coercive. If now it should appear, that there is no Coercive Power left them by our Saviour, but only a Power to proclaim the Kingdom of *Christ*, and to persuade Men to submit themselves thereunto; and by Precepts and good Counsel, to teach them that have submitted, what they are to do, that they may be received into the Kingdom of God when it comes; and that the Apostles, and other Ministers of the Gospel, are our Schoolmasters, and not our Commanders, and their Precepts not Laws, but wholesome Counsels, then were all that Dispute in vain.

The Power Ecclesiastical is but the Power to teach.

I have shewn already, in the last Chapter, that the Kingdom of *Christ* is not of this World: therefore neither can his Ministers, unless they be Kings, require Obedience in his Name. For if the supreme King have not his regal Power in this World, by what Authority can Obedience be required to his Officers? *As my Father sent me, so* (saith our Saviour) *I send you*. But our Saviour was sent to persuade the *Jews* to return to, and to invite the *Gentiles*, to receive the Kingdom of his Father, and not to reign in Majesty, no not, as his Father's Lieutenant, till the Day of Judgment.

An Argument thereof, the Power of Christ himself:

The Time between the Ascension and the general Resurrection, is called, not a Reigning, but a Regeneration; that is, a Preparation of Men for the second and glorious Coming of *Christ*, at the Day of Judgment; as appeareth by the Words of our Saviour, *Matth. xix. 28. You that have followed me in the Regeneration, when the Son of Man shall sit in the Throne of his Glory, you shall also sit upon twelve Thrones*; and of *St. Paul*, *Ephes. vi. 15. Having your Feet shod with the Preparation of the Gospel of Peace*.

From the Name of Regeneration:

And is compared by our Saviour, to fishing; that is, to winning Men to Obedience, not by Coercion and Punishing, but by Persuasion: and therefore he said not to his Apostles, he would make them so many *Nimrods*, *Hunters of Men*, but, *Fishers of Men*. It is compared also to Leaven, to sowing of Seed, and to the Multiplication of a Grain of Mustard-seed; by all which Compulsion is excluded; and consequently there can in that Time be no actual reigning. The Work of *Christ's* Ministers, is Evangelization; that is, a Proclamation of *Christ*, and a Preparation for his second Coming; as the Evangelization of *John Baptist* was a Preparation to his first Coming.

From the Comparison of it with Fishing, Leaven, Seed:

Again, the Office of *Christ's* Ministers in this World, is to make Men believe, and have Faith in *Christ*: But Faith hath no Relation to, nor Dependence at all upon Compulsion, or Commandment; but only upon Certainty, or Probability of Arguments drawn from Reason, or from something Men believe already. Therefore the Ministers of *Christ* in this World, have no Power by that Title, to punish any Man for not believing, or for contradicting what they say; they have, I say, no Power by that Title of *Christ's* Ministers, to punish such: but if they have Sovereign Civil Power, by politic Institution, then they may indeed lawfully

From the Nature of Faith:

fully

PART fully punish any Contradiction to their Laws whatsoever: And St. Paul
 III. of himself and other the then Preachers of the Gospel, saith in express
 Words, *We have no Dominion over your Faith, but are Helpers of your*
 2 Cor. i. 24. Joy.

From the Au-
 thority Christ
 hath left to
 Civil Princes.

Another Argument, that the Ministers of Christ in this present World have no Right of Commanding, may be drawn from lawful Authority, which Christ has left to all Princes, as well Christians as Infidels. St. Paul saith, Col. iii. 20. *Children, obey your Parents in all things; for this is well-pleasing to the Lord.* And ver. 22. *Servants, obey in all things your Masters according to the Flesh, not with Eye-service, as Men-pleasers, but in Singleness of Heart, as fearing the Lord:* This is spoken to them whose Masters were Infidels, and yet they are bidden to obey them *in all things.* And again, concerning Obedience to Princes, Rom. xiii. the first six Verses, exhorting *to be subject to the higher Powers,* he saith, *that all Power is ordained of God; and that we ought to be subject to them, not only for fear of incurring their Wrath, but also for Conscience Sake.* And St. Peter, 1 Epist. chap. ii. ver. 13, 14, 15. *Submit yourselves to every Ordinance of Man for the Lord's Sake, whether it be to the King, as Supreme, or unto Governors, as to them that be sent by him for the Punishment of evil Doers, and for the Praise of them that do well; for so is the Will of God.* And again, St. Paul, Tit. iii. 1. *Put Men in Mind to be subject to Principalities, and Powers, and to obey Magistrates.* These Princes and Powers, whereof St. Peter and St. Paul here speak, were all Infidels: much more therefore are we to obey those Christians, whom God hath ordained to have Sovereign Power over us. How then can we be obliged to obey any Minister of Christ, if he should command us to do any thing contrary to the Command of the King, or other Sovereign Representant of the Commonwealth, whereof we are Members, and by whom we look to be protected? It is therefore manifest, that Christ hath not left to his Ministers in this World, unless they be also endued with Civil Authority, any Authority to command other Men.

What Chri-
 stians may do
 to avoid Per-
 secution.

But what (may some object) if a King, or Senate, or other Sovereign Person, forbid us to believe in Christ? To this I answer, that such Forbidding is of no Effect; because Belief and Unbelief never follow Men's Commands. Faith is a Gift of God, which Man can neither give, nor take away, by Promise of Rewards, or Menaces of Torture. And if it be further asked, What if we be commanded by our lawful Prince, to say with our Tongue, we believe not; must we obey such Command? Profession with the Tongue is but an external thing, and no more than any other Gesture whereby we signify our Obedience; and wherein, a Christian, holding firmly in his Heart the Faith of Christ, hath the same Liberty which the Prophet *Elisha* allowed to *Naaman* the Syrian. *Naaman* was converted in his Heart to the God of *Israel*; for he saith, 2 Kings v. 17. *Thy Servant will henceforth offer neither Burnt-offering nor Sacrifice unto other Gods, but unto the Lord. In this thing the Lord pardon thy Servant, that when my Master goeth into the House of Rimmon to worship there, and he leaneth on my Hand, and I bow myself in the House of Rimmon, when I bow myself in the House of Rimmon, the Lord pardon thy Servant in this thing.* This the Prophet approved, and bid him go in Peace. Here *Naaman* believed in his Heart; but by bowing before the Idol *Rimmon*, he denied the true God in Effect, as much as if he done it with his Lips. But then what shall we answer to our Saviour's saying, *Whosoever denieth me before Men, I will deny him before my Father which is in Heaven?* This we may say, that whatsoever a Subject, as *Naaman* was, is compelled

pelled to in Obedience to his Sovereign, and doth it not in order to his own Mind, but in order to the Laws of his Country, that Action is not his, but his Sovereign's; nor is it he that in this Case denieth Christ before Men, but his Governor, and the Law of his Country. If any Man shall accuse this Doctrine, as repugnant to true and unfeigned Christianity; I ask him, in case there should be a Subject in any Christian Commonwealth, that should be inwardly in his Heart of the Mahometan Religion, whether if his Sovereign command him to be present at the divine Service of the Christian Church, and that on pain of Death, he think that Mahometan obliged in Conscience to suffer Death for that Cause, rather than to obey that Command of his lawful Prince. If he say, he ought rather to suffer Death, then he authorizeth all private Men, to disobey their Princes, in maintenance of their Religion, true, or false: if he say, he ought to be obedient, then he alloweth to himself, that which he denieth to another, contrary to the Words of our Saviour, *Whatsoever you would that Men should do unto you, that do ye unto them*; and contrary to the Law of Nature (which is the indubitable everlasting Law of God) *Do not to another, that which thou wouldest not be should do unto thee*.

But what then shall we say of all those Martyrs we read of in the History of the Church, that they have needlessly cast away their Lives? For Answer hereunto, we are to distinguish the Persons that have been for that Cause put to Death; whereof some have received a Calling to preach, and profess the Kingdom of Christ openly: others have had no such Calling, nor more has been required of them than their own Faith. The former Sort, if they have been put to Death, for bearing Witness to this Point, that Jesus Christ is risen from the Dead, were true Martyrs: For a *Martyr* is, to give the true Definition of the Word, a Witness of the Resurrection of Jesus the Messiah; which none can be but those that conversed with him on Earth, and saw him after he was risen: For a Witness must have seen what he testifieth, or else his Testimony is not good. And that none but such, can properly be called Martyrs of Christ, is manifest out of the Words of St. Peter, *Acts* i. 21, 22. *Wherefore of these Men which have companied with us all the time that the Lord Jesus went in and out amongst us, beginning from the Baptism of John unto that same Day he was taken up from us, must one be ordained to be a Martyr (that is a Witness) with us of his Resurrection*: Where we may observe, that he which is to be a Witness of the Truth of the Resurrection of Christ, that is to say, of the Truth of this fundamental Article of Christian Religion, that Jesus was the Christ, must be some Disciple that conversed with him, and saw him before, and after his Resurrection; and consequently must be one of his original Disciples: whereas they which were not so, can witness no more, but that their Ancestors said it, and are therefore but Witnesses of other Men's Testimony; and are but second Martyrs, or Martyrs of Christ's Witnesses.

He, that to maintain every Doctrine which he himself draweth out of the History of our Saviour's Life, and of the Acts, or Epistles of the Apostles; or which he believeth upon the Authority of a private Man, will oppose the Laws and Authority of the Civil State, is very far from being a Martyr of Christ, or a Martyr of his Martyrs. 'Tis one Article only, which to die for, meriteth so honourable a Name; and that Article is this, that *Jesus is the Christ*; that is to say, He that hath redeemed us, and shall come again to give us Salvation, and eternal Life in his glorious Kingdom. To die for every Tenet that serveth the Ambition; or Profit of the Clergy, is not required; nor is it the Death of the Witness, but the Testimony itself that makes the Martyr: for the Word signifieth no-

thing else, but the Man that beareth Witness, whether he be put to Death for his Testimony, or not.

Also he that is not sent to preach this fundamental Article, but taketh it upon him of his private Authority, though he be a Witness, and consequently a Martyr, either primary of Christ, or secondary of his Apostles, Disciples, or their Successors; yet is he not obliged to suffer Death for that Cause; because being not called thereto, it is not required at his Hands; nor ought he to complain, if he loseth the Reward he expecteth from those that never set him on Work. None therefore can be a Martyr, neither of the first, nor second Degree, that have not a Warrant to preach Christ come in the Flesh; that is to say, none, but such as are sent to the Conversion of Infidels. For no Man is a Witness to him that already believeth, and therefore needs no Witness; but to them that deny or doubt, or have not heard it. Christ sent his Apostles, and his seventy Disciples, with Authority to preach; he sent not all that believed: and he sent them to Unbelievers; *I send you (saith he) as Sheep amongst Wolves*; not as Sheep to other Sheep.

Argument
from the
Points of
their Com-
mission,
To preach;

Lastly, the Points of their Commission, as they are expressly set down in the Gospel, contain none of them any Authority over the Congregation.

We have first, *Math. x.* that the twelve Apostles were sent *to the lost Sheep of the House of Israel*, and commanded to preach, *that the Kingdom of God was at hand*. Now Preaching in the Original, is that Act, which a Cryer, Herald, or other Officer useth to do publicly in proclaiming of a King. But a Cryer hath not Right to command any Man. And *Luke x. 2.* the seventy Disciples are sent out, as *Labourers, not as Lords of the Harvest*; and are bidden, verse 9. to say, *The Kingdom of God is come nigh unto you*; and by Kingdom here is meant, not the Kingdom of Grace, but the Kingdom of Glory; for they are bidden to denounce it, verse 12. to those Cities which shall not receive them, as a Threatning, *that it shall be more tolerable in that Day for Sodom, than for such a City*. And, *Mat. xx. 28.* our Saviour telleth his Disciples, that sought Priority of Place, their Office was to minister, even as the Son of Man came, not to be ministred unto, but to minister. Preachers therefore have not magisterial, but ministerial Power: *Be not called Masters,* (saith our Saviour, *Mat. xxiii. 10.*) *for one is your Master, even Christ*.

And teach;

Another Point of their Commission, is, to *teach all Nations*; as it is in *Mat. xxviii. 19.* or in *St. Mark xvi. 15.* *Go into all the World, and preach the Gospel to every Creature*. Teaching, therefore, and Preaching, is the same Thing. For they that proclaim the coming of a King, must withal make known by what Right he cometh, if they mean Men shall submit themselves unto him: As *St. Paul* did to the *Jews of Thessalonica*, when *three Sabbath Days he reasoned with them out of the Scriptures, opening, and alledging that Christ must needs have suffered, and risen again from the Dead, and that this Jesus is Christ*. But to teach out of the Old Testament that *Jesus* was Christ, (that is to say, King) and risen from the Dead, is not to say, that Men are bound after they believe it, to obey those that tell them so against the Laws, and Commands of their Sovereigns; but that they shall do wisely, to expect the coming of Christ hereafter, in Patience, and Faith, with Obedience to their present Magistrates.

To baptize;

Another Point of their Commission, is to *baptize, in the Name of the Father, and of the Son, and of the Holy Ghost*. What is Baptism? Dipping into Water. But what is it to dip a Man into the Water in the Name of any thing? The Meaning of these Words of Baptism is this: He that is baptized, is dipped or washed, as a Sign of becoming a new Man, and

a loyal

a loyal Subject to that God, whose Person was represented in old Time by *Moses* and the High Priests, when he reigned over the *Jews*; and to *Jesus Christ* his Son, God and Man, that hath redeemed us, and shall in his human Nature represent his Father's Person in his eternal Kingdom after the Resurrection; and to acknowledge the Doctrine of the Apostles, who assisted by the Spirit of the Father, and of the Son, were left for Guides to bring us into that Kingdom, to be the only and assured Way thereunto. This, being our Promise in Baptism; and the Authority of earthly Sovereigns being not to be put down till the Day of Judgment; (for that is expressly affirmed by *St. Paul*, *1 Cor.* xv. 22, 23, 24. where he saith, *As in Adam all die, so in Christ all shall be made alive. But every Man in his own Order, Christ the First-fruits, afterward they that are Christ's, at his coming; then cometh the End, when he shall have delivered up the Kingdom to God, even the Father, when he shall have put down all Rule, and all Authority and Power*) it is manifest, that we do not in Baptism constitute over us another Authority, by which our external Actions are to be governed in this Life; but promise to take the Doctrine of the Apostles for our Direction in the Way to Life eternal.

The Power of *Remission and Retention of Sins*, called also the Power of *Loosing and Binding*, and sometimes the *Keys of the Kingdom of Heaven*, is a Consequence of the Authority to baptize, or refuse to baptize. For Baptism is the Sacrament of Allegiance of them that are to be received into the Kingdom of God; that is to say, into eternal Life; that is to say, to Remission of Sin: For as eternal Life was lost by the committing, so it is recovered by the remitting of Men's Sins. The End of Baptism is Remission of Sins: and therefore *St. Peter*, when they that were converted by his Sermon on the Day of Pentecost, asked what they were to do, advised them to *repent, and be baptized in the Name of Jesus, for the Remission of Sins*. And therefore seeing to baptize is to declare the Reception of Men into God's Kingdom; and to refuse to baptize is to declare their Exclusion; it followeth, that the Power to declare them cast out, or retained in it, was given to the same Apostles, and their Substitutes and Successors. And therefore after our Saviour had breathed upon them, saying, *John* xx. 22. *Receive the Holy Ghost*, he addeth in the next Verse, *Whosoever Sins ye remit, they are remitted unto them; and whosoever Sins ye retain, they are retained*. By which Words, is not granted an Authority to forgive, or retain Sins, simply and absolutely as God forgiveth or retaineth them, who knoweth the Heart of Man, and the Truth of his Penitence and Conversion; but conditionally to the Penitent: And this Forgiveness or Absolution, in case the Absolved have but a feigned Repentance, is thereby without other Act or Sentence of the Absolvent, made void, and hath no Effect at all to Salvation, but on the contrary, to the Aggravation of his Sin. Therefore the Apostles and their Successors, are to follow but the outward Marks of Repentance; which appearing, they have no Authority to deny Absolution; and if they appear not, they have no Authority to absolve. The same also is to be observed in Baptism: for to a converted *Jew* or *Gentile*, the Apostles had not the Power to deny Baptism; nor to grant it to the unpenitent. But seeing no Man is able to discern the Truth of another Man's Repentance, further than by external Marks, taken from his Words and Actions, which are subject to Hypocrisy; another Question will arise, Who is it that is constituted Judge of those Marks? And this Question is decided by our Saviour himself; *If thy Brother* (saith he) *shall trespass against thee, go and tell him his Fault between thee and him alone; if he shall hear thee, thou hast gained thy Brother. But if he will not hear thee, then take with thee one or two more; and if he shall neglect to hear them,*

And to forgive, and retain Sins.

Mat. xviii.

15, 16, 17.

PART III. *them, tell it unto the Church; but if he neglect to hear the Church, let him be unto thee as an Heathen Man and a Publican.* By which it is manifest, that the Judgment concerning the Truth of Repentance, belonged not to any one Man, but to the Church, that is, to the Assembly of the faithful, or to them that have Authority to be their Representant. But besides the Judgment, there is necessary also the pronouncing of Sentence: And this belonged always to the Apostle, or some Pastor of the Church, as Prolocutor; and of this our Saviour speaketh in the 18th Verse, *Whatsoever ye shall bind on Earth, shall be bound in Heaven; and whatsoever ye loose on Earth, shall be loosed in Heaven.* And conformable hereunto was the Practice of St. Paul, 1 Cor. v. 3, 4, 5. where he saith, *For I verily, as absent in Body, but present in Spirit, have determined already, as though I were present, concerning him that hath so done this Deed; in the Name of our Lord Jesus Christ when ye are gathered together, and my Spirit, with the Power of our Lord Jesus Christ, to deliver such a one to Satan;* that is to say, to cast him out of the Church, as a Man whose Sins are not forgiven. Paul here pronounceth the Sentence; but the Assembly was first to hear the Cause, (for St. Paul was absent;) and by Consequence to condemn him. But in the same Chapter, ver. 11, 12. the Judgment in such a Case is more expressly attributed to the Assembly: *But now I have written unto you, not to keep company, if any Man that is called a Brother be a Fornicator; &c. with such a one no not to eat. For what have I to do to judge them that are without? Do not ye judge them that are within?* The Sentence therefore by which a Man was put out of the Church, was pronounced by the Apostle or Pastor; but the Judgment concerning the Merit of the Cause, was in the Church; that is to say, (as the Times were before the Conversion of Kings, and Men that had Sovereign Authority in the Commonwealth) the Assembly of the Christians dwelling in the same City; as in *Corinth*, in the Assembly of the Christians of *Corinth*.

Of Excommunication.

This Part of the Power of the Keys, by which Men were thrust out from the Kingdom of God, is that which is called *Excommunication*; and to *excommunicate* is in the Original, *ἀποσυνάγωγον ποιεῖν*, to cast out of the Synagogue; that is, out of the Place of divine Service; a Word drawn from the Custom of the *Jews*, to cast out of their Synagogues, such as they thought in Manners or Doctrine, contagious, as Lepers were by the Law of *Moses* separated from the Congregation of *Israel*, till such Time as they should be by the Priest pronounced clean.

The Use of Excommunication without Civil Power.

The Use and Effect of Excommunication, whilst it was not yet strengthened with the Civil Power, was no more than that they, who were not Excommunicate, were to avoid the Company of them that were. It was not enough to repute them as Heathen, that never had been Christians; for with such they might eat and drink; which with excommunicate Persons they might not do; as appeareth by the Words of St. Paul, 1 Cor. v. 9, 10, &c. where he telleth them, he had formerly forbidden them to *company with Fornicators*; but (because that could not be without going out of the World) he restraineth it to such Fornicators and otherwise vicious Persons, as were of the Brethren; *with such a one*, he saith, they ought not to keep company, *no not to eat.* And this is no more than our Saviour saith, *Mat. xviii. 17. Let him be to thee as a Heathen, and as a Publican.* For Publicans, (which signifieth Farmers and Receivers of the Revenue of the Commonwealth) were so hated and detested by the *Jews* that were to pay it, as that *Publican* and *Sinner* were taken amongst them for the same thing: Infomuch, as when our Saviour accepted the Invitation of *Zaccheus* a Publican; though it were to convert him, yet it was objected to him as a Crime. And therefore,

fore, when our Saviour, to *Heathen*, added *Publican*, he did forbid them to eat with a Man Excommunicate.

As for keeping them out of their Synagogues, or Places of Assembly, they had no Power to do it, but that of the Owner of the Place, whether he were Christian or Heathen. And because all Places are by Right, in the Dominion of the Commonwealth; as well he that was excommunicated, as he that never was baptized, might enter into them by Commission from the Civil Magistrate; as *Paul* before his Conversion entred into their Synagogues at *Damascus*, to apprehend Christians; Men and Women, and carry them bound to *Jerusalem*, by Commission from the High Priest. Acts ix. 24

By which it appears, that upon a Christian, that should become an Apostate, in a Place where the Civil Power did persecute, or not assist the Church, the Effect of Excommunication had nothing in it, neither of Damage in this World, nor of Terror: Not of Terror, because of their Unbelief; nor of Damage, because they returned thereby into the Favour of the World; and in the World to come, were to be in no worse Estate, than they which never had believed. The Damage redounded rather to the Church, by Provocation of them they cast out, to a freer Execution of their Malice. Of no Effect upon an Apostate:

Excommunication therefore had its Effect only upon those that believed that *Jesus Christ* was to come again in Glory, to reign over, and to judge both the Quick and the Dead, and should therefore refuse Entrance into his Kingdom, to those whose Sins were retained; that is, to those that were excommunicated by the Church. And thence it is that *St. Paul* calleth Excommunication, a Delivery of the excommunicate Person to Satan. For without the Kingdom of *Christ*, all other Kingdoms after Judgment, are comprehended in the Kingdom of Satan. This is it that the Faithful stood in fear of, as long as they stood excommunicate, that is to say, in an Estate wherein their Sins were not forgiven. Whereby we may understand, that Excommunication in the Time that Christian Religion was not authorized by the Civil Power, was used only for a Correction of Manners, not of Errors in Opinion: for it is a Punishment, whereof none could be sensible but such as believed, and expected the Coming again of our Saviour to judge the World; and they who so believed, needed no other Opinion, but only Uprightness of Life, to be saved. But upon the Faithful only;

There lieth Excommunication for Injustice; as, *Matth. xviii.* If thy Brother offend thee, tell it him privately, then with Witnesses; lastly, tell the Church; and then if he obey not, *Let him be to thee as an Heathen Man, and a Publican.* And there lieth Excommunication for a scandalous Life, as, *1 Cor. v. 11.* *If any Man that is called a Brother, be a Fornicator, or Covetous, or an Idolater, or a Drunkard, or an Extortioner, with such a one ye are not to eat.* But to excommunicate a Man that held this Foundation, that *Jesus was the Christ*, for Difference of Opinion in other Points, by which that Foundation was not destroyed, there appeareth no Authority in the Scripture, nor Example in the Apostles. There is indeed in *St. Paul, Titus iii. 10.* a Text that seemeth to be to the contrary. *A Man that is an Heretic, after the first and second Admonition, reject.* For an *Heretic* is he, that being a Member of the Church, teacheth nevertheless some private Opinion, which the Church has forbidden: and such a one, *St. Paul* adviseth *Titus*, after the first and second Admonition, to *reject.* But to *reject*, in this Place, is not to *excommunicate* the Man; but to *give over admonishing him, to let him alone, to set by disputing with him*, as one that is to be convinced only by himself. The same Apostle saith, For what Fault lieth Excommunication.

PART 2 *Tim.* ii. 23. *Foolish and unlearned Questions avoid*: The Word *avoid* in this Place, and *reject* in the former, is the same in the Original; *παραιτῆ*; but foolish Questions may be set by without Excommunication. And again, *Tit.* iii. 9. *Avoid foolish Questions*; where the original *περιισαοο*; *set them by*, is equivalent to the former Word *reject*. There is no other Place that can so much as colourably be drawn, to countenance the casting out of the Church faithful Men, such as believed the Foundation, only for a singular Superstructure of their own, proceeding perhaps from a good and pious Conscience. But on the contrary, all such Places as command avoiding such Disputes, are written for a Lesson to Pastors (such as *Timothy* and *Titus* were) not to make new Articles of Faith, by determining every small Controversy, which oblige Men to a needless Burthen of Conscience, or provoke them to break the Union of the Church. Which Lesson the Apostles themselves observed well. *St. Peter* and *St. Paul*, though their Controversy were great, (as we may read in *Gal.* ii. 11.) yet they did not cast one another out of the Church. Nevertheless, during the Apostles Times, there were other Pastors that observed it not; as *Diotrephes*, 3 *John* 9, &c. who cast out of the Church such as *St. John* himself thought fit to be received into it, out of a Pride he took in Pre-eminence; so early it was, that Vain-glory and Ambition had found Entrance into the Church of *Christ*.

Of Persons
liable to Ex-
communication.

That a Man be liable to Excommunication, there may be many Conditions requisite; as first, that he be a Member of some Commonalty, that is to say, of some lawful Assembly, that is to say, of some Christian Church, that hath Power to judge of the Cause for which he is to be excommunicated. For where there is no Community, there can be no Excommunication; nor where there is no Power to judge, can there be any Power to give Sentence.

From hence it followeth, that one Church cannot be excommunicated by another: For either they have equal Power to excommunicate each other, in which case Excommunication is not Discipline, nor an Act of Authority, but Schism and Dissolution of Charity; or one is so subordinate to the other, as that they both have but one Voice, and then they be but one Church; and the Part excommunicated, is no more a Church, but a dissolute Number of individual Persons.

And because the Sentence of Excommunication, importeth an Advice, not to keep Company, nor so much as to eat with him that is Excommunicate, if a Sovereign Prince, or Assembly, be Excommunicate, the Sentence is of no Effect. For all Subjects are bound to be in the Company and Presence of their own Sovereign (when he requireth it) by the Law of Nature; nor can they lawfully either expel him from any Place of his own Dominion, whether prophane or holy; nor go out of his Dominion without his Leave; much less (if he call them to that Honour) refuse to eat with him. And as to other Princes and States, because they are not Parts of one and the same Congregation, they need not any other Sentence to keep them from keeping Company with the State Excommunicate: for the very Institution, as it uniteth many Men into one Community; so it dissociateth one Community from another: So that Excommunication is not needful for keeping Kings and States asunder; nor has any further Effect than is in the Nature of Policy itself; unless it be to instigate Princes to war upon one another.

Nor is the Excommunication of a Christian Subject, that obeyeth the Laws of his own Sovereign, whether Christian or Heathen, of any Effect. For if he believe that *Jesus is the Christ, he hath the Spirit of God*, 1 *John* iv. 1. and *God dwelleth in him, and he in God*, 1 *John* iv. 15. But he that hath the Spirit of God; he that dwelleth in God; he in whom

whom God dwelleth, can receive no Harm by the Excommunication of Men. Therefore, he that believeth *Jesus* to be the Christ, is free from all the Dangers threatened to Persons excommunicate. He that believeth it not, is no Christian. Therefore a true and unfeigned Christian is not liable to Excommunication: Nor he also that is a professed Christian, till his Hypocrisy appear in his Manners, that is, till his Behaviour be contrary to the Law of his Sovereign, which is the Rule of Manners, and which Christ and his Apostles have commanded us to be subject to. For the Church cannot judge of Manners but by external Actions, which Actions can never be unlawful, but when they are against the Law of the Commonwealth.

CHAP.
XLII.

If a Man's Father, or Mother, or Master, be Excommunicate, yet are not the Children forbidden to keep them Company, nor to eat with them; for that were (for the most part) to oblige them not to eat at all, for want of Means to get Food; and to authorise them to disobey their Parents and Masters, contrary to the Precept of the Apostles.

In sum, the Power of Excommunication cannot be extended further; than to the End for which the Apostles and Pastors of the Church have their Commission from our Saviour; which is not to rule by Command and Coaction, but by Teaching and Direction of Men in the Way of Salvation in the World to come. And as a Master in any Science, may abandon his Scholar, when he obstinately neglecteth the Practice of his Rules; but not accuse him of Injustice, because he was never bound to obey him: so a Teacher of Christian Doctrine may abandon his Disciples that obstinately continue in an unchristian Life; but he cannot say they do him wrong, because they are not obliged to obey him: For to a Teacher that shall so complain, may be applied the Answer of God to *Samuel* in the like place, *They have not rejected thee, but me.* Excommunication therefore, when it wanteth the Assistance of the Civil Power, as it doth when a Christian State, or Prince, is Excommunicate by a foreign Authority, is without Effect; and consequently ought to be without Terror. The Name of *Fulmen Excommunicationis*, (that is, *the Thunderbolt of Excommunication*) proceeded from an Imagination of the Bishop of *Rome*, which first used it, that he was King of Kings, as the Heathen made *Jupiter* King of the Gods; and assigned him in their Poems, and Pictures, a Thunderbolt, wherewith to subdue and punish the Giants, that should dare to deny his Power: Which Imagination was grounded on two Errors; one, that the Kingdom of Christ is of this World, contrary to our Saviour's own Words, *My Kingdom is not of this World*; the other, that he is Christ's Vicar, not only over his own Subjects, but over all the Christians of the World; whereof there is no Ground in Scripture, and the contrary shall be proved in its due Place.

1 Sam. viii.

St. *Paul* coming to *Thessalonica*, where was a Synagogue of the *Jews*, *Acts* xvii. 2, 3. *As his manner was, went in unto them, and three Sabbath Days reasoned with them out of the Scriptures, opening and alledging, that Christ must needs have suffered and risen again from the Dead; and that this Jesus whom he preached was the Christ.* The Scriptures here mentioned were the Scriptures of the *Jews*, that is, the Old Testament. The Men, to whom he was to prove that *Jesus* was the Christ; and risen again from the Dead, were also *Jews*, and did believe already, that they were the Word of God. Hereupon, as it is ver. 4. some of them believed, and, as it is in ver. 5. some of them believed not. What was the Reason, when they all believed the Scripture, that they did not all believe alike; but that some approved, others disapproved, the Interpretation of St. *Paul* that cited them; and every one interpreted them to himself? It was this; St. *Paul* came to them without any legal Commission,

Of the Interpreter of the Scriptures before Civil Sovereigns became Christians.

PART III. Commission, and in the manner of one that would not command, but persuade; which he must needs do, either by Miracles, as *Moses* did to the *Israelites* in *Egypt*, that they might see his Authority in God's Works; or by Reasoning from the already received Scripture, that they might see the Truth of his Doctrine in God's Word. But whosoever persuadeth by reasoning from Principles written, maketh him to whom he speaketh Judge, both of the Meaning of those Principles, and also of the Force of his Inferences upon them. If these *Jews* of *Theffalonica* were not, who else was the Judge of what *St. Paul* alledged out of Scripture? If *St. Paul*, what needed he to quote any Places to prove his Doctrine? It had been enough to have said, I find it so in Scripture, that is to say, in your Laws, of which I am Interpreter, as sent by Christ. The Interpreter therefore of the Scripture, to whose Interpretation the *Jews* of *Theffalonica* were bound to stand, could be none: every one might believe or not believe, according as the Allegations seemed to himself to be agreeable, or not agreeable to the Meaning of the Places alledged. And generally in all Cases of the World, he that pretendeth any Proof, maketh Judge of his Proof him to whom he addresseth his Speech. And as to the Case of the *Jews* in particular, they were bound by express Words, *Deut. xvii.* to receive the Determination of all hard Questions, from the Priests and Judges of *Israel* for the Time being. But this is to be understood of the *Jews* that were yet unconverted.

For the Conversion of the *Gentiles*, there was no Use of alledging the Scriptures, which they believed not. The Apostles therefore laboured by Reason to confute their Idolatry; and that done, to persuade them to the Faith of Christ, by their Testimony of his Life, and Resurrection. So that there could not yet be any Controversy concerning the Authority to interpret Scripture; seeing no Man was obliged during his Infidelity, to follow any Man's Interpretation of any Scripture, except his Sovereign's Interpretation of the Laws of his Country.

Let us now consider the Conversion itself, and see what there was therein, that could be the Cause of such an Obligation. Men were converted to no other Thing than to the Belief of that which the Apostles preached: and the Apostles preached nothing, but that Jesus was the Christ, that is to say, the King that was to save them, and reign over them eternally in the World to come; and consequently that he was not dead, but risen again from the Dead, and gone up into Heaven, and should come again one Day to judge the World, (which also should rise again to be judged) and reward every Man according to his Works. None of them preached that himself, or any other Apostle, was such an Interpreter of the Scripture, as all that became Christians, ought to take their Interpretation for Law. For to interpret the Laws, is Part of the Administration of a present Kingdom; which the Apostles had not. They prayed then, and all other Pastors ever since, *Let thy Kingdom come*; and exhorted their Converts to obey their then Ethnic Princes. The New Testament was not yet published in one Body. Every of the Evangelists was Interpreter of his own Gospel; and every Apostle of his own Epistle; and of the Old Testament, our Saviour himself saith to the *Jews*, *John v. 39. Search the Scriptures; for in them ye think to have eternal Life, and they are they that testify of me.* If he had not meant they should interpret them, he would not have bidden them take thence the Proof of his being the Christ: He would either have interpreted them himself, or referred them to the Interpretation of the Priests.

When a Difficulty arose, the Apostles and Elders of the Church assembled themselves together, and determined what should be preached, and taught, and how they should interpret the Scriptures to the People; but

but took not from the People the Liberty to read, and interpret them to themselves. The Apostles sent divers Letters to the Churches, and other Writings for their Instruction; which had been in vain, if they had not allowed them to interpret, that is, to consider the Meaning of them. And as it was in the Apostles Time, it must be till such Time as there should be Pastors, that could authorise an Interpreter, whose Interpretation should generally be stood to: But that could not be till Kings were Pastors, or Pastors Kings.

There be two Senses, wherein a Writing may be said to be *Canonical*; for *Canon*, signifieth a *Rule*; and a *Rule* is a *Precept*, by which a Man is guided, and directed in any *Action* whatsoever. Such *Precepts*, though given by a *Teacher* to his *Disciple*, or a *Counsellor* to his *Friend*, without *Power* to compel him to observe them, are nevertheless *Canons*, because they are *Rules*: but when they are given by one, whom he that receiveth them is bound to obey, then are those *Canons* not only *Rules*, but *Laws*: The *Question* therefore here, is of the *Power* to make the *Scriptures* (which are the *Rules* of *Christian Faith*) *Laws*.

That Part of the *Scripture*, which was first *Law*, was the *Ten Commandments*, written in two *Tables of Stone*, and delivered by *God himself* to *Moses*; and by *Moses* made known to the *People*. Before that *Time* there was no written *Law of God*, who as yet having not chosen any *People* to be his peculiar *Kingdom*, had given no *Law* to *Men*, but the *Law of Nature*, that is to say, the *Precepts of natural Reason*, written in every *Man's own Heart*. Of these two *Tables*, the first containeth the *Law of Sovereignty*; 1. That they should not obey, nor honour the *Gods of other Nations*, in these *Words*, *Non habebis Deos alienos coram me*, that is, *Thou shalt not have for Gods, the Gods that other Nations worship; but only me*: whereby they were forbidden to obey, or honour, as their *King and Governor*, any other *God*, than him that spake unto them then by *Moses*, and afterwards by the *High Priest*. 2. That they should not make any *Image to represent him*; that is to say, they were not to chuse to themselves, neither in *Heaven*, nor in *Earth*, any *Representative* of their own fancying, but obey *Moses and Aaron*, whom he had appointed to that *Office*. 3. That they should not take the *Name of God in vain*; that is, they should not speak rashly of their *King*, nor dispute his *Right*, nor the *Commissions of Moses and Aaron*, his *Lieutenants*. 4. That they should every *seventh Day abstain from their ordinary Labour*, and employ that *Time* in doing him public *Honour*. The second *Table* containeth the *Duty of one Man towards another*, as, *To honour Parents*; *Not to kill*; *Not to commit Adultery*; *Not to steal*; *Not to corrupt Judgment by false Witness*; and finally, *Not so much as to design in their Heart the doing of any Injury one to another*. The *Question* now is, *Who it was that gave to these written Tables the obligatory Force of Laws*. There is no *Doubt* but they were made *Laws* by *God himself*: But because a *Law* obliges not, nor is *Law* to any, but to them that acknowledge it to be the *Act of the Sovereign*; how could the *People of Israel*, that were forbidden to approach the *Mountain* to hear what *God* said to *Moses*, be obliged to *Obedience* to all those *Laws* which *Moses* propounded to them? Some of them were indeed the *Laws of Nature*, as all the second *Table*; and therefore to be acknowledged for *God's Laws*; not to the *Israelites* alone, but to all *People*: But to those that were peculiar to the *Israelites*, as those of the first *Table*, the *Question* remains; saving that they had obliged themselves, presently after the propounding of them, to obey *Moses*, in these *Words*, *Exod. xx. 19. Speak thou to us, and we will hear thee; but let not God speak to us, lest we die*. It was therefore only *Moses* then, and

PART after him the High Priest, whom, by *Moses*, God declared should administer this his peculiar Kingdom, that had on Earth the Power to make
 III. this short Scripture of the Decalogue to be Law in the Commonwealth of *Israel*. But *Moses*, and *Aaron*, and the succeeding High Priests, were the Civil Sovereigns. Therefore hitherto, the canonizing, or making of the Scripture Law, belonged to the Civil Sovereign.

Of the Judicial and Levitical Law. The Judicial Law, that is to say, the Laws that God prescribed to the Magistrates of *Israel*, for the Rule of their Administration of Justice, and of the Sentences or Judgments they should pronounce, in Pleas between Man and Man; and the *Levitical* Law, that is to say, the Rule that God prescribed touching the Rites and Ceremonies of the Priests and *Levites*, were all delivered to them by *Moses* only; and therefore also became Laws, by Virtue of the same Promise of Obedience to *Moses*. Whether these Laws were then written, or not written, but dictated to the People by *Moses* (after his being forty Days with God in the Mount) by Word of Mouth, is not expressed in the Text; but they were all positive Laws, and equivalent to holy Scripture, and made canonical by *Moses* the Civil Sovereign.

The second Law. After the *Israelites* were come into the Plains of *Moab* over-against *Jericho*, and ready to enter into the Land of Promise, *Moses* to the former Laws added divers others; which therefore are called *Deuteronomy*; that is, *Second Laws*. And are, as it is written *Deut. xxix. 1. The Words of a Covenant which the Lord commanded Moses to make with the Children of Israel, besides the Covenant which he made with them in Horeb*. For having explained those former Laws, in the beginning of the Book of *Deuteronomy*, he added others, that begin at the twelfth Chapter, and continue to the End of the twenty-sixth of the same Book. This Law, *Deut. xxvii. 1.* they were commanded to write upon great Stones plaistered over, at their passing over *Jordan*: This Law also was written by *Moses* himself in a Book, and delivered into the Hands of the *Priests*, and to the *Elders of Israel*, *Deut. xxxi. 9.* and commanded, verse 26. *to be put in the Side of the Ark*; for in the Ark itself was nothing but the *Ten Commandments*. This was the Law which *Moses*, *Deut. xvii. 18.* commanded the Kings of *Israel* should keep a Copy of: And this is the Law, which having been long time lost, was found again in the Temple in the Time of *Josiah*, and by his Authority received for the Law of God. But both *Moses* at the Writing, and *Josiah* at the Recovery thereof, had both of them the Civil Sovereignty. Hitherto therefore the Power of making Scripture canonical, was in the Civil Sovereign.

Besides this Book of the Law, there is no other Book, from the Time of *Moses*, till after the Captivity, received amongst the *Jews* for the Law of God. For the Prophets, except a few, lived in the Time of the Captivity itself, and the rest lived but a little before it; and were so far from having their Prophecies generally received for Laws, as that their Persons were persecuted, partly by false Prophets, and partly by the Kings which were seduced by them. And this Book itself, which was confirmed by *Josiah* for the Law of God, and with it all the History of the Works of God, was lost in the Captivity and Sack of the City of *Jerusalem*, as appears by that of *2 Esdras xiv. 21. Thy Law is burnt, therefore no Man knoweth the Things that are done of thee, or the Works that shall begin*. And before the Captivity, between the Time when the Law was lost (which is not mentioned in the Scripture, but may probably be thought to be the Time of *Rehoboam*, when * *Shishak* King of *Egypt* took the Spoil of the Temple) and the Time of *Josiah*, when it was found again, they had no written Word of God, but ruled according

* *1 Kings xiv. 26.*

according to their own Discretion, or by the Direction of such, as each of them esteemed Prophets. CHAP. XLII.

From hence we may infer, that the Scriptures of the Old Testament, which we have at this Day, were not canonical, nor a Law unto the *Jews*, till the Renovation of their Covenant with God at their Return from the Captivity, and Restauration of their Commonwealth under *Esdras*. But from that Time forward they were accounted the Law of the *Jews*, and for such translated into *Greek* by Seventy Elders of *Judea*, and put into the Library of *Ptolemy* at *Alexandria*, and approved for the Word of God. Now seeing *Esdras* was the High Priest, and the High Priest was their Civil Sovereign, it is manifest, that the Scriptures were never made Laws, but by the Sovereign Civil Power.

By the Writings of the Fathers that lived in the Time before that the Christian Religion was received, and authorized by *Constantine* the Emperor, we may find, that the Books we now have of the New Testament, were held by the Christians of that Time (except a few, in respect of whose Paucity the rest were called the Catholic Church, and others Heretics) for the Dictates of the Holy Ghost; and consequently for the Canon, or Rule of Faith: such was the Reverence and Opinion they had of their Teachers; as generally the Reverence that the Disciples bear to their first Masters, in all manner of Doctrine they receive from them, is not small. Therefore there is no Doubt, but when *St. Paul* wrote to the Churches he had converted; or any other Apostle, or Disciple of *Christ*, to those which had then embraced *Christ*, they received those their Writings for the true Christian Doctrine. But in that Time, when not the Power and Authority of the Teacher, but the Faith of the Hearer caused them to receive it, it was not the Apostles that made their own Writings canonical, but every Convert made them so to himself.

But the Question here, is not what any Christian made a Law, or Canon to himself, (which he might again reject, by the same Right he received it;) but what was so made a Canon to them, as without Injustice they could not do any thing contrary thereunto. That the New Testament should in this Sense be canonical, that is to say, a Law in any Place where the Law of the Commonwealth had not made it so, is contrary to the Nature of a Law. For a Law (as hath been already shewn) is the Commandment of that Man, or Assembly, to whom we have given Sovereign Authority, to make such Rules for the Direction of our Actions, as he shall think fit; and to punish us, when we do any thing contrary to the same. When therefore any other Man shall offer unto us any other Rules, which the Sovereign Ruler hath not prescribed, they are but Counsel and Advice; which, whether good or bad, he that is counselled, may without Injustice refuse to observe; and when contrary to the Laws already established, without Injustice cannot observe, how good soever he conceiveth it to be. I say, he cannot in this Case observe the same in his Actions, nor in his Discourse with other Men; though he may without Blame believe his private Teachers, and wish he had the Liberty to practise their Advice; and that it were publicly received for Law. For internal Faith is in its own Nature invisible, and consequently exempted from all human Jurisdiction; whereas the Words and Actions that proceed from it, as Breaches of our Civil Obedience, are Injustice both before God and Man. Seeing then our Saviour hath denied his Kingdom to be in this World, seeing he hath said, he came not to judge, but to save the World, he hath not subjected us to other Laws than those of the Commonwealth; that is, the *Jews* to the Law of *Moses*, (which he saith, *Matth. v.* he came not to destroy,

PART III. destroy, but to fulfill) and other Nations to the Laws of their several Sovereigns, and all Men to the Laws of Nature; the observing whereof, both he himself and his Apostles, have in their Teaching recommended to us, as a necessary Condition of being admitted by him in the last Day into his eternal Kingdom, wherein shall be Protection, and Life everlasting. Seeing then our Saviour, and his Apostles, left not new Laws to oblige us in this World, but new Doctrine to prepare us for the next; the Books of the New Testament, which contain that Doctrine, until Obedience to them was commanded, by them that God had given Power to on Earth to be Legislators, were not obligatory Canons, that is, Laws, but only good and safe Advice, for the Direction of Sinners in the Way to Salvation, which every Man might take, and refuse at his own Peril, without Injustice.

Again, our Saviour *Christ's* Commission to his Apostles and Disciples, was to proclaim his Kingdom, not present, but to come; and to teach all Nations; and to baptize them that should believe; and to enter into the Houses of them that should receive them; and where they were not received, to shake off the Dust of their Feet against them; but not to call for Fire from Heaven to destroy them, nor to compel them to Obedience by the Sword. In all which there is nothing of Power, but of Persuasion. He sent them out as Sheep unto Wolves, not as Kings to their Subjects. They had not in Commission to make Laws; but to obey, and teach Obedience to Laws made; and consequently they could not make their Writings obligatory Canons, without the Help of the Sovereign Civil Power. And therefore the Scripture of the New Testament is there only Law, where the lawful Civil Power hath made it so. And there also the King or Sovereign maketh it a Law to himself; by which he subjecteth himself, not to the Doctor or Apostle that converted him, but to God himself, and his Son *Jesus Christ*, as immediately as did the Apostles themselves.

Of the Power of Councils to make the Scriptures Law.

That which may seem to give the New Testament, in respect of those that have embraced Christian Doctrine, the Force of Laws, in the Times, and Places of Persecution, is the Decrees they made amongst themselves in their Synods. For we read, *Acts xv. 28.* the Stile of the Council of the Apostles, the Elders, and the whole Church, in this Manner, *It seemed good to the Holy Ghost, and to Us, to lay upon you no greater Burthen than these necessary Things, &c.* which is a Stile that signifieth a Power to lay a Burthen on them that had received their Doctrine. Now *to lay a Burthen on another*, seemeth the same as *to oblige*; and therefore the Acts of that Council were Laws to the then Christians. Nevertheless, they were no more Laws than are these other Precepts, *Repent; be baptized; keep the Commandments; believe the Gospel; come unto me; sell all that thou hast; give it to the poor; and, follow me;* which are not Commands but Invitations, and Callings of Men to Christianity, like that of *Isaiab lv. 1.* *Ho, every Man that thirsteth, come ye to the Waters, come, and buy Wine and Milk without Money.* For first, the Apostles Power was no other than that of our Saviour, to invite Men to embrace the Kingdom of God; which they themselves acknowledged for a Kingdom (not present, but) to come; and they that have no Kingdom, can make no Laws. And secondly, if their Acts of Council were Laws, they could not without Sin be disobeyed. But we read not any where, that they who received not the Doctrine of Christ, did therein sin, but that they died in their Sins; that is, that their Sins against the Laws to which they owed Obedience, were not pardoned. And those Laws were the Laws of Nature, and the Civil Laws of the State, whereto every Christian Man had by Pact submitted himself. And therefore by the Burthens, which the Apostles might

might lay on such as they had converted, are not to be understood Laws, but Conditions, proposed to those that sought Salvation; which they might accept, or refuse at their own Peril, without a new Sin, though not without the Hazard of being condemned and excluded out of the Kingdom of God for their Sins past. And therefore of Infidels, St. *John* saith not, the Wrath of God shall come upon them, but *the Wrath of God remaineth upon them*; and not that they shall be condemned; but that *they are condemned already*. Nor can it be conceived, that the Benefit of Faith, is *Remission of Sins*, unless we conceive withal that the Damage of Infidelity, is *the Retention of the same Sins*. John iii. 36.
John iii. 18.

But to what End is it (may some Man ask) that the Apostles, and other Pastors of the Church after their Time, should meet together, to agree upon what Doctrine should be taught, both for Faith and Manners, if no Man were obliged to observe their Decrees? To this may be answered, that the Apostles, and Elders of that Council, were obliged even by their Entrance into it, to teach the Doctrine therein concluded and decreed to be taught, so far forth, as no precedent Law, to which they were obliged to yield Obedience, was to the contrary; but not that all other Christians should be obliged to observe what they taught. For though they might deliberate what each of them should teach; yet they could not deliberate what others should do, unless their Assembly had a Legislative Power; which none could have but Civil Sovereigns. For though God be the Sovereign of all the World, we are not bound to take for his Law, whatsoever is propounded by every Man in his Name; nor any thing contrary to the Civil Law, which God hath expressly commanded us to obey.

Seeing then the Acts of Council of the Apostles, were then no Laws but Counsels; much less are Laws the Acts of any other Doctors or Councils since, if assembled without the Authority of the Civil Sovereign. And consequently the Books of the New Testament, though most perfect Rules of Christian Doctrine, could not be made Laws by any other Authority than that of Kings, or Sovereign Assemblies.

The first Council, that made the Scriptures we now have, Canon, is not extant: For that Collection of the Canons of the Apostles, attributed to *Clemens*, the first Bishop of *Rome* after St. *Peter*; is subject to Question: For though the canonical Books be there reckoned up; yet these Words, *Sint vobis omnibus Clericis & Laicis Libri venerandi, &c.* contain a Distinction of Clergy, and Laity, that was not in Use so near St. *Peter's* Time. The first Council for settling the Canonical Scripture, that is extant, is that of *Laodicea*, *Can. 59.* which forbids the Reading of other Books than those in the Churches; which is a Mandate that is not addressed to every Christian, but to those only that had Authority to read any thing publicly in the Church; that is, to Ecclesiastics only.

Of Ecclesiastical Officers in the Time of the Apostles, some were Magisterial, some Ministerial. Magisterial were the Offices of preaching the Gospel of the Kingdom of God to Infidels; of administering the Sacraments, and divine Service; and of teaching the Rules of Faith and Manners to those that were converted. Ministerial was the Office of Deacons, that is, of them that were appointed to the Administration of the secular Necessities of the Church, at such Time as they lived upon a common Stock of Money, raised out of the voluntary Contributions of the Faithful. Of the Right
of constituting
Ecclesiastical
Officers in the
Time of the
Apostles.

Amongst the Officers Magisterial, the first and principal were the Apostles: whereof there were at first but twelve; and these were chosen and constituted by our Saviour himself; and their Office was not only to preach, teach, and baptize, but also to be Martyrs, (Witnesse of

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our Saviour's Resurrection.) This Testimony, was the specifical and essential Mark, whereby the Apostleship was distinguished from other Magistracy Ecclesiastical; as being necessary for an Apostle, either to have seen our Saviour after his Resurrection, or to have conversed with him before and seen his Works, and other Arguments of his Divinity, whereby they might be taken for sufficient Witnesses. And therefore at the Election of a new Apostle in the Place of Judas Iscariot, St. Peter saith, *Acts i. 21, 22. Of these Men that companied with us, all the time that the Lord Jesus went in and out among us, beginning from the Baptism of John unto that same Day that he was taken up from us, must one be ordained to be a Witness with us of his Resurrection*: where, by this Word *must*, is implied a necessary Property of an Apostle, to have companied with the first and prime Apostles in the Time that our Saviour manifested himself in the Flesh.

Matthias
made Apostle
by the Con-
gregation.

The first Apostle, of those which were not constituted by Christ in the Time he was upon the Earth, was *Matthias*, chosen in this Manner: There were assembled together in *Jerusalem* about 120 Christians, *Acts i. 15*. These appointed two, *Joseph the Just*, and *Matthias*, ver. 23. and caused Lots to be drawn; and, ver. 26. *the Lot fell on Matthias, and he was numbered with the Apostles*. So that here we see the Ordination of this Apostle, was the Act of the Congregation, and not of St. Peter, nor of the eleven, otherwise than as Members of the Assembly.

Paul and
Barnabas
made Apostles
by the
Church of
Antioch.

After him there was never any other Apostle ordained, but *Paul* and *Barnabas*; which was done, as we read, *Acts xiii. 1, 2, 3*. in this Manner: *There were in the Church that was at Antioch, certain Prophets and Teachers; as Barnabas, and Simeon that was called Niger, and Lucius of Cyrene, and Manaen, which had been brought up with Herod the Tetrarch, and Saul. As they ministered unto the Lord, and fasted, the Holy Ghost said, Separate me Barnabas and Saul for the Work whereunto I have called them, And when they had fasted and prayed, and laid their Hands on them, they sent them away.*

By which it is manifest, that though they were called by the Holy Ghost, their Calling was declared unto them, and their Mission authorized by the particular Church of *Antioch*. And that this their Calling was to the Apostleship, is apparent by that, that they are both called, *Acts xiv. 4. Apostles*: And that it was by Virtue of this Act of the Church of *Antioch*, that they were Apostles, St. *Paul* declareth plainly, *Rom. i. 1*. in that he useth the Word, which the Holy Ghost used at his Calling: For he stileth himself, *An Apostle separated unto the Gospel of God*; alluding to the Words of the Holy Ghost, *Separate me Barnabas and Saul, &c.* But seeing the Work of an Apostle, was to be a Witness of the Resurrection of Christ, a Man may here ask, how St. *Paul*, that conversed not with our Saviour before his Passion, could know he was risen. To which is easily answered, that our Saviour himself appeared to him in the Way to *Damascus*, from Heaven, after his Ascension; and chose him for a Vessel to bear his Name before the Gentiles, and Kings, and Children of Israel; and consequently (having seen the Lord after his Passion) was a competent Witness of his Resurrection: And as for *Barnabas*, he was a Disciple before the Passion. It is therefore evident that *Paul* and *Barnabas* were Apostles; and yet chosen and authorized, (not by the first Apostles alone, but) by the Church of *Antioch*; as *Matthias* was chosen, and authorized by the Church of *Jerusalem*.

What Offi-
ces in the
Church are
Magisterial.

Bishop, a Word formed in our Language, out of the Greek, *Episcopus*, signifieth an Overseer, or Superintendent of any Business, and particularly a Pastor, or Shepherd; and thence by Metaphor was taken, not only amongst the *Jews* that were originally Shepherds, but also amongst the Heathen, to signify the Office of a King, or any other Ruler or Guide

Guide of People, whether he ruled by Laws or Doctrine. And so the Apostles were the first Christian Bishops, instituted by Christ himself: in which Sense the Apostleship of *Judas* is called, *Acts* i. 20. *his Bishoprick*. And afterwards, when there were constituted Elders in the Christian Churches, with Charge to guide Christ's Flock by their Doctrine, and Advice; these Elders were also called Bishops. *Timothy* was an Elder (which Word *Elder*, in the New Testament, is a Name of Office, as well as of Age;) yet he was also a Bishop. And Bishops were then content with the Title of Elders. Nay, *St. John* himself, the Apostle beloved of our Lord, beginneth his Second Epistle with these Words, *The Elder to the Elect Lady*. By which it is evident, that *Bishop, Pastor, Elder, Doctor*, that is to say, *Teacher*, were but so many divers Names of the same Office in the Time of the Apostles. For there was then no Government by Coercion, but only by Doctrine and Persuading. The Kingdom of God was yet to come, in a new World; so that there could be no Authority to compel in any Church, till the Commonwealth had embraced the Christian Faith; and consequently no Diversity of Authority, though there were Diversity of Employments.

Besides these magisterial Employments in the Church; namely, Apostles, Bishops, Elders, Pastors, and Doctors, whose Calling was to proclaim Christ to the *Jews*, and Infidels, and to direct, and teach those that believed, we read in the New Testament of no other. For by the Names of *Evangelists* and *Prophets*, is not signified any Office, but several Gifts, by which several Men were profitable to the Church: as *Evangelists*, by writing the Life and Acts of our Saviour; such as were *St. Matthew* and *St. John* Apostles, and *St. Mark* and *St. Luke* Disciples, and whosoever else wrote of that Subject (as *St. Thomas* and *St. Barnabas* are said to have done, though the Church have not received the Books that have gone under their Names:) and as *Prophets*, by the Gift of interpreting the Old Testament; and sometimes by declaring their special Revelations to the Church. For neither these Gifts, nor the Gifts of Languages, nor the Gift of casting out Devils, or of curing other Diseases, nor any thing else, did make an Officer in the Church, save only the due Calling and Election to the Charge of Teaching.

As the Apostles, *Matthias*, *Paul*, and *Barnabas*, were not made by our Saviour himself, but were elected by the Church, that is, by the Assembly of Christians; namely, *Matthias* by the Church of *Jerusalem*, and *Paul* and *Barnabas* by the Church of *Antioch*; so were also the *Presbyters*, and *Pastors* in other Cities, elected by the Churches of those Cities. For Proof whereof, let us consider, first, how *St. Paul* proceeded in the Ordination of *Presbyters*, in the Cities where he had converted Men to the Christian Faith, immediately after he and *Barnabas* had received their Apostleship. We read, *Acts* xiv. 23. that *they ordained Elders in every Church*; which at first Sight may be taken for an Argument, that they themselves chose, and gave them their Authority: But if we consider the original Text, it will be manifest, that they were authorized, and chosen by the Assembly of the Christians of each City. For the Words there are, *χειροτονήσαντες αὐτοῖς πρεσβυτέρους κατ' ἐκκλησίαν*, that is, *When they had ordained them Elders by the Holding up of Hands in every Congregation*. Now it is well enough known, that in all those Cities, the manner of chusing Magistrates and Officers, was by Plurality of Suffrages; and (because the ordinary way of distinguishing the Affirmative Votes from the Negatives, was by Holding up of Hands) to ordain an Officer in any of the Cities, was no more but to bring the People together, to elect them by Plurality of Votes, whether

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it were by Plurality of elevated Hands, or by Plurality of Voices, or Plurality of Balls, or Beans, or small Stones, of which every Man cast in one, marked for the Affirmative, or Negative; for divers Cities had divers Customs in that Point. It was therefore the Assembly that elected their own Elders: the Apostles were only Presidents of the Assembly to call them together for such Election, and to pronounce them elected, and to give them the Benediction, which is now called Consecration. And for this Cause they that were Presidents of the Assemblies, as, in the Absence of the Apostles, the Elders were, were called *πρωεξώτες*, and in *Latin*, *Antistites*; which Words signify the principal Person of the Assembly, whose Office was to number the Votes, and to declare thereby who was chosen; and where the Votes were equal, to decide the Matter in Question, by adding his own; which is the Office of a President in Council. And (because all the Churches had their Presbyters ordained in the same manner) where the Word is *Constitute*, as *Titus* i. 5. *ἵνα καταστήσῃς κατὰ πόλιν πρεσβυτέρους*, *For this Cause left I thee in Crete, that thou shouldest constitute Elders in every City*, we are to understand the same Thing; namely, that he should call the Faithful together, and ordain them Presbyters by Plurality of Suffrages. It had been a strange Thing, if in a Town, where Men perhaps had never seen any Magistrate otherwise chosen than by an Assembly, those of the Town becoming Christians, should so much as have thought on any other way of Election of their Teachers, and Guides, that is to say, of their Presbyters, (otherwise called Bishops) than this of Plurality of Suffrages, intimated by *St. Paul*, *Acts* xiv. 23, in the Word *χειροτονήσαντες*: Nor was there ever any chusing of Bishops (before the Emperors found it necessary to regulate them in order to the keeping of the Peace amongst them) but by the Assemblies of the Christians in every several Town.

The same is also confirmed by the continual Practice even to this Day, in the Election of the Bishops of *Rome*. For if the Bishop of any Place, had the Right of chusing another, to the Succession of the Pastoral Office, in any City, at such Time as he went from thence, to plant the same in another Place; much more had he the Right to appoint his Successor in that Place, in which he last resided and died: And we find not, that ever any Bishop of *Rome* appointed his Successor. For they were a long Time chosen by the People, as we may see by the Sedition raised about the Election, between *Damasus* and *Ursicinus*; which *Ammianus Marcellinus* saith was so great, that *Juventius* the Præfect, unable to keep the Peace between them, was forced to go out of the City; and that there were above an hundred Men found dead upon that Occasion in the Church itself. And though they afterwards were chosen, first, by the whole Clergy of *Rome*, and afterwards by the Cardinals; yet never any was appointed to the Succession by his Predecessor. If therefore they pretended no Right to appoint their own Successors, I think I may reasonably conclude, they had no Right to appoint the Successors of other Bishops, without receiving some new Power; which none could take from the Church to bestow on them, but such as had a lawful Authority, not only to teach, but to command the Church; which none could do but the Civil Sovereign.

Ministers of
the Church,
what:

The Word *Minister*, in the Original *Διδάκωνος*, signifieth one that voluntarily doth the Business of another Man; and differeth from a Servant only in this, that Servants are obliged by their Condition, to what is commanded them; whereas Ministers are obliged only by their Undertaking, and bound therefore to no more than that they have undertaken: So that both they that teach the Word of God, and they that administer the secular Affairs of the Church, are both Ministers,

but

but they are Ministers of different Persons. For the Pastors of the Church, called, *Acts* vi. 4. *The Ministers of the Word*, are Ministers of *Christ*, whose Word it is: But the Ministry of a *Deacon*, which is called, verse 2. of the same Chapter, *Serving of Tables*, is a Service done to the Church or Congregation: So that neither any one Man, nor the whole Church, could ever of their Pastor say, he was their Minister; but of a Deacon, whether the Charge he undertook were to serve Tables, or distribute Maintenance to the Christians, when they lived in each City on a common Stock, or upon Collections, as in the first Times, or to take Care of the House of Prayer, or of the Revenue, or other worldly Business of the Church, the whole Congregation might properly call him their Minister.

For their Employment, as Deacons, was to serve the Congregation; though upon Occasion they omitted not to preach the Gospel, and maintain the Doctrine of *Christ*, every one according to his Gifts, as *S - S phen* did; and both to preach and baptize, as *Philip* did: For that *Philip*, which, *Acts* viii. 5. preached the Gospel at *Samaria*, and, verse 38. baptized the Eunuch, was *Philip* the Deacon, not *Philip* the Apostle. For it is manifest, verse 1. that when *Philip* preached in *Samaria*, the Apostles were at *Jerusalem*, and, verse 14. when they heard that *Samaria* had received the Word of God, sent *Peter* and *John* to them; by Imposition of whose Hands, they that were baptized, verse 15. received (which before by the Baptism of *Philip* they had not received) the Holy Ghost. For it was necessary for the conferring of the Holy Ghost, that their Baptism should be administered, or confirmed by a Minister of the Word, not by a Minister of the Church. And therefore to confirm the Baptism of those that *Philip* the Deacon had baptized, the Apostles sent out of their own Number from *Jerusalem* to *Samaria*, *Peter* and *John*; who conferred on them that before were but baptized, those Graces that were Signs of the Holy Spirit, which at that Time did accompany all true Believers; which what they were may be understood by that which *St. Mark* saith, chap. xvi. 17. *These Signs follow them that believe in my Name; they shall cast out Devils; they shall speak with new Tongues; they shall take up Serpents, and if they drink any deadly thing, it shall not hurt them; they shall lay Hands on the Sick, and they shall recover.* This to do, was it that *Philip* could not give; but the Apostles could, and (as appears by this Place) effectually did to every Man that truly believed, and was by a Minister of *Christ* himself baptized: which Power either *Christ*'s Ministers in this Age cannot confer, or else there are very few true Believers, or *Christ* hath very few Ministers.

That the first Deacons were chosen, not by the Apostles, but by a Congregation of the Disciples, that is, of Christian Men of all Sorts, is manifest out of *Acts* vi. where we read that the *Twelve*, after the Number of Disciples was multiplied, called them together, and having told them, that it was not fit that the Apostles should leave the Word of God, and serve Tables, said to them, ver. 3. *Brethren, look you out among you seven Men of honest Report, full of the Holy Ghost, and of Wisdom, whom we may appoint over this Business.* Here it is manifest, that though the Apostles declared them elected; yet the Congregation chose them; which also, ver. 5. is more expressly said, where it is written, that *the Saying pleased the Multitude, and they chose seven, &c.*

Under the Old Testament, the Tribe of *Levi* were only capable of the Priesthood, and other inferior Offices of the Church. The Land was divided amongst the other Tribes, (*Levi* excepted) which by the Subdivision of the Tribe of *Joseph*, into *Ephraim* and *Manasseh*, were still twelve. To the Tribe of *Levi* were assigned certain Cities for their

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Habitation, with the Suburbs for their Cattle: but for their Portion, they were to have the Tenth of the Fruits of the Land of their Brethren. Again, the Priests for their Maintenance had the Tenth of that Tenth, together with Part of the Oblations, and Sacrifices. For God had said to *Aaron*, *Numb. xviii. 20. Thou shalt have no Inheritance in their Land, neither shalt thou have any Part amongst them; I am thy Part, and thine Inheritance amongst the Children of Israel.* For God being then King, and having constituted the Tribe of *Levi* to be his public Ministers, he allowed them for their Maintenance, the public Revenue, that is to say, the Part that God had reserved to himself; which were Tythes and Offerings: and that is it which is meant, where God saith, *I am thine Inheritance.* And therefore to the *Levites* might not unfitly be attributed the Name of *Clergy*, from *Κληρος*, which signifieth Lot, or Inheritance; not that they were Heirs of the Kingdom of God, more than other; but that God's Inheritance was their Maintenance. Now seeing in this Time God himself was their King, and *Moses*, *Aaron*, and the succeeding High Priests, were his Lieutenants; it is manifest, that the Right of Tythes and Offerings was constituted by the Civil Power.

After their Rejection of God in the demanding of a King, they enjoyed the same Revenue; but the Right thereof was derived from that, that the Kings did never take it from them: for the public Revenue was at the disposing of him that was the public Person; and that, till the Captivity, was the King. And again, after the Return from the Captivity, they paid their Tythes, as before, to the Priest. Hitherto therefore Church Livings were determined by the Civil Sovereign.

In our Saviour's Time, and after.

Of the Maintenance of our Saviour, and his Apostles, we read only they had a Purse, (which was carried by *Judas Iscariot*;) and, that of the Apostles, such as were Fishermen, did sometimes use their Trade; and that when our Saviour sent the Twelve Apostles to preach, he forbade them *to carry Gold, and Silver, and Bras in their Purses, for that the Workman is worthy of his Hire*: By which it is probable, their ordinary Maintenance was not unsuitable to their Employment; for their Employment was, ver. 8. *freely to give, because they had freely received*; and their Maintenance was the *free Gift* of those that believed the good Tidings they carried about of the coming of the Messiah their Saviour. To which we may add, that which was contributed out of Gratitude; by such as our Saviour had healed of Diseases; of which are mentioned *certain Women* (*Luke viii. 2, 3.*) *which had been healed of evil Spirits and Infirmities; Mary Magdalen, out of whom went seven Devils; and Joanna the Wife of Chuzza, Herod's Steward; and Susanna, and many others, which ministred unto him of their Substance.*

* Acts iv. 34.

After our Saviour's Ascension, the Christians of every City lived in common, * upon the Money which was made of the Sale of their Lands and Possessions, and laid down at the Feet of the Apostles, of good Will, not of Duty; for *whilst the Land remained* (saith St. Peter to *Ananias*, *Acts v. 4.*) *was it not thine? and after it was sold, was it not in thy Power?* which sheweth, he needed not have saved his Land, nor his Money by Lying, as not being bound to contribute any thing at all, unless he had pleased. And as in the Time of the Apostles, so also all the Time downward, till after *Constantine the Great*, we shall find, that the Maintenance of the Bishops and Pastors of the Christian Church, was nothing but the voluntary Contribution of them that had embraced their Doctrine. There was yet no mention of Tythes: but such was in the Time of *Constantine*, and his Sons, the Affection of Christians to their Pastors, as *Ammianus Marcellinus* saith (describing the Sedition of *Damascus* and *Ursicinus* about the Bishoprick) that it was worth their

Contention, in that the Bishops of those Times by the Liberality of their Flock, and especially of Matrons, lived splendidly, were carried in Coaches, and were sumptuous in their Fare and Apparel.

CHAP.
XLII.

But here may some ask, whether the Pastor were then bound to live upon voluntary Contribution, as upon Alms, *For who* (saith St. Paul, *1 Cor. ix. 7.*) *goeth to War at his own Charges? or who feedeth a Flock, and eateth not of the Milk of the Flock?* And again, *Do ye not know that they which minister about holy Things, live of the Things of the Temple; and they which wait at the Altar, partake with the Altar;* that is to say, have Part of that which is offered at the Altar for their Maintenance? And then he concludeth, *Even so hath the Lord appointed, that they which preach the Gospel should live of the Gospel.* From which Place may be inferred indeed, that the Pastors of the Church ought to be maintained by their Flocks; but not that the Pastors were to determine, either the Quantity, or the Kind of their own Allowance, and be, as it were, their own Carvers. Their Allowance must needs therefore be determined, either by the Gratitude and Liberality of every particular Man of their Flock, or by the whole Congregation. By the whole Congregation it could not be, because their Acts were then no Laws: therefore the Maintenance of Pastors, before Emperors and Civil Sovereigns had made Laws to settle it, was nothing but Benevolence. They that served at the Altar lived on what was offered. So may the Pastors also take what is offered them by their Flock; but not exact what is not offered. In what Court should they sue for it, who had no Tribunals? Or if they had Tribunals among themselves, who should execute their Judgments, when they had no Power to arm their Officers? It remaineth therefore, that there could be no certain Maintenance assigned to any Pastors of the Church, but by the whole Congregation; and then only, when their Decrees should have the Force, not only of *Canons*, but also of *Laws*; which could not be made, but by the Emperors, Kings, or other Civil Sovereigns. The Right of Tythes in *Moses* Law, could not be applied to the then Ministers of the Gospel; because *Moses* and the High Priests were the Civil Sovereigns of the People under God, whose Kingdom amongst the *Jews* was present; whereas the Kingdom of God by Christ is yet to come.

The Ministers of the Gospel lived on the Benevolence of their Flocks. *1 Cor. ix. 13.*

Hitherto hath been shewn what the Pastors of the Church are; what are the Points of their Commission, (as that they were to preach, to teach, to baptize, to be Presidents in their several Congregations) what is Ecclesiastical Censure, *viz.* Excommunication, that is to say, in those Places where Christianity was by the Civil Law commanded, a putting the Excommunicate out of the Congregations of Christians; who elected the Pastors and Ministers of the Church, (that it was, the Congregation;) who consecrated and blessed them, (that it was the Pastor;) what was their due Revenue, (that it was none but their own Possessions, and their own Labour, and the voluntary Contributions of devout and grateful Christians.) We are to consider now, what Office in the Church those Persons have, who being Civil Sovereigns, have embraced also the Christian Faith.

And first, we are to remember, that the Right of judging what Doctrines are fit for Peace, and to be taught the Subjects, is in all Commonwealths inseparably annexed, as hath been already proved in Chapter XVIII. to the Sovereign Civil Power, whether it be in one Man, or in an Assembly of Men. For it is evident to the meanest Capacity, that Men's Actions are derived from the Opinions they have of the Good, or Evil, which from those Actions redound unto themselves; and consequently, Men that are once possessed of an Opinion, that their Obedience

That the Civil Sovereign being a Christian, hath the Right of appointing Pastors.

to

PART to the Sovereign Power, will be more hurtful to them, than their Dis-
III. obedience, will disobey the Laws, and thereby overthrow the Common-
 wealth, and introduce Confusion and Civil War; for the avoiding whereof,
 all Civil Government was ordained. And therefore in all Common-
 wealths of the Heathen, the Sovereigns have had the Name of Pa-
 stors of the People, because there was no Subject that could lawfully
 teach the People, but by their Permission and Authority.

This Right of the Heathen Kings cannot be thought taken from them
 by their Conversion to the Faith of Christ; who never ordained, that
 Kings for believing in him should be deposed, that is, subjected to
 any but himself, or, which is all one, be deprived of the Power necessary
 for the Conservation of Peace amongst their Subjects, and for their De-
 fence against foreign Enemies. And therefore Christian Kings are still the
 Supreme Pastors of their People, and have Power to ordain what Pastors
 they please, to teach the Church, that is, to teach the People committed
 to their Charge.

Again, let the Right of chusing them be (as before the Conversion of
 Kings) in the Church, for so it was in the Time of the Apostles them-
 selves, as hath been shewn already in this Chapter; even so also the
 Right will be in the Civil Sovereign, Christian. For in that he is a
 Christian, he allows the Teaching; and in that he is the Sovereign,
 (which is as much as to say, the Church by Representation) the Teachers
 he elects, are elected by the Church. And when an Assembly of Chri-
 stians chuse their Pastor in a Christian Commonwealth, it is the Sove-
 reign that electeth him, because it is done by his Authority; in the
 same manner, as when a Town chuse their Mayor, it is the Act of him
 that hath the Sovereign Power: for every Act done, is the Act of him,
 without whose Consent it is invalid. And therefore whatsoever Examples
 may be drawn out of History, concerning the Election of Pastors by
 the People, or by the Clergy, they are no Arguments against the Right
 of any Civil Sovereign, because they that elected them did it by his
 Authority.

Seeing then in every Christian Commonwealth, the Civil Sovereign
 is the Supreme Pastor, to whose Charge the whole Flock of his Subjects
 is committed, and consequently that it is by his Authority, that all
 other Pastors are made, and have Power to teach, and perform all other
 Pastoral Offices; it followeth also, that it is from the Civil Sovereign,
 that all other Pastors derive their Right of Teaching, Preaching, and
 other Functions pertaining to that Office; and that they are but his Mi-
 nisters; in the same manner as the Magistrates of Towns, Judges in
 Courts of Justice, and Commanders of Armies, are all but Ministers of
 him that is the Magistrate of the whole Commonwealth, Judge of all
 Causes, and Commander of the whole Militia, which is always the
 Civil Sovereign. And the Reason hereof is, not because they that teach, but
 because they that are to learn, are his Subjects. For let it be supposed;
 that a Christian King commit the Authority of ordaining Pastors in his
 Dominions to another King, (as divers Christian Kings allow that Power
 to the Pope;) he doth not thereby constitute a Pastor over himself, nor a
 Sovereign Pastor over his People; for that were to deprive himself of
 the Civil Power; which depending on the Opinion Men have of their
 Duty to him, and the Fear they have of Punishment in another
 World, would depend also on the Skill, and Loyalty of Doctors, who
 are no less subject, not only to Ambition, but also to Ignorance, than
 any other Sort of Men. So that where a Stranger hath Authority to
 appoint Teachers, it is given him by the Sovereign in whose Dominions
 he teacheth. Christian Doctors are our Schoolmasters to Christianity;
 but

but the Kings are Fathers of Families, and may receive Schoolmasters for their Subjects from the Recommendation of a Stranger, but not from the Command ; especially when the ill teaching them shall redound to the great and manifest Profit of him that recommends them : nor can they be obliged to retain them, longer than it is for the public Good ; the Care of which they stand so long charged withal, as they retain any other essential Right of the Sovereignty.

If a Man therefore should ask a Pastor, in the Execution of his Office, as the chief Priests and Elders of the People, *Matt. xxi. 23.* asked our Saviour, *By what Authority dost thou these Things, and who gave thee this Authority ?* he can make no other just Answer, but that he doth it by the Authority of the Commonwealth, given him by the King, or Assembly that representeth it. All Pastors, except the Supreme, execute their Charges in the Right, that is, by the Authority of the Civil Sovereign, that is, *Jure Civili*. But the King, and every other Sovereign, executeth his Office of Supreme Pastor, by immediate Authority from God, that is to say, *in God's Right*, or *Jure Divino*. And therefore none but Kings can put into their Titles (a Mark of their Submission to God only) *Dei Gratiâ Rex*, &c. Bishops ought to say in the Beginning of their Mandates, *By the Favour of the King's Majesty, Bishop of such a Diocese*; or as Civil Ministers, *In his Majesty's Name*. For in saying, *Divinâ Providentiâ*; which is the same with *Dei Gratiâ*, though disguised, they deny to have received their Authority from the Civil State ; and slyly slip off the Collar of their Civil Subjection, contrary to the Unity and Defence of the Commonwealth.

The Pastoral Authority of Sovereigns only is de Jure Divino, that of other Pastors, is Jure Civili.

But if every Christian Sovereign be the supreme Pastor of his own Subjects, it seemeth that he hath also the Authority, not only to preach, (which perhaps no Man will deny) but also to baptize, and to administer the Sacrament of the Lord's Supper, and to consecrate both Temples and Pastors to God's Service ; which most Men deny ; partly because they use not to do it, and partly because the Administration of Sacraments, and Consecration of Persons and Places to holy Uses, requireth the Imposition of such Men's Hands, as by the like Imposition successively from the Time of the Apostles have been ordained to the like Ministry. For Proof therefore that Christian Kings have Power to baptize, and to consecrate; I am to render a Reason, both why they use not to do it, and how, without the ordinary Ceremony of Imposition of Hands, they are made capable of doing it when they will.

Christian Kings have Power to execute all Manner of Pastoral Function.

There is no doubt but any King, in case he were skilful in the Sciences, might by the same Right of his Office, read Lectures of them himself, by which he authoriseth others to read them in the Universities. Nevertheless, because the Care of the Sum of the Business of the Commonwealth taketh up his whole Time, it were not convenient for him to apply himself in Person to that Particular. A King may also, if he please, sit in Judgment, to hear and determine all Manner of Causes, as well as give others Authority to do it in his Name ; but that the Charge that lieth upon him of Command and Government, constrain him to be continually at the Helm, and to commit the Ministerial Offices to others under him. In the like Manner our Saviour (who surely had Power to baptize) baptized none * himself, but sent his Apostles and Disciples to baptize. So also St. Paul, by the Necessity of Preaching in divers and far distant Places, baptized few : Amongst all the *Corinthians* he baptized only * *Crispus*, *Gaius*, and *Stephanas* ; and the Reason was, because his principal * Charge was to preach. Whereby it is manifest, that the greater Charge, (such as is the Government of the Church) is a Dispensation for the less. The Reason therefore why Christian Kings use not

* John iv. 2.

* I Cor. i.

14, 16.

* I Cor. i.

17^e

PART to baptize, is evident, and the same, for which at this Day there are but
III. few baptized by Bishops, and by the Pope fewer.

And as concerning Imposition of Hands, whether it be needful, for the authorising of a King to baptize, and consecrate, we may consider thus :

Imposition of Hands, was a most ancient public Ceremony amongst the *Jews*, by which was designed, and made certain, the Person, or other Thing intended in a Man's Prayer, Blessing, Sacrifice, Consecration, Condemnation, or other Speech. So *Jacob* in blessing the Children of *Joseph*, *Gen. xlvi. 14.* Laid his right Hand on *Ephraim* the younger, and his left Hand on *Manasseh* the first-born ; and this he did wittingly (though they were so presented to him by *Joseph*, as he was forced in doing it to stretch out his Arms across) to design to whom he intended the greater Blessing. So also in the sacrificing of the Burnt-offering, *Aaron* is commanded, *Exod. xxix. 10.* to lay his Hands on the Head of the Bullock ; and, verse 15. to lay his Hand on the Head of the Ram. The same is also said again, *Levit. i. 4.* and *viii. 14.* Likewise *Moses*, when he ordained *Joshua* to be Captain of the *Israelites*, that is, consecrated him to God's Service, *Numb. xxvii. 23.* Laid his Hands upon him, and gave him his Charge, designing, and rendering certain, who it was they were to obey in War. And in the Consecration of the *Levites*, *Numb. viii. 10.* God commanded that the Children of *Israel* should put their Hands upon the *Levites*. And in the Condemnation of him that had blasphemed the Lord, *Levit. xxiv. 14.* God commanded that all that heard him should lay their Hands on his Head, and that all the Congregation should stone him. And why should they only that heard him, lay their Hands upon him, and not rather a Priest, *Levite*, or other Minister of Justice, but that none else were able to design, and demonstrate to the Eyes of the Congregation, who it was that had blasphemed, and ought to die ? And to design a Man, or any other Thing, by the Hand to the Eye, is less subject to Mistake, than when it is done to the Ear by a Name.

And so much was this Ceremony observed, that in blessing the whole Congregation at once, which cannot be done by Laying on of Hands, yet *Aaron*, *Levit. ix. 22.* did lift up his Hand towards the People when he blessed them. And we read also of the like Ceremony of Consecration of Temples amongst the Heathen, as that the Priest laid his Hands on some Post of the Temple, all the while he was uttering the Words of Consecration. So natural it is to design any individual Thing, rather by the Hand, to assure the Eyes, than by Words to inform the Ear, in Matters of God's public Service.

This Ceremony was not therefore new in our Saviour's Time. For *Jairus*, *Mark v. 23.* whose Daughter was sick, besought our Saviour (not to heal her, but) to lay his Hands upon her, that she might be healed. And, *Matth. xix. 13.* They brought unto him little Children, that he should put his Hands on them, and pray.

According to this ancient Rite, the Apostles, and Presbyters, and the Presbytery itself, laid Hands on them whom they ordained Pastors, and withal prayed for them that they might receive the Holy Ghost ; and that not only once, but sometimes oftener, when a new Occasion was presented : but the End was still the same, namely, a punctual and religious Designation of the Person, ordained either to the pastoral Charge in general, or to a particular Mission ; so, *Acts vi. 6.* The Apostles prayed, and laid their Hands on the seven Deacons ; which was done, not to give them the Holy Ghost (for they were full of the Holy Ghost before they were chosen, as appeareth immediately before, verse 3.) but

to design them to that Office. And after *Philip* the Deacon had converted certain Persons in *Samaria*, *Peter* and *John* went down, *Acts* viii. 17. and laid their Hands on them, and they received the Holy Ghost. And not only an Apostle, but a Presbyter had this Power: For *St. Paul* adviseth *Timothy*, *1 Tim.* v. 22. Lay Hands suddenly on no Man; that is, design no Man rashly to the Office of a Pastor. The whole Presbytery laid their Hands on *Timothy*, as we read *1 Tim.* iv. 14. but this is to be understood, as that some did it by the Appointment of the Presbytery, and most likely their *πρωτοεσως*, or Prolocutor, which it may be was *St. Paul* himself. For in his 2d Epist. to *Tim.* i. 6. he saith to him, Stir up the Gift of God which is in thee, by the Laying on of my Hands: where note by the way, that by the Holy Ghost, is not meant the third Person in the Trinity, but the Gifts necessary to the pastoral Office. We read also, that *St. Paul* had Imposition of Hands twice; once from *Ananias* at *Damascus*, *Acts* ix. 17, 18. at the Time of his Baptism; and again, *Acts* xiii. 3. at *Antioch*, when he was first sent out to preach. The Use then of this Ceremony, considered in the Ordination of Pastors, was to design the Person to whom they gave such Power. But if there had been then any Christian, that had had the Power of teaching before; the baptizing of him, that is, the making him a Christian, had given him no new Power, but had only caused him to preach true Doctrine, that is, to use his Power aright; and therefore the Imposition of Hands had been unnecessary; Baptism itself had been sufficient. But every Sovereign, before Christianity, had the Power of teaching, and ordaining Teachers; and therefore Christianity gave them no new Right, but only directed them in the way of teaching Truth; and consequently they needed no Imposition of Hands, besides that which is done in Baptism, to authorise them to exercise any Part of the pastoral Function, as namely, to baptize, and consecrate. And in the Old Testament, though the Priest only had Right to consecrate, during the Time that the Sovereignty was in the High Priest; yet it was not so when the Sovereignty was in the King: For we read, *1 Kings* viii. That *Solomon* blessed the People, consecrated the Temple, and pronounced that public Prayer, which is the Pattern now for Consecration of all Christian Churches and Chapels: whereby it appears, he had not only the Right of Ecclesiastical Government, but also of exercising Ecclesiastical Functions.

From this Consolidation of the Right Politic and Ecclesiastic, in Christian Sovereigns, it is evident, they have all manner of Power over their Subjects, that can be given to Man, for the Government of Men's external Actions, both in Policy and Religion; and may make such Laws, as themselves shall judge fittest, for the Government of their own Subjects, both as they are the Commonwealth, and as they are the Church: for both State and Church are the same Men.

If they please therefore, they may (as many Christian Kings now do) commit the Government of their Subjects in Matters of Religion to the Pope; but then the Pope is in that Point subordinate to them, and exerciseth that Charge in another's Dominion *Jure Civili*, in the Right of the Civil Sovereign; not *Jure Divino*, in God's Right; and may therefore be discharged of that Office, when the Sovereign for the Good of his Subjects shall think it necessary. They may also, if they please, commit the Care of Religion to one supreme Pastor, or to an Assembly of Pastors; and give them what Power over the Church, or one over another, they think most convenient; and what Titles of Honour, as of Bishops, Archbishops, Priests, or Presbyters, they will: and make Laws for their Maintenance, either by Tythes, or otherwise, as they please, so

PART they do it out of a sincere Conscience, of which God only is the Judge;
 III. It is the Civil Sovereign that is to appoint Judges, and Interpreters of
 the Canonical Scriptures; for it is he that maketh them Laws. It is he
 also that giveth Strength to Excommunications; which but for such Laws
 and Punishments, as may humble obstinate Libertines, and reduce them
 to Union with the rest of the Church, would be contemned. In sum,
 he hath the supreme Power in all Causes, as well Ecclesiastical as Civil,
 as far as concerneth Actions and Words, for those only are known, and
 may be accused; and of that which cannot be accused, there is no
 Judge at all, but God, that knoweth the Heart. And these Rights are
 incident to all Sovereigns, whether Monarchs, or Assemblies: for they
 that are the Representatives of a Christian People, are Representatives of the
 Church: for a Church, and a Commonwealth of a Christian People, are
 the same thing.

Cardinal
 Bellarmine's
 Books, De
 Summo Pon-
 tifice, con-
 sidered.

Though this that I have here said, and in other Places of this Book,
 seem clear enough for the asserting of the supreme Ecclesiastical Power to
 Christian Sovereigns; yet because the Pope of Rome's Challenge to that
 Power universally, hath been maintained chiefly, and I think as strongly
 as is possible, by Cardinal *Bellarmino*, in his Controversy *De Summo Pon-*
tifice; I have thought it necessary, as briefly as I can, to examine the
 Grounds, and Strength of his Discourse.

The first
 Book.

Of five Books he hath written of this Subject, the first containeth three
 Questions: One, Which is simply the best Government, *Monarchy*, *Ari-*
stocracy, or *Democracy*; and concludeth for neither, but for a Govern-
 ment mixt of all three: Another, Which of these is the best Government
 of the Church; and concludeth for the mixt, but which should most
 partipate of Monarchy: The third, Whether in this mixt Monarchy,
 St. *Peter* had the Place of Monarch. Concerning his first Conclusion, I
 have already sufficiently proved, Chap. XVIII. that all Governments,
 which Men are bound to obey, are simple and absolute. In Monarchy
 there is but one Man supreme; and all other Men that have any kind of
 Power in the State, have it by his Commission, during his Pleasure; and
 execute it in his Name: And in Aristocracy, and Democracy, but one
 supreme Assembly, with the same Power that in Monarchy belongeth to
 the Monarch, which is not a mixt, but an absolute Sovereignty. And
 of the three Sorts, which is the best, is not to be disputed, where any
 one of them is already established; but the present ought always to be
 preferred, maintained, and accounted best; because it is against both
 the Law of Nature, and the divine positive Law, to do any thing tending
 to the Subversion thereof. Besides, it maketh nothing to the Power of
 any Pastor, (unless he have the Civil Sovereignty) what Kind of Go-
 vernment is the best; because their Calling is not to govern Men by
 Commandment, but to teach them, and persuade them by Arguments,
 and leave it to them to consider, whether they shall embrace, or reject
 the Doctrine taught. For Monarchy, Aristocracy, and Democracy, do
 mark out unto us three Sorts of Sovereigns, not of Pastors; or, as we
 may say, three Sorts of Masters of Families, not three Sorts of School-
 masters for their Children.

And therefore the second Conclusion, concerning the best Form of
 Government of the Church, is nothing to the Question of the Pope's
 Power without his own Dominions: For in all other Commonwealths,
 his Power, if he have any at all, is that of the Schoolmaster only, and
 not of the the Master of the Family.

For the third Conclusion, which is, that St. *Peter* was Monarch of
 the Church, he bringeth for his chief Argument the Place of St. *Matt.*
 chap. xvi. 18, 29. *Thou art Peter, and upon this Rock I will build my Church*
 &c,

&c. *And I will give thee the Keys of Heaven; whatsoever thou shalt bind on Earth shall be bound in Heaven, and whatsoever thou shalt loose on Earth, shall be loosed in Heaven.* Which Place well considered, proveth no more, but that the Church of Christ hath for Foundation one only Article; namely, that which *Peter* in the Name of all the Apostles professing, gave Occasion to our Saviour to speak the Words here cited; which that we may clearly understand, we are to consider, that our Saviour preached by himself, by *John Baptist*, and by his Apostles, nothing but this Article of Faith, *that he was the Christ*; all other Articles requiring Faith no otherwise, than as founded on that. *John* began first, *Mat. iii. 2.* preaching only this, *The Kingdom of God is at hand.* Then our Saviour himself, *Mat. iv. 17.* preached the same: And to his twelve Apostles, when he gave them their Commission, *Mat. x. 7.* there is no mention of preaching any other Article but that. This was the fundamental Article, that is the Foundation of the Church's Faith. Afterwards the Apostles being returned to him, he asketh them all, *Mat. xvi. 13.* not *Peter* only, *Who Men said he was?* and they answered, that some said he was *John the Baptist*, some *Elias*, and others *Jeremias*, or one of the Prophets: Then, ver. 15. he asked them all again, not *Peter* only, *Whom say ye that I am?* therefore *St. Peter* answered, for them all, *Thou art Christ, the Son of the living God*; which I said is the Foundation of the Faith of the whole Church; from which our Saviour takes the Occasion of saying, *Upon this Stone I will build my Church*: By which it is manifest, that by the Foundation-stone of the Church, was meant the fundamental Article of the Church's Faith. But why then (will some object) doth our Saviour interpose these Words, *Thou art Peter?* If the Original of this Text had been rigidly translated, the Reason would easily have appeared: We are therefore to consider; that the Apostle *Simon* was surnamed *Stone*, which is the Signification of the *Syriac* Word *Cephas*, and of the *Greek* Word *Petrus*. Our Saviour therefore after the Confession of that fundamental Article, alluding to his Name, said (as if it were in *English*) thus, *Thou art Stone*, and upon this Stone I will build my Church: which is as much as to say, this Article, *that I am the Christ*, is the Foundation of all the Faith I require in those that are to be Members of my Church: Neither is this Allusion to a Name, an unusual thing in common Speech: But it had been a strange, and obscure Speech, if our Saviour intending to build his Church on the Person of *St. Peter*, had said, *Thou art a Stone, and upon this Stone I will build my Church*, when it was so obvious without Ambiguity to have said, *I will build my Church on thee*; and yet there had been still the same Allusion to his Name.

And for the following Words, *I will give thee the Keys of Heaven, &c.* it is no more than what our Saviour gave also to all the rest of his Disciples, *Mat. xviii. 18.* *Whatsoever ye shall bind on Earth, shall be bound in Heaven; and whatsoever ye shall loose on Earth, shall be loosed in Heaven.* But howsoever this be interpreted, there is no doubt but the Power here granted belongs to all supreme Pastors; such as are all Christian Civil Sovereigns in their own Dominions. Infomuch, as if *St. Peter*, or our Saviour himself had converted any of them to believe him, and to acknowledge his Kingdom; yet because his Kingdom is not of this World, he had left the supreme Care of converting his Subjects to none but him; or else he must have deprived him of the Sovereignty, to which the Right of Teaching is inseparably annexed. And thus much in Refutation of his first Book, wherein he would prove *St. Peter* to have been the Monarch Universal of the Church, that is to say, of all Christians in the World.

PART
III.The second
Book.

The second Book hath two Conclusions: One, that St. *Peter* was Bishop of *Rome*, and there died: The other, that the Popes of *Rome* are his Successors. Both which have been disputed by others. But supposing them true; yet if by Bishop of *Rome*, be understood either the Monarch of the Church, or the supreme Pastor of it; not *Silvester*, but *Constantine* (who was the first Christian Emperor) was that Bishop; and as *Constantine*, so all other Christian Emperors were of Right supreme Bishops of the *Roman* Empire; I say of the *Roman* Empire, not of all *Christendom*: For other Christian Sovereigns had the same Right in their several Territories, as to an Office essentially adherent to their Sovereignty. Which shall serve for Answer to his second Book.

The third
Book.

In the third Book, he handleth the Question, whether the Pope be Antichrist. For my Part, I see no Argument that proves he is so, in that Sense the Scripture useth the Name: nor will I take any Argument from the Quality of Antichrist, to contradict the Authority he exerciseth, or hath heretofore exercised in the Dominions of any other Prince or State.

It is evident that the Prophets of the Old Testament foretold, and the *Jews* expected a Messiah, that is, a Christ, that should re-establish amongst them the Kingdom of God, which had been rejected by them in the Time of *Samuel*, when they required a King after the Manner of other Nations. This Expectation of theirs, made them obnoxious to the Imposture of all such, as had both the Ambition to attempt the attaining of the Kingdom, and the Art to deceive the People by counterfeit Miracles, by hypocritical Life, or by Orations and Doctrine plausible. Our Saviour therefore, and his Apostles, forewarned Men of false Prophets, and of false Christs. False Christs are such as pretend to be the *Christ*, but are not, and are called properly *Antichrists*, in such Sense, as when there happeneth a Schism in the Church by the Election of two Popes, the one calleth the other *Antipapa*, or the false Pope. And therefore Antichrist in the proper Signification hath two essential Marks; one, that he denieth *Jesus* to be Christ; and another, that he professeth himself to be Christ. The first Mark is set down by St. *John* in his 1 Epistle iv. 3. *Every Spirit that confesseth not that Jesus Christ is come in the Flesh, is not of God; and this is the Spirit of Antichrist.* The other Mark is expressed in the Words of our Saviour, *Mat. xxiv. 5. Many shall come in my Name, saying, I am Christ; and again, If any Man shall say unto you, Lo, here is Christ, there is Christ, believe it not.* And therefore Antichrist must be a false Christ, that is, some one of them that shall pretend themselves to be Christ. And out of these two Marks, to deny *Jesus* to be the *Christ*, and to affirm himself to be the *Christ*, it followeth, that he must also be an *Adversary of Jesus the true Christ*, which is another usual Signification of the Word Antichrist. But of these many Antichrists, there is one special one, *ὁ Αντίχριστος*, *The Antichrist*, or *Antichrist* definitely, as one certain Person; not indefinitely an *Antichrist*. Now seeing the Pope of *Rome* neither pretendeth himself, nor denieth *Jesus* to be the Christ, I perceive not how he can be called Antichrist; by which Word is not meant, one that falsely pretendeth to be *His* Lieutenant, or Vicar General, but to be *He*. There is also some Mark of the Time of this special Antichrist, as *Matt. xxiv. 15.* when that abominable Destroyer, spoken of by * *Daniel*, shall stand in the holy Place, and such Tribulation as was not since the Beginning of the World, nor ever shall be again, inso-much as if it were to last long, ver. 22. *no Flesh could be saved; but for the Elect's Sake those Days shall be shortened* (made fewer.) But that Tribulation is not yet come; for it is to be followed immediately, ver. 29. by a Darkening of the Sun and Moon, a Falling of the Stars, a Concussion

* Dan. ix.
27.

of the Heavens, and the glorious Coming again of our Saviour in the Clouds. And therefore *the Antichrist* is not yet come; whereas, many Popes are both come and gone. It is true, the Pope, in taking upon him to give Laws to all Christian Kings and Nations, usurpeth a Kingdom in this World, which Christ took not on him: but he doth it not *as Christ*, but *as for Christ*, wherein there is nothing of *the Antichrist*. C H A P.
XLII:

In the fourth Book, to prove the Pope to be the supreme Judge in all Questions of Faith and Manners, (*which is as much as to be the absolute Monarch of all Christians in the World*) he bringeth three Propositions: The first, that his Judgments are infallible: The second, that he can make very Laws, and punish those that observe them not: The third, that our Saviour conferred all Jurisdiction Ecclesiastical on the Pope of Rome. The fourth
Book.

For the Infallibility of his Judgments, he alledgeth the Scriptures: and first, that of *Luke xxii. 31. Simon, Simon, Satan hath desired you, that he may sift you as Wheat; but I have prayed for thee, that thy Faith fail not; and when thou art converted, strengthen thy Brethren.* This, according to *Bellarmino's Exposition*, is, that Christ gave here to *Simon Peter* two Privileges: one, that neither his Faith should fail, nor the Faith of any of his Successors: the other, that neither he, nor any of his Successors, should define any Point concerning Faith, or Manners; erroneously, or contrary to the Definition of a former Pope: Which is a strange, and very much strained Interpretation. But he that with Attention readeth that Chapter, shall find there is no Place in the whole Scripture, that maketh more against the Pope's Authority, than this very Place. The Priests and Scribes seeking to kill our Saviour at the Passover, and *Judas* possessed with a Resolution to betray him, and the Day of killing the Passover being come, our Saviour celebrated the same with his Apostles, which he said, till the Kingdom of God was come he would do no more; and withal told them, that one of them was to betray him: Hereupon they questioned, which of them it should be; and withal, (seeing the next Passover their Master would celebrate should be when he was King) entered into a Contention, who should then be the greatest Man. Our Saviour therefore told them, that the Kings of the Nations had Dominion over their Subjects, and are called by a Name (in *Hebrew*) that signifies Bountiful; but I cannot be so to you, you must endeavour to serve one another; I ordain you a Kingdom, but it is such as my Father hath ordained me; a Kingdom that I am now to purchase with my Blood, and not to possess till my second Coming; then ye shall eat and drink at my Table, and sit on Thrones, judging the twelve Tribes of *Israel*: And then addressing himself to *St. Peter*, he saith, *Simon, Simon, Satan seeks, by suggesting a present Domination, to weaken your Faith of the future; but I have prayed for thee, that thy Faith shall not fail; Thou therefore (note this) being converted, and understanding my Kingdom as of another World, confirm the same Faith in thy Brethren:* To which *St. Peter* answered (as one that no more expected any Authority in this World) *Lord, I am ready to go with thee, not only to Prison, but to Death.* Whereby it is manifest, *St. Peter* had not only no Jurisdiction given him in this World, but a Charge to teach all the other Apostles, that they also should have none. And for the Infallibility of *St. Peter's* Sentence definitive in Matter of Faith, there is no more to be attributed to it out of this Text, than that *Peter* should continue in the Belief of this Point, namely, that *Christ* should come again, and possess the Kingdom at the Day of Judgment; which was not given

PART given by this Text to all his Successors ; for we see they claim it in the
 III. World that now is.

The second Place is that of *Matth. xvi. Thou art Peter, and upon this Rock I will build my Church, and the Gates of Hell shall not prevail against it.* By which (as I have already shewn in this Chapter) is proved no more, than that the Gates of Hell shall not prevail against the Confession of *Peter*, which gave Occasion to that Speech ; namely this, that *Jesus is Christ, the Son of God.*

The third Text is *John xxi. 16, 17. Feed my Sheep* ; which contains no more but a Commission of Teaching : And if we grant the rest of the Apostles to be contained in that Name of *Sheep*, then it is the supreme Power of Teaching : but it was only for the Time that there were no Christian Sovereigns already possessed of that Supremacy. But I have already proved, that Christian Sovereigns are in their own Dominions the supreme Pastors, and instituted thereto, by Virtue of their being baptized, though without other Imposition of Hands. For such Imposition being a Ceremony of designing the Person, is needless, when he is already designed to the Power of Teaching what Doctrine he will, by his Institution to an absolute Power over his Subjects. For as I have proved before, Sovereigns are supreme Teachers (in general) by their Office ; and therefore oblige themselves, by their Baptism, to teach the Doctrine of *Christ* : And when they suffer others to teach their People, they do it at the Peril of their own Souls ; for it is at the Hands of the Heads of Families that God will require the Account of the Instruction of his Children and Servants. It is of *Abraham* himself, not of a Hireling, that God saith, *Gen. xviii. 19. I know him that he will command his Children, and his Household after him, that they keep the Way of the Lord, and do Justice and Judgment.*

The fourth Place is that of *Exod. xxviii. 30. Thou shalt put in the Breastplate of Judgment, the Urim and the Thummin* : which he saith is interpreted by the Septuagint *δύλωσιν καὶ ἀλήθειαν*, that is, *Evidence and Truth* : And thence concludeth, God had given Evidence and Truth (which is almost Infallibility) to the High Priest. But be it Evidence and Truth itself that was given, or be it but Admonition to the Priest to endeavour to inform himself clearly, and give Judgment uprightly ; yet in that it was given to the High Priest, it was given to the Civil Sovereign : For such, next under God, was the High Priest in the Commonwealth of *Israel* ; and is an Argument for Evidence and Truth, that is, for the Ecclesiastical Supremacy of Civil Sovereigns over their own Subjects, against the pretended Power of the Pope. These are all the Texts he bringeth for the Infallibility of the Judgment of the Pope, in Point of Faith.

Texts for
 the same in
 point of
 Manners.

For the Infallibility of his Judgment concerning Manners, he bringeth one Text, which is that of *John xvi. 13. When the Spirit of Truth is come, he will lead you into all Truth* : where, saith he, by *all Truth*, is meant, at least, *all Truth necessary to Salvation.* But with this Mitigation, he attributeth no more Infallibility to the Pope, than to any Man that professeth Christianity, and is not to be damned : For if any Man err in any Point, wherein not to err is necessary to Salvation, it is impossible he should be saved ; for that only is necessary to Salvation, without which to be saved is impossible. What Points these are, I shall declare out of the Scripture in the Chapter following. In this place I say no more, but that though it were granted, the Pope could not possibly teach any Error at all, yet doth not this entitle him to any Jurisdiction in the Dominions of another Prince, unless we shall also say, a
 Man

Man is obliged in Conscience to set on work upon all Occasions the best Workman, even then also when he hath formerly promised his Work to another. C H A P.
XLII.

Besides the Text, he argueth from Reason, thus: If the Pope could err in Necessaries, then *Christ* hath not sufficiently provided for the Church's Salvation; because he hath commanded her to follow the Pope's Directions. But this Reason is invalid, unless he shew when, and where, *Christ* commanded that, or took at all any Notice of a Pope: Nay granting whatsoever was given to *St. Peter*, was given to the Pope; yet seeing there is in the Scripture no Command to any Man to obey *St. Peter*, no Man can be just that obeyeth him, when his Commands are contrary to those of his lawful Sovereign.

Lastly, it hath not been declared by the Church, nor by the Pope himself, that he is the Civil Sovereign of all the Christians in the World; and therefore all Christians are not bound to acknowledge his Jurisdiction in point of Manners. For the Civil Sovereignty, and supreme Judicature in Controversies of Manners, are the same Thing: And the Makers of Civil Laws, are not only Declarers, but also Makers of the Justice, and Injustice of Actions; there being nothing in Men's Manners that makes them righteous, or unrighteous, but their Conformity with the Law of the Sovereign. And therefore when the Pope challengeth Supremacy in Controversies of Manners, he teacheth Men to disobey the Civil Sovereign; which is an erroneous Doctrine, contrary to the many Precepts of our Saviour and his Apostles, delivered to us in the Scripture.

To prove the Pope has Power to make Laws, he alledgeth many Places; as first, *Deut. xvii. 12. The Man that will do presumptuously, and will not hearken unto the Priest, (that standeth to minister there before the Lord thy God) or unto the Judge, even that Man shall die, and thou shalt put away the Evil from Israel.* For Answer whereunto, we are to remember that the High Priest (next and immediately under God) was the Civil Sovereign; and all Judges were to be constituted by him. The Words alledged found therefore thus: *The Man that will presume to disobey the Civil Sovereign for the Time being, or any of his Officers in the Execution of their Places, that Man shall die, &c.* which is clearly for the Civil Sovereignty, against the universal Power of the Pope.

Secondly, he alledgeth that of *Matth. xvi. Whatsoever ye shall bind, &c.* and interpreteth it for such *binding* as is attributed, *Matth. xxiii. 4.* to the Scribes and Pharisees, *They bind heavy Burthens, and grievous to be born, and lay them on Men's Shoulders;* by which is meant (he says) making of Laws; and concludes thence, that the Pope can make Laws. But this also maketh only for the Legislative Power of Civil Sovereigns: For the Scribes and Pharisees sat in *Moses' Chair*; but *Moses*, next under God, was Sovereign of the People of *Israel*: and therefore our Saviour commanded them to do all that they should say, but not all that they should do. That is, to obey their Laws, but not follow their Example.

The third Place, is *John xxi. 16. Feed my Sheep;* which is not a Power to make Laws, but a Command to teach. Making Laws belongs to the Lord of the Family; who by his own Discretion chuseth his Chaplain, as also a Schoolmaster to teach his Children.

The fourth Place, *John xx. 21.* is against him. The Words are, *As my Father sent me, so send I you.* But our Saviour was sent to redeem, by his Death, such as should believe; and by his own, and his Apostles preaching, to prepare them for their Entrance into his Kingdom; which he himself saith, is not of this World, and hath taught us to pray for the coming of it hereafter, though he refused, *Acts i. 6, 7.* to tell his Apostles when it should come; and in which, when it comes, the twelve Apostles shall sit on twelve Thrones (every one perhaps as high

PART as that of St. *Peter*) to judge the twelve Tribes of *Israel*. Seeing then
 III. God the Father sent not our Saviour to make Laws in this present World,
 we may conclude from the Text, that neither did our Saviour send St. *Peter* to make Laws here, but to persuade Men to expect his second Coming with a stedfast Faith; and in the mean Time, if Subjects, to obey their Princes; and if Princes, both to believe it themselves, and to do their best to make their Subjects do the same; which is the Office of a Bishop. Therefore this Place maketh most strongly for joining the Ecclesiastical Supremacy to the Civil Sovereignty, contrary to that which Cardinal *Bellarmino* alledgeth it for.

The fifth Place is *Acts* xv. 28. *It hath seemed good to the Holy Spirit, and to us, to lay upon you no greater Burthen, than these necessary Things, that ye abstain from Meats offered to Idols, and from Blood, and from Things strangled, and from Fornication.* Here he notes the Word *Laying of Burthens* for the Legislative Power. But who is there, that reading this Text, can say, this Stile of the Apostles may not as properly be used in giving Counsel, as in making Laws? The Stile of a Law is, *We command*: But, *We think good*, is the ordinary Stile of them, that but give Advice; and they lay a Burthen that give Advice, though it be conditional, that is, if they to whom they give it, will attain their Ends: And such is the Burthen, of abstaining from Things strangled, and from Blood; not absolute, but in case they will not err. I have shewn before, Chap. XXV, that Law is distinguished from Counsel, in this, that the Reason of a Law, is taken from the Design and Benefit of him that prescribeth it; but the Reason of a Counsel, from the Design and Benefit of him, to whom the Counsel is given. But here, the Apostles aim only at the Benefit of the converted Gentiles, namely their Salvation; not at their own Benefit; for having done their Endeavour, they shall have their Reward, whether they be obeyed, or not. And therefore the Acts of this Council, were not Laws, but Counsels.

The sixth Place is that of *Rom.* xiii. 1. *Let every Soul be subject to the higher Powers, for there is no Power but of God*; which is meant, he saith, not only of Secular, but also of Ecclesiastical Princes. To which I answer, first, that there are no Ecclesiastical Princes but those that are also Civil Sovereigns; and their Principalities exceed not the Compass of their Civil Sovereignty; without those Bounds, though they may be received for Doctors, they cannot be acknowledged for Princes. For if the Apostle had meant, we should be subject both to our own Princes, and also to the Pope, he had taught us a Doctrine, which Christ himself hath told us is impossible, namely, *to serve two Masters*. And though the Apostle saith in another Place, *I write these things being absent, lest being present I should use Sharpness, according to the Power which the Lord hath given me*; it is not, that he challenged a Power either to put to Death, imprison, banish, whip, or fine any of them, which are Punishments; but only to excommunicate, which, without the Civil Power, is no more, but a leaving of their Company, and having no more to do with them, than with a heathen Man, or a Publican; which in many Occasions might be a greater Pain to the Excommunicant, than to the Excommunicate.

The seventh Place is *1 Cor.* iv. 21. *Shall I come unto you with a Rod, or in Love, and the Spirit of Lenity?* But here again, it is not the Power of a Magistrate to punish Offenders, that is meant by a Rod; but only the Power of Excommunication, which is not in its own Nature a Punishment, but only a denouncing of Punishment, that Christ shall inflict, when he shall be in Possession of his Kingdom, at the Day of Judgment. Nor then also shall it be properly a Punishment, as upon a Subject that hath broken the Law; but a Revenge, as upon an Enemy, or
 Revolter,

Revolver, that denieth the Right of our Saviour to the Kingdom : And therefore this proveth not the Legislative Power of any Bishop, that has not also the Civil Power. CHAP.
XLII.

The eighth Place is *1 Tim. iii. 2. A Bishop must be the Husband but of one Wife, vigilant, sober, &c.* which he saith was a Law. I thought that none could make a Law in the Church, but the Monarch of the Church, *St. Peter*. But suppose this Precept made by the Authority of *St. Peter*; yet I see no Reason why to call it a Law, rather than an Advice, seeing *Timothy* was not a Subject, but a Disciple of *St. Paul*; nor the Flock under the Charge of *Timothy*, his Subjects in the Kingdom, but his Scholars in the School of Christ: If all the Precepts he giveth *Timothy*, be Laws, why is not this also a Law, *Drink no longer Water, but use a little Wine for thy Health's Sake?* And why are not also the Precepts of good Physicians, so many Laws? but that it is not the imperative manner of Speaking, but an absolute Subjection to a Person, that maketh his Precepts Laws.

In like manner, the ninth Place, *1 Tim. v. 19. Against an Elder receive not an Accusation, but before two or three Witnesses,* is a wise Precept, but not a Law.

The tenth Place is *Luke x. 16. He that heareth you, heareth me; and he that despiseth you, despiseth me.* And there is no Doubt, but he that despiseth the Counsel of those that are sent by Christ, despiseth the Counsel of Christ himself. But who are those now that are sent by Christ, but such as are ordained Pastors by lawful Authority? and who are lawfully ordained, that are not ordained by the Sovereign Pastor? and who is ordained by the Sovereign Pastor in a Christian Commonwealth, that is not ordained by the Authority of the Sovereign thereof? Out of this Place therefore it followeth, that he which heareth his Sovereign being a Christian, heareth Christ; and he that despiseth the Doctrine which his King, being a Christian, authoriseth, despiseth the Doctrine of Christ, (which is not that which *Bellarmino* intendeth here to prove, but the contrary.) But all this is nothing to a Law. Nay more, a Christian King, as a Pastor, and Teacher of his Subjects, makes not thereby his Doctrines Laws. He cannot oblige Men to believe; though as a Civil Sovereign he may make Laws suitable to his Doctrine, which may oblige Men to certain Actions, and sometimes to such as they would not otherwise do, and which he ought not to command; and yet when they are commanded, they are Laws; and the external Actions done in Obedience to them, without the inward Approbation, are the Actions of the Sovereign, and not of the Subject, which is in that Case but as an Instrument, without any Motion of his own at all; because God hath commanded to obey them.

The eleventh, is every Place, where the Apostle for Counsel putteth some Word, by which Men use to signify Command; or calleth the following of his Counsel, by the Name of Obedience. And therefore they are alledged out of *1 Cor. xi. 2. I commend you for keeping my Precepts as I delivered them to you.* The Greek is, *I commend you for keeping those Things I delivered to you, as I delivered them.* Which is far from signifying that they were Laws, or any Thing else, but good Counsel. And that of *1 Thess. iv. 2. You know what Commandments we gave you:* where the Greek Word is *παραγγελίας ἐδώκαμεν*, equivalent to *παρεδώκαμεν*, *what we delivered to you*, as in the Place next before alledged, which does not prove the Traditions of the Apostles, to be any more than Counsels; though as is said in ver 8. *he that despiseth them, despiseth not Man, but God:* For our Saviour himself came not to judge, that is, to be King in this World; but to sacrifice himself for Sinners, and leave Doctors in his

PART
III.

his Church, to lead, not to drive Men to Christ, who never accepteth forced Actions, (which is all the Law produceth) but the inward Conversion of the Heart; which is not the Work of Laws, but of Counsel and Doctrine.

Aud that of 2 *Theff.* iii. 14. *If any Man obey not our Word by this Epistle, note that Man, and have no Company with him, that he may be ashamed:* where from the Word *Obey*, he would infer, that this Epistle was a Law to the *Theffalonians*. The Epistles of the Emperors were indeed Laws. If therefore the Epistle of *St. Paul* were also a Law, they were to obey two Masters. But the Word *Obey*, as it is in the *Greek* *ὑπακούει*, signifieth *hearkening to*, or *putting in Practice*, not only that which is commanded by him that has Right to punish, but also that which is delivered in a Way of Counsel for our Good; and therefore *St. Paul* does not bid kill him that disobey, nor beat, nor imprison, nor amerce him, which Legislators may all do; but avoid his Company, that he may be ashamed: whereby it is evident, it was not the Empire of an Apostle, but his Reputation amongst the Faithful, which the Christians stood in awe of.

The last Place is that of *Heb.* xiii. 17. *Obey your Leaders, and submit yourselves to them, for they watch for your Souls, as they that must give Account:* And here also is intended by Obedience, a following of their Counsel: For the Reason of our Obedience, is not drawn from the Will and Command of our Pastors, but from our own Benefit, as being the Salvation of our Souls they watch for, and not for the Exaltation of their own Power, and Authority. If it were meant here, that all they teach were Laws, then not only the Pope, but every Pastor in his Parish should have Legislative Power. Again, they that are bound to obey their Pastors, have no Power to examine their Commands. What then shall we say to *St. John*, who bids us, 1 *Epist.* iv. 1. *Not to believe every Spirit, but to try the Spirits whether they are of God, because many false Prophets are gone out into the World?* It is therefore manifest, that we may dispute the Doctrine of our Pastors; but no Man can dispute a Law. The Commands of Civil Sovereigns are on all Sides granted to be Laws: if any else can make a Law besides himself, all Commonwealth, and consequently all Peace and Justice, must cease; which is contrary to all Laws both divine and human. Nothing therefore can be drawn from these, or any other Places of Scripture, to prove the Decrees of the Pope, where he has not also the Civil Sovereignty, to be Laws.

The Question of Superiority between the Pope and other Bishops.

The last Point he would prove, is this, *That our Saviour Christ has committed Ecclesiastical Jurisdiction immediately to none but the Pope.* Wherein he handleth not the Question of Supremacy between the Pope and Christian Kings, but between the Pope and other Bishops. And first, he says it is agreed, that the Jurisdiction of Bishops, is at least in the general *de Jure Divino*, that is, in the Right of God; for which he alledges *St. Paul*, *Ephes.* iv. 11. where he says, that Christ after his Ascension into Heaven, gave Gifts to Men, some Apostles, some Prophets, and some Evangelists, and some Pastors, and some Teachers: And thence infers, they have indeed their Jurisdiction in God's Right; but will not grant they have it immediately from God, but derived through the Pope. But if a Man may be said to have his Jurisdiction *de Jure Divino*, and yet not immediately; what lawful Jurisdiction, though but Civil, is there in a Christian Commonwealth, that is not also *de Jure Divino*? For Christian Kings have their Civil Power from God immediately; and the Magistrates under him exercise their several Charges in virtue of his Commission; wherein that which they do, is no less *de Jure Divino mediato*, than that which the Bishops do, in
Virtue

Virtue of the Pope's Ordination. All lawful Power is of God, immediately in the supreme Governor, and mediately in those that have Authority under him : So that either he must grant every Constable in the State, to hold his Office in the Right of God; or he must not hold that any Bishop holds his so, besides the Pope himself.

But this whole Dispute, whether Christ left the Jurisdiction to the Pope only, or to other Bishops also, if considered out of those Places where the Pope has the Civil Sovereignty, is a Contention *de Lana Caprina* : For none of them (where they are not Sovereigns) has any Jurisdiction at all. For Jurisdiction is the Power of hearing and determining Causes between Man and Man ; and can belong to none but him that hath the Power to prescribe the Rules of Right and Wrong ; that is, to make Laws ; and with the Sword of Justice to compel Men to obey his Decisions, pronounced either by himself, or by the Judges he ordaineth thereunto ; which none can lawfully do, but the Civil Sovereign.

Therefore when he alledgeth out of *Luke vi.* that our Saviour called his Disciples together, and chose twelve of them which he named Apostles, he proveth that he elected them (all, except *Matthias, Paul* and *Barnabas*) and gave them Power and Command to preach, but not to judge of Causes between Man and Man ; for that is a Power which he refused to take upon himself, saying, *Who made me a Judge, or a Divider amongst you ?* And in another Place, *My Kingdom is not of this World.* But he that hath not the Power to hear and determine Causes between Man and Man ; cannot be said to have any Jurisdiction at all. And yet this hinders not, but that our Saviour gave them the Power to preach and baptize in all Parts of the World, supposing they were not by their own lawful Sovereign forbidden : For to our own Sovereigns Christ himself, and his Apostles, have in sundry Places expressly commanded us in all Things to be obedient.

The Arguments by which he would prove, that Bishops receive their Jurisdiction from the Pope, (seeing the Pope in the Dominions of other Princes hath no Jurisdiction himself) are all in vain. Yet because they prove, on the contrary, that all Bishops receive Jurisdiction when they have it from their Civil Sovereigns, I will not omit the Recital of them.

The first, is from *Numbers xi.* where *Moses* not being able alone to undergo the whole Burthen of administering the Affairs of the People of *Israel*, God commanded him to chuse Seventy Elders, and took Part of the Spirit of *Moses*, to put it upon those Seventy Elders : by which is understood, not that God weakened the Spirit of *Moses*, for that had not eased him at all ; but that they had all of them their Authority from him ; wherein he doth truly and ingenuously interpret that Place. But seeing *Moses* had the entire Sovereignty in the Commonwealth of the *Jews*, it is manifest, that it is thereby signified, that they had their Authority from the Civil Sovereign : and therefore that Place proveth, that Bishops in every Christian Commonwealth have their Authority from the Civil Sovereign ; and from the Pope in his own Territories only, and not in the Territories of any other State.

The second Argument, is from the Nature of Monarchy ; wherein all Authority is in one Man, and in others by Derivation from him : But the Government of the Church, he says, is Monarchical. This also makes for Christian Monarchs. For they are really Monarchs of their own People ; that is, of their own Church (for the Church is the same Thing with a Christian People ;) whereas the Power of the Pope, though he were *St. Peter*, is neither Monarchy, nor hath any Thing of *Archibical*, nor *Cratical*, but only of *Didactical* ; for God accepteth not a forced, but a willing Obedience.

PART
III.

The third is, from that the *See* of St. Peter is called by St. Cyprian, the *Head*, the *Source*, the *Root*, the *Sun*, from whence the Authority of Bishops is derived. But by the Law of Nature (which is a better Principle of Right and Wrong, than the Word of any Doctor that is but a Man) the Civil Sovereign in every Commonwealth, is the *Head*, the *Source*, the *Root*, and the *Sun*, from which all Jurisdiction is derived. And therefore the Jurisdiction of Bishops, is derived from the Civil Sovereign.

The fourth, is taken from the Inequality of their Jurisdictions: For if God, saith he, had given it them immediately, he had given as well Equality of Jurisdiction as of Order: But we see, some are Bishops but of one Town, some of a hundred Towns, and some of many whole Provinces; which Differences were not determined by the Command of God; their Jurisdiction therefore is not of God, but of Man; and one has a greater, another a less, as it pleaseth the Prince of the Church. Which Argument, if he had proved before, that the Pope had had an universal Jurisdiction over all Christians, had been for his Purpose. But seeing that hath not been proved, and that it is notoriously known, the large Jurisdiction of the Pope was given him by those that had it, that is, by the Emperors of Rome, (for the Patriarch of Constantinople, upon the same Title, namely, of being Bishop of the capital City of the Empire, and Seat of the Emperor, claimed to be equal to him) it followeth, that all other Bishops have their Jurisdiction from the Sovereigns of the Place wherein they exercise the same: And as for that Cause they have not their Authority *de Jure Divino*; so neither hath the Pope his *de Jure Divino*, except only where he is also the Civil Sovereign.

His fifth Argument is this, *If Bishops have their Jurisdiction immediately from God, the Pope could not take it from them, for he can do nothing contrary to God's Ordination*; and this Consequence is good, and well proved. *But, saith he, the Pope can do this, and has done it.* This also is granted, so he do it in his own Dominions, or in the Dominions of any other Prince that hath given him that Power; but not universally, in Right of the Popedom: For that Power belongeth to every Christian Sovereign, within the Bounds of his own Empire, and is inseparable from the Sovereignty. Before the People of *Israel* had (by the Commandment of God to *Samuel*) set over themselves a King, after the manner of other Nations, the High Priest had the Civil Government; and none but he could make, nor depose, an inferior Priest: But that Power was afterwards in the King, as may be proved by this same Argument of *Bellarmino*; for if the Priest, be he the High Priest or any other, had his Jurisdiction immediately from God, then the King could not take it from him; *for he could do nothing contrary to God's Ordinance*: But it is certain, that King *Solomon*, 1 *Kings* ii. 26. deprived *Abiathar* the High Priest of his Office, and placed *Zadok*, verse 35. in his room. Kings therefore may in the like manner ordain, and deprive Bishops, as they shall think fit, for the well-governing of their Subjects.

His sixth Argument is this, *If Bishops have their Jurisdiction de Jure Divino, that is, immediately from God, they that maintain it, should bring some Word of God to prove it*: But they can bring none. The Argument is good; I have therefore nothing to say against it. But it is an Argument no less good, to prove the Pope himself to have no Jurisdiction in the Dominion of any other Prince.

Lastly, he bringeth for Argument, the Testimony of two Popes, *Innocent* and *Leo*; and I doubt not but he might have alledged, with as good Reason, the Testimony of all the Popes almost since St. Peter:

For considering the Love of Power naturally implanted in Mankind, whosoever were made Pope, he would be tempted to uphold the same Opinion. Nevertheless, they should therein but do, as *Innocent* and *Leo* did, bear Witness of themselves, and therefore their Witness should not be good.

CHAP.
XLII.

In the fifth Book he hath four Conclusions. The first is, *That the Pope is not Lord of all the World*: The second, *That the Pope is not Lord of all the Christian World*: The third, *That the Pope (without his own Territory) has not any temporal Jurisdiction DIRECTLY*: These three Conclusions are easily granted. The fourth is, *That the Pope has (in the Dominions of other Princes) the supreme temporal Power INDIRECTLY*: which is denied; unless he mean by *indirectly*, that he has gotten it by indirect Means; then is that also granted. But I understand, that when he saith he hath it indirectly, he means, that such temporal Jurisdiction belongeth to him of Right, but that this Right is but a Consequence of his pastoral Authority, the which he could not exercise, unless he have the other with it: And therefore to the Pastoral Power (which he calls spiritual) the supreme Power Civil is necessarily annexed; and that thereby he hath a Right to change Kingdoms, giving them to one, and taking them from another, when he shall think it conduces to the Salvation of Souls.

Of the Pope's
temporal
Power.

Before I come to consider the Arguments by which he would prove this Doctrine, it will not be amiss to lay open the Consequences of it; that Princes, and States, that have the Civil Sovereignty in their several Commonwealths, may bethink themselves, whether it be convenient for them, and conducing to the Good of their Subjects, of whom they are to give an Account at the Day of Judgment, to admit the same.

When it is said, the Pope hath not, in the Territories of other States, the supreme Civil Power *directly*; we are to understand, he doth not challenge it, as other Civil Sovereigns do, from the original Submission thereto of those that are to be governed. For it is evident, and has already been sufficiently in this Treatise demonstrated, that the Right of all Sovereigns is derived originally from the Consent of every one of those that are to be governed; whether they that chuse him, do it for their common Defence against an Enemy, as when they agree amongst themselves to appoint a Man, or an Assembly of Men, to protect them; or whether they do it, to save their Lives, by Submission to a conquering Enemy. The Pope therefore, when he disclaimeth the supreme Civil Power over other States *directly*, denieth no more, but that his Right cometh to him by that way; he ceaseth not for all that, to claim it another way; and that is, (without the Consent of them that are to be governed) by a Right given him by God (which he calleth *indirectly*) in his Assumption to the Papacy. But by what way soever he pretend, the Power is the same; and he may (if it be granted to be his Right) depose Princes and States, as often as it is for the Salvation of Souls, that is, as often as he will; for he claimeth also the sole Power to judge, whether it be to the Salvation of Men's Souls, or not. And this is the Doctrine, not only that *Bellarmino* here, and many other Doctors teach in their Sermons and Books, but also that some Councils have decreed, and the Popes have accordingly, when the Occasion hath served them, put in Practice. For the fourth Council of *Lateran* held under Pope *Innocent III.* (in the third Chap. *de Hæreticis*) hath this Canon: *If a King at the Pope's Admonition, do not purge his Kingdom of Heretics, and being excommunicate for the same, make not Satisfaction within a Year, his Subjects are absolved of their Obedience.* And the Practice hereof hath been seen on divers Occasions; as in the deposing
of

PART of *Chilperic*, King of *France*; in the Translation of the *Roman Empire* to *Charlemaign*; in the Oppression of *John King of England*; in transferring the Kingdom of *Navarre*; and of late Years, in the League against *Henry the Third of France*, and in many more Occurrences. I think there be few Princes that consider not this as unjust, and inconvenient; but I wish they would all resolve to be Kings, or Subjects. Men cannot serve two Masters: they ought therefore to ease them, either by holding the Reins of Government wholly in their own Hands; or by wholly delivering them into the Hands of the Pope; that such Men as are willing to be obedient, may be protected in their Obedience. For this Distinction of Temporal and Spiritual Power is but Words. Power is as really divided, and as dangerously to all Purposes, by sharing with another *indirect* Power, as with a *direct* one. But to come now to his Arguments.

The first is this; *The Civil Power is subject to the Spiritual: therefore he that hath the Supreme Power Spiritual, hath Right to command Temporal Princes, and dispose of their Temporals in order to the Spiritual.* As for the Distinction of Temporal and Spiritual, let us consider in what Sense it may be said intelligibly, that the Temporal, or Civil Power, is subject to the Spiritual. There are but two Ways that these Words can be made Sense. For when we say, one Power is subject to another Power, the Meaning either is, that he which hath the one, is subject to him that hath the other; or that the one Power is to the other, as the Means to the End. For we cannot understand, that one Power hath Power over another Power; or that one Power can have Right or Command over another: for Subjection, Command, Right, and Power, are Accidents not of Powers, but of Persons: one Power may be subordinate to another, as the Art of a Sadler to the Art of a Rider. If then it be granted, that the Civil Government be ordained as a Means to bring us to a spiritual Felicity; yet it does not follow, that if a King have the Civil Power, and the Pope the Spiritual, that therefore the King is bound to obey the Pope, more than every Sadler is bound to obey every Rider. Therefore as from Subordination of an Art, cannot be inferred the Subjection of the Professor; so from the Subordination of a Government, cannot be inferred the Subjection of the Governor. When therefore he saith, the Civil Power is subject to the Spiritual, his Meaning is, that the Civil Sovereign is subject to the Spiritual Sovereign. And the Argument stands thus, *The Civil Sovereign is subject to the Spiritual; therefore the Spiritual Prince may command Temporal Princes.* Where the Conclusion is the same, with the Antecedent he should have proved. But to prove it, he alledgeth first, this Reason, *Kings and Popes, Clergy and Laity, make but one Commonwealth; that is to say, but one Church: And in all Bodies the Members depend one upon another: But things Spiritual depend not of things Temporal: Therefore Temporal depend on Spiritual; and therefore are subject to them.* In which Argumentation there be two gross Errors: one is, that all Christian Kings, Popes, Clergy, and all other Christian Men, make but one Commonwealth: For it is evident that *France* is one Commonwealth, *Spain* another, and *Venice* a third, &c. And these consist of Christians; and therefore also are several Bodies of Christians; that is to say, several Churches: and their several Sovereigns represent them, whereby they are capable of commanding and obeying, of doing and suffering, as a natural Man; which no General or Universal Church is, till it have a Representant; which it hath not on Earth: for if it had, there is no doubt but that all *Christendom* were one Commonwealth, whose Sovereign were that Representant, both in things Spiritual and Temporal: and the Pope, to make himself this Representant,

presentant, wanteth three Things that our Saviour hath not given him, to *command*, and to *judge*, and to *punish*, otherwise than (by Excommunication) to run from those that will not learn of him: For though the Pope were Christ's only Vicar, yet he cannot exercise his Government, till our Saviour's second Coming: And then also it is not the Pope, but St. *Peter* himself, with the other Apostles, that are to be Judges of the World.

The other Error in this his first Argument is, that he says, the Members of every Commonwealth, as of a natural Body, depend one of another: It is true, they cohere together; but they depend only on the Sovereign, which is the Soul of the Commonwealth; which failing, the Commonwealth is dissolved into a Civil War, no one Man so much as cohering to another, for want of a common Dependance on a known Sovereign; just as the Members of the natural Body dissolve into Earth, for want of a Soul to hold them together. Therefore there is nothing in this Similitude, from whence to infer a Dependance of the Laity on the Clergy, or of the Temporal Officers on the Spiritual; but of both on the Civil Sovereign; which ought indeed to direct his Civil Commands to the Salvation of Souls; but is not therefore subject to any but God himself. And thus you see the laboured Fallacy of the first Argument, to deceive such Men as distinguish not between the Subordination of Actions in the Way to the End; and the Subjection of Persons one to another in the Administration of the Means. For to every End, the Means are determined by Nature, or by God himself supernaturally: but the Power to make Men use the Means, is in every Nation resigned (by the Law of Nature, which forbiddeth Men to violate their Faith given) to the Civil Sovereign.

His second Argument is this, *Every Commonwealth, (because it is supposed to be perfect and sufficient in itself) may command any other Commonwealth, not subject to it, and force it to change the Administration of the Government; nay, depose the Prince, and set another in his Room, if it cannot otherwise defend itself against the Injuries he goes about to do them: much more may a Spiritual Commonwealth command a Temporal one to change the Administration of their Government, and may depose Princes, and institute others, when they cannot otherwise defend the Spiritual Good.*

That a Commonwealth, to defend itself against Injuries, may lawfully do all that he hath here said, is very true; and hath already in that which hath gone before been sufficiently demonstrated. And if it were also true, that there is now in this World a Spiritual Commonwealth, distinct from a Civil Commonwealth, then might the Prince thereof, upon Injury done him, or upon want of Caution that Injury be not done him in Time to come, repair, and secure himself by War; which is in sum, deposing, killing, or subduing, or doing any Act of Hostility. But by the same Reason, it would be no less lawful for a Civil Sovereign, upon the like Injuries done, or feared, to make War upon the Spiritual Sovereign; which I believe is more than Cardinal *Bellarmino* would have inferred from his own Proposition.

But spiritual Commonwealth there is none in this World; for it is the same Thing with the Kingdom of Christ; which he himself saith, is not of this World; but shall be in the next World, at the Resurrection, when they that have lived justly, and believed that he was the Christ, shall (though they died *Natural Bodies*) rise *Spiritual Bodies*; and then it is, that our Saviour shall judge the World, and conquer his Adversaries, and make a Spiritual Commonwealth. In the mean Time, seeing there

PART are no Men on Earth, whose Bodies are Spiritual, there can be no Spiritual
 III. Commonwealth amongst Men that are yet in the Flesh ; unless we call
 } Preachers, that have Commission to teach, and prepare Men for their
 Reception into the Kingdom of Christ at the Resurrection, a Common-
 wealth ; which I have proved already to be none.

The third Argument is this, *It is not lawful for Christians to tolerate an Infidel, or Heretical King, in case he endeavour to draw them to his Heresy or Infidelity. But to judge whether a King draw his Subjects to Heresy or not, belongeth to the Pope. Therefore hath the Pope Right, to determine whether the Prince be to be deposed, or not deposed.*

To this I answer, that both these Assertions are false. For Christians, (or Men of what Religion soever) if they tolerate not their King, whatsoever Law he maketh, though it be concerning Religion, do violate their Faith, contrary to the divine Law, both *Natural* and *Positive* : Nor is there any Judge of Heresy amongst Subjects, but their own Civil Sovereign : For *Heresy is nothing else, but a private Opinion, obstinately maintained, contrary to the Opinion which the public Person, (that is to say, the Representant of the Commonwealth) hath commanded to be taught.* By which it is manifest, that an Opinion publicly appointed to be taught, cannot be Heresy ; nor the Sovereign Princes that authorise them, Heretics. For Heretics are none but private Men, that stubbornly defend some Doctrine, prohibited by their lawful Sovereigns.

But to prove that Christians are not to tolerate Infidel or Heretical Kings, he alledgeth a Place in *Deut. xvii.* where God forbiddeth the *Jews*, when they shall set a King over themselves, to chuse a Stranger : And from thence inferreth, that it is unlawful for a Christian to chuse a King that is not a Christian. And 'tis true, that he that is a Christian, that is, he that hath already obliged himself to receive our Saviour when he shall come, for his King, shall tempt God too much in chusing for King in this World, one that he knoweth will endeavour both by Terror and Persuasion to make him violate his Faith. But, it is, saith he, the same Danger, to chuse one that is not a Christian, for King, and not to depose him when he is chosen. To this I say, the Question is not of the Danger of not deposing ; but of the Justice of deposing him. To chuse him, may in some Cases be unjust ; but to depose him, when he is chosen, is in no Case just. For it is always Violation of Faith, and consequently against the Law of Nature, which is the eternal Law of God. Nor do we read that any such Doctrine was accounted Christian in the Time of the Apostles ; nor in the Time of the *Roman Emperors*, till the Popes had the Civil Sovereignty of *Rome*. But to this he hath replied, that the Christians of old, deposed not *Nero*, nor *Dioclesian*, nor *Julian*, nor *Valens* an *Arian*, for this Cause only, that they wanted temporal Forces. Perhaps so. But did our Saviour, who for calling for, might have had twelve Legions of immortal, invulnerable Angels to assist him, want Forces to depose *Cæsar*, or at least *Pilate*, that unjustly, without finding Fault in him, delivered him to the *Jews* to be crucified ? Or if the Apostles wanted temporal Forces to depose *Nero*, was it therefore necessary for them in their Epistles to the new made Christians, to teach them (as they did) to obey the Powers constituted over them, (whereof *Nero* in that Time was one) and that they ought to obey them, not for Fear of their Wrath, but for Conscience Sake ? Shall we say they did not only obey, but also teach what they meant not, for want of Strength ? It is not therefore for want of Strength, but for Conscience Sake, that Christians are to tolerate their Heathen Princes, or Princes (for I cannot call any one whose Doctrine is the public Doctrine, an

Heretic) that authorise the teaching of an Error. And whereas for the temporal Power of the Pope, he alledgeth further, that *St. Paul*, 1 *Cor.* vi. appointed Judges under the Heathen Princes of those Times, such as were not ordained by those Princes; it is not true. For *St. Paul* does but advise them, to take some of their Brethren to compound their Differences, as Arbitrators, rather than to go to Law one with another before the Heathen Judges; which is a wholesome Precept, and full of Charity, fit to be practised also in the best Christian Commonwealths. And for the Danger that may arise to Religion, by the Subjects tolerating of an Heathen, or an erring Prince, it is a Point, of which a Subject is no competent Judge; or if he be, the Pope's temporal Subjects may judge also of the Pope's Doctrine. For every Christian Prince, as I have formerly proved, is no less supreme Pastor of his own Subjects, than the Pope of his.

CHAP.
XLII.

The fourth Argument, is taken from the Baptism of Kings; wherein, that they may be made Christians, they submit their Scepters to *Christ*; and promise to keep, and defend the Christian Faith. This is true; for Christian Kings are no more but *Christ's* Subjects: but they may, for all that, be the Pope's Fellows; for they are supreme Pastors of their own Subjects; and the Pope is no more but King, and Pastor, even in *Rome* itself.

The fifth Argument, is drawn from the Words spoken by our Saviour, *Feed my Sheep*; by which was given all Power necessary for a Pastor; as the Power to chase away Wolves, such as are Heretics; the Power to shut up Rams, if they be mad, or push at the other Sheep with their Horns, such as are evil (though Christian) Kings; and Power to give the Flock convenient Food: From whence he inferreth, that *St. Peter* had these three Powers given him by *Christ*. To which I answer, that the last of these Powers, is no more than the Power, or rather Command, to teach. For the first, which is to chase away Wolves, that is, Heretics, the Place he quoteth is, *Matth.* vii. 15. *Beware of false Prophets which come to you in Sheeps clothing, but inwardly are ravening Wolves.* But neither are Heretics false Prophets, or at all Prophets: nor, admitting Heretics for the Wolves there meant, were the Apostles commanded to kill them, or if they were Kings, to depose them; but to beware of, fly, and avoid them: nor was it to *St. Peter*, nor to any of the Apostles, but to the Multitude of the *Jews* that followed him into the Mountain, Men for the most part not yet converted, that he gave this Counsel, to beware of false Prophets: which therefore if it confer a Power of chasing away Kings, was given, not only to private Men, but to Men that were not at all Christians. And as to the Power of separating, and shutting up of furious Rams (by which he meaneth Christian Kings that refuse to submit themselves to the *Roman* Pastor) our Saviour refused to take upon him that Power in this World himself, but advised to let the Corn and Tares grow up together till the Day of Judgment: much less did he give it to *St. Peter*, or can *St. Peter* give it to the Popes. *St. Peter*, and all other Pastors, are bidden to esteem those Christians that disobey the Church, (that is, that disobey the Christian Sovereign) as Heathen Men, and as Publicans. Seeing then Men challenge to the Pope no Authority over Heathen Princes, they ought to challenge none over those that are to be esteemed as Heathen.

But from the Power to teach only, he inferreth also a coercive Power in the Pope, over Kings. The Pastor, saith he, must give his Flock convenient Food: Therefore the Pope may, and ought to compel Kings to do their Duty. Out of which it followeth, that the Pope, as Pastor of Christian Men, is King of Kings: which all Christian Kings ought indeed

PART indeed either to confess, or else they ought to take upon themselves the
III. supreme pastoral Charge, every one in his own Dominion.

His sixth and last Argument; is from Examples. To which I answer, first, that Examples prove nothing: Secondly, that the Examples he alledgeth make not so much as a Probability of Right. The Fact of *Jeboiada*, in killing *Athaliah*, 2 Kings xi. was either by the Authority of King *Joash*, or it was a horrible Crime in the High Priest, which, ever after the Election of King *Saul*, was a mere Subject. The Fact of St. *Ambrose*, in excommunicating *Theodosius* the Emperor (if it were true he did so) was a capital Crime. And for the Popes, *Gregory I.* *Gregory II.* *Zachary*, and *Leo III.* their Judgments are void, as given in their own Cause; and the Acts done by them conformably to this Doctrine, are the greatest Crimes (especially that of *Zachary*) that are incident to human Nature. And thus much of *Power Ecclesiastical*; wherein I had been more brief, forbearing to examine these Arguments of *Bellarmino*, if they had been his, as a private Man, and not as the Champion of the Papacy, against all other Christian Princes and States.

C H A P. XLIII.

Of what is Necessary for a Man's Reception into the Kingdom of Heaven.

The Difficulty of obeying God and Man both at once,

THE most frequent Pretext of Sedition, and Civil War, in Christian Commonwealths, hath a long Time proceeded from a Difficulty, not yet sufficiently resolved, of obeying at once both God and Man, then, when their Commandments are one contrary to the other. It is manifest enough, that when a Man receiveth two contrary Commands, and knows that one of them is God's, he ought to obey that, and not the other, though it be the Command even of his lawful Sovereign, (whether a Monarch or a Sovereign Assembly) or the Command of his Father. The Difficulty therefore consisteth in this, that Men when they are commanded in the Name of God, know not in divers Cases, whether the Command be from God, or whether he that commandeth, do but abuse God's Name for some private Ends of his own. For as there were in the Church of the *Jews* many false Prophets, that sought Reputation with the People, by feigned Dreams, and Visions; so there have been in all Times in the Church of *Christ*, false Teachers, that seek Reputation with the People, by fantastical and false Doctrines; and by such Reputation, (as is the Nature of Ambition) to govern them for their private Benefit.

Is none to them that distinguish between what is, and what is not necessary to Salvation.

But this Difficulty of obeying both God and the Civil Sovereign on Earth, to those that can distinguish between what is *necessary*, and what is not *necessary*, for their *Reception* into the *Kingdom of God*, is of no Moment. For if the Command of the Civil Sovereign be such, as that it may be obeyed, without the Forfeiture of Life eternal; not to obey it is unjust; and the Precept of the Apostle takes place; *Servants, obey your Masters in all things*; and, *Children, obey your Parents in all Things*; and the Precept of our Saviour, *The Scribes and Pharisees sit in Moses' Chair, all therefore they shall say, that observe and do*. But if the Command be such, as cannot be obeyed, without being damned to eternal Death, then it were Madness to obey it, and the Counsel of our Saviour takes Place, *Matth. x. 28. Fear not those that kill the Body, but cannot kill*

kill the Soul. All Men therefore that would avoid, both the Punishments that are to be in this World inflicted, for Disobedience to their earthly Sovereign, and those that shall be inflicted in the World to come, for Disobedience to God, have need be taught to distinguish well between what is, and what is not necessary to eternal Salvation.

CHAP.
XLIII.

All that is *necessary to Salvation*, is contained in two Virtues, *Faith in Christ*, and *Obedience to Laws*. The latter of these, if it were perfect, were enough to us. But because we are all guilty of Disobedience to God's Law, not only originally in *Adam*, but also actually by our own Transgressions, there is required at our Hands now, not only *Obedience* for the rest of our Time, but also a *Remission* of Sins for the Time past; which Remission is the Reward of our Faith in *Christ*. That nothing else is necessarily required to Salvation, is manifest from this, that the Kingdom of Heaven is shut to none but to Sinners; that is to say, to the Disobedient, or Transgressors of the Law; nor to them, in case they repent, and believe all the Articles of Christian Faith, necessary to Salvation.

All that is necessary to Salvation is contained in Faith and Obedience.

The Obedience required at our Hands by God, that accepteth in all our Actions the Will for the Deed, is a serious Endeavour to obey him; and is called also by all such Names as signify that Endeavour. And therefore Obedience is sometimes called by the Names of *Charity*, and *Love*, because they imply a Will to obey; and our Saviour himself maketh our Love to God, and to one another, a fulfilling of the whole Law; and sometimes by the Name of *Righteousness*; for Righteousness is but the Will to give to every one his own, that is to say, the Will to obey the Laws: and sometimes by the Name of *Repentance*; because to repent, implieth a turning away from Sin, which is the same with the Return of the Will to Obedience. Whosoever therefore unfeignedly desireth to fulfil the Commandments of God, or repenteth him truly of his Transgressions, or that loveth God with all his Heart, and his Neighbour as himself, hath all the Obedience necessary to his Reception into the Kingdom of God: For if God should require perfect Innocence, there could no Flesh be saved.

What Obedience is necessary;

But what Commandments are those that God hath given us? Are all those Laws which were given to the *Jews* by the Hand of *Moses*, the Commandments of God? If they be, why are not Christians taught to obey them? If they be not, what others are so, besides the Law of Nature? For our Saviour *Christ* hath not given us new Laws, but Counsel to observe those we are subject to; that is to say, the Laws of Nature, and the Laws of our several Sovereigns: Nor did he make any new Law to the *Jews* in his Sermon on the Mount, but only expounded the Laws of *Moses*, to which they were subject before. The Laws of God therefore are none but the Laws of Nature, whereof the principal is, that we should not violate our Faith, that is, a Commandment to obey our Civil Sovereigns, which we constituted over us, by mutual Pact one with another. And this Law of God, that commandeth Obedience to the Law Civil, commandeth by Consequence, Obedience to all the Precepts of the Bible; which (as I have proved in the precedent Chapter) is there only Law, where the Civil Sovereign hath made it so; and in other Places but Counsel; which a Man at his own Peril, may without Injustice refuse to obey.

And to what Laws.

Knowing now what is the Obedience necessary to Salvation, and to whom it is due; we are to consider next concerning Faith, whom, and why we believe; and what are the Articles, or Points necessarily to be believed by them that shall be saved. And first, for the Person whom we believe, because it is impossible to believe any Person, before we

In the Faith of a Christian, who is the Person believed.

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know what he saith, it is necessary he be one that we have heard speak. The Person therefore, whom *Abraham, Isaac, Jacob, Moses*, and the Prophets believed, was God himself, that spake unto them supernaturally: and the Person, whom the Apostles and Disciples that conversed with Christ believed, was our Saviour himself. But of them, to whom neither God the Father, nor our Saviour ever spake, it cannot be said, that the Person whom they believed, was God. They believed the Apostles, and after them the Pastors and Doctors of the Church, that recommended to their Faith the History of the Old and New Testament: so that the Faith of Christians, ever since our Saviour's Time, hath had for Foundation, first, the Reputation of their Pastors, and afterward, the Authority of those that made the Old and New Testament to be received for the Rule of Faith; which none could do but Christian Sovereigns; who are therefore the supreme Pastors, and the only Persons, whom Christians now hear speak from God; except such as God speaketh to, in these Days supernaturally. But because there be many false Prophets *gone out into the World*, other Men are to examine such Spirits, as St. *John* adviseth us, 1 Epist. Chap. iv. ver. 1. *whether they be of God, or not.* And therefore, seeing the Examination of Doctrines belongeth to the supreme Pastor, the Person which all they that have no special Revelation are to believe, is (in every Commonwealth) the supreme Pastor, that is to say, the Civil Sovereign.

The Causes
of Christian
Faith.

The Causes why Men believe any Christian Doctrine, are various: for Faith is the Gift of God; and he worketh it in each several Man, by such Ways, as it seemeth good unto himself. The most ordinary immediate Cause of our Belief, concerning any Point of Christian Faith, is, that we believe the Bible to be the Word of God. But why we believe the Bible to be the Word of God, is much disputed, as all Questions must needs be, that are not well stated. For they make not the Question to be, *Why we believe it*, but, *How we know it*; as if *Believing* and *Knowing* were all one. And thence while one Side ground their Knowledge upon the Infallibility of the Church, and the other Side, on the Testimony of the private Spirit, neither Side concludeth what it pretends. For how shall a Man know the Infallibility of the Church, but by knowing first the Infallibility of the Scripture? or how shall a Man know his own private Spirit to be other than a Belief, grounded upon the Authority and Arguments of his Teachers; or upon a Presumption of his own Gifts? Besides, there is nothing in the Scripture, from which can be inferred the Infallibility of the Church; much less, of any particular Church; and least of all, the Infallibility of any particular Man.

Faith comes
by Hearing.

It is manifest therefore, that Christian Men do not know, but only believe the Scripture to be the Word of God; and that the Means of making them believe what God is pleased to afford Men ordinarily, is according to the Way of Nature, that is to say, from their Teachers. It is the Doctrine of St. *Paul* concerning Christian Faith in general, *Rom. x. 17.* *Faith cometh by Hearing*, that is, by hearing our lawful Pastors. He saith also, ver. 14, 15. of the same Chapter, *How shall they believe in him of whom they have not heard? and how should they hear without a Preacher? and how shall they preach, except they be sent?* Whereby it is evident, that the ordinary Cause of believing that the Scriptures are the Word of God, is the same with the Cause of the believing of all other Articles of our Faith, namely, the Hearing of those that are by the Law allowed and appointed to teach us, as our Parents in their Houses, and our Pastors in the Churches: which also is made more manifest by Experience. For what other Cause can there be assigned, why in Christian Commonwealths all Men either believe, or at least profess the Scrip-

ture

ture to be the Word of God, and in other Commonwealths scarce any; but that in Christian Commonwealths they are taught it from their Infancy; and in other Places they are taught otherwise?

But if Teaching be the Cause of Faith, why do not all believe? It is certain therefore that Faith is the Gift of God, and he giveth it to whom he will. Nevertheless, because to them to whom he giveth it, he giveth it by the Means of Teachers, the immediate Cause of Faith is Hearing. In a School, where many are taught, and some profit, and others profit not, the Cause of Learning in them that profit, is the Master; yet it cannot be thence inferred, that Learning is not the Gift of God. All good Things proceed from God; yet cannot all that have them say they are inspired; for that implies a Gift supernatural; and the immediate Hand of God; which he that pretends to, pretends to be a Prophet, and is subject to the Examination of the Church.

But whether Men *know*, or *believe*, or *grant* the Scriptures to be the Word of God; if out of such Places of them, as are without Obscurity, I shall shew what Articles of Faith are necessary, and only necessary for Salvation, those Men must needs *know*, *believe*, or *grant* the same.

The (*unum necessarium*) only Article of Faith, which the Scripture maketh simply necessary to Salvation, is this, that *Jesus is the Christ*. By the Name of *Christ* is understood the King, which God had before promised by the Prophets of the Old Testament, to send into the World, to reign (over the *Jews*, and over such of other Nations as should believe in him) under himself eternally; and to give them that eternal Life, which was lost by the Sin of *Adam*. Which when I have proved out of Scripture, I will further shew when, and in what Sense, some other Articles may be also called *necessary*.

For Proof that the Belief of this Article, *Jesus is the Christ*, is all the Faith required to Salvation, my first Argument shall be from the Scope of the Evangelists; which was by the Description of the Life of our Saviour, to establish that one Article, *Jesus is the Christ*. The Sum of St. *Matthew's* Gospel is this, that *Jesus* was of the Stock of *David*; born of a Virgin; which are the Marks of the true Christ: that the *Magi* came to worship him as King of the *Jews*: that *Herod* for the same Cause sought to kill him: that *John Baptist* proclaimed him: that he preached by himself, and his Apostles, that he was that King: that he taught the Law, not as a Scribe, but as a Man of Authority: that he cured Diseases, by his Word only, and did many other Miracles, which were foretold the Christ, should do: that he was saluted King when he entered into *Jerusalem*: that he forewarned them to beware of all others that should pretend to be Christ: that he was taken, accused, and put to Death, for saying, he was King: that the Cause of his Condemnation written on the Cross, was, JESUS OF NAZARETH, THE KING OF THE JEWS. All which tend to no other End than this, that Men should believe, that *Jesus is the Christ*. Such therefore was the Scope of St. *Matthew's* Gospel. But the Scope of all the Evangelists (as may appear by reading them) was the same. Therefore the Scope of the whole Gospel, was the establishing of that only Article. And St. *John* expressly makes it his Conclusion, *John* xx. 31. *These things are written, that you may know that Jesus is the Christ, the Son of the living God.*

My second Argument is taken from the Subject of the Sermons of the Apostles, both whilst our Saviour lived on Earth, and after his Ascension. The Apostles in our Saviour's Time were sent, *Luke* ix. 2. to preach the Kingdom of God: For neither there, nor *Matt.* x. 7. giveth he any Commission to them, other than this, *As ye go, preach, saying, the Kingdom of Heaven is at hand*; that is, that *Jesus* is the *Messiah*, the *Christ*,
the

The only necessary Article of Christian Faith;

Proved from the Scope of the Evangelists;

From the Sermons of the Apostles;

PART III. the King which was to come. That their Preaching also after his Ascension was the same, is manifest out of *Acts xvii. 6.* They drew, (saith *St. Luke*) *Jason and certain Brethren unto the Rulers of the City, crying, These that have turned the World upside down are come hither also, whom Jason hath received. And these all do contrary to the Decrees of Cæsar, saying, that there is another King, one Jesus:* And out of the 2d and 3d Verses of the same Chapter, where it is said, that *St. Paul, as his Manner was, went in unto them; and three Sabbath Days reasoned with them out of the Scriptures; opening and alledging, that Christ must needs have suffered, and risen again from the dead, and that this Jesus (whom he preached) is Christ.*

From the Easiness of the Doctrine:

The third Argument is, from those Places of Scripture, by which all the Faith required to Salvation is declared to be easy. For if an inward Assent of the Mind to all the Doctrines concerning Christian Faith now taught, (whereof the greatest Part are disputed) were necessary to Salvation, there would be nothing in the World so hard, as to be a Christian. The Thief upon the Cross, though repenting, could not have been saved for saying, *Lord, remember me when thou comest into thy Kingdom;* by which he testified no Belief of any other Article, but this, That *Jesus was the King.* Nor could it be said, as it is, *Matt. xi. 30.* that *Christ's Yoke is easy, and his Burthen light:* Nor that *little Children believe in him,* as it is, *Matt. xviii. 6.* Nor could *St. Paul* have said, *1 Cor. i. 21.* *It pleased God by the Foolishness of preaching, to save them that believe:* Nor could *St. Paul* himself have been saved, much less have been so great a Doctor of the Church so suddenly, that never perhaps thought of Transubstantiation, nor Purgatory, nor many other Articles now obtruded.

From formal and clear Texts:

The fourth Argument is taken from Places express, and such as receive no Controversy of Interpretation; as first, *John v. 39.* *Search the Scriptures, for in them ye think ye have eternal Life; and they are they that testify of me.* Our Saviour here speaketh of the Scriptures only of the Old Testament; for the *Jews* at that Time could not search the Scriptures of the New Testament, which were not written. But the Old Testament hath nothing of Christ, but the Marks by which Men might know him when he came; as that he should descend from *David;* be born at *Bethlehem,* and of a Virgin; do great Miracles, and the like. Therefore to believe that this *Jesus* was he; was sufficient to eternal Life: but more than sufficient is not necessary; and consequently no other Article is required. Again, *John xi. 26.* *Whosoever liveth and believeth in me, shall not die eternally.* Therefore to believe in Christ, is Faith sufficient to eternal Life; and consequently no more Faith than that is necessary, but to believe in *Jesus,* and to believe that *Jesus* is the Christ, is all one, as appeareth in the Verses immediately following. For when our Saviour, ver. 26. had said to *Martha,* *Believest thou this?* she answered, ver. 27. *Yea, Lord, I believe that thou art the Christ, the Son of God, which should come into the World:* Therefore this Article alone is Faith sufficient to Life eternal; and more than sufficient is not necessary. Thirdly, *John xx. 31.* *These Things are written that ye might believe, that Jesus is the Christ, the Son of God, and that believing, ye might have Life through his Name.* There, to believe that *Jesus* is the Christ, is Faith sufficient to the obtaining of Life; and therefore no other Article is necessary. Fourthly, *1 John iv. 2.* *Every Spirit that confesseth that Jesus Christ is come in the Flesh, is of God.* And *1 John v. 1.* *Whosoever believeth that Jesus is the Christ, is born of God.* And ver. 5. *Who is he that overcometh the World, but he that believeth that Jesus is the Son of God?* Fifthly, *Acts viii. 36. 37.* See (saith the Eunuch) *here is Water, what doth hinder me to be baptized?* And *Philip* said, *If thou believest with all*

all thy Heart thou mayst. And he answered and said, I believe that Jesus CHAP.
 Christ is the Son of God. Therefore this Article believed, Jesus is the XLIII.
 Christ, is sufficient to Baptism, that is to say; to our Reception into the
 Kingdom of God, and by Consequence, only necessary. And generally
 in all Places where our Saviour saith to any Man; *Thy Faith hath saved*
thee, the Cause he saith it, is some Confession, which directly, or by
 Consequence, implieth a Belief, *that Jesus is the Christ.*

The last Argument is from the Places, where this Article is made the From that it
 Foundation of Faith: For he that holdeth the Foundation shall be saved. is the Foun-
 Which Places are first, *Matt. xxiv. 23. If any Man shall say unto you,* dation of all
Lo, here is Christ, or there, believe it not, for there shall arise false other Arti-
Christs, and false Prophets, and shall shew great Signs and Wonders, &c. cles.
 Here we see, this Article, *Jesus is the Christ*, must be held, though he that
 shall teach the contrary should do Miracles. The second Place is, *Gal.*
i. 8. Though we, or an Angel from Heaven, preach any other Gospel unto
you, than that we have preached unto you, let him be accursed. But the
 Gospel which *Paul*, and the other Apostles, preached, was only this
 Article, that *Jesus is the Christ*: Therefore for the Belief of this Article;
 we are to reject the Authority of an Angel from Heaven; much more of
 any mortal Man, if he teach the contrary. This is therefore the funda-
 mental Article of Christian Faith. A third Place is, *1 John iv. 1. Be-*
loved, believe not every Spirit. Hereby ye shall know the Spirit of God;
every Spirit that confesseth that Jesus Christ is come in the Flesh, is of God.
 By which it is evident, that this Article is the Measure and Rule, by
 which to estimate and examine all other Articles; and is therefore only
 fundamental. A fourth is, *Matt. xvi. 18. where after St. Peter had pro-*
fessed this Article, saying to our Saviour, Thou art Christ, the Son of the
living God, our Saviour answered, Thou art Peter, and upon this Rock I
will build my Church: from whence I infer, that this Article is that, on
 which all other Doctrines of the Church are built, as on their Founda-
 tion. A fifth is, *1 Cor. iii. 11, 12, &c. Other Foundation can no Man*
lay, than that which is laid, Jesus is the Christ. Now if any Man build
upon this Foundation, Gold, Silver, precious Stones, Wood, Hay, Stubble;
every Man's Work shall be made manifest; for the Day shall declare it;
because it shall be revealed by Fire, and the Fire shall try every Man's Work;
of what Sort it is. If any Man's Work abide, which he hath built there-
upon, he shall receive a Reward: If any Man's Work shall be burnt, he
shall suffer Loss; but he himself shall be saved, yet so as by Fire. Which
 Words, being partly plain and easy to understand, and party allegorical
 and difficult; out of that which is plain; may be inferred, that Pastors
 that teach this Foundation, that *Jesus is the Christ*, though they draw
 from it false Consequences; (which all Men are sometimes subject to)
 they may nevertheless be saved; much more that they may be saved;
 who being no Pastors, but Hearers; believe that which is by their law-
 ful Pastors taught them. Therefore the Belief of this Article is sufficient;
 and by Consequence, there is no other Article of Faith necessarily re-
 quired to Salvation.

Now for the Part which is allegorical, as, *That the Fire shall try every*
Man's Work, and that *They shall be saved, but so as by Fire, or through Fire;*
 (for the Original is *διὰ πυρός*) it maketh nothing against this Conclusion
 which I have drawn from the other Words, that are plain. Neverthe-
 less, because upon this Place there hath been an Argument taken, to
 prove the Fire of Purgatory, I will also here offer you my Conjecture
 concerning the Meaning of this Tryal of Doctrines, and saving of Men as
 by Fire. The Apostle here seemeth to allude to the Words of the Pro-
 phet *Zachary*, Chap xiii. 8, 9. who speaking of the Restoration of the

PART Kingdom of God, saith thus, *Two Parts therein shall be cut off, and die, but the third shall be left therein; and I will bring the third Part through the Fire, and will refine them as Silver is refined, and will try them as Gold is tried; they shall call on the Name of the Lord, and I will hear them.* The Day of Judgment, is the Day of the Restoration of the Kingdom of God; and at that Day it is, that St. Peter tells us * shall be the Conflagration of the World, wherein the wicked shall perish; but the Remnant which God will save, shall pass through that Fire, unhurt, and be therein (as Silver and Gold are refined by the Fire from their Dross) tried, and refined from their Idolatry, and be made to call upon the Name of the true God. Alluding whereto St. Paul here saith, That *the Day* (that is, the Day of Judgment, the great Day of our Saviour's Coming to restore the Kingdom of God in *Israel*) shall try every Man's Doctrine, by judging, which are Gold, Silver, precious Stones, Wood, Hay, Stubble; and then they that have built false Consequences on the true Foundation, shall see their Doctrines condemned; nevertheless they themselves shall be saved, and pass unhurt through this universal Fire, and live eternally, to call upon the Name of the true and only God. In which Sense there is nothing that accordeth not with the rest of holy Scripture, or any Glimpse of the Fire of Purgatory.

2 Pet. iii. 7,
10, 12.

In what
Sense other
Articles may
be called ne-
cessary.

But a Man may here ask, whether it be not as necessary to Salvation, to believe, that God is Omnipotent; Creator of the World; that *Jesus Christ* is risen; and that all Men else shall rise again from the Dead at the last Day; as to believe, that *Jesus is the Christ*. To which I answer, they are; and so are many more Articles: but they are such, as are contained in this one, and may be deduced from it, with more or less Difficulty. For who is there that does not see, that they who believe *Jesus* to be the Son of the God of *Israel*, and that the *Israelites* had for God the Omnipotent Creator of all Things, do therein also believe, that God is the Omnipotent Creator of all Things? Or how can a Man believe, that *Jesus* is the King that shall reign eternally, unless he believe him also risen again from the Dead? For a dead Man cannot exercise the Office of a King. In sum, he that holdeth this Foundation, *Jesus is the Christ*, holdeth expressly all that he seeth rightly deduced from it, and implicitly all that is consequent thereunto, though he have not Skill enough to discern the Consequence. And therefore it holdeth still good, that the Belief of this one Article is sufficient Faith to obtain Remission of Sins to the *Penitent*, and consequently to bring them into the Kingdom of Heaven.

That Faith
and Obedi-
ence are both
of them ne-
cessary to
Salvation.

Now I have shewn, that all the Obedience required to Salvation, consisteth in the Will to obey the Law of God, that is to say, in Repentance; and all the Faith required to the same, is comprehended in the Belief of this Article, *Jesus is the Christ*; I will further alledge those Places of the Gospel, that prove, that all that is necessary to Salvation is contained in both these joined together. The Men to whom St. Peter preached on the Day of Pentecost, next after the Ascension of our Saviour, asked him, and the rest of the Apostles, saying, *Acts ii. 37. Men and Brethren, what shall we do?* To whom St. Peter answered (in the next Verse) *Repent, and be baptized every one of you, for the Remission of Sins, and ye shall receive the Gift of the Holy Ghost.* Therefore Repentance, and Baptism, that is, believing that *Jesus is the Christ*, is all that is necessary to Salvation. Again, our Saviour being asked by a certain Ruler, *Luke xviii. 18. What shall I do to inherit eternal Life?* answered, ver. 20. *Thou knowest the Commandments, do not commit Adultery, do not kill, do not steal, do not bear false Witness, honour thy Father and thy Mother:* which when he said he had observed, our Saviour added, *Sell all thou hast, give it to the Poor, and come and follow me:* which was as

much

much as to say, Rely on me that am the King: Therefore to fulfil the Law, and to believe that *Jesus* is the King, is all that is required to bring a Man to eternal Life. Thirdly, *St. Paul* saith, *Rom. i. 17. The just shall live by Faith*, not every one, but the *just*; therefore *Faith* and *Justice*, (that is, the *Will to be just*, or *Repentance*) are all that is necessary to Life eternal. And, *Mark i. 15.* our Saviour preached, saying, *The Time is fulfilled, and the Kingdom of God is at hand, repent and believe the Evangile*, that is, the good News that the Christ was come. Therefore to repent, and believe that *Jesus* is the Christ, is all that is required to Salvation.

Seeing then it is necessary that Faith and Obedience (implied in the Word Repentance) do both concur to our Salvation; the Question by which of the two we are justified, is impertinently disputed. Nevertheless, it will not be impertinent to make manifest in what Manner each of them contributes thereunto; and in what Sense it is said, that we are to be justified by the one, and by the other. And first, if by Righteousness be understood the Justice of the Works themselves, there is no Man that can be saved; for there is none that hath not transgressed the Law of God. And therefore when we are said to be justified by Works, it is to be understood of the Will, which God doth always accept for the Work itself, as well in good as in evil Men. And in this Sense only it is, that a Man is called *just* or *unjust*; and that his Justice justifies him, that is, gives him the Title, in God's Acceptation, of *just*; and renders him capable of *living by his Faith*, which before he was not. So that Justice justifies in that Sense, in which to justify, is the same as to *denominate a Man just*: and not in the Signification of discharging the Law; whereby the Punishment of his Sins should be unjust.

What each of them contributes thereunto.

But a Man is then also said to justified, when his Plea, though in itself insufficient, is accepted; as when we plead our Will, our Endeavour to fulfil the Law, and repent us of our Failings, and God accepteth it for the Performance itself: And because God accepteth not the Will for the Deed, but only in the Faithful; it is therefore Faith that makes good our Plea; and in this Sense it is, that Faith only justifies: So that *Faith* and *Obedience* are both necessary to Salvation; yet in several Senses each of them is said to justify.

Having thus shewn what is necessary to Salvation; it is not hard to reconcile our Obedience to God, with our Obedience to the Civil Sovereign; who is either Christian or Infidel. If he be a Christian, he alloweth the Belief of this Article, that *Jesus is the Christ*; and of all the Articles that are contained in, or are by evident Consequence deduced from it: which is all the Faith necessary to Salvation. And because he is a Sovereign, he requireth Obedience to all his own, that is, to all the Civil Laws; in which also are contained all the Laws of Nature, that is, all the Laws of God: for besides the Laws of Nature, and the Laws of the Church, which are Part of the Civil Law, (for the Church that can make Laws is the Commonwealth) there be no other Laws divine. Whosoever therefore obeyeth his Christian Sovereign, is not thereby hindered, neither from believing, nor from obeying God. But suppose that a Christian King should from this Foundation, *Jesus is the Christ*, draw some false Consequences, that is to say, make some Superstructions of Hay or Stubble, and command the teaching of the same; yet seeing *St. Paul* says, he shall be saved; much more shall he be saved, that teacheth them by his Command; and much more yet, he that teaches not, but only believes his lawful Teacher. And in case a Subject be forbidden by the Civil Sovereign to profess some of those his Opinions, upon what just Ground can he disobey? Christian Kings may err in deducing a Con-

Obedience to God and to the Civil Sovereign not inconsistent, whether Christian,

sequence,

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sequence, but who shall judge? Shall a private Man judge, when the Question is of his own Obedience? or shall any Man judge but he that is appointed thereto by the Church, that is, by the Civil Sovereign that representeth it? or if the Pope, or an Apostle judge, may he not err in deducing of a Consequence? did not one of the two, *St. Peter* or *St. Paul*, err in a Superstructure, when *St. Paul* withstood *St. Peter* to his Face? There can therefore be no Contradiction between the Laws of God, and the Laws of a Christian Commonwealth.

Or Infidel.

And when the Civil Sovereign is an Infidel, every one of his own Subjects that resisteth him, sinneth against the Laws of God (for such are the Laws of Nature) and rejecteth the Counsel of the Apostles, that admonisheth all Christians to obey their Princes, and all Children and Servants to obey their Parents and Masters, in all Things. And for their *Faith*, it is internal and invisible; they have the Licence that *Naaman* had, and need not put themselves into Danger for it. But if they do, they ought to expect their Reward in Heaven, and not complain of their lawful Sovereign; much less make War upon him. For he that is not glad of any just Occasion of Martyrdom, has not the Faith he professeth, but pretends it only, to set some Colour upon his own Contumacy. But what Infidel King is so unreasonable, as, knowing he has a Subject that waiteth for the second Coming of Christ, after the present World shall be burnt, and intendeth then to obey him (which is the Intent of believing that *Jesus* is the Christ) and in the mean Time thinketh himself bound to obey the Laws of that Infidel King, (which all Christians are obliged in Conscience to do) to put to Death, or to persecute such a Subject?

And thus much shall suffice, concerning the Kingdom of God, and Policy Ecclesiastical. Wherein I pretend not to advance any Position of my own, but only to shew what are the Consequences that seem to me deducible from the Principles of Christian Politics, (which are the holy Scriptures) in Confirmation of the Power of Civil Sovereigns, and the Duty of their Subjects. And in the Allegation of Scripture, I have endeavoured to avoid such Texts as are of obscure, or controverted Interpretation; and to alledge none, but in such Sense as is most plain and agreeable to the Harmony and Scope of the whole Bible; which was written for the Re-establishment of the Kingdom of God in Christ. For it is not the bare Words, but the Scope of the Writer, that giveth the true Light, by which any Writing is to be interpreted; and they that insist upon single Texts, without considering the main Design, can derive nothing from them clearly; but rather by casting Atoms of Scripture, as Dust, before Men's Eyes, make every thing more obscure than it is; an ordinary Artifice of those that seek not the Truth, but their own Advantage.

O F T H E

Kingdom of Darknefs.

P A R T I V.

C H A P. XLIV.

Of Spiritual Darknefs, from Mifrepresentation of Scripture.

BESIDES these Sovereign Powers, *Divine*, and *Human*, of which I have hitherto discoursed, there is Mention in Scripture of another Power, namely, that of * *the Rulers of the Darknefs of this World*, † *the Kingdom of Satan*, and ‡ *the Principality of Beelzebub over Dæmons*, that is to say, over Phantasms that appear in the Air: for which Cause Satan is also called § *the Prince of the Power of the Air*; and (because he ruleth in the Darknefs of this World) || *the Prince of this World*: and in Consequence hereunto, they who are under his Dominion, in Opposition to the Faithful (who are the *Children of the Light*) are called the *Children of Darknefs*. For seeing Beelzebub is Prince of Phantasms, Inhabitants of his Dominion of Air and Darknefs, the Children of Darknefs, and these Dæmons, Phantasms, or Spirits of Illusion, signify allegorically the same thing. This considered, the Kingdom of Darknefs, as it is set forth in these and other Places of the Scripture, is nothing else but a *Confederacy of Deceivers*, that to obtain Dominion over Men in this present World, endeavour by dark and erroneous Doctrines, to extinguish in them the Light, both of Nature, and of the Gospel; and so to disprepare them for the Kingdom of God to come.

As Men that are utterly deprived from their Nativity of the Light of the bodily Eye, have no Idea at all of any such Light; and no Man conceives in his Imagination any greater Light, than he hath at some time, or other, perceived by his outward Senses: So also is it of the Gospel, and of the Light of the Understanding, that no Man can conceive there is any greater Degree of it, than that which he hath already attained unto. And from hence it comes to pass, that Men have no other Means to acknowledge their own Darknefs, but only by reasoning from the unforeseen Mischances that befall them in their Ways. The darkeft part of the Kingdom of Satan, is that which is without the Church of God; that is to say, amongst them that believe not in Jesus Christ. But we cannot say, that therefore the Church enjoyeth (as the Land of *Goshen*) all the Light, which to the Performance of the Work enjoined us by God, is necessary. Whence comes it, that in *Christendom* there

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Four Cauſes
of ſpiritual
Darkneſs.

has been, almoſt from the Time of the Apoſtles, ſuch Juſtling of one another out of their Places, both by foreign and civil War? ſuch ſtumbling at every little Aſperity of their own Fortune, and every little Eminence of that of other Men? and ſuch Diverſity of Ways in running to the ſame Mark, *Felicity*, if it be not Night amongſt us, or at leaſt a Miſt? We are therefore yet in the Dark.

The Enemy has been here in the Night of our natural Ignorance, and ſown the Tares of ſpiritual Errors; and that, firſt, by abuſing, and putting out the Light of the Scriptures: for we err, not knowing the Scriptures. Secondly, by introducing the Dæmonology of the Heathen Poets, that is to ſay, their fabulous Doctrine concerning Dæmons, which are but Idols, or Phantaſms of the Brain, without any real Nature of their own, diſtinct from human Fancy; ſuch as are dead Men's Ghoſts, and Fairies, and other Matter of old Wives Tales. Thirdly, by mixing with the Scripture divers Relics of the Religion, and much of the vain and erroneous Philoſophy of the *Greeks*, eſpecially of *Ariſtotle*. Fourthly, by mingling with both theſe, falſe or uncertain Traditions, and feigned or uncertain Hiſtory. And ſo we come to err, by giving heed to ſeducing Spirits, and the Dæmonology of ſuch as ſpeak Lies in Hypocriſy, (or as it is in the Original, *1 Tim. iv. 1, 2. of thoſe that play the Part of Liars*) with a ſeared Conſcience, that is, contrary to their own Knowledge. Concerning the firſt of theſe, which is the Seducing of Men by Abuſe of Scripture, I intend to ſpeak briefly in this Chapter.

Errors from
miſinterpret-
ing the Scrip-
tures con-
cerning the
Kingdom of
God.

The greateſt and main Abuſe of Scripture, and to which almoſt all the reſt are either conſequent, or ſubſervient, is the wreſting of it, to prove that the Kingdom of God, mentioned ſo often in the Scripture, is the preſent Church, or Multitude of Chriſtian Men now living, or that being dead, are to riſe again at the laſt Day: whereas the Kingdom of God was firſt inſtituted by the Miniſtry of *Moſes*, over the *Jews* only; who were therefore called his peculiar People; and ceaſed afterward, in the Election of *Saul*, when they reſuſed to be governed by God any more, and demanded a King after the Manner of the Nations; which God himſelf conſented unto, as I have more at large proved before, in Chap. XXXV. After that Time, there was no other Kingdom of God in the World, by any Paſt, or otherwiſe, than he ever was, is, and ſhall be King, of all Men, and all Creatures, as governing according to his Will, by his infinite Power. Nevertheleſs, he promiſed by his Prophets to reſtore this his Government to them again, when the Time he hath in his ſecret Couſel appointed for it ſhall be fully come, and when they ſhall turn unto him by Repentance, and Amendment of Life: and not only ſo, but he invited alſo the *Gentiles* to come in, and enjoy the Happineſs of his Reign, on the ſame Conditions of Converſion and Repentance; and he promiſed alſo to ſend his Son into the World, to expiate the Sins of them all by his Death, and to prepare them by his Doctrine, to receive him at his ſecond Coming: Which ſecond Coming not yet being, the Kingdom of God is not yet come, and we are not now under any other Kings by Paſt, but our Civil Sovereigns; ſaving only, that Chriſtian Men are already in the Kingdom of Grace, in aſmuch as they have already the Promiſe of being received at his coming again.

As that the
Kingdom of
God is the
preſent
Church:

Conſequent to this Error, that the preſent Church is *Chriſt's* Kingdom, there ought to be ſome one Man, or Aſſembly, by whoſe Mouth our Saviour (now in Heaven) ſpeaketh, giving Law, and which repreſenteth his Perſon to all Chriſtians, or divers Men, or divers Aſſemblies that do the ſame to divers Parts of Chriſtendom. This Power Regal under *Chriſt*, being challenged, univerſally by the Pope, and in parti-

cular

cular Commonwealths by Affemblies of the Paſtors of the Place, (when the Scripture gives it to none but to Civil Sovereigns) comes to be ſo paſſionately diſputed, that it putteth out the Light of Nature, and cauſeth ſo great a Darkneſs in Men's Underſtanding, that they ſee not who it is to whom they have engaged their Obedience.

Conſequent to this Claim of the Pope to Vicar-general of *Chriſt* in the preſent Church, (ſuppoſed to be that Kingdom of his, to which we are addreſſed in the Goſpel) is the Doctrin, that it is neceſſary for a Chriſtian King, to receive his Crown by a Biſhop; as if it were from that Ceremony, that he derives the Claufe of *Dei gratiâ* in his Title; and that then only he is made King by the Favour of God, when he is crowned by the Authority of God's univerſal Vicegerent on Earth; and that every Biſhop, whoſoever be his Sovereign, taketh at his Conſecration an Oath of abſolute Obedience to the Pope. Conſequent to the ſame, is the Doctrin of the fourth Council of *Lateran*, held under Pope *Innocent III.* (Chap. III. *de Hæreticis*) *That if a King, at the Pope's Admonition, do not purge his Kingdom of Hereties, and being excommunicate for the ſame, do not give Satisfaction within a Year, his Subjects are abſolved of the Bond of their Obedience.* Where, by Hereties, are underſtood all Opinions which the Church of *Rome* hath forbidden to be maintained. And by this means, as often as there is any Repugnancy between the political Deſigns of the Pope, and other Chriſtian Princes, as there is very often, there ariſeth ſuch a Miſt amongſt their Subjects, that they know not a Stranger that thruſteth himſelf into the Throne of their lawful Prince, from him whom they had themſelves placed there; and in this Darkneſs of Mind, are made to fight one againſt another, without diſcerning their Enemies from their Friends, under the Conduct of another Man's Ambition.

From the ſame Opinion, that the preſent Church is the Kingdom of God, it proceeds, that Paſtors, Deacons, and all other Miniſters of the Church, take the Name to themſelves of the *Clergy*; giving to the other Chriſtians the Name of *Laity*, that is, ſimply, *People*. For *Clergy* ſignifies thoſe, whoſe Maintenance is that Revenue, which God having reſerved to himſelf during his Reign over the *Iſraelites*, aſſigned to the Tribe of *Levi* (who were to be his public Miniſters, and had no Portion of Land ſet them out to live on, as their Brethren) to be their Inheritance. The Pope therefore (pretending the preſent Church to be, as the Realm of *Iſrael*, the Kingdom of God) challenging to himſelf and his ſubordinate Miniſters, the like Revenue, as the Inheritance of God, the Name of *Clergy* was ſuitable to that Claim. And thence it is, that Tithes, and other Tributes paid to the *Levites*, as God's Right, amongſt the *Iſraelites*, have a long time been demanded, and taken of Chriſtians, by Eccleſiaſtics, *Jure Divino*, that is, in God's Right. By which means, the People every where were obliged to a double Tribute; one to the State, another to the Clergy; whereof, that to the Clergy, being the Tenth of their Revenue, is double to that which a King of *Athens* (and eſteemed a Tyrant) exacted of his Subjects for the defraying of all public Charges: For he demanded no more but the twentieth Part; and yet abundantly maintained therewith the Commonwealth. And in the Kingdom of the *Jews*, during the ſacerdotal Reign of God, the Tithes and Offerings were the whole public Revenue.

From the ſame miſtaking of the preſent Church for the Kingdom of God, came in the Diſtinction between the *Civil* and the *Canon* Laws: The Civil Law being the Acts of *Sovereigns* in their own Dominions, and the Canon Law being the Acts of the *Pope* in the ſame Dominions. Which Canons, though they were but Canons, that is, *Rules propounded,*
and

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IV.

and but voluntarily received by Chriſtian Princes, till the Tranſlation of the Empire to *Charlemaign*; yet afterwards, as the Power of the Pope increaſed, became *Rules commanded*, and the Emperors themſelves (to avoid greater Miſchiefs, which the People blinded might be led into) were forced to let them paſs for Laws.

From hence it is, that in all Dominions, where the Pope's Eccleſiaſtical Power is intirely received, *Jews, Turks, and Gentiles*, are in the *Roman Church* tolerated in their Religion, as far forth, as in the Exerciſe and Profeſſion thereof they offend not againſt the Civil Power: whereas in a Chriſtian, tho' a Stranger, not to be of the *Roman Religion*, is capital; becauſe the Pope pretendeth that all Chriſtians are his Subjects. For otherwiſe, it were as much againſt the Law of Nations, to perſecute a Chriſtian Stranger for profeſſing the Religion of his own Country, as an Infidel; or rather more, in aſmuch as they that are not againſt Chriſt are with him.

From the ſame it is, that in every Chriſtian State there are certain Men; that are exempt by Eccleſiaſtical Liberty, from the Tributes and from the Tribunals of the Civil State; for ſo are the ſecular Clergy, beſides Monks and Friars, which in many Places bear ſo great a Proportion to the common People, as if need were, there might be raiſed out of them alone, an Army, ſufficient for any War the Church militant ſhould employ them in, againſt their own, or other Princes.

Error from
miſtaking
Conſecration
for Conjura-
tion.

A ſecond general Abufe of Scripture, is the turning of Conſecration into Conjuratiſon, or Enchantment. To *Conſecrate*, is in Scripture, to offer, give, or dedicate, in pious and decent Language and Geſture, a Man, or any other thing, to God, by ſeparating it from common Uſe; that is to ſay, to ſanctify, or make it God's, and to be uſed only by thoſe, whom God hath appointed to be his public Miniſters (as I have already proved at large in Chap. XXXV.) and thereby to change, not the Thing conſecrated, but only the Uſe of it, from being profane and common, to be holy, and peculiar to God's Service. But when by ſuch Words, the Nature or Quality of the Thing itſelf is pretended to be changed, it is not Conſecration, but either an extraordinary Work of God, or a vain and impious Conjuratiſon. But ſeeing (for the Frequency of pretending the Change of Nature in their Conſecrations) it cannot be eſteemed a Work extraordinary, it is no other than a *Conjuratiſon* or *Incantation*, whereby they would have Men to believe an Alteration of Nature that is not, contrary to the Teſtimony of Man's Sight, and of all the reſt of his Senſes. As for Example, when the Prieſt, inſtead of conſecrating the Bread and Wine to God's peculiar Service in the Sacrament of the Lord's Supper, (which is but a Separation of it from the common Uſe, to ſignify, that is, to put Men in Mind of their Redemption, by the Paſſion of Chriſt, whoſe Body was broken, and Blood ſhed upon the Croſs for our Tranſgreſſions) pretends, that by ſaying of the Words of our Saviour, *This is my Body*, and *This is my Blood*, the Nature of Bread is no more there, but his very Body; notwithstanding there appeareth not to the Sight, or other Senſe of the Receiver, any thing that appeared not before the Conſecration. The *Egyptian* Conjurers, that are ſaid to have turned their Rods to Serpents, and the Water into Blood, are thought but to have deluded the Senſes of the Spectators by a falſe Shew of Things, yet are eſteemed Enchanters: But what ſhould we have thought of them, if there had appeared in their Rods nothing like a Serpent, and in the Water enchanted, nothing like Blood, nor like any thing elſe but Water, but that they had faced down the King, that they were Serpents that looked like Rods, and that it was Blood that ſeemed Water? That had been both Enchantment, and Lying. And yet in this daily Act of the Prieſt, they do the very ſame, by turning the
the

the holy Words into the Manner of a Charm, which produceth nothing new to the Senſe ; but they face us down, that it hath turned the Bread into a Man ; nay more, into a God ; and require Men to worſhip it, as if it were our Saviour himſelf preſent God and Man, and thereby to commit moſt groſs Idolatry. For if it be enough to excuſe it of Idolatry, to ſay it is no more Bread, but God ; why ſhould not the ſame Excuse ſerve the *Egyptians*, in caſe they had the Faces to ſay, the Leeks and Onions they worſhipped, were not very Leeks and Onions, but a Divinity under their *Species*, or Likeneſs. The Words, *This is my Body*, are equivalent to theſe, *This ſignifies, or represents my Body* ; and it is an ordinary Figure of Speech : but to take it literally, is an Abufe ; nor though ſo taken, can it extend any further, than to the Bread which Chriſt himſelf with his own Hands conſecrated. For he never ſaid, that of what Bread ſoever, any Prieſt whatſoever ſhould ſay, *This is my Body*, or, *This is Chriſt's Body*, the ſame ſhould preſently be tranſubſtantiated. Nor did the Church of *Rome* ever eſtabliſh this Tranſubſtantiation, till the Time of *Innocent* the third ; which was not above 500 Years ago, when the Power of Popes was at the higheſt, and the Darkneſs of the Time grown ſo great, as Men diſcerned not the Bread that was given them to eat, eſpecially when it was ſtamped with the Figure of Chriſt upon the Croſs, as if they would have Men believe it were tranſubſtantiated, not only into the Body of Chriſt, but alſo into the Wood of the Croſs, and that they did eat both together in the Sacrament.

The like Incantation, inſtead of Conſecration, is uſed alſo in the Sacrament of Baptiſm : Where the Abufe of God's Name in each ſeveral Perſon, and in the whole Trinity, with the Sign of the Croſs at each Name, maketh up the Charm : As firſt, when they make the holy Water, the Prieſt ſaith, *I conjure thee, thou Creature of Water, in the Name of God the Father Almighty, and in the Name of Jeſus Chriſt his only Son our Lord, and in Virtue of the Holy Ghoſt, that thou become conjured Water, to drive away all the Powers of the Enemy, and to eradicate and ſupplant the Enemy, &c.* And the ſame in the Benediction of the Salt to be mingled with it ; *That thou become conjured Salt, that all Phantaſms and Knavery of the Devil's Fraud may fly and depart from the Place wherein thou art ſprinkled ; and every unclean Spirit be conjured by him that ſhall come to judge the Quick and the Dead.* The ſame in the Benediction of the Oil, *That all the Power of the Enemy, all the Hoſt of the Devil, all Assaults and Phantaſms of Satan, may be driven away by this Creature of Oil.* And for the Infant that is to be baptized, he is ſubject to many Charms : Firſt, at the Church Door the Prieſt blows thrice in the Child's Face, and ſays, *Go out of him, unclean Spirit, and give place to the Holy Ghoſt the Comforter.* As if all Children, till blown on by the Prieſt, were Dæmoniacks : Again, before his Entrance into the Church, he ſaith as before, *I conjure thee, &c. to go out, and depart from this Servant of God* : And again the ſame Exorcism is repeated once more before he be baptized. Theſe, and ſome other Incantations, are thoſe that are uſed inſtead of Benedictions and Conſecrations in Adminiſtration of the Sacraments of Baptiſm, and the Lord's Supper ; wherein every thing that ſerveth to thoſe holy Uſes, (except the unhallowed Spittle of the Prieſt) hath ſome ſet Form of Exorcism.

Nor are the other Rites, as of Marriage, Extreme Uction, of Viſitation of the Sick, of conſecrating Churches and Church-yards, and the like, exempt from Charms ; in aſmuch as there is in them the Uſe of enchanted Oil and Water, with the Abufe of the Croſs, and of the holy Word of *David*, *Aſperges me Domine Hyſſopo*, as Things of Efficacy to drive away Phantaſms, and imaginary Spirits.

And in Marriage, in Viſitation of the Sick, and in Conſecration of Places.

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IV. Another general Error, is from the Miſinterpretation of the Words *eternal Life, everlaſting Death, and the ſecond Death*. For though we read plainly in holy Scripture, that God created *Adam* in an Eſtate of living for ever, which was conditional, that is to ſay, if he diſobeyed not his Commandment; which was not eſſential to human Nature, but conſequent to the Virtue of the Tree of Life, whereof he had Liberty to eat, as long as he had not ſinned; and that he was thruſt out of Paradife after he had ſinned, leſt he ſhould eat thereof and live for ever; and that Chriſt's Paſſion is a Diſcharge of Sin to all that believe on him; and by Conſequence, a Reſtitution of eternal Life to all the Faithful, and to them only: yet the Doctrin is now, and hath been a long Time far otherwiſe; namely, that every Man hath Eternity of Life by Nature, inaſmuch as his Soul is immortal: So that the flaming Sword at the Entrance of Paradife, though it hinder a Man from coming to the Tree of Life, hinders him not from the Immortality which God took from him for his Sin; nor makes him to need the ſacrificing of Chriſt, for the recovering of the ſame; and conſequentially, not only the Faithful and Righteous, but the Wicked and the Heathen, ſhall enjoy eternal Life, without any Death at all; much leſs a ſecond, and everlaſting Death. To ſalve this, it is ſaid, that by *ſecond, and everlaſting Death*, is meant a ſecond, and everlaſting Life, but in Torments; a Figure never uſed, but in this very Caſe.

Errors from
miſtaking e-
ternal Life,
and everlaſt-
ing Death:

All which Doctrin is founded only on ſome of the obſcurer Places of the New Teſtament; which nevertheleſs, the whole Scope of the Scripture conſidered, are clear enough in a different Senſe, and unneceſſary to the Chriſtian Faith. For ſuppoſing that when a Man dies, there remaineth nothing of him but his Carcaſe; cannot God that raiſed inanimated Duſt and Clay into a living Creature by his Word, as eaſily raiſe a dead Carcaſe to Life again, and continue him alive for ever, or make him die again, by another Word? The *Soul* in Scripture, ſignifieth always, either the Life, or the living Creature; and the Body and Soul jointly, the *Body alive*. In the fifth Day of the Creation, God ſaid, Let the Waters produce *Reptile Animæ viventis*, the creeping Thing that hath in it a living Soul; the *English* tranſlate it, *that hath Life*: And again, God created Whales, & *omnem Animam viventem*; which in the *English* is, *every living Creature*: And likewiſe of Man, God made him of the Duſt of the Earth, and breathed in his Face the Breath of Life, & *factus eſt Homo in Animam viventem*, that is, *and Man was made a living Creature*: And after *Noah* came out of the Ark, God ſaith, he will no more ſmite *omnem Animam viventem*, that is, *every living Creature*: And *Deut. xii. 23. Eat not the Blood, for the Blood is the Soul*; that is, *the Life*. From which Places, if by *Soul* were meant a *Subſtance incorporeal*, with an Exiſtence ſeparated from the Body, it might as well be inferred of any other living Creature, as of Man. But that the Souls of the Faithful are not of their own Nature, but by God's ſpecial Grace, to remain in their Bodies from the Reſurrection to all Eternity, I have already I think ſufficiently proved out of the Scriptures, in the XXXVIIIth Chapter. And for the Places of the New Teſtament, where it is ſaid that any Man ſhall be caſt Body and Soul into Hell Fire, it is no more than Body and Life; that is to ſay, they ſhall be caſt alive into the perpetual Fire of *Gebenna*.

As the Doc-
trine of Pur-
gatory, and
Exorcifms,
and Invoca-
tion of Saints.

This Window it is, that gives Entrance to the dark Doctrin, firſt, of eternal Torments; and afterwards of Purgatory, and conſequentially of the walking abroad, eſpecially in Places conſecrated, ſolitary, or dark, of the Ghoſts of Men deceaſed; and thereby to the Pretences of Exorcifm and

and Conjuraton of Phantasms; as also of Invocation of Men dead; and to the Doctrine of Indulgences; that is to say, of Exemption for a Time, or for ever, from the Fire of Purgatory, wherein these incorporeal Substances are pretended by burning to be cleansed, and made fit for Heaven. For Men being generally possessed before the Time of our Saviour, by Contagion of the Dæmonology of the *Greeks*, of an Opinion, that the Souls of Men were Substances distinct from their Bodies, and therefore that when the Body was dead, the Soul of every Man, whether godly or wicked, must subsist somewhere, by Virtue of its own Nature, without acknowledging therein any supernatural Gift of God's; the Doctors of the Church doubted a long Time, what was the Place which they were to abide in, till they should be reunited to their Bodies in the Resurrection; supposing for a while, they lay under the Altars; but afterward the Church of *Rome* found it more profitable, to build for them this Place of Purgatory; which by some other Churches in this latter Age, has been demolished.

Let us now consider, what Texts of Scripture seem most to confirm these three general Errors, I have here touched. As for those which Cardinal *Bellarmino* hath alledged, for the present Kingdom of God administered by the Pope (than which there are none that make a better Shew of Proof) I have already answered them; and made it evident, that the Kingdom of God, instituted by *Moses*, ended in the Election of *Saul*: After which Time the Priest of his own Authority never deposed any King. That which the High Priest did to *Athaliah*, was not done in his own Right, but in the Right of the young King *Joash* her Son: But *Solomon* in his own Right deposed the High Priest *Abiathar*, and set up another in his Place. The most difficult place to answer, of all those that can be brought, to prove the Kingdom of God by *Christ* is already in this World, is alledged, not by *Bellarmino*, nor any other of the Church of *Rome*, but by *Beza*; that will have it to begin from the Resurrection of *Christ*. But whether he intend thereby, to entitle the Presbytery to the supreme Power ecclesiastical in the Commonwealth of *Geneva*, (and consequently to every Presbytery in every other Commonwealth) to Princes, and other Civil Sovereigns, I do not know. For the Presbytery hath challenged the Power to excommunicate their own Kings, and to be the supreme Moderators in Religion, in the Places where they have that Form of Church Government, no less than the Pope challengeth it universally.

The Words are, *Mark ix. 1. Verily I say unto you, that there be some of them that stand here, which shall not taste of Death, till they have seen the Kingdom of God come with Power.* Which Words, if taken grammatically, make it certain, that either some of those Men that stood by *Christ* at that Time, are yet alive; or else, that the Kingdom of God must be now in this present World. And then there is another Place more difficult: For when the Apostles, after our Saviour's Resurrection, and immediately before his Ascension, asked our Saviour, saying, *Acts i. 6. Wilt thou at this Time restore again the Kingdom to Israel*, he answered them, *It is not for you to know the Times and the Seasons, which the Father hath put in his own Power; but ye shall receive Power by the Coming of the Holy Ghost upon you, and ye shall be my [Martyrs] Witnesses, both in Jerusalem, and in all Judea, and in Samaria, -and unto the uttermost Part of the Earth:* Which is as much as to say, My Kingdom is not yet come, nor shall you foreknow when it shall come; for it shall come as a Thief in the Night; but I will send you the Holy Ghost, and by him you shall have Power to bear Witness to all the World (by your Preaching) of my Resurrection, and the Works I have done, and the

The Texts alledged for the Doctrines afore-mentioned have been answered before.

Answer to the Text on which *Beza* inferreth that the Kingdom of *Christ* began at the Resurrection.

PART
IV.

the Doctrine I have taught, that they may believe in me, and expect eternal Life, at my Coming again: How does this agree with the Coming of *Christ's* Kingdom at the Resurrection? And that which *St. Paul* says, *1 Thessal. i. 9, 10. That they turned from Idols, to serve the living and true God, and to wait for his Son from Heaven*; where to wait for his Son from Heaven, is to wait for his coming to be King in Power; which were not necessary, if his Kingdom had been then present. Again, if the Kingdom of God began (as *Beza* on that Place, *Mark ix. 1.* would have it) at the Resurrection, what Reason is there for Christians ever since the Resurrection to say in their Prayers, *Let thy Kingdom come*? It is therefore manifest, that the Words of *St. Mark* are not so to be interpreted. There be some of them that stand here, saith our Saviour, that shall not taste of Death till they have seen the Kingdom of God come in Power. If then this Kingdom were to come at the Resurrection of *Christ*, why is it said, *some of them*, rather than *all*? For they all lived till after *Christ* was risen.

Explication
of the Place
in *Mark*
ix. 1.

But they that require an exact Interpretation of this Text, let them interpret first the like Words of our Saviour to *St. Peter*, concerning *St. John*, Chap. *xxi. 22. If I will that he tarry till I come, what is that to thee?* upon which was grounded a Report that he should not die: Nevertheless the Truth of that Report was neither confirmed, as well grounded; nor refuted, as ill grounded on those Words; but left as a Saying not understood. The same Difficulty is also in the Place of *St. Mark*. And if it be lawful to conjecture at their Meaning, by that which immediately follows. both here, and in *St. Luke*, where the same is again repeated, it is not unprobable, to say they have relation to the Transfiguration, which is described in the Verses immediately following; where it is said, that *After six Days Jesus taketh with him Peter, and James, and John* (not all, but some of his Disciples) *and leadeth them up into an high Mountain apart by themselves, and was transfigured before them. And his Raiment became shining, exceeding white as Snow; so as no Fuller on Earth can white them. And there appeared unto them Elias with Moses, and they were talking with Jesus, &c.* So that they saw *Christ* in Glory and Majesty, as he is to come; insomuch as *They were sore afraid*. And thus the Promise of our Saviour was accomplished by way of *Vision*: For it was a *Vision*, as may probably be inferred out of *St. Luke*, that reciteth the same Story, Chap. *ix. 28.* and saith, that *Peter* and they that were with him, were heavy with Sleep: But most certainly out of *Matth. xvii. 9.* where the same is again related; for our Saviour charged them, saying, *Tell no Man the Vision, until the Son of Man be risen from the Dead*. Howsoever it be, yet there can from thence be taken no Argument, to prove that the Kingdom of God taketh Beginning till the Day of Judgment.

Abuse of
some other
Texts in
Defence of
the Power of
the Pope.

As for some other Texts, to prove the Pope's Power over Civil Sovereigns, besides those of *Bellarmino*; as that the two Swords that *Christ* and his Apostles had amongst them, were the Spiritual and the Temporal Sword, which they say *St. Peter* had given him by *Christ*; and that of the two Luminaries, the greater signifies the Pope, and the lesser the King; one might as well infer out of the first Verse of the Bible, that by Heaven is meant the Pope, and by Earth the King: which is not arguing from Scripture, but a wanton insulting over Princes, that came in Fashion after the Time the Popes were grown so secure of their Greatness, as to contemn all Christian Kings; and treading on the Necks of Emperors, to mock both them, and the Scripture, in the Words of *Psalms xci. Thou shalt tread upon the Lion and the Adder, the young Lion and the Dragon thou shalt trample under thy Feet.*

As

As for the Rites of Consecration, though they depend for the most Part upon the Discretion and Judgment of the Governors of the Church, and not upon the Scriptures ; yet those Governors are obliged to such Direction, as the Nature of the Action itself requireth ; as that the Ceremonies, Words and Gestures, be both decent and significant, or at least conformable to the Action. When *Moses* consecrated the Tabernacle, the Altar, and the Vessels belonging to them, *Exod.* xl. he anointed them with the Oil which God had commanded to be made for that Purpose ; and they were holy : There was nothing exorcized, to drive away Phantasms. The same *Moses*, (the Civil Sovereign of *Israel*) when he consecrated *Aaron* (the High Priest) and his Sons, did wash them with Water, (not exorcized Water) put their Garments upon them, and anointed them with Oil ; and they were sanctified, to minister unto the Lord in the Priests Office ; which was a simple and decent cleansing and adorning them, before he presented them to God to be his Servants. When King *Solomon* (the Civil Sovereign of *Israel*) consecrated the Temple he had built, *2 Kings* viii. he stood before all the Congregation of *Israel* ; and having blessed them, he gave Thanks to God, for putting into the Heart of his Father to build it ; and for giving to himself the Grace to accomplish the same ; and then prayed unto him, first to accept that House, though it were not suitable to his infinite Greatness ; and to hear the Prayers of his Servants that should pray therein, or (if they were absent) towards it ; and lastly, he offered a Sacrifice of Peace-offering, and the House was dedicated. Here was no Procession ; the King stood still in his first Place ; no exorcized Water ; no *Asperges me*, nor other impertinent Application of Words spoken upon another Occasion ; but a decent and rational Speech, and such as in making to God a Present of his new-built House, was most conformable to the Occasion.

CHAP.
XLIV.

The Manner of Consecrations in the Scripture, was without Exorcisms.

We read not that St. *John* did exorcize the Water of *Jordan* ; nor *Philip* the Water of the River wherein he baptized the Eunuch ; nor that any Pastor in the Time of the Apostles, did take his Spittle, and put it to the Nose of the Person to be baptized, and say, *in Odorem suavitatis*, that is, *for a sweet Savour unto the Lord*, wherein neither the Ceremony of Spittle, for the Uncleannefs, nor the Application of that Scripture for the Levity, can by any Authority of Man be justified.

To prove that the Soul separated from the Body, liveth eternally, not only the Souls of the Elect, by especial Grace, and Restoration of the eternal Life which *Adam* lost by Sin, and our Saviour restored by the Sacrifice of himself, to the Faithful ; but also the Souls of Reprobates, as a Property naturally consequent to the Essence of Mankind, without other Grace of God, but that which is universally given to all Mankind ; there are divers Places, which at the first Sight seem sufficiently to serve the Turn : but such, as when I compare them with that which I have before, Chap. xxxviii. alledged out of *Job* xiv. seem to me much more subject to a diverse Interpretation, than the Words of *Job*.

The Immortality of Man's Soul, not proved by Scripture to be of Nature, but of Grace.

And first there are the Words of *Solomon*, *Eccles.* xii. 7. *Then shall the Dust return to Dust, as it was, and the Spirit shall return to God that gave it.* Which may bear well enough (if there be no other Text directly against it) this Interpretation, that God only knows (but Man not) what becomes of a Man's Spirit when he expireth ; and the same *Solomon*, in the same Book, Chap. iii. 20, 21. delivereth the same Sentence in the Sense I have given it : His Words are, *All go (Man and Beast) to the same Place ; all are of the Dust, and all turn to Dust again ; who knoweth that the Spirit of Man goeth upward, and that the Spirit of the Beast goeth downward to the Earth ?* That is, none knows but God ; nor is it an unusual Phrase to say of Things we understand not, *God knows what*, and

PART IV. *God knows where.* That of *Gen. v. 24. Enoch walked with God, and he was not; for God took him; which is expounded, Heb. xiii. 5. He was translated, that he should not die; and was not found, because God had translated him: For before his Translation he had this Testimony, that he pleased God, making as much for the Immortality of the Body, as of the Soul, proveth, that this Translation was peculiar to them that please God; not common to them with the wicked; and depending on Grace, not on Nature. But on the contrary, what Interpretation shall we give, besides the literal Sense of the Words of Solomon, Eccles. iii. 19. That which befalleth the Sons of Men, befalleth Beasts, even one Thing befalleth them; as the one dieth, so doth the other; yea, they have all one Breath (one Spirit;) so that a Man hath no Pre-eminence above a Beast, for all is Vanity.* By the literal Sense, here is no natural Immortality of the Soul; nor yet any Repugnancy with the Life eternal, which the Elect shall enjoy by Grace. And, *Chap. iv. 3. Better is he that hath not yet been, than both they;* that is, than they that live, or have lived; which, if the Soul of all them that have lived were immortal, were a hard Saying; for then to have an immortal Soul, were worse than to have no Soul at all. And again, *Chap. ix. 5. The living know they shall die, but the dead know not any Thing;* that is, naturally, and before the Resurrection of the Body.

Another Place which seems to make for a natural Immortality of the Soul, is that, where our Saviour saith, that *Abraham, Isaac, and Jacob* are living: but this is spoken of the Promise of God, and of their Certitude to rise again, not of a Life then actual; and in the same Sense that God said to *Adam*, that on the Day he should eat of the forbidden Fruit, he should certainly die; and from that time forward he was a dead Man by Sentence; but not by Execution, till almost a thousand Years after. So *Abraham, Isaac, and Jacob* were alive by Promise, then, when Christ spake; but are not actually till the Resurrection. And the History of *Dives* and *Lazarus*, make nothing against this, if we take it (as it is) for a Parable.

But there be other Places of the New Testament, where an Immortality seemeth to be directly attributed to the Wicked. For it is evident, that they shall all rise to Judgment. And it is said besides in many Places, that they shall go into *everlasting Fire, everlasting Torments, everlasting Punishments; and that the Worm of Conscience never dieth;* and all this is comprehended in the Word *everlasting Death*, which is ordinarily interpreted *everlasting Life in Torments*: and yet I can find no where that any Man shall live in Torments everlastingly. Also, it seemeth hard to say, that God, who is the Father of Mercies, that doth in Heaven and Earth all that he will; that hath the Hearts of all Men in his disposing; that worketh in Men both to do and to will; and without whose free Gift a Man hath neither Inclination to Good, nor Repentance of Evil, should punish Men's Transgressions without any End of Time, and with all the Extremity of Torture, that Men can imagine, and more. We are therefore to consider, what the Meaning is, of *everlasting Fire*, and other the like Phrases of Scripture.

I have shewed already, that the Kingdom of God by Christ beginneth at the Day of Judgment: that in that Day, the Faithful shall rise again, with glorious and spiritual Bodies, and be his Subjects in that his Kingdom, which shall be eternal: that they shall neither marry, nor be given in Marriage, nor eat and drink, as they did in their natural Bodies; but live for ever in their individual Persons, without the specificall Eternity of Generation: and that the Reprobates also shall rise again, to receive Punishments for their Sins: as also, that those of the Elect, which shall be alive in their earthly Bodies at that Day, shall have their Bodies suddenly

denly changed, and made ſpiritual and immortal. But that the Bodies of the Reprobate, who make the Kingdom of Satan, ſhall alſo be glorious, or ſpiritual Bodies, or that they ſhall be as the Angels of God, neither eating, nor drinking, nor engendering; or that their Life ſhall be eternal in their individual Perſons, as the Life of every faithful Man is, or as the Life of *Adam* had been if he had not ſinned, there is no Place of Scripture to prove it; ſave only theſe Places concerning eternal Torments; which may otherwiſe be interpreted.

From whence may be inferred, that as the Elect after the Reſurrection ſhall be reſtored to the Eſtate, wherein *Adam* was before he had ſinned; ſo the Reprobate ſhall be in the Eſtate, that *Adam*, and his Poſterity were in after the Sin committed; ſaving that God promiſed a Redeemer to *Adam*, and ſuch of his Seed as ſhould truſt in him and repent, but not to them that ſhould die in their Sins, as do the Reprobate.

Theſe Things conſidered, the Texts that mention *eternal Fire*, *eternal Torments*, or *the Worm that never dieth*, contradict not the Doctrine of a ſecond, and everlaſting Death, in the proper and natural Senſe of the Word *Death*. The Fires, or Torments prepared for the Wicked in *Gebenna*, *Tophet*, or in what Place ſoever, may continue for ever; and there may never want wicked Men to be tormented in them; though not every, nor any one eternally. For the Wicked being left in the Eſtate they were in after *Adam's* Sin, may at the Reſurrection live as they did, marry, and give in Marriage, and have groſs and corruptible Bodies, as all Mankind now have; and conſequently may engender perpetually, after the Reſurrection, as they did before: for there is no Place of Scripture to the contrary. For *St. Paul*, ſpeaking of the Reſurrection, *1 Cor. xv.* underſtandeth it only of the Reſurrection to Life eternal; and not the Reſurrection to Punishment. And of the firſt, he ſaith that the Body is *sown in Corruption, raised in Incorruption; sown in Diſhonour, raised in Honour; sown in Weakneſs, raised in Power; sown a natural Body, raised a ſpiritual Body*: There is no ſuch thing can be ſaid of the Bodies of them that riſe to Punishment. So alſo our Saviour, when he ſpeaketh of the Nature of Man after the Reſurrection, meaneth, the Reſurrection to Life eternal, not to Punishment. The Text is, *Luke xx. 34, 35, 36.* a fertile Text; *The Children of this World marry, and are given in Marriage; but they that ſhall be counted worthy to obtain that World, and the Reſurrection from the Dead, neither marry, nor are given in Marriage: Neither can they die any more; for they are equal to the Angels, and are the Children of God, being the Children of the Reſurrection*: The Children of this World, that are in the Eſtate which *Adam* left them in, ſhall marry, and be given in Marriage; that is, corrupt, and generate ſucceſſively; which is an Immortality of the Kind, but not of the Perſons of Men: they are not worthy to be counted amongſt them that ſhall obtain the next World, and an abſolute Reſurrection from the Dead; but only a ſhort Time, as Inmates of that World; and to the End only to receive condign Punishment for their Contumacy. The Elect are the only Children of the Reſurrection; that is to ſay, the ſole Heirs of eternal Life: they only can die no more: it is they that are equal to the Angels, and that are the Children of God; and not the Reprobate. To the Reprobate there remaineth after the Reſurrection, a *ſecond*, and *eternal* Death: between which Reſurrection, and their ſecond, and eternal Death, is but a Time of Punishment and Torment; and to laſt by Succeſſion of Sinners thereunto, as long as the Kind of Man by Propagation ſhall endure; which is eternally.

Upon this Doctrine of the natural Eternity of ſeparated Souls is founded (as I ſaid) the Doctrine of Purgatory. For ſuppoſing eternal Life

is Answer of the Texts alledged for Life Purgatory.

PART IV. Life by Grace only, there is no Life, but the Life of the Body ; and no Immortality till the Reſurrection. The Texts for Purgatory alledged by *Bellarmino* out of the Canonical Scripture of the Old Teſtament, are firſt, the Faſting of *David* for *Saul* and *Jonathan*, mentioned, *2 Kings* i. 12. and again, *2 Sam.* iii. 35. for the Death of *Abner*. This Faſting of *David*, he ſaith, was for the obtaining of ſomething for them at God's Hands, after their Death ; becauſe after he had faſted to procure the Recovery of his own Child, as ſoon as he knew it was dead, he called for Meat. Seeing then the Soul hath an Exiſtence ſeparate from the Body, and nothing can be obtained by Men's Faſting for the Souls that are already either in Heaven or Hell, it followeth that there be ſome Souls of dead Men, that are neither in Heaven nor in Hell ; and therefore they muſt be in ſome third Place, which muſt be Purgatory. And thus with hard ſtraining, he has wreſted thoſe Places to the Proof of a Purgatory : whereas it is manifeſt, that the Ceremonies of Mourning and Faſting, when they are uſed for the Death of Men, whoſe Life was not profitable to the Mourners, they are uſed for Honour's Sake to their Perſons ; and when it is done for the Death of them by whoſe Life the Mourners had Benefit, it proceeds from their particular Damage : And ſo *David* honoured *Saul* and *Abner* with his Faſting ; and in the Death of his own Child, recomforted himſelf, by receiving his ordinary Food.

In the other Places, which he alledgeth out of the Old Teſtament, there is not ſo much as any Shew, or Colour of Proof. He brings in every Text wherein there is the Word *Anger*, or *Fire*, or *Burning*, or *Purging*, or *Cleanſing*, in caſe any of the Fathers have but in a Sermon rhetorically applied it to the Doctrines of Purgatory, as already believed. The firſt Verſe of *Pſal.* xxxvii. *O Lord rebuke me not in thy Wrath, nor chaſten me in thy hot Diſpleaſure* : What were this to Purgatory, if *Auguſtine* had not applied the *Wrath* to the Fire of Hell, and the *Diſpleaſure* to that of Purgatory ? And what is it to Purgatory, that of *Pſal.* lxi. 12. *We went through Fire and Water, and thou broughteſt us to a moiſt Place* ; and other the like Texts, (with which the Doctours of thoſe Times intended to adorn, or extend their Sermons or Commentaries) haied to their Purpoſes by Force of Wit ?

Places of the New Teſtament for Purgatory, answered.

But he alledgeth other Places of the New Teſtament, that are not ſo eaſy to be answered : And firſt that of *Matt.* xii. 32. *Whoſoever ſpeaketh a Word againſt the Son of Man, it ſhall be forgiven him ; but whoſoever ſpeaketh againſt the Holy Ghoſt, it ſhall not be forgiven him, neither in this World, nor in the World to come* : Where he will have Purgatory to be the World to come, wherein ſome Sins may be forgiven which in this World were not forgiven : notwithstanding that it is manifeſt, there are but three Worlds ; one from the Creation to the Flood, which was deſtroyed by Water, and is called in Scripture *the old World* ; another from the Flood to the Day of Judgment, which is *the preſent World*, and ſhall be deſtroyed by Fire ; and the third, which ſhall be from the Day of Judgment forward, everlaſting, which is called *the World to come* ; and in which it is agreed by all, there ſhall be no Purgatory : And therefore the World to come, and Purgatory, are inconfiſtent. But what then can be the Meaning of thoſe our Saviour's Words ? I confeſs they are very hardly to be reconciled with all the Doctrines now unanimouſly received : Nor is it any Shame to confeſs the Profoundneſs of the Scripture, to be too great to be founded by the Shortneſs of human Underſtanding. Nevertheless, I may propound ſuch Things to the Conſideration of more learned Divines, as the Text itſelf ſuggeſteth. And firſt, ſeeing to ſpeak againſt the Holy Ghoſt, as being the third Perſon of the Trinity, is to ſpeak
againſt

against the Church, in which the Holy Ghost resideth; it seemeth the Comparison is made between the Easiness of our Saviour, as bearing with Offences done to him while he himself taught the World, that is, when he was on Earth, and the Severity of the Pastors after him, against those which should deny their Authority, which was from the Holy Ghost: As if he should say, You that deny my Power, nay you that shall crucify me, shall be pardoned by me, as often as you turn unto me by Repentance: But if you deny the Power of them that teach you hereafter, by Virtue of the Holy Ghost, they shall be inexorable, and shall not forgive you, but persecute you in this World, and leave you without Absolution, (though you turn to me, unless you turn also to them) to the Punishments (as much as lies in them) of the World to come: And so the Words may be taken as a Prophecy, or Prediction concerning the Times, as they have all along been in the Christian Church: Or if this be not the Meaning, (for I am not peremptory in such difficult Places) perhaps there may be Place left after the Resurrection for the Repentance of some Sinners: And there is also another Place, that seemeth to agree therewith. For considering the Words of St. Paul, *1 Cor. xv. 29. What shall they do which are baptized for the Dead, if the Dead rise not at all? why also are they baptized for the Dead?* a Man may probably infer; as some have done, that in St. Paul's Time, there was a Custom, by receiving Baptism for the Dead, (as Men that now believe, are Sureties and Undertakers for the Faith of Infants, that are not capable of believing) to undertake for the Persons of their deceased Friends, that they should be ready to obey, and receive our Saviour for their King, at his coming again; and then the Forgiveness of Sins in the World to come, has no need of Purgatory. But in both these Interpretations, there is so much of Paradox, that I trust not to them; but propound them to those that are thoroughly versed in the Scripture, to enquire if there be no clearer Place that contradicts them. Only of thus much, I see evident Scripture to persuade me, that there is neither the Word, nor the Thing of Purgatory, neither in this, nor any other Text; nor any thing that can prove a Necessity of a Place for the Soul without the Body; neither for the Soul of *Lazarus* during the four Days he was dead; nor for the Souls of them which the *Roman Church* pretend to be tormented now in Purgatory. For God, that could give Life to a Piece of Clay, hath the same Power to give Life again to a dead Man, and renew his inanimate and rotten Carcase, in a glorious, spiritual, and immortal Body.

Another Place is that of *1 Cor. iii.* where it is said, that they which built Stubble, Hay, &c. on the true Foundation, their Words shall perish; but *they themselves shall be saved; but as through Fire*: This Fire, he will have to be the Fire of Purgatory. The Words, as I have said before, are an Allusion of those of *Zach. xiii. 9.* where he saith, *I will bring the third Part through the Fire, and refine them as Silver is refined, and will try them as Gold is tried*: which is spoken of the Coming of the Messiah in Power and Glory; that is, at the Day of Judgment, and Conflagration of the present World; wherein the Elect shall not be consumed, but be refined; that is, depose their erroneous Doctrines and Traditions, and have them as it were singed of; and shall afterwards call upon the Name of the true God. In like Manner, the Apostle saith of them, that holding this Foundation *Jesus is the Christ*, shall build thereon some other Doctrines that be erroneous, that they shall not be consumed in that Fire which reneweth the World, but shall pass through it to Salvation; but so, as to see and relinquish their former Errors. The Builders are the *Pastors*; the Foundation, that *Jesus is the Christ*; the

PART Stubble and Hay, *false Conſequences drawn from it through Ignorance, or*
 IV. *Frailty*; the Gold, Silver, and precious Stones, are their *true Doctrines*;
 and their Refining and Purging, the *Relinquifhing of their Errors*. In all
 which there is no Colour at all for the burning of incorporeal, that is to
 ſay, impatient Souls.

Baptiſm for
 the Dead,
 how under-
 ſtood.

A third Place is that of *1 Cor. xv.* beforementioned, concerning Bap-
 tiſm for the Dead: out of which he concludeth, firſt, that Prayers for
 the Dead are not unprofitable; and out of that, that there is a Fire of
 Purgatory: but neither of them rightly. For of many Interpretations of
 the Word Baptiſm, he approveth this in the firſt Place, that by Baptiſm
 is meant (metaphorically) a Baptiſm of Penance; and that Men are in this
 Senſe baptiz'd, when they faſt, and pray, and give Alms: And ſo Bap-
 tiſm for the Dead, and Prayer for the Dead, is the ſame Thing. But this
 is a Metaphor, of which there is no Example, neither in the Scripture,
 nor in any other Uſe of Language; and which is alſo diſcordant to the
 Harmony and Scope of the Scripture. The Word Baptiſm is uſed,
Mark x. 38. and *Luke xii. 50.* for being dipped in ones own Blood, as
 Chriſt was upon the Croſs, and as moſt of the Apoſtles were, for giving
 Teſtimony of him. But it is hard to ſay, that Prayer, Faſting, and Alms,
 have any Similitude with Dipping. The ſame is uſed alſo, *Matt. iii. 11.*
 (which ſeemeth to make ſomewhat for Purgatory) for a Purging with
 Fire. But it is evident the Fire and Purging here mentioned, is the ſame
 whereof the Prophet *Zachary* ſpeaketh, *Chap. xiii. 9. I will bring the*
third Part through the Fire, and will refine them, &c. And *St. Peter*
 after him, *1 Epift. i. 7. That the Trial of our Faith, which is much more*
precious than of Gold that periſheth, though it be tried with Fire, might be
found unto Praise, and Honour, and Glory, at the Appearing of Jeſus
Chriſt; And *St. Paul, 1 Cor. iii. 13. The Fire ſhall try every Man's*
Work of what Sort it is. But *St. Peter* and *St. Paul* ſpeak of the Fire
 that ſhall be at the ſecond Appearing of Chriſt; and the Prophet *Zachary*
 of the Day of Judgment: And therefore this Place of *St. Matt.* may
 be interpreted of the ſame; and then there will be no Neceſſity of the
 Fire of Purgatory.

Another Interpretation of Baptiſm for the Dead, is that which I have
 before mentioned, which he preferreth to the ſecond Place of Probability:
 And thence alſo he inferreth the Utility of Prayer for the Dead. For if
 after the Reſurrection, ſuch as have not heard of Chriſt, or not believed in
 him, may be received into Chriſt's Kingdom; it is not in vain, after their
 Death, that their Friends ſhould pray for them, till they ſhould be riſen.
 But granting that God, at the Prayers of the Faithful, may convert unto him
 ſome of thoſe that have not heard Chriſt preached, and conſequently cannot
 have rejected Chriſt, and that the Charity of Men in that Point, cannot
 be blamed; yet this concludeth nothing for Purgatory, becauſe to riſe
 from Death to Life, is one thing; to riſe from Purgatory to Life, is ano-
 ther; as being a riſing from Life to Life, from a Life in Torments to a
 Life in Joy.

A fourth Place is that of *Matth. v. 25. Agree with thine Adverſary*
quickly, whiſt thou art in the Way with him, leſt at any Time the Adver-
ſary deliver thee to the Judge, and the Judge deliver thee to the Officer,
and thou be caſt into Priſon. Verily I ſay unto thee, thou ſhalt by no means
come out thence, till thou haſt paid the uttermoſt Farthing. In which Al-
 legory, the Offender is the *Sinner*; both the Adverſary and the Judge is
God; the Way, is this *Life*; the Priſon, is the *Grave*; the Officer,
Death; from which, the *Sinner* ſhall not riſe again to Life eternal, but
 to a ſecond Death, till he have paid the utmoſt Farthing, or *Chriſt* pay
 it

it for him by his Paſſion, which is a full Ranſom for all manner of Sin, as well leſſer Sins, as greater Crimes; both being made by the Paſſion of *Chriſt* equally venial.

The fifth Place, is that of *Matth. v. 22. Whoſoever is angry with his Brother without a Cauſe, ſhall be guilty in Judgment: And whoſoever ſhall ſay to his Brother, Racha, ſhall be guilty in the Council: But whoſoever ſhall ſay, Thou Fool, ſhall be guilty to Hell Fire.* From which Words he inferreth three ſorts of Sins, and three ſorts of Punishments; and that none of thoſe Sins, but the laſt, ſhall be puniſhed with Hell Fire; and conſequently, that after this Life, there is Punishment of leſſer Sins in Purgatory. Of which Inference, there is no Colour in any Interpretation that hath yet been given of them: Shall there be a Diſtinction after this Life of Courts of Juſtice, as there was amongſt the *Jews* in our Saviour's Time, to hear, and determine divers ſorts of Crimes; as the Judges, and the Council? Shall not all Judicature appertain to *Chriſt*, and his Apoſtles? To underſtand therefore this Text, we are not to conſider it ſolitarily, but jointly with the Words precedent and ſubſequent. Our Saviour in this Chapter interpreteth the Law of *Moses*, which the *Jews* thought was then fulfilled, when they had not tranſgreſſed the grammatical Senſe thereof, howſoever they had tranſgreſſed againſt the Sentence, or Meaning of the Legislator. Therefore whereas they thought the ſixth Commandment not broken, but by killing a Man; nor the ſeventh, but when a Man lay with a Woman, not his Wife; our Saviour tells them, the inward Anger of a Man againſt his Brother, if it be without juſt Cauſe, is Homicide: You have heard, ſaith he, the Law of *Moses*, *Thou ſhalt not kill*, and that *whoſoever ſhall kill, ſhall be condemned before the Judges*, or before the Seſſion of the Seventy: But I ſay unto you, to be angry with one's Brother without Cauſe, or to ſay unto him, *Racha*, or *Fool*, is Homicide, and ſhall be puniſhed at the Day of Judgment, and Seſſion of *Chriſt*, and his Apoſtles, with Hell Fire: ſo that thoſe Words were not uſed to diſtinguiſh between divers Crimes, and divers Courts of Juſtice, and divers Punishments; but to tax the Diſtinction between Sin and Sin, which the *Jews* drew not from the Difference of the Will in obeying God, but from the Difference of temporal Courts of Juſtice; and to ſhew them, that he that had the Will to hurt his Brother, though the Effect appear but in reviling, or not at all, ſhall be caſt into Hell Fire, by the Judges, and by the Seſſion, which ſhall be the ſame, not different Courts at the Day of Judgment. This conſidered, what can be drawn from this Text, to maintain Purgatory, I cannot imagine.

The ſixth Place is, *Luke xvi. 9. Make ye Friends of the unrighteous Mammon, that when ye fail, they may receive you into everlaſting Tabernacles.* This he alledges to prove Invocation of Saints departed. But the Senſe is plain, that we ſhould make Friends with our Riches, of the Poor; and thereby obtain their Prayers whiſt they live. *He that giveth to the Poor, lendeth to the Lord.*

The ſeventh is, *Luke xxiii. 42. Lord remember me when thou comest into thy Kingdom:* Therefore, ſaith he, there is Remiſſion of Sins after this Life. But the Conſequence is not good. Our Saviour then forgave him; and at his coming again in Glory, will remember to raiſe him again to Life eternal.

The eighth is, *Acts ii. 24. where St. Peter ſaith of Chriſt, That God had raiſed him up, and looſed the Pains of Death, becauſe it was not poſſible he ſhould be holden of it:* which he interprets to be a Deſcent of Chriſt into Purgatory, to looſe ſome Souls there from their Torments: whereas it is manifeſt, that it was Chriſt that was looſed; it was he that could

PART
IV.

could not be holden of Death, or the Grave; and not the Souls in Purgatory. But if that which *Beza* fays in his Notes on this Place be well observed, there is none that will not fee, that instead of *Pains*, it should be *Bands*; and then there is no further Cause to feek for Purgatory in this Text.

C H A P. XLV.

Of DÆMONOLOGY, and other Relics of the Religion of the Gentiles.

The Original of Dæmonology.

THE Impreffion made on the Organs of Sight, by lucid Bodies, either in one direct Line, or in many Lines, reflected from Opake, or refracted in the Passage through diaphanous Bodies, produceth in living Creatures, in whom God hath placed fuch Organs, an Imagination of the Object, from whence the Impreffion proceedeth; which Imagination is called *Sight*; and feemeth not to be a mere Imagination, but the Body itfelf without us; in the fame Manner, as when a Man violently preffeth his Eye, there appears to him a Light without, and before him, which no Man perceiveth but himfelf; becaufe there is indeed no fuch Thing without him, but only a Motion in the interior Organs, preffing by Refiftance outward, that makes him think fo. And the Motion made by this Preffure, continuing after the Object which caufed it is removed, is that we call *Imagination* and *Memory*, and (in Sleep, and fometimes in great Diftemper of the Organs by Sicknefs, or Violence) a *Dream*: of which Things I have already fpoken briefly, in the fecond and third Chapters.

This Nature of Sight having never been difcovered by the ancient Pretenders to natural Knowledge; much lefs by thofe that confider not things fo remote (as that Knowledge is) from their prefent Ufe; it was hard for Men to conceive of thofe Images in the Fancy, and in the Senfe, otherwife, than of things really without us: which fome (becaufe they vanifh away, they know not whither, or how) will have to be abfolutely incorporeal, that is to fay, immaterial, or Forms without Matter; Colour and Figure, without any coloured or figured Body; and that they can put on airy Bodies (as a Garment) to make them vifible when they will to our bodily Eyes; and others fay, are Bodies, or living Creatures, but made of Air, or other more fubtile and æthereal Matter, which is, then, when they will be feen, condensed. But both of them agree on one general Appellation of them, *Dæmons*. As if the Dead, of whom they dreamed, were not Inhabitants of their own Brain, but of the Air, or of Heaven, or Hell; not Phantafms, but Ghofts; with juft as much Reason, as if one was to fay, he faw his own Ghof in a Looking-glafs, or the Ghofts of the Stars in a River; or call the ordinary Apparition of the Sun, of the Quantity of about a Foot, the *Dæmon*, or Ghof of that great Sun that enlighteneth the whole vifible World: and by that Means have feared them, as things of an unknown, that is, of an unlimited Power to do them Good, or Harm; and confequently, given Occafion to the Governors of the Heathen Commonwealths to regulate this their Fear, by eftablifhing that *Dæmonology* (in which the Poets, as principal Priests of the Heathen Religion, were fpecially employed, or revered) to the public Peace, and to the Obedience of Subjects neceffary thereunto; and to make fome of them good *Dæmons*, and others evil; the one as a Spur to the Obfervance, the other, as Reins to withhold them from Violation of the Laws.

What

What kind of Things they were, to whom they attributed the Name of *Dæmons*, appeareth partly in the Genealogy of their Gods, written by *Hesiod*, one of the most ancient Poets of the *Grecians*; and partly in other Histories; of which I have observed some few before, in the twelfth Chapter of this Discourse.

CHAP.
XLV.

The *Grecians*, by their Colonies and Conquests, communicated their Language and Writings into *Asia*, *Egypt*, and *Italy*; and therein, by necessary Consequence, their *Dæmonology*, or (as *St. Paul* calls it) *their Doctrine of Devils*: And by that Means, the Contagion was derived also to the *Jews*, both of *Judea* and *Alexandria*, and other Parts, whereinto they were dispersed. But the Name of *Dæmon* they did not (as the *Grecians*) attribute to Spirits both good and evil; but to the evil only: and to the good *Dæmons* they gave the Name of the Spirit of God; and esteemed those into whose Bodies they entered, to be Prophets. In sum, all Singularity, if good, they attributed to the Spirit of God; and if evil, to some *Dæmon*, but a *κακοδαίμων*, an evil *Dæmon*, that is, a *Devil*. And therefore, they called *Dæmoniacs*, that is, *possessed by the Devil*, such as we call Madmen or Lunatics; or such as had the Falling Sicknefs; or that spoke any thing, which they, for want of Understanding, thought absurd: As also of an unclean Person in a notorious Degree, they used to say, he had an unclean Spirit; of a dumb Man, that he had a dumb Devil; and of *John Baptist*, *Mat. xi. 18.* for the Singularity of his Fasting, that he had a Devil; and of our Saviour, because he said, he that keepeth his Sayings should not see Death in *æternum*, *Now we know thou hast a Devil; Abraham is dead, and the Prophets are dead*: and again, because he said, *John vii. 20. They went about to kill him*, the People answered, *Thou hast a Devil, who goeth about to kill thee?* whereby it is manifest, that the *Jews* had the same Opinions concerning Phantasms, namely, that they were not Phantasms, that is, Idols of the Brain, but Things real, and independent on the Fancy:

What were the *Dæmons* of the Ancients.

How that Doctrine was spread.

How far received by the *Jews*.

John viii. 52.

Which Doctrine, if it be not true, why (may some say) did not our Saviour contradict it; and teach the contrary? nay, why does he use on divers Occasions, such Forms of Speech as seem to confirm it? To this I answer, that first, where Christ saith, *A Spirit hath not Flesh and Bone*, though he shew that there be Spirits, yet he denies not that they are Bodies: and where *St. Paul* says, *We shall rise spiritual Bodies*, he acknowledgeth the Nature of Spirits, and that they are bodily Spirits; which is not difficult to understand. For Air and many other things are Bodies, though not Flesh and Bone, or any other gross Body, to be discerned by the Eye. But when our Saviour speaketh to the Devil, and commandeth him to go out of a Man, if by the Devil be meant a Disease, as Phrensy, or Lunacy, or a corporeal Spirit, is not the Speech improper? Can Diseases hear, or can there be a corporeal Spirit, in a Body of Flesh and Bone, full already of vital and animal Spirits? Are there not therefore Spirits, that neither have Bodies, nor are mere Imaginations? To the first I answer, that the addressing of our Saviour's Command to the Madness, or Lunacy, that he cureth, is no more improper, than was his rebuking of the Fever, or of the Wind, and Sea; for neither do these hear: or than was the Command of God, to the Light, to the Firmament, to the Sun, and Stars, when he commanded them to be; for they could not hear before they had a Being. But those Speeches are not improper, because they signify the Power of God's Word: no more therefore is it improper, to command Madness or Lunacy (under the Appellation of Devils, by which they were then commonly understood) to depart out of a Man's Body. To the second, concerning their being incorporeal, I have not yet observed any Place of

Why our Saviour contradicted it not:

PART Scripture, from whence it can be gathered, that any Man was ever
 IV. poſſeſſed with any other corporeal Spirit, but that of his own, by which
 his Body is naturally moved.

The Scrip-
 tures do not
 teach that
 Spirits are
 incorporeal.

Our Saviour, immediately after the Holy Ghoſt deſcended upon him in the Form of a Dove, is ſaid by St. *Matthew*, Chap. iv. 1. to have been led up by the Spirit into the *Wilderneſs*; and the ſame is recited, *Luke* iv. 1. in theſe Words, *Jeſus being full of the Holy Ghoſt, was led in the Spirit into the Wilderneſs*: Whereby it is evident, that by Spirit there, is meant the Holy Ghoſt. This cannot be interpreted for a Poſſeſſion: For *Chriſt*, and the Holy Ghoſt, are but one and the ſame Subſtance; which is no Poſſeſſion of one Subſtance, or Body, by another. And whereas in the Verſes following, he is ſaid to have been taken up by the Devil into the holy City, and ſet upon a Pinnacle of the Temple, ſhall we conclude thence, that he was poſſeſſed of the Devil, or carried thither by Violence? And again, carried by the Devil into an exceeding high Mountain, who ſhewed him thence all the Kingdoms of the World: Wherein, we are not to believe he was either poſſeſſed, or forced by the Devil; nor that any Mountain is high enough, according to the literal Senſe, to ſhew him one whole Hemisphere. What then can be the Meaning of this Place, other than that he went of himſelf into the *Wilderneſs*; and that this carrying of him up and down, from the *Wilderneſs* to the City, and from thence into a Mountain, was a Viſion? Conformable whereunto, is alſo the Phraſe of St. *Luke*, that he was led into the *Wilderneſs*, not by, but in the Spirit: whereas concerning his being taken up into the Mountain, and unto the Pinnacle of the Temple, he ſpeaketh as St. *Matthew* doth. Which ſuiteth with the Nature of a Viſion.

Again, where St. *Luke* ſays of *Judas Iſcariot*, that *Satan entered into him, and thereupon that he went and communed with the Chief Priests, and Captains, how he might betray Chriſt unto them*: it may be answered, that by the Entering of *Satan* (that is, the *Enemy*) into him, is meant, the hostile and traitorous Intention of ſelling his Lord and Maſter. For as by the Holy Ghoſt, is frequently in Scripture underſtood, the Graces and good Inclinations given by the Holy Ghoſt; ſo by the Entering of *Satan*, may be underſtood the wicked Cogitations and Deſigns, of the Adverſaries of *Chriſt* and his Diſciples. For as it is hard to ſay, that the Devil was entered into *Judas*, before he had any ſuch hostile Deſign; ſo it is impertinent to ſay, he was firſt *Chriſt's* Enemy in his Heart, and that the Devil entered into him afterwards. Therefore the Entering of *Satan*, and his wicked Purpoſe, was one and the ſame Thing.

But if there be no immaterial Spirit, nor any Poſſeſſion of Men's Bodies by any Spirit corporeal, it may again be asked, Why our Saviour and his Apoſtles did not teach the People ſo; and in ſuch clear Words, as they might no more doubt thereof. But ſuch Queſtions as theſe, are more curious than neceſſary for a Chriſtian Man's Salvation. Men may as well ask, Why *Chriſt*, that could have given to all Men Faith, Piety, and all manner of moral Virtues, gave it to ſome only, and not to all? and why he left the Search of natural Cauſes and Sciences, to the natural Reason and Industry of Men, and did not reveal it to all, or any Man, ſupernaturally? and many other ſuch Queſtions: of which, nevertheleſs, there may be alledged probable and pious Reaſons. For as God, when he brought the *Iſraelites* into the Land of Promiſe, did not ſecure them therein, by ſubduing all the Nations round about them; but left many of them, as Thorns in their Sides, to awaken from Time to Time their Piety and Industry: ſo our Saviour, in conducting us toward his heavenly Kingdom, did not deſtroy all the Difficulties of natural

tural Questions, but left them to exerciſe our Induſtry and Reaſon; the Scope of his preaching, being only to ſhew us this plain and direct Way to Salvation, namely, the Belief of this Article, *That he was the Chriſt, the Son of the living God, ſent into the World to ſacrifice himſelf for our Sins, and at his coming again, gloriouſly to reign over his Ele&ct, and to ſave them from their Enemies eternally*: To which, the Opinion of Poſſeſſion by Spirits, or Phantaſms, are no Impediment in the Way; though it be to ſome an Occaſion of going out of the Way, and to follow their own Inventions. If we require of the Scripture an Account of all Queſtions, which may be raiſed to trouble us in the Performance of God's Commands, we may as well complain of *Mofes*, for not having ſet down the Time of the Creation of ſuch Spirits, as well as of the Creation of the Earth and Sea, and of Men and Beaſts. To conclude, I find in Scripture that there be Angels and Spirits, good and evil; but not that they are incorporeal, as are the Apparitions Men ſee in the Dark, or in a Dream or Viſion; which the *Latins* call *Spe&tra*, and took for *Dæmons*. And I find that there are Spirits corporeal, (though ſubtile and inviſible;) but not that any Man's Body was poſſeſſed or inhabited by them; and that the Bodies of the Saints ſhall be ſuch, namely, Spiritual Bodies, as *St. Paul* calls them.

Nevertheless, the contrary Doctrine, namely, that there be incorporeal Spirits, hath hitherto ſo prevailed in the Church, that the Uſe of Exorcism, (that is to ſay, of Ejection of Devils by Conjunction) is thereupon built; and (though rarely and faintly practiſed) is not yet totally given over. That there were many Dæmoniacs in the primitive Church, and few Madmen, and other ſuch ſingular Diſeaſes; whereas in theſe Times we hear of, and ſee many Madmen and few Dæmoniacs, proceeds not from the Change of Nature, but of Names. But how it comes to paſs, that whereas heretofore the Apoſtles, and after them for a Time, the Paſtors of the Church, did cure thoſe ſingular Diſeaſes, which now they are not ſeen to do; as likewiſe, why it is not in the Power of every true Believer now, to do all that the Faithful did then, that is to ſay, as we read, *Mark xvi. 17. In Chriſt's Name to caſt out Devils, to ſpeak with new Tongues, to take up Serpents, to drink deadly Poiſon without Harm taking, and to cure the Sick by laying on of their Hands*, and all this without other Words, but *in the Name of Jeſus*, is another Queſtion. And it is probable, that thoſe extraordinary Gifts were given to the Church, for no longer a Time, than Men truſted wholly to Chriſt, and looked for their Felicity only in the Kingdom to come; and conſequentlly, that when they fought Authority and Riches, and truſted to their own Subtilty for a Kingdom of this World, theſe ſupernatural Gifts of God were again taken from them.

Another Relic of *Gentiliſm*, is the *Worſhip of Images*, neither inſtituted by *Mofes* in the Old, or by *Chriſt* in the New Teſtament; nor yet brought in from the *Gentiles*; but left amongſt them, after they had given their Names to Chriſt. Before our Saviour preached, it was the general Religion of the *Gentiles*, to worſhip for Gods, thoſe Apparences that remain in the Brain from the Impreſſion of external Bodies upon the Organs of their Senſes, which are commonly called *Ideas*, *Idols*, *Phantaſms*, *Conceits*, as being Representations of thoſe external Bodies, which cauſe them, and have nothing in them of Reality, no more than there is in the Things that ſeem to ſtand before us in a Dream: And this is the Reaſon why *St. Paul* ſays, *We know that an Idol is nothing*: Not that he thought that an Image of Metal, Stone, or Wood, was nothing; but that the Thing which they honoured or feared in the Image, and held for a God, was a meer Figment, without Place, Habitation, Motion, or Exiſtence, but

The Power of caſting out Devils, not the ſame it was in the Primitive Church.

Another relic of Gentiliſm, Worſhipping of Images, left in the Church, not brought into it.

PART in the Motions of the Brain. And the Worſhip of theſe with divine Honour,
 IV. is that which is in the Scripture called Idolatry and Rebellion againſt God.
 For God being King of the *Jews*, and his Lieutenant being firſt *Mofes*, and
 afterward the High Prieſt; if the People had been permitted to worſhip,
 and pray to Images, (which are Representations of their own Fancies)
 they had had no farther Dependence on the true God, of whom there
 can be no Similitude; nor on his prime Miniſters, *Mofes*, and the High
 Prieſts; but every Man had governed himſelf according to his own Ap-
 petite, to the utter Everſion of the Commonwealth, and their own De-
 ſtruction for want of Union. And therefore the firſt Law of God was,
They ſhould not take for Gods, ALIENOS DEOS, that is, the Gods of other
Nations, but that only true God, who vouchſafed to commune with Mofes,
and by him to give them Laws and Directions for their Peace, and for
their Salvation from their Enemies. And the ſecond was, that *they ſhould*
not make to themſelves any Image to worſhip, of their own Invention. For
 it is the ſame depoſing of a King, to ſubmit to another King, whether
 he be ſet up by a neighbour Nation, or by ourſelves.

Answer to
 certain ſeem-
 ing Texts for
 Images.

The Places of Scripture to countenance the ſetting up of Images, to
 worſhip them; or to ſet them up at all in the Places where God is wor-
 ſhipped, are firſt, two Examples; one of the Cherubims over the Ark of
 God; the other of the Brazen Serpent: Secondly, ſome Texts whereby
 we are commanded to worſhip certain Creatures for their Relation to God;
 as to worſhip his Footſtool: And laſtly, ſome other Texts, by which
 is authoriſed, a religious honouring of holy Things. But before I ex-
 amine the Force of thoſe Places, to prove that which is pretended, I
 muſt firſt explain what is to be underſtood by *worſhipping*, and what by
Images, and *Idols*.

What is
 Worſhip.

I have already ſhewn in the XXth Chapter of this Diſcourſe, that to
 honour, is to value highly the Power of any Perſon: and that ſuch Value
 is meaſured, by our comparing him with others. But becauſe there is
 nothing to be compared with God in Power; we honour him not, but
 diſhonour him, by any Value leſs than Infinite. And thus Honour is pro-
 perly of its own Nature, ſecret and internal in the Heart. But the in-
 ward Thoughts of Men, which appear outwardly in their Words and
 Actions, are the Signs of honouring, and theſe go by the Name of *Wor-*
ſhip, in *Latin, Cultus*. Therefore, to pray to, to ſwear by, to obey, to
 be diligent and officious in ſerving; in ſum, all Words and Actions that
 betoken Fear to offend, or Deſire to pleaſe, is *Worſhip*, whether thoſe
 Words and Actions be ſincere, or feigned: and becauſe they appear as
 Signs of honouring, are ordinarily alſo called *Honour*.

Diſtinction
 between Di-
 vine and Ci-
 vil Worſhip.

The Worſhip we exhibit to thoſe we eſteem to be but Men, as to
 Kings and Men in Authority, is *Civil Worſhip*: But the Worſhip we
 exhibit to that which we think to be God, whatſoever the Words, Ce-
 remonies, Geſtures, or other Actions be, is *Divine Worſhip*. To
 fall proſtrate before a King, in him that thinks him but a Man, is
 but Civil Worſhip: And he that but putteth off his Hat in the Church
 for this Cauſe, that he thinketh it the Houſe of God, worſhippeth
 with Divine Worſhip. They that ſeek the Diſtinction of Divine and
 Civil Worſhip, not in the Intention of the Worſhipper, but in the
 Words *δουλεία*, and *λαλρεία*, deceive themſelves. For whereas there be
 two Sorts of Servants; that Sort, which is of thoſe that are abſolutely in
 the Power of their Maſters, as Slaves taken in War, and their Iſſue,
 whoſe Bodies are not in their own Power, (their Lives depending on the
 Will of their Maſters, in ſuch Manner as to forfeit them upon the leaſt
 Diſobedience) and that are bought and ſold as Beaſts, were called *Δούλοι*,
 that is properly, Slaves, and their Service *Δουλεία*: The other, which is of
 thoſe

those that ſerve (for Hire, or in hope of Benefit from their Maſters) voluntarily, are called *Θῆτες*, that is, Domeſtic Servants; to whoſe Service the Maſters have no further Right, than is contained in the Covenants made betwixt them. Theſe two Kinds of Servants have thus much common to them both, that their Labour is appointed them by another: And the Word *Λάτρεις*, is the general Name of both, ſignifying him that worketh for another, whether as a Slave, or a voluntary Servant: So that *Λατρεία* ſignifieth generally all Service; but *Δουλεία* the Service of Bondmen only, and the Condition of Slavery: And both are uſed in Scripture (to ſignify our Service of God) promiſcuouſly. *Δουλεία*, becauſe we are God's Slaves; *Λατρεία*, becauſe we ſerve him: and in all Kinds of Service is contained, not only Obedience, but alſo Worſhip; that is, ſuch Actions, Geſtures, and Words, as ſignify Honour.

An *Image* (in the moſt ſtriſt Signification of the Word) is the Reſemblance of ſomething viſible: In which Senſe the phantaſtical Forms, Apparitions, or Seemings of viſible Bodies to the Sight, are only *Images*; ſuch as are the Shew of a Man, or other Thing in the Water, by Reflexion or Refraction; or of the Sun, or Stars, by direct Viſion in the Air; which are nothing real in the Things ſeen, nor in the Place they ſeem to be; nor are their Magnitudes and Figures the ſame with that of the Object; but changeable by the Variation of the Organs of Sight, or by Glaſſes; and are preſent oftentimes in our Imagination and in our Dreams, when the Object is abſent; or changed into other Colours and Shapes, as Things that depend only upon the Fancy. And theſe are the Images which are originally and moſt properly called *Ideas* and *Idols*, and derived from the Language of the *Grecians*, with whom the Word *Εἶδω* ſignifieth to ſee. They are alſo called *Phantaſms*, which is in the ſame Language, *Apparitions*. And from theſe Images it is that one of the Faculties of Man's Nature, is called the *Imagination*. And from hence it is manifeſt, that there neither is, nor can be, any Image made of a Thing inviſible.

It is alſo evident, that there can be no Image of a Thing infinite: for all the Images and Phantaſms that are made by the Impreſſion of Things viſible, are figured: but Figure is a Quantity every way determined: And therefore there can be no Image of God; nor of the Soul of Man; nor of Spirits; but only of Bodies viſible, that is, Bodies that have Light in themſelves, or are by ſuch enlightened.

And whereas a Man can fancy Shapes he never ſaw; making up a Figure out of the Parts of divers Creatures; as the Poets make their Centaurs, Chimæras, and other Monſters never ſeen: So can he alſo give Matter to thoſe Shapes, and make them in Wood, Clay, or Metal. And theſe are alſo called Images, not for the Reſemblance of any corporeal Thing, but for the Reſemblance of ſome phantaſtical Inhabitants of the Brain of the Maker. But in theſe Idols, as they are originally in the Brain, and as they are painted, carved, moulded, or moulden in Matter, there is a Similitude of the one to the other, for which the material Body made by Art, may be ſaid to be the Image of the phantaſtical Idol made by Nature.

But in a larger Uſe of the Word Image, is contained alſo any Representation of one Thing by another. So an earthly Sovereign may be called the Image of God: And an inferior Magiſtrate the Image of an earthly Sovereign. And many times in the Idolatry of the *Gentiles*, there was little Regard to the Similitude of their material Idol to the Idol in their Fancy, and yet it was called the Image of it. For a Stone unhewn has been ſet up for *Neptune*, and divers other Shapes far different from the Shapes they conceived of their Gods. And at this Day we ſee many Images of the *Virgin Mary*, and other Saints, unlike one another, and without Correſpondence to any one Man's Fancy; and yet ſerve well

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enough for the Purpose they were erected for ; which was no more but by the Names only, to represent the Persons mentioned in the History ; to which every Man applieth a mental Image of his own making, or none at all. And thus an Image in the largest Sense, is either the Resemblance or the Representation of something visible ; or both together, as it happeneth for the most part.

But the Name of Idol is extended yet further in Scripture, to signify also the Sun, or a Star, or any other Creature, visible or invisible, when they are worshipped for Gods.

Idolatry,
what.

Having shewn what is *Worship*, and what an *Image* ; I will now put them together, and examine what that *Idolatry* is, which is forbidden in the second Commandment, and other Places of the Scripture.

To worship an Image, is voluntarily to do those external Acts, which are Signs of honouring either the Matter of the Image, which is Wood, Stone, Metal, or some other visible Creature ; or the Phantasm of the Brain, for the Resemblance or Representation whereof, the Matter was formed and figured ; or both together, as one animate Body, composed of the Matter and the Phantasm, as of a Body and Soul.

To be uncovered, before a Man of Power and Authority, or before the Throne of a Prince, or in such other Places as he ordaineth to that Purpose in his Absence, is to worship that Man, or Prince, with Civil Worship ; as being a Sign, not of honouring the Stool or Place, but the Person ; and is not Idolatry. But if he that doth it, should suppose the Soul of the Prince to be in the Stool, or should present a Petition to the Stool, it were divine Worship and Idolatry.

To pray to a King for such Things as he is able to do for us, though we prostrate ourselves before him, is but Civil Worship ; because we acknowledge no other Power in him, but human : But voluntarily to pray unto him for fair Weather, or for any thing which God only can do for us, is divine Worship and Idolatry. On the other Side, if a King compel a Man to it by the Terror of Death, or other great corporal Punishment, it is not Idolatry : For the Worship which the Sovereign commandeth to be done unto himself by the Terror of his Laws, is not a Sign that he that obeyeth him, does inwardly honour him as a God, but that he is desirous to save himself from Death or from a miserable Life ; and that which is not a Sign of internal Honour, is no Worship ; and therefore no Idolatry. Neither can it be said, that he that does it, scandalizeth or layeth any Stumbling-block before his Brother ; because how wise or learned soever he be that worshippeth in that manner, another Man cannot from thence argue, that he approveth it ; but that he doth it for Fear ; and that it is not his Act, but the Act of his Sovereign.

To worship God, in some peculiar Place, or turning a Man's Face towards an Image, or determinate Place, is not to worship or honour the Place, or Image ; but to acknowledge it holy, that is to say, to acknowledge the Image, or the Place to be set apart from common Use : for that is the Meaning of the Word *Holy* ; which implies no new Quality in the Place, or Image ; but only a new Relation by Appropriation to God ; and therefore is not Idolatry ; no more than it was Idolatry to worship God before the Brazen Serpent ; or for the *Jews* when they were out of their own Country, to turn their Faces, (when they prayed) toward the Temple of *Jerusalem* ; or for *Moses* to put off his Shoes when he was before the flaming Bush, the Ground appertaining to Mount *Sinai* ; which Place God had chosen to appear in, and to give his Laws to the People of *Israel*, and was therefore holy Ground, not by inherent Sanctity, but by Separation to God's Use ; or for Christians to worship in the Churches, which are once solemnly dedicated to God for that Purpose, by the

the Authority of the King, or other true Representant of the Church. C H A P.
XLV.
 But to worship God, as inanimating or inhabiting such Image, or Place; that is to say, an infinite Substance in a finite Place, is Idolatry: for such finite Gods, are but Idols of the Brain, nothing real; and are commonly called in the Scripture by the Names of *Vanity*, and *Lies*, and *Nothing*. Also to worship God, not as inanimating, or present in the Place, or Image; but to the End to be put in mind of him, or of some Works of his, in case the Place or Image be dedicated, or set up by private Authority, and not by the Authority of them that are our Sovereign Pastors; is Idolatry. For the Commandment is, *Thou shalt not make to thy self any graven Image*. God commanded *Moses* to set up the Brazen Serpent; he did not make it to himself; it was not therefore against the Commandment. But the making of the Golden Calf by *Aaron*, and the People, as being done without Authority from God, was Idolatry; not only because they held it for God, but also because they made it for a religious Use, without Warrant either from God their Sovereign, or from *Moses*, that was his Lieutenant.

The *Gentiles* worshipped for Gods, *Jupiter*, and others; that living; were Men perhaps that had done great and glorious Acts; and for the Children of God, divers Men and Women, supposing them gotten between an immortal Deity, and a mortal Man. This was Idolatry, because they made them so to themselves, having no Authority from God; neither in his eternal Law of Reason, nor in his positive and revealed Will. But though our Saviour was a Man, whom we also believe to be God immortal, and the Son of God; yet this is no Idolatry; because we build not that Belief upon our own Fancy, or Judgment, but upon the Word of God revealed in the Scriptures. And for the Adoration of the Eucharist, if the Words of *Christ*, *This is my Body*, signify, *that he himself, and the seeming Bread in his Hand; and not only so, but that all the seeming Morsels of Bread that have ever since been, and any time hereafter shall be consecrated by Priests, be so many Christ's Bodies, and yet all of them but one Body*; then is that no Idolatry; because it is authorised by our Saviour: but if that Text do not signify that, (for there is no other that can be alledged for it) then, because it is a Worship of human Institution, it is Idolatry. For it is not enough to say, God can transubstantiate the Bread into *Christ's* Body: For the *Gentiles* also held God to be omnipotent; and might upon that Ground no less excuse their Idolatry, by pretending, as well as others, a Transubstantiation of their Wood and Stone into God Almighty.

Whereas there be, that pretend Divine Inspiration to be a supernatural Entering of the Holy Ghost into a Man, and not an Acquisition of God's Graces, by Doctrine and Study; I think they are in a very dangerous Dilemma. For if they worship not the Men whom they believe to be so inspired, they fall into Impiety; as not adoring God's supernatural Presence. And again, if they worship them, they commit Idolatry; for the Apostles would never permit themselves to be so worshipped: Therefore the safest way is to believe, that by the Descending of the Dove upon the Apostles, and by *Christ's* Breathing on them when he gave them the Holy Ghost, and by the giving of it by Imposition of Hands, are understood the Signs which God hath been pleased to use, or ordain to be used, of his Promise to assist those Persons in their Study to preach his Kingdom, and in their Conversation, that it might not be scandalous, but edifying to others.

Besides the idolatrous Worship of Images, there is also a scandalous Scandalous
Worship of
Images.
 Worship of them; which is also a Sin, but not Idolatry. For *Idolatry* is to worship by Signs of an internal, and real Honour: but *scandalous*
Worship,

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Worſhip, is but ſeeming *Worſhip*; and may ſometimes be joined with an inward, and hearty Detestation, both of the Image, and of the phantaſtical *Dæmon*, or Idol, to which it is dedicated; and proceed only from the fear of Death, or other grievous Punishment; and is nevertheless a Sin in them that ſo worſhip, in caſe they be Men whoſe Actions are looked at by others, as Lights to guide them by; becauſe following their Ways, they cannot but ſtumble, and fall, in the Way of Religion. Whereas the Example of thoſe we regard not, works not on us at all, but leaves us to our own Diligence and Caution; and conſequently is no Cauſe of our falling.

If therefore a Paſtor lawfully called to teach and direct others, or any other, of whoſe Knowledge there is a great Opinion, do external Honour to an Idol for Fear; unleſs he make his Fear, and Unwillingneſs to it, as evident as the *Worſhip*; he ſcandalizeth his Brother, by ſeeming to approve Idolatry. For his Brother arguing from the Action of his Teacher, or of him whoſe Knowledge he eſteemeth great, concludes it to be lawful in itſelf. And this Scandal is Sin, and a *Scandal given*. But if one, being no Paſtor, nor of eminent Reputation for Knowledge in Chriſtian Doctrines, do the ſame, and another follow him; this is no Scandal given; for he had no Cauſe to follow ſuch Example: but is a Pretence of Scandal which he taketh of himſelf for an Excuse before Men. For an unlearned Man, that is in the Power of an idolatrous King, or State, if commanded on Pain of Death to worſhip before an Idol, he deteſteth the Idol in his Heart, he doth well; though if he had the Fortitude to ſuffer Death, rather than worſhip it, he ſhould do better. But if a Paſtor, who as *Chriſt's* Meſſenger, has undertaken to teach *Chriſt's* Doctrines to all Nations, ſhould do the ſame, it were not only a ſinful Scandal, in reſpect of other Chriſtian Men's Conſciences, but a perfidious forſaking of his Charge.

The Sum of that which I have ſaid hitherto, concerning the *Worſhip* of Images, is this, that he that worſhippeth in an Image, or any Creature, either the Matter thereof, or any Fancy of his own, which he thinketh to dwell in it; or both together; or believeth that ſuch Things hear his Prayers, or ſee his Devotions, without Ears, or Eyes, committeth Idolatry: and he that counterfeiteth ſuch *Worſhip* for Fear of Punishment, if he be a Man whoſe Example hath Power amongſt his Brethren, committeth a Sin: But he that worſhippeth the Creator of the World before ſuch an Image, or in ſuch a Place as he hath not made, or choſen of himſelf, but taken from the Commandment of God's Word, as the *Jews* did in worſhipping God before the Cherubims, and before the Brazen Serpent for a Time, and in, or towards the Temple of *Jeruſalem*, which was alſo but for a Time, committeth not Idolatry.

Now for the *Worſhip* of Saints, and Images, and Relics, and other Things at this Day practiſed in the Church of *Rome*, I ſay they are not allowed by the Word of God, nor brought into the Church of *Rome*, from the Doctrines there taught; but partly left in it at the firſt Conversion of the *Gentiles*; and afterwards countenanced, and confirmed, and augmented by the Biſhops of *Rome*.

Anſwertothe
Argument
from the
Cherubims,
and Brazen
Serpent.

As for the Proofs alledged out of Scripture, namely, thoſe Examples of Images appointed by God to be ſet up; they were not ſet up for the People, or any Man to worſhip; but that they ſhould worſhip God himſelf before them; as before the Cherubims, before the Ark, and the Brazen Serpent. For we read not that the Prieſt, or any other did worſhip the Cherubims; but contrarily we read, 2 *Kings* xviii. 4. that *Hezekiah* brake in Pieces the Brazen Serpent which *Moſes* had ſet up, becauſe the People burnt Incenſe to it. Beſides, thoſe Examples are not
put

put for our Imitation, that we alſo ſhould ſet up Images, under Preſence of worſhipping God before them; becauſe of the Words of the ſecond Commandment, *Thou ſhalt not make to thyſelf any graven Image; &c.* diſtinguiſh between the Images that God commanded to be ſet up, and thoſe which we ſet up to ourſelves. And therefore from the Cherubims, or Brazen Serpent, to the Images of Man's deviſing; and from the Worſhip commanded by God, to the Will-worſhip of Men, the Argument is not good. This alſo is to be conſidered, that as *Hezekiah* brake in Pieces the Brazen Serpent, becauſe the *Jews* did worſhip it; to the end they ſhould do ſo no more: ſo alſo Chriſtian Sovereigns ought to break down the Images which their Subjects have been accuſtomed to worſhip, that there be no more Occaſion of ſuch Idolatry. For at this Day, the ignorant People, where Images are worſhipped, do really believe there is a Divine Power in the Images; and are told by their Paſtors, that ſome of them have ſpoken; and have bled; and that Miracles have been done by them; which they apprehend as done by the Saint, which they think either is the Image itſelf, or in it. The *Iſraelites*, when they worſhipped the Calf, did think they worſhipped the God that brought them out of *Egypt*; and yet it was Idolatry, becauſe they thought the Calf either was that God, or had him in his Belly. And though ſome Men may think it impoſſible for People to be ſo ſtupid, as to think the Image to be God, or a Saint; or to worſhip it in that Notion; yet it is manifeſt in Scripture to the contrary; where when the Golden Calf was made, the People ſaid, * *Theſe are thy Gods, O Iſrael*; and where the Images of *Laban* † * Exod. xxxii. 2. † Gen: xxxi. 30. are called his Gods. And we ſee daily by Experience in all Sorts of People, that ſuch Men as ſtudy nothing but their Food and Eaſe, are content to believe any Abſurdity, rather than to trouble themſelves to examine it; holding their Faith as it were by Entail unalienable, except by an expreſs and new Law.

But they infer from ſome other Places, that it is lawful to paint Angels, and alſo God himſelf: as from God's walking in the Garden; from *Jacob's* ſeeing God at the Top of the Ladder; and from other Viſions, and Dreams. But Viſions, and Dreams, whether natural, or ſupernatural, are but Phantaſms: and he that painteth an Image of any of them, maketh not an Image of God, but of his own Phantaſm, which is making of an Idol. I ſay not, that to draw a Picture after a Fancy, is a Sin; but when it is drawn to hold it for a Representation of God, it is againſt the ſecond Commandment; and can be of no Uſe but to worſhip. And the ſame may be ſaid of the Images of Angels, and of Men dead; unleſs as Monuments of Friends, or of Men worthy Remembrance: for ſuch Uſe of an Image, is not worſhip of the Image; but a civil honouring of the Perſon, not that is, but that was: but when it is done to the Image which we make of a Saint, for no other Reaſon, but that we think he heareth our Prayers, and is pleaſed with the Honour we do him, when dead, and without Senſe, we attribute to him more than human Power; and therefore it is Idolatry.

Seeing therefore there is no Authority, neither in the Law of *Mofes*, nor in the Goſpel, for the religious Worſhip of Images, or other Representations of God, which Men ſet up themſelves; or for the Worſhip of the Image of any Creature in Heaven, or Earth, or under the Earth: and whereas Chriſtian Kings, who are living Representants of God, are not to be worſhipped by their Subjects, by any Act, that ſignifieth a greater Eſteem of his Power, than the Nature of mortal Man is capable of; it cannot be imagined, that the religious Worſhip now in Uſe,

PART was brought into the Church, by miſunderſtanding of the Scripture. It
 IV. reſteth therefore, that it was left in it, by not deſtroying the Images
 themſelves, in the Converſion of the Gentiles that worſhipped them.

How Idola-
 try was left in
 the Church.

The Cauſe whereof, was the immoderate Eſteem and Prices ſet upon
 the Workmanſhip of them, which made the Owners (though converted
 from worſhipping them as they had done religiously for Dæmons) to
 retain them ſtill in their Houſes, upon Pretence of doing it in the Ho-
 nour of *Chriſt*, of the *Virgin Mary*, and of the *Apoſtles*, and other the Pa-
 ſtors of the Primitive Church; as being eaſy, by giving them new Names,
 to make that an Image of the *Virgin Mary*, and of her *Son* our Saviour,
 which before perhaps was called the Image of *Venus*, and *Cupid*; and ſo
 of a *Jupiter* to make a *Barnabas*, and of *Mercury* a *Paul*, and the like.
 And as worldly Ambition creeping by Degrees into the Paſtors, drew
 them to an Endeavour of pleaſing the new-made Chriſtians; and alſo to a
 liking of this kind of Honour, which they alſo might hope for after
 their Deceafe, as well as thoſe that had already gained it: ſo the wor-
 ſhipping of the Images of Chriſt and his Apoſtles, grew more and more
 idolatrous; ſave that ſomewhat after the time of *Constantine*, divers Em-
 perors, and Biſhops, and General Councils, obſerved, and oppoſed the
 Unlawfulneſs thereof; but too late, or too weakly.

Canonizing
 of Saints.

The *Canonizing of Saints*, is another Relic of Gentiliſm: It is neither
 a Miſunderſtanding of Scripture, nor a new Invention of the *Roman*
 Church; but a Cuſtom as ancient as the Commonwealth of *Rome* itſelf.
 The firſt that ever was canonized at *Rome*, was *Romulus*, and that upon
 the Narration of *Julius Proculus*, that ſwore before the Senate, he ſpake
 with him after his Death, and was aſſured by him, he dwelt in Heaven,
 and was there called *Quirinus*, and would be propitious to the State of
 their new City: and thereupon the Senate gave *public Teſtimony* of his
 Sanctity. *Julius Cæſar*, and other Emperors after him, had the like *Te-
 ſtimony*; that is, were canonized for Saints; for by ſuch Teſtimony is
Canonization now defined; and is the ſame with the *Αποθίωσις* of the
 Heathen.

The Name of
 Pontifex.

It is alſo from the *Roman* Heathen, that the Popes have received the
 Name and Power of *Pontifex Maximus*. This was the Name of him
 that in the ancient Commonwealth of *Rome*, had the ſupreme Authority
 under the Senate and People, of regulating all Ceremonies, and Doctrines
 concerning their Religion: And when *Augustus Cæſar* changed the State
 into a Monarchy, he took to himſelf no more but this Office, and that
 of Tribune of the People, that is to ſay, the ſupreme Power both in
 State, and Religion; and the ſucceeding Emperors enjoyed the ſame.
 But when the Emperor *Constantine* lived, who was the firſt that pro-
 feſſed and authorized Chriſtian Religion, it was conſonant to his Pro-
 feſſion, to cauſe Religion to be regulated, under his Authority, by the
 Biſhop of *Rome*: though it do not appear they had ſo ſoon the Name of
Pontifex; but rather, that the ſucceeding Biſhops took it of themſelves,
 to countenance the Power they exerciſed over the Biſhops of the *Roman*
 Provinces. For it is not any Privilege of *St. Peter*, but the Privilege of
 the City of *Rome*, which the Emperors were always willing to up-
 hold, that gave them ſuch Authority over other Biſhops; as may be
 evidently ſeen by that, that the Biſhop of *Constantinople*, when the Em-
 peror made that City the Seat of the Empire, pretended to be equal to
 the Biſhop of *Rome*; though at laſt, not without Contention, the Pope
 carried it, and became the *Pontifex Maximus*; but in Right only of
 the Emperor; and not without the Bounds of the Empire; nor any
 where, after the Emperor had loſt his Power in *Rome*; though it were
 the

the Pope himself that took his Power from him. From whence we may by the way observe, that there is no Place for the Superiority of the Pope over other Bishops, except in the Territories whereof he is himself the Civil Sovereign; and where the Emperor having Sovereign Power Civil, hath expressly chosen the Pope for the chief Pastor under himself, of his Christian Subjects.

The carrying about of Images in *Procession*, is another Relic of the Religion of the *Greeks* and *Romans*: For they also carried their Idols from place to place, in a Kind of Chariot, which was peculiarly dedicated to that Use, which the *Latines* called *Thensa*, and *Vehiculum Deorum*: and the Image was placed in a Frame or Shrine, which they called *Ferculum*: And that which they called *Pompa*, is the same that now is named *Procession*: According whereunto, amongst the divine Honours which were given to *Julius Cæsar* by the Senate, this was one, that in the Pomp (or *Procession*) at the *Circæan Games*, he should have *Thensam* & *Ferculum*, a sacred Chariot and a Shrine; which was as much, as to be carried up and down as a God: just as at this Day the Popes are carried by *Switzers* under a Canopy.

To these *Processions* also belonged the bearing of burning Torches, and Candles, before the Images of the Gods, both amongst the *Greeks* and *Romans*. For afterwards the Emperors of *Rome* received the same Honours; as we read of *Caligula*, that at his Reception to the Empire, he was carried from *Misenum* to *Rome*, in the midst of a Throng of People, the Ways beset with Altars, and Beasts for Sacrifice, and burning *Torches*: And of *Caracalla*, that was received into *Alexandria* with Incense, and with casting of Flowers, and *δαδρχιας*, that is, with *Torches*; for *Δαδρχοι* were they that amongst the *Greeks* carried *Torches* lighted in the *Processions* of their Gods: And in process of Time, the devout but ignorant People, did many times honour their Bishops with the like Pomp of Wax Candles, and the Images of our Saviour, and the Saints, constantly in the Church itself. And thus came in the Use of Wax Candles; and was also established by some of the ancient Councils.

The Heathens had also their *Aqua Lustralis*, that is to say, *Holy Water*. The Church of *Rome* imitates them also in their *Holy Days*. They had their *Bacchanalia*; and we have our *Wakes*, answering to them: They their *Saturnalia*, and we our *Carnivals*, and *Shrove-Tuesdays* Liberty of Servants: They their *Procession* of *Priapus*; we our fetching in, *Erection*, and *Dancing* about *May-poles*; and *Dancing* is one Kind of *Worship*: They had their *Procession* called *Ambarvalia*; and we our *Procession* about the Fields in the *Rogation Week*. Nor do I think that these are all the Ceremonies that have been left in the Church, from the first Conversion of the *Gentiles*: but they are all that I can for the present call to Mind; and if a Man would well observe that which is delivered in the Histories, concerning the religious Rites of the *Greeks* and *Romans*, I doubt not but he might find many more of these old empty Bottles of *Gentilism*, which the Doctors of the *Roman Church*, either by Negligence or Ambition, have filled up again with the new Wine of Christianity, that will not fail in time to break them.

Of DARKNESS from VAIN PHILOSOPHY, and FABULOUS TRADITIONS.

What Philo-
ſophy is.

BY *Philosophy*, is underſtood the Knowledge acquired by Reasoning, from the Manner of the Generation of any thing, to the Properties; or from the Properties, to ſome poſſible Way of Generation of the ſame; to the end to be able to produce, as far as Matter, and human Force permit, ſuch Effects, as human Life requireth. So the Geometrician, from the Conſtruction of Figures, findeth out many Properties thereof; and from the Properties, new Ways of their Conſtruction, by Reasoning; to the end to be able to meaſure Land and Water; and for infinite other Uſes. So the Aſtronomer, from the riſing, ſetting, and moving of the Sun and Stars, in divers Parts of the Heavens, findeth out the Cauſes of Day and Night, and of the different Seasons of the Year; whereby he keepeth an Account of Time; and the like of other Sciences.

Prudence no
Part of Phi-
loſophy.

By which Definition it is evident, that we are not to account as any Part thereof, that original Knowledge called Experience, in which conſiſteth Prudence: becauſe it is not attained by Reasoning, but found as well in Brute Beaſts, as in Man; and is but a Memory of Succeſſions of Events in Times paſt, wherein the Omiſſion of every little Circumſtance altering the Effect, fruſtrateth the Expectation of the moſt prudent: whereas nothing is produced by Reasoning aright, but general, eternal, and immutable Truth.

No falſe Doc-
trine is Part
of Philoſophy:

Nor are we therefore to give that Name to any falſe Concluſions: For he that reaſoneth aright in Words he underſtandeth, can never conclude in Error.

No more is
Revelation
ſupernatural:
Nor Learning
taken up-
on Credit of
Authors.

Nor to that which any Man knows by ſupernatural Revelation; becauſe it is not acquired by Reasoning:

Of the Be-
ginnings and
Progreſs of
Philoſophy.

Nor to that which is gotten by Reasoning from the Authority of Books; becauſe it is not by Reasoning from the Cauſe to the Effect, nor from the Effect to the Cauſe; and is not Knowledge, but Faith.

The Faculty of Reasoning being conſequent to the Uſe of Speech, it was not poſſible, but that there ſhould have been ſome general Truths found out by Reasoning, as ancient almoſt as Language itſelf. The Savages of *America*, are not without ſome good Moral Sentences; alſo they have a little Arithmetic to add, and divide in Numbers not too great: but they are not therefore Philoſophers. For as there were Plants of Corn and Wine in ſmall Quantity diſperſed in the Fields and Woods, before Men knew their Virtue, or made uſe of them for their Nouriſhment, or planted them apart in Fields and Vineyards; in which Time they fed on Acorns, and drank Water: ſo alſo there have been divers true, general, and profitable Speculations from the Beginning; as being the natural Plants of human Reaſon: But they were at firſt but few in Number; Men lived upon groſs Experience; there was no Method; that is to ſay, no ſowing, no planting of Knowledge by itſelf, apart from the Weeds, and common Plants of Error and Conjecture: And the Cauſe of it being the want of Leiſure from procuring the Neceſſities of Life, and defending themſelves againſt their Neighbours, it was impoſſible, till the erecting of great Commonwealths, it ſhould be otherwiſe. *Leiſure* is the Mother of *Philosophy*; and *Commonwealth*, the Mother of *Peace* and *Leiſure*: Where firſt were great and flouriſhing *Cities*, there was firſt the Study of *Philosophy*.

Philosophy. The *Gymnosophists* of *India*, the *Magi* of *Persia*, and the *Priests* of *Chaldea* and *Egypt*, are counted the most ancient Philosophers; and those Countries were the most ancient of Kingdoms. *Philosophy* was not risen to the *Grecians*, and other People of the *West*, whose *Commonwealths*, (no greater perhaps than *Lucca* or *Genoa*) had never *Peace*, but when their Fears of one another were equal; nor the *Leisure* to observe any thing but one another. At length, when War had united many of these *Grecian* lesser Cities, into fewer and greater; then began *seven Men*, of several Parts of *Greece*, to get the Reputation of being *wise*; some of them for *moral* and *politic* Sentences; and others for the Learning of the *Chaldeans* and *Egyptians*, which was *Astronomy* and *Geometry*. But we hear not yet of any *Schools* of *Philosophy*.

After the *Athenians* by the Overthrow of the *Persian* Armies, had gotten the Dominion of the Sea, and thereby of all the Islands and Maritime Cities of the *Archipelago*, as well of *Asia* as *Europe*, and were grown wealthy; they that had no Employment, neither at home nor abroad, had little to employ themselves in, but either (as *St. Luke* says, *Acts* xvii. 21.) in *telling and hearing News*, or in *discourfing of Philosophy* publicly to the Youth of the City. Every Master took some Place for that Purpose. *Plato* in certain public Walks called *Academia*, from one *Academus*: *Aristotle* in the Walk of the Temple of *Pan*, called *Lycæum*: others in the *Stoa*, or covered Walk, wherein the Merchants Goods were brought to Land: others in other Places; where they spent the Time of their Leisure in teaching, or in disputing of their Opinions: and some in any Place, where they could get the Youth of the City together to hear them talk. And this was it which *Carneades* also did at *Rome*, when he was Ambassador: which caused *Cato* to advise the Senate to dispatch him quickly, for fear of corrupting the Manners of the young Men that delighted to hear him speak (as they thought) fine Things.

Of the
Schools of
Philosophy
amongst the
Athenians.

From this it was, that the Place where any of them taught, and disputed, was called *Schola*, which in their Tongue signifieth *Leisure*; and their Disputations, *Diatribæ*, that is that is to say, *passing of the Time*. Also the Philosophers themselves had the Name of their Sects, some of them from these their Schools: For they that followed *Plato's* Doctrine, were called *Academics*; the followers of *Aristotle*, *Peripatetics*, from the Walk he taught in; and those that *Zeno* taught, *Stoics*, from the *Stoa*: as if we should denominate Men from *More-fields*, from *Paul's Church*, and from the *Exchange*, because they meet there often, to prate and loiter.

Nevertheless, Men were so much taken with this Custom, that in time it spread itself over all *Europe*, and the best Part of *Africa*; so as there were Schools publicly erected, and maintained for Lectures and Disputations, almost in every Commonwealth.

There were also Schools, anciently, both before and after the Time of our Saviour, amongst the *Jews*: but they were Schools of their Law. For though they were called *Synagogues*, that is to say, Congregations of the People; yet inasmuch as the Law was every Sabbath Day read, expounded, and disputed in them, they differed not in Nature, but in Name only from public Schools; and were not only in *Jerusalem*, but in every City of the *Gentiles*, where the *Jews* inhabited. There was such a School at *Damascus*, whereinto *Paul* entered, to persecute. There were others at *Antioch*, *Iconium*, and *Thessalonica*, whereinto he entered to dispute: And such was the Synagogue of the *Libertines*, *Cyrenians*, *Alexandrians*, *Cilicians*, and those of *Asia*; that is to say, the School of *Libertines*, and of *Jews*, that were Strangers in *Jerusalem*: And of this School they were that disputed, *Acts* vi. 9. with *St. Stephen*.

Of the
Schools of
the Jews.

PART
IV.

The School
of the Gre-
cians unpro-
fitable.

But what has been the Utility of those Shools? what Science is there at this Day acquired by their Readings and Disputings? That we have of Geometry, which is the Mother of all natural Science, we are not indebted for it to the Schools. *Plato*, that was the best Philosopher of the *Greeks*, forbad Entrance into his School, to all that were not already in some measure Geometricians. There were many that studied that Science to the great Advantage of Mankind: but there is no Mention of their Schools; nor was there any Sect of Geometricians; nor did they then pass under the Name of Philosophers. The natural Philosophy of those Schools, was rather a Dream than Science, and set forth in senseless and insignificant Language; which cannot be avoided by those that will teach Philosophy, without having first attained great Knowledge in Geometry: For Nature worketh by Motion; the Ways and Degrees whereof cannot be known, without the Knowledge of the Proportions and Properties of Lines and Figures. Their moral Philosophy is but a Description of their own Passions. For the Rule of Manners, without Civil Government, is the Law of Nature; and in it, the Law Civil; that determineth what is *honest*, and *dishonest*; what is *just*, and *unjust*; and generally what is *good* and *evil*: whereas they make the Rules of *Good* and *Bad*, by their own *liking* and *disliking*: By which Means, in so great Diversity of Taste, there is nothing generally agreed on; but every one doth, as far as he dares, whatsoever seemeth good in his own Eyes, to the Subversion of Commonwealth. Their *Logic*, which should be the Method of Reasoning, is nothing else but Captions of Words, and Inventions how to puzzle such as should go about to oppose them. To conclude, there is nothing so absurd, that the old Philosophers (as *Cicero* saith, who was one of them) have not some of them maintained. And I believe that scarce any thing can be more absurdly said in natural Philosophy, than that which now is called *Aristotle's Metaphysics*; nor more repugnant to Government, than much of that he hath said in his *Politics*; nor more ignorantly, than a great part of his *Ethics*.

The Schools
of the Jews
unprofitable.

The School of the *Jews*, was originally a School of the Law of *Moses*; who commanded, *Deut. xxxi. 10.* that at the End of every seventh Year, at the Feast of the Tabernacles, it should be read to all the People, that they might hear, and learn it: Therefore the reading of the Law (which was in use after the Captivity) every Sabbath-day, ought to have had no other End, but the acquainting of the People with the Commandments which they were to obey, and to expound unto them the Writings of the Prophets. But it is manifest, by the many Reprehensions of them by our Saviour, that they corrupted the Text of the Law with their false Commentaries, and vain Traditions; and so little understood the Prophets, that they did neither acknowledge *Christ*, nor the Works he did; of which the Prophets prophesied. So that, by their Lectures and Disputations in their Synagogues, they turned the Doctrine of their Law into a phantastical kind of Philosophy, concerning the incomprehensible Nature of God, and of Spirits; which they compounded of the vain Philosophy and Theology of the *Grecians*, mingled with their own Fancies, drawn from the obscurer Places of the Scripture, and which might most easily be wrested to their Purpose; and from the fabulous Traditions of their Ancestors.

Univerfity,
what it is.

That which is now called an *Univerfity*, is a joining together, and an Incorporation under one Government, of many public Schools, in one and the same Town or City. In which, the principal Schools were ordained for the three Professions, that is to say, of the *Roman* Religion, of the *Roman* Law, and of the Art of Medicine. And for the

Study

Study of Philoſophy it hath no otherwiſe place, than as a Handmaid to the *Roman* Religion: And ſince the Authority of *Ariſtotle* is only current there, that Study is not properly Philoſophy (the Nature whereof dependeth not on Authors) but *Ariſtotelity*. And for Geometry, till of very late times, it had no Place at all; as being ſubſervient to nothing but rigid Truth. And if any Man, by the Ingenuity of his own Nature, had attained to any Degree of Perfection therein, he was commonly thought a Magician, and his Art diabolical.

CHAP.
XLVI.

Now to deſcend to the particular Tenets of vain Philoſophy, derived to the Univerſities, and thence into the Church, partly from *Ariſtotle*, partly from Blindneſs of Underſtanding; I ſhall firſt conſider their Principles. There is a certain *Philoſophia prima*, on which all other Philoſophy ought to depend; and conſiſteth principally, in right limiting of the Significations of ſuch Appellations, or Names, as are of all others the moſt univerſal: Which Limitations ſerve to avoid Ambiguity, and Equivocation in Reaſoning; and are commonly called Definitions; ſuch as are the Definitions of Body, Time, Place, Matter, Form, Eſſence, Subject, Substance, Accident, Power, Act, Finite, Infinite, Quantity, Quality, Motion, Action, Paſſion, and divers others, neceſſary to the explaining of a Man's Conceptions concerning the Nature and Generation of Bodies. The Explication (that is, the ſettling of the Meaning) of which, and the like Terms, is commonly in the Schools called *Metaphyſics*; as being a part of the Philoſophy of *Ariſtotle*, which hath that for Title: but it is in another Senſe; for there it ſignifieth as much as *Books written, or placed after his natural Philoſophy*: But the Schools take them for *Books of ſupernatural Philoſophy*: for the Word *Metaphyſics* will bear both theſe Senſes. And indeed that which is there written, is for the moſt part ſo far from the Poſſibility of being underſtood; and ſo repugnant to natural Reaſon, that whoſoever thinketh there is any thing to be underſtood by it, muſt needs think it ſupernatural.

Errors brought into Religion from Ariſtotle's *Metaphyſics*.

From theſe *Metaphyſics*, which are mingled with the Scripture to make School Divinity, we are told, there be in the World certain Eſſences ſeparated from Bodies, which they call *abstract Eſſences, and ſubſtantial Forms*: For the interpreting of which *Jargon*, there is need of ſomewhat more than ordinary Attention in this Place. Alſo I aſk Pardon of thoſe that are not uſed to this kind of Diſcourſe, for applying myſelf to thoſe that are. The World (I mean not the Earth only, that denominates the Lovers of it, *worldly Men*, but the *Univerſe*, that is, the whole Maſs of all Things that are) is corporeal, that is to ſay, Body; and hath the Dimensions of Magnitude, namely, Length, Breadth, and Depth: alſo every part of Body, is likewiſe Body, and hath the like Dimensions; and conſequently every part of the Univerſe is Body; and that which is not Body, is no part of the Univerſe: And becauſe the Univerſe is All, that which is no part of it, is *Nothing*; and conſequently *no where*. Nor does it follow from hence, that Spirits are *nothing*: for they have Dimensions, and are therefore really *Bodies*; though that Name in common Speech be given to ſuch Bodies only, as are viſible, or palpable; that is, that have ſome Degree of Opacity: But for Spirits, they call them incorporeal; which is a Name of more Honour, and may therefore with more Piety be attributed to God himſelf; in whom we conſider not what Attribute expreſſeth beſt his Nature, which is incomprehenſible; but what beſt expreſſeth our Deſire to honour him.

Errors concerning abstract Eſſences.

To know now upon what Grounds they ſay there be *Eſſences abstract, or ſubſtantial Forms*, we are to conſider what thoſe Words do properly ſignify. The Uſe of Words, is to register to ourſelves, and make manifeſt to others, the Thoughts and Conceptions of our Minds. Of which

Words,

PART
IV.

Words, some are the Names of Things conceived ; as the Names of all sorts of Bodies, that work upon the Senses, and leave an Impression in the Imagination : Others are the Names of the Imaginations themselves ; that is to say, of those Ideas, or mental Images we have of all Things we see, or remember : And others again are Names of Names ; or of different sorts of Speech : As *Universal, Plural, Singular*, are the Names of Names ; and *Definition, Affirmation, Negation, True, False, Syllogism, Interrogation, Promise, Covenant*, are the Names of certain Forms of Speech. Others serve to shew the Consequence, or Repugnance of one Name to another ; as when one saith, *A Man is a Body*, he intendeth that the Name of *Body* is necessarily consequent to the Name of *Man* ; as being but several Names of the same Thing, *Man* ; which Consequence is signified by coupling them together with the Word *is*. And as we use the Verb *is* ; so the *Latins* use the Verb *est*, and the *Greeks* their $\epsilon\sigma\tau$ through all its Declinations. Whether all other Nations of the World have in their several Languages a Word that answereth to it, or not, I cannot tell ; but I am sure they have not need of it : For the placing of two Names in order may serve to signify their Consequence ; if it were the Custom, (for Custom is it that give Words their Force) as well as the Words *is*, or *be*, or *are*, and the like.

And if it were so, that there were a Language without any Verb answerable to *est*, or *is*, or *be* ; yet the Men that used it would be not a Jot the less capable of inferring, concluding, and of all kind of Reasoning, than were the *Greeks* and *Latins*. But what then would become of these Terms of *Entity, Essence, Essential, Essentiality*, that are derived from it, and of many more that depend on these, applied as most commonly they are ? They are therefore no Names of Things, but Signs, by which we make known, that we conceive the Consequence of one Name or Attribute to another : as when we say, *a Man, is, a living Body*, we mean not that the *Man* is one thing, the *living Body* another, and the *is*, or *Being* a third : but that the *Man* and the *living Body* is the same thing ; because the Consequence, *If he be a Man, he is a living Body*, is a true Consequence, signified by that Word *is*. Therefore, *to be a Body, to walk, to be speaking, to live, to see*, and the like Infinitives ; also *Corporeity, Walking, Speaking, Life, Sight*, and the like, that signify just the same, are the Names of *Nothing* ; as I have elsewhere more amply expressed.

But to what Purpose, may some Man say, is such Subtilty in a Work of this Nature, where I pretend to nothing but what is necessary to the Doctrine of Government and Obedience ? It is to this Purpose, that Men may no longer suffer themselves to be abused, by them, that by this Doctrine of *separated Essences*, built on the vain Philosophy of *Aristotle*, would fright them from obeying the Laws of their Country, with empty Names ; as Men fright Birds from the Corn with an empty Doublet, a Hat, and a crooked Stick. For it is upon this Ground, that when a Man is dead and buried, they say his Soul, that is his Life, can walk separated from his Body, and is seen by Night amongst the Graves. Upon the same Ground they say, that the Figure, and Colour, and Taste, of a Piece of Bread, has a Being, there, where they say there is no Bread : and upon the same Ground they say, that Faith, and Wisdom, and other Virtues, are sometimes *poured* into a Man, sometimes *blown* into him from Heaven ; as if the Virtuous, and their Virtues, could be asunder ; and a great many other things that serve to lessen the Dependance of Subjects on the Sovereign Power of their Country. For who will endeavour to obey the Laws, if he expect Obedience to be poured or blown into him ? or who will not obey a Priest, that can make God, rather than his Sovereign ;

Sovereign; nay than God himſelf? or who, that is in Fear of Ghoſts, will not bear great Reſpect to thoſe that can make the Holy Water, that drives them from him? And this ſhall ſuffice for an Example of the Errors, which are brought into the Church, from the *Entities* and *Effences* of *Ariſtotle*: which it may be he knew to be falſe Philoſophy; but writ it as a Thing conſonant to, and corroborative of their Religion; and fearing the Fate of *Socrates*.

Being once fallen into this Error of *ſeparated Effences*, they are thereby neceſſarily involved in many other Abſurdities that follow it. For ſeeing they will have theſe Forms to be real, they are obliged to aſſign them *ſome Place*. But becauſe they hold them incorporeal, without all Dimenſion of Quantity, and all Men know that Place is Dimenſion, and not to be filled but by that which is corporeal; they are driven to uphold their Credit with a Diſtinction, that they are not indeed any where *Circumſcriptivè*, but *Definitivè*: Which Terms being mere Words, and on this Occaſion inſignificant, paſs only in *Latin*, that the Vanity of them may be concealed. For the Circumſcription of a Thing, is nothing elſe but the Determination, or Defining of its Place; and ſo both the Terms of the Diſtinction are the ſame. And in particular, of the Effence of a Man, which (they ſay) is the Soul, they affirm it, to be all of it in his little Finger, and all of it in every other Part (how ſmall ſoever) of his Body; and yet no more Soul in the whole Body, than in any one of thoſe Parts. Can any Man think that God is ſerved with ſuch Abſurdities? And yet all this is neceſſary to believe, to thoſe that will believe the Exiſtence of an incorporeal Soul, ſeparated from the Body.

And when they come to give Account, how an incorporeal Subſtance can be capable of Pain, and be tormented in the Fire of Hell, or Purgatory, they have nothing at all to anſwer, but that it cannot be known how fire can burn Souls.

Again, whereas Motion is Change of Place, and incorporeal Subſtances are not capable of Place, they are troubled to make it ſeem poſſible, how a Soul can go hence, without the Body, to Heaven, Hell, or Purgatory; and how the Ghoſts of Men (and I may add of their Clothes which they appear in) can walk by Night in Churches, Church-yards, and other Places of Sepulture. To which I know not what they can anſwer, unleſs they will ſay, they walk *definitivè*, not *circumſcriptivè*, or *ſpiritually*, not *temporally*: for ſuch egregious Diſtinctions are equally applicable to any Difficulty whatſoever.

For the Meaning of *Eternity*, they will not have it to be an endleſs Succeſſion of Time, for then they ſhould not be able to render a Reaſon how God's Will, and preordaining of Things to come, ſhould not be before his Preſcience of the ſame, as the efficient Cauſe before the Effect, or Agent before the Action; nor of many other their bold Opinions concerning the incomprehenſible Nature of God. But they will teach us, that Eternity is the Standing ſtill of the preſent Time, a *Nunc-ſtans*, (as the Schools call it;) which neither they, nor any elſe underſtand, no more than they would a *Hic-ſtans* for an infinite Greatneſs of Place.

And whereas Men divide a Body in their Thought, by numbering Parts of it, and in numbering thoſe Parts, number alſo the Parts of the Place it filled; it cannot be but in making many Parts, we make alſo many Places of thoſe Parts; whereby there cannot be conceived in the Mind of any Man, more or fewer Parts, than there are Places for: yet they will have us believe, that by the Almighty Power of God, one Body may be at one and the ſame Time in many Places, and many Bodies at one and the ſame Time in one Place: As if it were an Acknowledgment of the divine Power, to ſay, that which is, is not; or that which has been, has

PART not been. And thefe are but a fmall Part of the Incongruities they are
 IV. forced to, from their difputing Philofophically, inftead of admiring, and
 ~~~~~ adoring of the divine and incomprehenfible Nature ; whofe Attributes can-  
 not fignify what he is, but ought to fignify our Defire to honour him with  
 the beft Appellations we can think on. But they that venture to reafon  
 of his Nature, from thefe Attributes of Honour, lofing their Underftand-  
 ing in the very firft Attempt, fall from one Inconvenience into another,  
 without End and without Number ; in the fame Manner, as when a Man,  
 ignorant of the Ceremonies of Court, coming into the Prefence of a greater  
 Perfon than he is ufed to fpeak to, and stumbling at his Entrance, to fave  
 himfelf from falling, lets flip his Cloak ; to recover his Cloak, lets fall  
 his Hat ; and with one Diforder after another, difcovers his Aftonifhment  
 and Rufficity.

Abfurdities  
 in natural  
 Philofophy,  
 as Gravity  
 the Caufe of  
 Heavinefs.

Then for *Physics*, that is, the Knowledge of the subordinate, and fe-  
 condary Caufes of natural Events ; they render none at all, but empty  
 Words. If you defire to know why fome Kind of Bodies fink naturally  
 downwards toward the Earth, and others go naturally from it ; the  
 Schools will tell you out of *Aristotle*, that the Bodies that fink downwards,  
 are *heavy* ; and that this Heavinefs is it that caufes them to defcend :  
 But if you afk what they mean by *Heavinefs*, they will define it to be an  
 Endeavour to go to the Center of the Earth : fo that the Caufe why Things  
 fink downward, is an Endeavour to be below : which is as much as to  
 fay, that Bodies defcend or afcend, becaufe they do. Or they will tell  
 you the Center of the Earth is the Place of Reft, and Confervation for  
 heavy Things ; and therefore they endeavour to be there : As if Stones  
 and Metals had a Defire, or could difcern the Place they would be at, as  
 Man does ; or loved Reft, as Man does not ; or that a Piece of Glafs  
 were lefs fafe in the Window, than falling into the Street.

Quantity put  
 into Body al-  
 ready made.

If we would know why the fame Body feems greater (without adding  
 to it) one Time than another ; they fay, when it feems lefs, it is *con-*  
*densed* ; when greater, *rarefied*. What is that *condensed*, and *rarefied* ?  
 Condensed, is when there is in the very fame Matter, lefs Quantity than  
 before ; and rarefied, when more. As if there could be Matter, that had  
 not fome determined Quantity ; when Quantity is nothing elfe but the  
 Determination of Matter ; that is to fay, of Body, by which we fay one  
 Body is greater or leffer than another, by thus, or thus much. Or as if  
 a Body were made without any Quantity at all, and that afterwards more  
 or lefs were put into it, according as it is intended the Body fhould be  
 more or lefs denfe.

Pouring in  
 of Souls.

For the Caufe of the Soul of Man, they fay, *Creatur Infundendo*, and  
*Creando Infunditur* : that is, *It is Created by Pouring it in*, and *Poured*  
*in by Creation*.

Ubiquity of  
 Apparition.

For the Caufe of Sense, an Ubiquity of *Species* ; that is, of the *Shews*  
 or *Apparitions* of Objects ; which when they be Apparitions to the Eye,  
 is *Sight* ; when to the Ear, *Hearing* ; to the Palate, *Tafte* ; to the  
 Noftiril, *Smelling* ; and to the reft of the Body, *Feeling*.

Will, the  
 Caufe of  
 Willing.

For Caufe of the Will, to do any particular Action, which is called  
*Volitio*, they affign the Faculty, that is to fay, the Capacity in general, that  
 Men have, to will fometimes one thing, fometimes another, which is  
 called *Voluntas* ; making the *Power* the Caufe of the *Act* : As if one fhould  
 affign for Caufe of the good or evil Acts of Men, their Ability to do them.

Ignorance an  
 occult Caufe.

And on many Occafions they put for Caufe of natural Events, their own  
 Ignorance ; but difguifed in other Words: As when they fay, Fortune is the  
 Caufe of Things contingent ; that is, of Things whereof they know no Caufe:  
 And as when they attribute many Effects to *occult Qualities* ; that is, Qualities  
 not known to them ; and therefore alfo (as they think) to no Man elfe. And

to *Sympathy, Antipathy, Antiperistasis, Specifical Qualities*, and other like Terms, which signify neither the Agent that produceth them, nor the Operation by which they are produced. CHAP. XLVI.

If such *Metaphysics* and *Physics* as this, be not *vain Philosophy*, there was never any; nor needed *St. Paul* to give us warning to avoid it.

And for their Moral and Civil Philosophy, it hath the same, or greater Absurdities. If a Man do an Action of Injustice, that is to say, an Action contrary to the Law, God they say is the prime Cause of the Law, and also the prime Cause of that, and all other Actions; but no Cause at all of the Injustice; which is the Inconformity of the Action to the Law. This is vain Philosophy. A Man might as well say, that one Man maketh both a straight Line, and a crooked, and another maketh their Incongruity. And such is the Philosophy of all Men that resolve of their Conclusions, before they know their Premises; pretending to comprehend, that which is incomprehensible; and of Attributes of Honour to make Attributes of Nature; as this Distinction was made to maintain the Doctrine of Free-will, that is, of a Will of Man, not subject to the Will of God. One makes the Things incongruent, another the Incongruity.

*Aristotle*, and other heathen Philosophers, define Good and Evil, by the Appetite of Men; and well enough, as long as we consider them governed every one by his own Law: For in the Condition of Men that have no other Law but their own Appetites, there can be no general Rule of good and evil Actions. But in a Commonwealth this Measure is false: Not the Appetite of private Men, but the Law, which is the Will and Appetite of the State, is the Measure. And yet is this Doctrine still practised; and Men judge the Goodness, or Wickedness of their own, and of other Men's Actions, and of the Actions of the Commonwealth itself, by their own Passions; and no Man calleth Good or Evil, but that which is so in his own Eyes, without any Regard at all to the public Laws; except only Monks and Friars, that are bound by Vow to that simple Obedience to their Superior, to which every Subject ought to think himself bound by the Law of Nature to the Civil Sovereign. And this private Measure of Good, is a Doctrine not only vain, but also pernicious to the public State. Private Appetite the Rule of public Good:

It is also vain and false Philosophy, to say the Work of Marriage is repugnant to Chastity or Continnence, and by consequence to make them moral Vices; as they do, that pretend Chastity and Continnence, for the Ground of denying Marriage to the Clergy. For they confess it is no more, but a Constitution of the Church, that requireth in those holy Orders that continually attend the Altar, and Administration of the Eucharist, a continual Abstinence from Women, under the Name of continual Chastity, Continnence, and Purity. Therefore they call the lawful Use of Wives, Want of Chastity and Continnence; and so make Marriage a Sin, or at least a Thing so impure and unclean, as to render a Man unfit for the Altar. If the Law were made because the Use of Wives is Incontinence, and contrary to Chastity, then all Marriage is Vice: If because it is a Thing too impure, and unclean for a Man consecrated to God; much more should other natural, necessary, and daily Works which all Men do, render Men unworthy to be Priests, because they are more unclean. And that lawful Marriage is Unchastity.

But the secret Foundation of this Prohibition of Marriage of Priests, is not likely to have been laid so slightly, as upon such Errors in Moral Philosophy; nor yet upon the Preference of single Life, to the Estate of Matrimony; which proceeded from the Wisdom of *St. Paul*, who perceived how inconvenient a Thing it was, for those that in those Times of Persecution were Preachers of the Gospel, and forced to fly from one

Country

PART Country to another, to be clogged with the Care of Wife and Children; but  
 IV. upon the Defign of the Popes, and Priests of After-times to make themselves  
 the Clergy, that is to fay, fole Heirs of the Kingdom of God in this World; to which it was neceffary to take from them the Ufe of Marriage, becaufe our Saviour faith, that at the Coming of his Kingdom the Children of God *fhall neither marry nor be given in Marriage, but fhall be as the Angels in Heaven*; that is to fay, Spiritual. Seeing then they had taken on them the Name of Spiritual, to have allowed themselves (when there was no Need) the Propriety of Wives, had been an Incongruity.

And that all Government but Popular, is Tyranny.

From *Aristotle's* Civil Philofophy, they have learned to call all manner of Commonwealths but the Popular, (fuch as was at that Time the State of *Athens*) Tyranny. All Kings they called Tyrants; and the Aristocracy of the thirty Governors fet up there by the *Lacedæmonians* that fubdued them, the thirty Tyrants: As alfo to call the Condition of the People under the Democracy, *Liberty*. A *Tyrant* originally fignified no more, fimply, but a *Monarch*: But when afterwards, in moft Parts of *Greece*, that kind of Government was abolifhed, the Name began to fignify, not only the thing it did before, but with it, the Hatred which the popular States bare towards it: As alfo the Name of King became odious after the deposing the Kings in *Rome*, as being a thing natural to all Men, to conceive fome great Fault to be fignified in any Attribute, that is given in Defpight, and to a great Enemy. And when the fame Men fhall be difpleafed with thofe that have the Adminiftration of the Democracy, or Aristocracy, they are not to feek for difgraceful Names to exprefs their Anger in; but call readily the one *Anarchy*, and the other *Oligarchy*, or the *Tyranny of a Few*. And that which offendeth the People, is no other thing, but that they are governed, not as every one of them would himfelf, but as the public Representant, be it one Man, or an Affembly of Men, thinks fit; that is, by an arbitrary Government: for which they give evil Names to their Superiors; never knowing (till perhaps a little after a Civil War) that without fuch arbitrary Government, fuch War muft be perpetual; and that it is Men, and Arms, not Words, and Promifes, that make the Force and Power of the Laws.

That not Men, but Law governs.

And therefore this is another Error of *Aristotle's* Politics, that in a well-ordered Commonwealth, not Men fhould govern, but the Laws. What Man, that has his natural Senses, though he can neither write nor read, does not find himfelf governed by them he fears, and believes can kill or hurt him when he obeyeth not? or that believes the Law can hurt him; that is, Words and Paper, without the Hands and Swords of Men? And this is of the Number of pernicious Errors: for they induce Men, as oft as they like not their Governors, to adhere to thofe that call them Tyrants, and to think it lawful to raife War againft them: and yet they are many times cherished from the Pulpit, by the Clergy.

Laws over the Confcience.

There is another Error in their Civil Philofophy (which they never learned of *Aristotle* nor *Cicero*, or any other of the Heathen) to extend the Power of the Law, which is the Rule of Actions only, to the very Thoughts, and Confciences of Men, by Examination, and *Inquisition* of what they hold, notwithstanding the Conformity of their Speech and Actions: by which, Men are either punifhed for anfwering the Truth of their Thoughts, or conftained to anfwer an Untruth for fear of Punifhment. It is true, that the Civil Magiftrate, intending to employ a Minifter in the Charge of Teaching, may enquire of him, if he be content to preach fuch, and fuch Doctrines; and in cafe of Refufal, may deny him the Employment; but to force him to accufe himfelf of Opinions, when his Actions are not by Law forbidden, is againft the Law of Nature;

Nature; and especially in them, who teach, that a Man shall be damned to eternal and extreme Torments, if he die in a false Opinion concerning an Article of the Christian Faith. For who is there, that knowing there is so great Danger in an Error, whom the natural Care of himself, compelleth not to hazard his Soul upon his own Judgment, rather than that of any other Man that is unconcerned in his Damnation?

CHAP.  
XLVI.

For a private Man, without the Authority of the Commonwealth, that is to say, without Permission from the Representant thereof, to interpret the Law by his own Spirit, is another Error in the Politics; but not drawn from *Aristotle*, nor from any other of the Heathen Philosophers. For none of them deny, but that in the Power of making Laws is comprehended also the Power of explaining them when there is need. And are not the Scriptures, in all Places, where they are Law, made Law by the Authority of the Commonwealth, and consequently a Part of the Civil Law?

Private Interpretation  
of Law.

Of the same Kind it is also, when any but the Sovereign restraineth in any Man that Power which the Commonwealth hath not restrained: as they do, that appropriate the Preaching of the Gospel to one certain Order of Men, where the Laws have left it free. If the State give me leave to preach or teach; that is, if it forbid me not, no Man can forbid me. If I find myself amongst the Idolaters of *America*, shall I that am a Christian, though not in Orders, think it a Sin to preach *Jesus Christ*, till I have received Orders from *Rome*? or when I have preached, shall not I answer their Doubts, and expound the Scriptures to them; that is, shall I not teach? But for this may some say, as also for administering to them the Sacraments, the Necessity shall be esteemed for a sufficient Mission; which is true: But this is true also, that for whatsoever a Dispensation is due for the Necessity, for the same there needs no Dispensation, when there is no Law that forbids it. Therefore to deny these Functions to those to whom the Civil Sovereign hath not denied them, is a taking away of a lawful Liberty; which is contrary to the Doctrine of Civil Government.

More Examples of vain Philosophy, brought into Religion by the Doctors of School-Divinity, might be produced; but other Men may if they please observe them of themselves. I shall only add this, that the Writings of School-Divines are nothing else, for the most Part, but insignificant Trains of strange and barbarous Words, or Words otherwise used, than in the common Use of the *Latin* Tongue; such as would oppose *Cicero* and *Varro*, and all the Grammarians of ancient *Rome*. Which if any Man would see proved, let him (as I have said before) see whether he can translate any School-Divine into any of the modern Tongues, as *French*, *English*, or any other copious Language: for that which cannot in most of these be made intelligible, is not intelligible in the *Latin*. Which Insignificancy of Language, though I cannot note it for false Philosophy; yet it hath a Quality, not only to hide the Truth, but also to make Men think they have it, and desist from further Search.

Language of  
School-Divines.

Lastly, for the Errors brought in from false, or uncertain History, what is all the legend fictitious Miracles, in the Lives of the Saints, and all the Histories of Apparitions and Ghosts, alledged by the Doctors of the *Roman* Church, to make good their Doctrines of Hell, and Purgatory, the Power of Exorcism, and other Doctrines which have no Warrant, neither in Reason, nor Scripture; as also all those Traditions which they call the unwritten Word of God; but old Wives Fables? Whereof, though they find dispersed somewhat in the Writings of the ancient Fathers; yet those Fathers were Men, that might too easily believe false Reports; and the producing of their Opinions for Testimony

Errors from  
Tradition.

PART  
IV.

of the Truth of what they believed, hath no other Force with them that (according to the Counsel of St. *John* 1 *Epist.* iv. 1.) examine Spirits, than in all Things that concern the Power of the *Roman* Church, (the Abuse whereof either they suspected not, or had Benefit by it) to discredit their Testimony in respect of too rash Belief of Reports; which the most sincere Men, without great Knowledge of natural Causes, (such as the Fathers were) are commonly the most subject to: For naturally, the best Men are the least suspicious of fraudulent Purposes. *Gregory* the Pope, and St. *Bernard*, have somewhat of Apparitions of Ghosts, that said they were in Purgatory; and so has our *Bede*: but no where, I believe, but by Report from others. But if they, or any other, relate any such Stories of their own Knowledge, they shall not thereby confirm the more such vain Reports; but discover their own Infirmity or Fraud.

Suppression  
of Reason.

With the Introduction of False, we may join also the Suppression of True Philosophy, by such Men as neither by lawful Authority, or sufficient Study, are competent Judges of the Truth. Our own Navigations make manifest, and all Men learned in human Sciences, now acknowledge there are Antipodes: And every Day it appeareth more and more, that Years and Days are determined by Motions of the Earth. Nevertheless, Men that have in their Writings but supposed such Doctrine, as an Occasion to lay open the Reasons for, and against it, have been punished for it by Authority Ecclesiastical. But what Reason is there for it? Is it because such Opinions are contrary to true Religion? that cannot be, if they be true. Let therefore the Truth be first examined by competent Judges; or confuted by them that pretend to know the contrary. Is it because they be contrary to the Religion established? Let them be silenced by the Laws of those, to whom the Teachers of them are subject; that is, by the Laws Civil: For Disobedience may lawfully be punished in them, that against the Laws teach even true Philosophy. Is it because they tend to Disorder in Government, as countenancing Rebellion or Sedition? then let them be silenced, and the Teachers punished by Virtue of his Power, to whom the Care of the public Quiet is committed; which is the Authority Civil. For whatsoever Power Ecclesiastics take upon themselves, (in any Place where they are subject to the State) in their own Right, though they call it God's Right, is but Usurpation.

## C H A P. XLVII.

*Of the BENEFIT that proceedeth from such Darknes, and to whom it accrueth.*

He that receiveth Benefit by a Fact, is presumed to be the Author.

**C***icero* maketh honourable Mention of one of the *Cassii*, a severe Judge amongst the *Romans*, for a Custom he had, in criminal Causes, (when the Testimony of the Witnesses was not sufficient) to ask the Accusers, *Cui bono*; that is to say, what Profit, Honour, or other Contentment, the Accused obtained, or expected by the Fact. For amongst Presumptions, there is none that so evidently declareth the Author, as doth the *Benefit* of the Action. By the same Rule I intend in this place to examine, who they may be, that have possessed the People so long in this Part of Christendom, with these Doctrines, contrary to the peaceable Societies of Mankind.

That the Church Militant is the Kingdom of God, was first taught by the Church of Rome.

And first, to this Error, *that the present Church now militant on Earth, is the Kingdom of God*, (that is, the Kingdom of Glory, or the Land of Promise; not the Kingdom of Grace, which is but a Promise of the Land) are annexed these worldly Benefits; First, that the Pastors, and Teachers of the Church, are entituled thereby, as God's public Ministers,

to

to a Right of governing the Church ; and consequently (because the Church and Commonwealth are the same Persons) to be Rectors and Governors of the Commonwealth. By this Title it is, that the Pope prevailed with the Subjects of all Christian Princes to believe, that to disobey him, was to disobey Christ himself; and in all Differences between him and other Princes, (charmed with the Word *Power Spiritual*) to abandon their lawful Sovereigns; which is in Effect an universal Monarchy over all Christendom. For though they were first invested in the Right of being supreme Teachers of Christian Doctrine, by and under Christian Emperors, within the Limits of the *Roman Empire*, (as is acknowledged by themselves) by the Title of *Pontifex Maximus*, who was an Officer subject to the Civil State; yet after the Empire was divided, and dissolved, it was not hard to obtrude upon the People already subject to them, another Title, namely, the Right of *St. Peter*; not only to save intire their pretended Power; but also to extend the same over the same Christian Provinces, though no more united in the Empire of *Rome*. This Benefit of an Universal Monarchy, (considering the Desire of Men to bear Rule) is a sufficient Presumption, that the Popes that pretended to it, and for a long Time enjoyed it, were the Authors of the Doctrine, by which it was obtained; namely, that the Church now on Earth, is the Kingdom of Christ. For that granted, it must be understood that Christ hath some Lieutenant amongst us, by whom we are to be told what are his Commandments.

After that certain Churches had renounced this Universal Power of the Pope, one would expect in reason, that the Civil Sovereigns in all those Churches, should have recovered so much of it, as (before they had unadvisedly let it go) was their own Right, and in their own Hands. And in *England* it was so in effect; saving that they, by whom the Kings administered the Government of Religion, by maintaining their Employment to be in God's Right, seemed to usurp, if not a Supremacy; yet an Independency on the Civil Power: and they but seemed to usurp it, inasmuch as they acknowledged a Right in the King, to deprive them of the Exercise of their Functions at his Pleasure.

But in those Places where the Presbytery took that Office; though many other Doctrines of the Church of *Rome* were forbidden to be taught; yet this Doctrine, that the Kingdom of Christ is already come, and that it began at the Resurrection of our Saviour, was still retained. But *cui bono*? What Profit did they expect from it? The same which the Popes expected: to have a Sovereign Power over the People. For what is it for Men to excommunicate their lawful King, but to keep him from all Places of God's public Service in his own Kingdom? and with Force to resist him, when he with Force endeavoureth to correct them? Or what is it, without Authority from the Civil Sovereign, to excommunicate any Person, but to take from him his lawful Liberty, that is; to usurp an unlawful Power over their Brethren? The Authors therefore of this Darknes in Religion, are the *Roman* and the *Presbyterian* Clergy.

And maintained also by the Presbytery.

To this Head, I refer also all those Doctrines, that serve them to keep the Possession of this spiritual Sovereignty after it is gotten. As first; that the *Pope in his public Capacity cannot err*. For who is there, that believing this to be true, will not readily obey him in whatsoever he commands?

Infallibility.

Secondly, that all other Bishops, in what Commonwealth soever, have not their Right, neither immediately from God, nor mediately from their Civil Sovereigns, but from the Pope, is a Doctrine; by which there comes to be, in every Christian Commonwealth, many potent Men (for so are Bishops) that have their Dependence on the Pope, and owe Obedience

Subjection of Bishops.

PART dience to him, though he be a foreign Prince; by which means he is  
 IV. able (as he hath done many times) to raise a Civil War against the  
 State, that submits not itself to be governed according to his Pleasure  
 and Interest.

Exemptions of the Clergy. Thirdly, the Exemption of these, and of all other Priests, and of all Monks and Friars, from the Power of the Civil Laws. For by this Means, there is a great part of every Commonwealth, that enjoy the Benefit of the Laws, and are protected by the Power of the Civil State, which nevertheless pay no part of the public Expence; are not liable to the Penalties, as other Subjects, due to their Crimes; and consequently, stand not in fear of any Man, but the Pope; and adhere to him only, to uphold his universal Monarchy.

The Names of Sacerdotes, and Sacrificers. Fourthly, the giving to their Priests, (which is no more in the New Testament but Presbyters, that is, Elders) the Name of *Sacerdotes*, that is, Sacrificers, which was the Title of the Civil Sovereign, and his public Ministers, among the *Jews*, whilst God was their King. Also, the making the Lord's Supper a Sacrifice, serveth to make the People believe the Pope hath the same Power over all Christians, that *Moses* and *Aaron* had over the *Jews*; that is to say, all Power, both Civil and Ecclesiastical, as the High Priest then had.

The Sacramentation of Marriage. Fifthly, the teaching that Matrimony is a Sacrament, giveth to the Clergy the Judging of the Lawfulness of Marriages; and thereby, of what Children are legitimate; and consequently, of the Right of Succession to hereditary Kingdoms.

The single Life of Priests. Sixthly, the Denial of Marriage to Priests, serveth to assure this Power of the Pope over Kings. For if a King be a Priest, he cannot marry, and transmit his Kingdom to his Posterity: If he be not a Priest, then the Pope pretendeth this Authority Ecclesiastical over him, and over his People.

Auricular Confession. Seventhly, from Auricular Confession, they obtain, for the Assurance of their Power, better Intelligence of the Designs of Princes, and great Persons in the Civil State, than these can have of the Designs of the State Ecclesiastical.

Canonization of Saints, and declaring of Martyrs. Eighthly, by the Canonization of Saints, and declaring who are Martyrs, they assure their Power, in that they induce simple Men into an Obstinacy against the Laws and Commands of their Civil Sovereigns even to Death, if by the Pope's Excommunication, they be declared Heretics or Enemies to the Church; that is, (as they interpret it,) to the Pope.

Transubstantiation, Penance, Absolution. Ninthly, they assure the same, by the Power they ascribe to every Priest, of making Christ; and by the Power of ordaining Penance; and of Remitting, and Retaining of Sins.

Purgatory, Indulgences, external Works. Tenthly, by the Doctrine of Purgatory, of Justification by external Works, and of Indulgences, the Clergy is enriched.

Dæmonology and Exorcism. Eleventhly, by their Dæmonology, and the Use of Exorcism, and other Things appertaining thereto, they keep (or think they keep) the People more in Awe of their Power.

School Divinity. Lastly, the Metaphysics, Ethics, and Politics of *Aristotle*, the frivolous Distinctions, barbarous Terms, and obscure Language of the Schoolmen, taught in the Universities (which have been all erected and regulated by the Pope's Authority) serve them to keep these Errors from being detected, and to make Men mistake the *Ignis fatuus* of vain Philosophy, for the Light of the Gospel.

The Authors of spiritual Darknefs, who they be. To these, if they sufficed not, might be added other of their dark Doctrines, the Profit whereof redoundeth manifestly to the setting up of an unlawful Power over the lawful Sovereigns of Christian People;

or

or for the ſuſtaining of the ſame, when it is ſet up; or to the worldly Riches, Honour, and Authority of thoſe that ſuſtain it. And therefore by the aforeſaid Rule, of *cui bono*, we may juſtly pronounce for the Authors of all this ſpiritual Darkneſs, the Pope; and *Roman* Clergy; and all thoſe beſides that endeavour to ſettle in the Minds of Men this erroneous Doctrines, that the Church now on Earth, is that Kingdom of God mentioned in the Old and New Teſtament.

But the Emperors, and other Chriſtian Sovereigns, under whoſe Government theſe Errors, and the like Encroachments of Eccleſiaſtics upon their Office, at firſt crept in, to the Diſturbance of their Poſſeſſions, and of the Tranquility of their Subjects, though they ſuffered the ſame for want of Foreſight of the Sequel, and of Inſight into the Deſigns of their Teachers, may nevertheleſs be eſteemed Acceſſaries to their own, and the public Damage: For without their Authority there could at firſt no ſeditious Doctrines have been publicly preached. I ſay they might have hindered the ſame in the Beginning: But when the People were once poſſeſſed by thoſe ſpiritual Men, there was no human Remedy to be applied, that any Man could invent: And for the Remedies that God ſhould provide, who never faileth in his good Time to deſtroy all the Machinations of Men againſt the Truth, we are to attend his good Pleaſure, that ſuffereth many Times the Proſperity of his Enemies, together with their Ambition, to grow to ſuch a Height, as the Violence thereof openeth the Eyes, which the Warineſs of their Predeceſſors had before ſealed up, and makes Men by too much graſping let go all, as *Peter's* Net was broken, by the Struggling of too great a Multitude of Fiſhes; whereas the Impatience of thoſe that ſtrive to reſiſt ſuch Encroachment, before their Subjects Eyes were opened, did but increaſe the Power they reſiſted. I do not therefore blame the Emperor *Frederick* for holding the Stirrop to our Countryman Pope *Adrian*; for ſuch was the Diſpoſition of his Subjects then, as if he had not done it, he was not likely to have ſucceeded in the Empire: But I blame thoſe, that in the Beginning, when their Power was entire, by ſuffering ſuch Doctrines to be forged in the Universities of their own Dominions, have holden the Stirrop to all the ſucceeding Popes, whiſt they mounted into the Thrones of all Chriſtian Sovereigns, to ride, and tire, both them, and their People, at their Pleaſure.

But as the Inventions of Men are woven, ſo alſo are they unravelled out; the Way is the ſame, but the Order is inverted: The Web begins at the firſt Elements of Power; which are Wiſdom, Humility, Sincerity, and other Virtues of the Apoſtles, whom the People when converted, obeyed, out of Reverence, not by Obligation: Their Conſciences were free, and their Words and Actions ſubject to none but the Civil Power. Afterwards the Preſbyters, as the Flocks of *Chriſt* increaſed, aſſembling to conſider what they ſhould teach, and thereby obliging themſelves to teach nothing againſt the Decrees of their Aſſemblies, made it to be thought the People were thereby obliged to follow their Doctrines, and when they reſuſed, reſuſed to keep them Company, (that was then called Excommunication) not as being Infidels, but as being diſobedient: And this was the firſt Knot upon their Liberty. And the Number of Preſbyters increaſing, the Preſbyters of the chief City or Province, got themſelves an Authority over the parochial Preſbyters, and appropriated to themſelves the Names of Biſhops: And this was a ſecond Knot on Chriſtian Liberty. Laſtly, the Biſhop of *Rome*, in regard of the imperial City, took upon him an Authority (partly by the Wills of the Emperors themſelves, and by the Title of *Pontifex Maximus*, and at laſt when the Emperors were grown weak, by the Privileges of St.

PART IV. *Peter*) over all other Bishops of the Empire: which was the third and last Knot, and the whole *Synthesis* and *Construction* of the Pontifical Power.

And therefore the *Analysis*, or *Resolution*, is by the same Way; but beginneth with the Knot that was last tied; as we may see in the Dissolution of the præterpolitical Church Government in *England*. First, the Power of the Popes was dissolved totally by Queen *Elizabeth*; and the Bishops, who before exercised their Functions in Right of the Pope, did afterwards exercise the same in Right of the Queen and her Successors; though by retaining the Phrase of *Jure Divino*, they were thought to demand it by immediate Right from God: And so was untied the first Knot. After this, the *Presbyterians* lately in *England* obtained the putting down of Episcopacy: and so was the second Knot dissolved: and almost at the same time, the Power was also taken from the *Presbyterians*: and so we are reduced to the Independency of the Primitive Christians to follow *Paul*, or *Cephas*, or *Apollos*, every Man as he liketh best: Which, if it be without Contention, and without measuring the Doctrine of Christ, by our Affection to the Person of his Minister, (the Fault which the Apostle reprehended in the *Corinthians*) is perhaps the best: First, because there ought to be no Power over the Consciences of Men, but of the Word itself, working Faith in every one, not always according to the Purpose of them that plant and water, but of God himself, that giveth the Increase: and secondly, because it is unreasonable in them, who teach there is such Danger in every little Error, to require a Man endued with Reason of his own, to follow the Reason of any other Man, or the most Voices of many other Men; which is little better than to venture his Salvation at Cross and Pile. Nor ought those Teachers to be displeas'd with the Loss of their ancient Authority: For there is none should know better than they, that Power is preserv'd by the same Virtues by which it is acquired; that is to say, by Wisdom, Humility, Clearness of Doctrine, and Sincerity of Conversation; and not by Suppression of the Natural Sciences, and of the Morality of Natural Reason; nor by obscure Language; nor by arrogating to themselves more Knowledge than they make appear; nor by pious Frauds; nor by such other Faults, as in the Pastors of God's Church are not only Faults, but also Scandals, apt to make Men stumble one time or other upon the Suppression of their Authority.

Comparison  
of the Papacy  
with the  
Kingdom of  
Fairies.

But after this Doctrine, *that the Church now Militant, is the Kingdom of God spoken of in the Old and New Testament*, was received in the World; the Ambition, and canvassing for the Offices that belong thereunto, and especially for that great Office of being Christ's Lieutenant, and the Pomp of them that obtained therein the principal public Charges, became by Degrees so evident, that they lost the inward Reverence due to the Pastoral Function: insomuch as the wisest Men, of them that had any Power in the Civil State, needed nothing but the Authority of their Princes, to deny them any further Obedience. For, from the time that the Bishop of *Rome* had gotten to be acknowledged for Bishop Universal, by Pretence of Succession to *St. Peter*, their whole Hierarchy, or Kingdom of Darknes, may be compared not unfitly to the *Kingdom of Fairies*; that is, to the old Wives Fables, in *England*, concerning *Ghosts* and *Spirits*, and the Feats they play in the Night. And if a Man consider the Original of this great Ecclesiastical Dominion, he will easily perceive, that the *Papacy* is no other, than the *Ghost* of the deceased *Roman Empire*, sitting crowned upon the Grave thereof: For so did the Papacy start up on a sudden out of the Ruins of that Heathen Power.

The *Language* alfo, which they ufe both in the Churches, and in their public Acts, being *Latin*, which is not commonly ufed by any Nation in the World, what is it but the *Ghost* of the old *Roman Language*? CHAP.  
XLVII.

The *Fairies* in what Nation foever they converfe, have but one Univerfal King, which fome Poets of ours call King *Oberon*; but the Scripture calls *Beelzebub*, Prince of *Dæmons*. The *Ecclefiastics* likewise, in whofe Dominions foever they be found, acknowledge but one Univerfal King, the *Pope*.

The *Ecclefiastics* are *Spiritual Men*, and *Ghostly Fathers*. The *Fairies* are *Spirits*, and *Ghosts*. *Fairies* and *Ghosts* inhabit Darknefs, Solitudes, and Graves. The *Ecclefiastics* walk in Obscurity of Doctrine, in Monasteries, Churches, and Church-yards.

The *Ecclefiastics* have their Cathedral Churches; which, in what Town foever they be erected, by Virtue of the Holy Water, and certain Charms called Exorcifms, have the Power to make thofe Towns, Cities, that is to fay, Seats of Empire. The *Fairies* alfo have their enchanted Castles, and certain gigantic Ghosts, that domineer over the Regions round about them.

The *Fairies* are not be feized on, and brought to anfwer for the Hurt they do. So alfo the *Ecclefiastics* vanifh away from the Tribunals of Civil Juftice.

The *Ecclefiastics* take from young Men the Ufe of Reafon, by certain Charms compounded of Metaphyfis, and Miracles, and Traditions, and abufed Scripture, whereby they are good for nothing elfe, but to execute what they command them. The *Fairies* likewise are faid to take young Children out of their Cradles, and to change them into natural Fools, which common People do therefore call *Elves*, and are apt to do Mifchief.

In what Shop, or Operatory, the *Fairies* make their Enchantment, the old Wives have not determined. But the Operatories of the *Clergy*, are well enough known to be the Universities, that received their Difcipline from Authority Pontifical.

When the *Fairies* are difpleafed with any Body, they are faid to fend *Elves* to pinch them. The *Ecclefiastics*, when they are difpleafed with any Civil State, make alfo their *Elves*, that is, fuperftitious, enchanted Subjects, to pinch their Princes, by preaching Sedition; or one Prince enchanted with Promifes, to pinch another.

The *Fairies* marry not; but there be amongft them *Incubi*, that have Copulation with Flefh and Blood. The *Priests* alfo marry not.

The *Ecclefiastics* take the Cream of the Land, by Donations of ignorant Men, that ftand in Awe of them, and by Tythes: So alfo it is in the Fable of *Fairies*, that they enter into the Dairies, and feaft upon the Cream, which they skim from the Milk.

What Kind of Money is current in the Kingdom of *Fairies*, is not recorded in the Story. But the *Ecclefiastics* in their Receipts accept of the fame Money that we do; though when they are to make any Payment, it is Canonizations, Indulgences, and Maffes.

To this, and fuch like Refemblances between the *Papacy* and the Kingdom of *Fairies*, may be added this, that as the *Fairies* have no Exiftence, but in the Fancies of ignorant People, rifing from the Traditions of old Wives or old Poets: fo the fpiritual Power of the *Pope*, (without the Bounds of his own Civil Dominion) confifteth only in the Fear that feduced People ftand in, of their Excommunications; upon hearing of falfe Miracles, falfe Traditions, and falfe Interpretations of the Scripture.

It was not therefore a very difficult Matter for *Henry VIIIth* by his Exorcism; nor for *Queen Elizabeth* by hers, to cast them out. But who knows that this Spirit of *Rome*, now gone out, and walking by Missions through the dry Places of *China*, *Japan*, and the *Indies*, that yield him little Fruit, may not return, or rather an Assembly of Spirits worse than he, enter and inhabit this clean swept House, and make the End thereof worse than the Beginning? For it is not the *Roman* Clergy only, that pretends the Kingdom of God to be of this World, and thereby to have a Power therein, distinct from that of the Civil State. And this is all I had a Design to say, concerning the Doctrine of the *POLITICS*. Which when I have reviewed, I shall willingly expose it to the Censure of my Country.

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### A REVIEW and CONCLUSION.

FROM the Contrariety of some of the natural Faculties of the Mind; one to another, as also of one Passion to another, and from their Reference to Conversation, there has been an Argument taken, to infer an Impossibility that any one Man should be sufficiently disposed to all Sorts of Civil Duty. The Severity of Judgment, they say, makes Men censorious, and unapt to pardon the Errors and Infirmities of other Men: and on the other Side, Celerity of Fancy, makes the Thoughts less steady than is necessary to discern exactly between Right and Wrong. Again, in all Deliberations, and in all Pleadings, the Faculty of solid Reasoning is necessary; for without it, the Resolutions of Men are rash, and their Sentences unjust: and yet if there be not powerful Eloquence, which procureth Attention and Consent, the Effect of Reason will be little. But these are contrary Faculties; the former being grounded upon Principles of Truth; the other upon Opinions already received, true or false; and upon the Passions and Interests of Men, which are different and mutable.

And amongst the Passions, *Courage*, (by which I mean the Contempt of Wounds, and violent Death) inclineth Men to private Revenges, and sometimes to endeavour the unsettling of the public Peace: And *Timorousness* many times disposeth to the Desertion of the public Defence. Both these, they say, cannot stand together in the same Person.

And to consider the Contrariety of Men's Opinions and Manners in general, it is, they say, impossible to entertain a constant Civil Amity with all those, with whom the Business of the World constrains us to converse: Which Business, consisteth almost in nothing else but a perpetual Contention for Honour, Riches, and Authority.

To which I answer, that these are indeed great Difficulties, but not Impossibilities: For by Education and Discipline, they may be, and are reconciled. Judgment and Fancy may have Place in the same Man; but by Turns; as the End which he aimeth at requireth. As the *Israelites* in *Egypt*, were sometimes fastened to their Labour of making Bricks, and at other Times were ranging abroad to gather Straw: So also may the Judgment sometimes be fixed upon one certain Consideration, and the Fancy at another time wandering about the World. So also Reason, and Eloquence, (though not perhaps in the natural Sciences, yet in the moral) may stand very well together. For wheresoever there is place for adorning and preferring of Error, there is much more Place for adorning and preferring of Truth, if they have it to adorn. Nor is there any Repugnancy

pugnancy between fearing the Laws, and not fearing a public Enemy ; nor between abstaining from Injury, and pardoning it in others. There is therefore no such Inconsistence of human Nature, with Civil Duties, as some think. I have known Clearness of Judgment, and Largeness of Fancy ; Strength of Reason, and graceful Elocution ; a Courage for the War, and a Fear for the Laws, and all eminently in one Man ; and that was my most noble and honoured Friend Mr. *Sidney Godolphin* ; who hating no Man, nor hated of any, was unfortunately slain in the Beginning of the late Civil War, in the public Quarrel, by an undiscerned and undiscerning Hand.

To the Laws of Nature, declared in the XVth Chapter, I would have this added, *That every Man is bound by Nature, as much as in him lieth, to protect in War, the Authority by which he is himself protected in time of Peace.* For he that pretendeth a Right of Nature to preserve his own Body, cannot pretend a Right of Nature to destroy him, by whose Strength he is preserved : It is a manifest Contradiction of himself. And though this Law may be drawn by Consequence, from some of those that are there already mentioned ; yet the Times require to have it inculcated and remembered.

And because I find by divers *English* Books lately printed, that the Civil Wars have not yet sufficiently taught Men, in what Point of Time it is, that a Subject becomes obliged to the Conqueror ; nor what is Conquest ; nor how it comes about, that it obliges Men to obey his Laws : Therefore for farther Satisfaction of Men therein, I say, the Point of Time, wherein a Man becomes subject to a Conqueror, is that Point, wherein having Liberty to submit to him, he consenteth, either by express Words, or by other sufficient Sign, to be his Subject. When it is that a Man hath the Liberty to submit, I have shewed before in the End of Chap. XXI. namely, that for him that hath no Obligation to his former Sovereign but that of an ordinary Subject, it is then, when the Means of his Life is within the Guards and Garrisons of the Enemy ; for it is then, that he hath no longer Protection from him, but is protected by the adverse Party for his Contribution. Seeing therefore such Contribution is every where as a Thing inevitable, (notwithstanding it be an Assistance to the Enemy) esteemed lawful ; a total Submission, which is but an Assistance to the Enemy, cannot be esteemed unlawful. Besides, if a Man consider that they who submit, assist the Enemy but with part of their Estates, whereas they that refuse, assist him with the whole, there is no Reason to call their Submission or Composition an Assistance ; but rather a Detriment to the Enemy. But if a Man, besides the Obligation of a Subject, hath taken upon him a new Obligation of a Soldier, then he hath not the Liberty to submit to a new Power, as long as the old one keeps the Field, and giveth him Means of Subsistence, either in his Armies, or Garrisons : for in this Case, he cannot complain of want of Protection, and Means to live as a Soldier : But when that also fails, a Soldier also may seek his Protection wheresoever he has most Hope to have it ; and may lawfully submit himself to his new Master. And so much for the Time when he may do it lawfully, if he will. If therefore he do it, he is undoubtedly bound to be a true Subject : For a Contract lawfully made, cannot lawfully be broken.

By this also a Man may understand, when it is, that Men may be said to be conquered ; and in what the Nature of Conquest, and the Right of a Conqueror consisteth : For this Submission is it implyeth them all. Conquest is not the Victory itself ; but the Acquisition by Victory of a Right over the Persons of Men. He therefore that is slain, is overcome, but not conquered : He that is taken, and put into Prison, or Chains, is

not conquered, though overcome ; for he is still an Enemy, and may save himself if he can : But he that upon Promise of Obedience, hath his Life and Liberty allowed him, is then conquered, and a Subject ; and not before. The *Romans* used to say, that their General had *pacified* such a *Province*, that is to say, in *English*, *conquered* it ; and that the Country was *pacified* by Victory, when the People of it had promised *Imperata facere*, that is, *To do what the Roman People commanded them* : this was to be conquered. But this Promise may be either express or tacit : Express, by Promise : Tacit, by other Signs. As for Example, a Man that hath not been called to make such an express Promise, (because he is one whose Power perhaps is not considerable ;) yet if he live under their Protection openly, he is understood to submit himself to the Government : But if he live there secretly, he is liable to any thing that may be done to a Spy, and Enemy of the State. I say not, he does any Injustice, (for Acts of open Hostility bear not that Name ;) but that he may be justly put to Death. Likewise, if a Man, when his Country is conquered, be out of it, he is not conquered, nor subject : but if at his Return, he submit to the Government, he is bound to obey it. So that *Conquest* (to define it) is the acquiring of the Right of Sovereignty by Victory. Which Right is acquired in the People's Submission, by which they contract with the Victor, promising Obedience for Life and Liberty.

In Chap. XXIX. I have set down for one of the Causes of the Dissolutions of Commonwealths, their imperfect Generation, consisting in the want of an absolute and arbitrary Legislative Power ; for want whereof, the Civil Sovereign is fain to handle the Sword of Justice unconstantly, and as if it were too hot for him to hold : One Reason whereof, which I have not there mentioned, is this, That they will all of them justify the War, by which their Power was at first gotten, and whereon, as they think, their Right dependeth, and not on the Possession. As if, for Example, the Right of the Kings of *England* did depend on the Goodness of the Cause of *William* the Conqueror, and upon their lineal, and directest Descent from him ; by which means, there would perhaps be no Tie of the Subjects Obedience to their Sovereign at this day in all the World : wherein whilst they needlessly think to justify themselves, they justify all the successful Rebellions that Ambition shall at any time raise against them, and their Successors. Therefore I put down for one of the most effectual Seeds of the Death of any State, that the Conquerors require not only a Submission of Men's Actions to them for the future, but also an Approbation of all their Actions past ; when there is scarce a Commonwealth in the World, whose Beginnings can in Conscience be justified.

And because the Name of Tyranny, signifieth nothing more, nor less, than the Name of Sovereignty, be it in one, or many Men, saving that they that use the former Word, are understood to be angry with them they call Tyrants ; I think the Toleration of a professed Hatred of Tyranny, is a Toleration of Hatred to Commonwealth in general, and another evil Seed, not differing much from the former. For to the Justification of the Cause of a Conqueror, the Reproach of the Cause of the Conquered, is for the most part necessary : but neither of them necessary for the Obligation of the Conquered. And thus much I have thought fit to say upon the Review of the first and second part of this Discourse.

In Chap. XXXV. I have sufficiently declared out of the Scripture, that in the Commonwealth of the *Jews*, God himself was made the Sovereign, by Pact with the People ; who were therefore called his *Peculiar People*, to distinguish them from the rest of the World, over whom

God

God reigned not by their Consent, but by his own Power : And that in this Kingdom *Moses* was God's Lieutenant on Earth ; and that it was he that told them what Laws God appointed them to be ruled by. But I have omitted to set down who were the Officers appointed to do Execution ; especially in capital Punishments ; not then thinking it a Matter of so necessary Consideration, as I find it since. We know that generally in all Commonwealths, the Execution of corporal Punishments, was either put upon the Guards, or other Soldiers of the Sovereign Power ; or given to those, in whom want of Means, Contempt of Honour, and Hardness of Heart, concurred to make them sue for such an Office. But amongst the *Israelites*, it was a positive Law of God their Sovereign, that he that was convicted of a capital Crime, should be stoned to Death by the People ; and that the Witnesses should cast the first Stone, and after the Witnesses, then the rest of the People. This was a Law that designed who were to be the Executioners ; but not that any one should throw a Stone at him before Conviction and Sentence, where the Congregation was Judge. The Witnesses were nevertheless to be heard before they proceeded to Execution, unless the Fact were committed in the Presence of the Congregation itself, or in Sight of the lawful Judges ; for then there needed no other Witnesses but the Judges themselves. Nevertheless, this manner of proceeding being not thoroughly understood, hath given Occasion to a dangerous Opinion, that any Man may kill another, in some Cases, by a Right of Zeal ; as if the Executions done upon Offenders in the Kingdom of God in old time, proceeded not from the Sovereign Command, but from the Authority of private Zeal : which, if we consider the Texts that seem to favour it, is quite contrary.

First, where the *Levites* fell upon the People, that had made and worshipped the Golden Calf, and slew three thousand of them ; it was by the Commandment of *Moses*, from the Mouth of God ; as is manifest, *Exod.* xxxii. 27. And when the Son of a Woman of *Israel* had blasphemed God, they that heard it did not kill him, but brought him before *Moses*, who put him under Custody, till God should give Sentence against him ; as appears, *Levit.* xxv. 11, 12. Again, *Numb.* xxv, 6, 7. when *Phinebas* killed *Zimri* and *Cosbi*, it was not by Right of private Zeal : Their Crime was committed in the Sight of the Assembly ; there needed no Witness ; the Law was known, and he the Heir apparent to the Sovereignty ; and which is the principal Point, the Lawfulness of his Act depended wholly upon a subsequent Ratification by *Moses*, whereof he had no Cause to doubt. And this Presumption of a future Ratification, is sometimes necessary to the Safety of a Commonwealth ; as in a sudden Rebellion, any Man that can suppress it by his own Power in the Country where it begins, without express Law or Commission, may lawfully do it, and provide to have it ratified, or pardoned, whilst it is in doing, or after it is done. Also, *Numb.* xxxv. 30. it is expressly said, *Whosoever shall kill the Murderer, shall kill him upon the Word of Witnesses* : but Witnesses suppose a formal Judicature, and consequently condemn that Pretence of *Jus Zelotarum*. The Law of *Moses* concerning him that enticeth to Idolatry, (that is to say, in the Kingdom of God, to a renouncing of his Allegiance, *Deut.* xiii. 8.) forbids to conceal him, and commands the Accuser to cause him to be put to Death, and to cast the first Stone at him ; but not to kill him before he be condemned. And, *Deut.* xvii. 4, 5, 6. the Process against Idolatry is exactly set down : For God there speaketh to the People, as Judge, and commandeth them, when a Man is accused of Idolatry, to enquire

enquire diligently of the Fact, and finding it true, then to stone him; but still the Hand of the Witness throweth the first Stone. This is not private Zeal, but public Condemnation. In like manner when a Father hath a rebellious Son, the Law is, *Deut. xxi. 18.* that he shall bring him before the Judges of the Town, and all the People of the Town shall stone him. Lastly, by Pretence of these Laws it was, that *St. Stephen* was stoned, and not by Pretence of private Zeal: for before he was carried away to Execution, he had pleaded his Cause before the High Priest. There is nothing in all this, nor in any other part of the Bible, to countenance Executions by private Zeal; which being oftentimes but a Conjunction of Ignorance and Passion, is against both the Justice and Peace of a Commonwealth.

In Chap. XXXVI. I have said, that it is not declared in what manner God spake supernaturally to *Moses*: Not that he spake not to him sometimes by Dreams and Visions, and by a supernatural Voice, as to other Prophets: For the manner how he spake unto him from the Mercy-seat, is expressly set down *Numb. vii. 89.* in these Words, *From that time forward, when Moses entered into the Tabernacle of the Congregation to speak with God, he heard a Voice which spake unto him from over the Mercy-seat, which is over the Ark of the Testimony, from between the Cherubims he spake unto him.* But it is not declared in what consisted the Præminence of the manner of God's speaking to *Moses*, above that of his speaking to other Prophets, as to *Samuel*, and to *Abraham*, to whom he also spake by a Voice, (that is, by Vision) unless the Difference consist in the Clearness of the Vision. For *Face to Face*, and *Mouth to Mouth*, cannot be literally understood of the Infiniteness, and Incomprehensibility of the Divine Nature.

And as to the whole Doctrine, I see not yet, but the Principles of it are true and proper: and the Ratiocination solid. For I ground the Civil Right of Sovereigns, and both the Duty and Liberty of Subjects, upon the known natural Inclinations of Mankind, and upon the Articles of the Law of Nature; of which no Man that pretends but Reason enough to govern his private Family, ought to be ignorant. And for the Power Ecclesiastical of the same Sovereigns, I ground it on such Texts, as are both evident in themselves, and consonant to the Scope of the whole Scripture. And therefore am persuaded, that he that shall read it with a Purpose only to be informed, shall be informed by it. But for those that by Writing, or public Discourse, or by their eminent Actions, have already engaged themselves to the maintaining of contrary Opinions, they will not be so easily satisfied. For in such Cases, it is natural for Men, at one and the same time, both to proceed in Reading, and to lose their Attention, in the Search of Objections to that they had read before: of which, in a Time wherein the Interests of Men are changed (seeing much of that Doctrine, which serveth to the establishing of a new Government, must needs be contrary to that which conduced to the Dissolution of the old) there cannot chuse but be very many.

In that Part which treateth of a Christian Commonwealth, there are some new Doctrines, which it may be, in a State where the contrary were already fully determined, were a Fault for a Subject without Leave to divulge, as being an Usurpation of the Place of a Teacher. But in this Time, that Men call not only for Peace, but also for Truth, to offer such Doctrines as I think true, and that manifestly tend to Peace and Loyalty, to the Consideration of those that are yet in Deliberation, is no more, but to offer new Wine, to be put into new Casks, that both may be preserved together. And I suppose, that then, when Novelty can  
breed

need no Trouble, nor Disorder in a State, Men are not generally so much inclined to the Reverence of Antiquity, as to prefer ancient Errors before new and well-proved Truth.

There is nothing I distrust more than my Elocution ; which nevertheless I am confident (excepting the Mischances of the Press) is not obscure. That I have neglected the Ornament of quoting ancient Poets, Orators, and Philosophers, contrary to the Custom of late Time, (whether I have done well or ill in it) proceedeth from my Judgment, grounded on many Reasons. For first, all Truth of Doctrine dependeth either upon *Reason*, or upon *Scripture* ; both which give Credit to many, but never receive it from any Writer. Secondly, the Matters in Question are not of *Fact*, but of *Right*, where there is no Place for *Witnesses*. Thirdly, there is scarce any of those old Writers, that contradicteth not sometimes both himself and others ; which makes their Testimonies insufficient. Fourthly, such Opinions as are taken only upon Credit of Antiquity, are not intrinsically the Judgment of those that cite them, but Words that pass (like gaping) from Mouth to Mouth. Fifthly, it is many times with a fraudulent Design that Men stick their corrupt Doctrine with the Cloves of other Men's Wit. Sixthly, I find not that the Ancients they cite, took it for an Ornament, to do the like with those that wrote before them. Seventhly, it is an Argument of Indigestion ; when the *Greek* and *Latin* Sentences unchewed come up again, as they use to do, unchanged. Lastly, though I reverence those Men of ancient Time, that either have written Truth perspicuously, or set us in a better Way to find it out ourselves ; yet to the Antiquity itself I find nothing due : For if we will reverence the Age, the present is the oldest : if the Antiquity of the Writer, I am not sure, that generally they to whom such Honour is given, were more ancient when they wrote, than I am that am writing. But if it be well considered, the Praise of ancient Authors, proceeds not from the Reverence of the Dead, but from the Competition, and mutual Envy of the Living.

To conclude, there is nothing in this whole Discourse, nor in that I writ before of the same Subject in *Latin*, as far as I can perceive, contrary either to the Word of God, or to good Manners ; or to the Disturbance of the public Tranquility. Therefore I think it may be profitably printed, and more profitably taught in the Universities, in case they also think so, to whom the Judgment of the same belongeth. For seeing the Universities are the Fountains of Civil and Moral Doctrine, from whence the Preachers, and the Gentry, drawing such Water as they find, use to sprinkle the same (both from the Pulpit, and in their Conversation) upon the People, there ought certainly to be great Care taken, to have it pure, both from the Venom of heathen Politicians, and from the Incantation of deceiving Spirits. And by that Means the most Men, knowing their Duties, will be less subject to serve the Ambition of a few discontented Persons in their Purposes against the State ; and be the less grieved with the Contributions necessary for their Peace and Defence, and the Governors themselves have the less Cause to maintain at the common Charge any greater Army, than is necessary to make good the public Liberty, against the Invasions and Encroachments of foreign Enemies.

And thus I have brought to an End my Discourse of Civil and Ecclesiastical Government, occasioned by the Disorders of the present Time, without Partiality, without Application, and without other Design, than to set before Men's Eyes the mutual Relation between Protection and Obedience ; of which the Condition of Human Nature, and the Laws

Divine, (both Natural and Positive) require an inviolable Observation. And though in the Revolution of States, there can be no very good Constellation for Truths of this Nature to be born under, (as having an angry Aspect from the Dissolvers of an old Government, and seeing but the Backs of them that erect a new;) yet I cannot think it will be condemned at this Time, either by the public Judge of Doctrine, or by any that desires the Continuance of public Peace. And in this Hope I return to my uninterrupted Speculation of Bodies Natural; wherein (if God give me Health to finish it) I hope the Novelty will as much please, as in the Doctrine of this Artificial Body it useth to offend. For such Truth, as opposeth no Man's Profit, nor Pleasure, is to all Men welcome.



A N  
A N S W E R  
T O A  
B O O K

Published by

Dr. *B R A M H A L L,*

Late Bishop of DERRY;

C A L L E D

The Catching of the *Leviathan.*

Together

With an HISTORICAL NARRATION

Concerning

H E R E S Y,

And the Punishment thereof.

T O T H E

R E A D E R.

**A**S in all Things which I have written, so also in this Piece, I have endeavoured all I can to be perspicuous; but yet your own Attention is always necessary. The late Lord Bishop of Derry published a Book called The Catching of Leviathan, in which he hath put together divers Sentences pick'd out of my Leviathan, which stand there plainly and firmly proved, and sets them down without their Proofs, and without the Order of their Dependance one upon another; and calls them Atheism, Blasphemy, Impiety, Subversion of Religion, and by other Names of that Kind. My Request unto you is, That when he cites my Words for erroneous, you will be pleased to turn to the Place itself, and see whether they be well proved, and how to be understood. Which Labour his Lordship might have saved you, if he would have vouchsafed, as well to have weighed my Arguments before you, as to have shewed you my Conclusions. His Book containeth two Chapters, the one concerning Religion, the other concerning Politics. Because he does not so much as offer any Refutation of any thing in my Leviathan concluded, I needed not to have answered either of them. Yet to the first I here answer, because the Words Atheism, Impiety, and the like, are Words of the greatest Defamation possible. And this I had done sooner, if I had sooner known that such a Book was extant. He wrote it ten Years since, and yet I never heard of it till about three Months since; so little Talk there was of his Lordship's Writings. If you want Leisure or Care of the Questions between us, I pray you condemn me not upon Report. To judge and not examine is not just.

Farewell.

T. HOBBS.

A N  
A N S W E R  
T O

Dr. BRAMHALL, late Bishop of *Derry*.

C H A P. I.

*That the Hobbian Principles are destructive to Christianity and all Religion.*

ƒ. D. **T**HE Image of God is not altogether defaced by the Fall of Man, but that there will remain some practical Notions of God and Goodness; which, when the Mind is free from vagrant Desires, and violent Passions, do shine as clearly in the Heart, as other speculative Notions do in the Head. Hence it is, that there was never any Nation so barbarous or savage throughout the whole World, which had not their God. They who did never wear Cloaths upon their Backs, who did never know Magistrate but their Father, yet have their God, and their religious Rites and Devotions to him. Hence it is, that the greatest Atheists in any sudden Danger do unwittingly cast their Eyes up to Heaven, as craving Aid from thence, and in a Thunder creep into some Hole to hide themselves. And they who are conscious to themselves of any secret Crimes, though they be secure enough from the Justice of Men, do yet feel the blind Blows of a guilty Conscience, and fear divine Vengeance. This is acknowledged by T. H. himself in his lucid Intervals. *That we may know what Worship of God natural Reason doth assign, let us begin with his Attributes, where it is manifest in the first Place, that Existency is to be attributed to him. To which he addeth, Infiniteness, Incomprehensibility, Unity, Ubiquity. Thus for Attributes, next for Actions. Concerning external Actions, wherewith God is to be worshipped, the most general Precept of Reason is, that they be Signs of Honour, under which are contained Prayers, Thanksgivings, Oblations, and Sacrifices.*

T. H. Hitherto his Lordship discharges me from Atheism. What need he to say that *All Nations, how barbarous soever, yet have their Gods and religious Rites, and Atheists are frighted with Thunder, and feel the Blows of Conscience?* It might have been as apt a Preface to any other of his Discourses as this. I expect therefore in the next Place to be told, that I deny again my afore-recited Doctrine.

ƒ. D. Yet to let us see how inconsistent and irreconcilable he is with himself, elsewhere reckoning up all the Laws of Nature at large, even twenty in Number, he hath not one Word that concerneth Religion, or hath the least Relation in the World to God. As if a Man were like the Colt of a wild Ass in the Wilderness, without any Owner or Obligation. Thus in describing the Laws of Nature, this great Clerk forgetteth the God of Nature, and the main and principal Laws of Nature, which contain a Man's Duty to his God, and the principal End of his Creation.

*T. H.* After I had ended the Discourse he mentions of the Laws of Nature, I thought it fittest in the last place, once for all, to say they were the Laws of God, then when they were delivered in the Word of God; but before, being not known by Men for any thing but their own natural Reason, they were but Theorems, tending to Peace, and those uncertain, as being but Conclusions of particular Men, and therefore not properly Laws. Besides, I had formerly in my Book *De Cive*, *Cap. IV.* proved them severally, one by one, out of the Scriptures; which his Lordship had read and knew. 'Twas therefore an unjust Charge of his to say, I had not one Word in them that concerns Religion, or that hath the least relation in the World to God; and this upon no other Ground than that I added not to every Article, *This Law is in the Scripture.* But why he should call me (ironically) a great Clerk, I cannot tell. I suppose he would make Men believe, I arrogated to myself all the Learning of a great Clerk, Bishop, or other inferior Minister. A Learned Bishop, is that Bishop that can interpret all parts of Scripture truly, and congruently to the Harmony of the whole; that has learnt the History and Laws of the Church, down from the Apostles Time to his own; and knows what is the Nature of a Law Civil, Divine, Natural, and Positive; and how to govern well the parochial Ministers of his Diocese, so that they may both by Doctrine and Example keep the People in the Belief of all Articles of Faith necessary to Salvation, and in Obedience to the Laws of their Country. This is a Learned Bishop. A Learned Minister, is he that hath learned the Way by which Men may be drawn from Avarice, Pride, Sensuality, Prophaneness, rebellious Principles, and all other Vices, by eloquent and powerful disgracing them, both from Scripture and from Reason; and can terrify Men from Vice, by discreet uttering of the Punishments denounced against wicked Men, and by deducing rationally the Damage they receive by it in the End. In one Word, he is a Learned Minister that can preach such Sermons as *St. Chrysostom* preached to the *Antiochians*, when he was Presbyter in that City. Could his Lordship find in my Book, that I arrogated to myself the Eloquence or Wisdom of *St. Chrysostom*, or the Ability of governing the Church? 'Tis one thing to know what is to be done, another thing to know how to do it. But his Lordship was pleased to use any Artifice to disgrace me in any kind whatsoever.

*J. D.* Perhaps he will say that he handleth the Laws of Nature there, only so far as may serve to the Constitution or Settlement of a Commonwealth. In good time, let it be so. He hath devised us a trim Commonwealth, which is founded neither upon Religion towards God, nor Justice towards Man; but merely upon Self-interest, and Self-preservation. Those Rays of heavenly Light, those natural Seeds of Religion, which God himself hath imprinted in the Heart of Man, are more efficacious towards Preservation of a Society; whether we regard the Nature of the Thing, or the Blessing of God, than all his *Pacts*, and *Surrenders*, and *Translations of Power.* He who unteacheth Men their Duty to God, may make them Eye-servants, so long as their Interest doth oblige them to obey; but is no fit Master to teach Men Conscience and Fidelity.

*T. H.* He has not yet found the Place where I contradict either the Existence, or Infiniteness, or Incomprehensibility, or Unity, or Ubiquity of God. I am therefore yet absolved of Atheism. But I am, he says, inconsistent and irreconcilable with myself, that is, I am (though he says not so, he thinks) a forgetful Blockhead. I cannot help that: But my Forgetfulness appears not here. Even his Lordship, where he says, Those Rays of heavenly Light, those Seeds of Religion, which God himself hath imprinted in the Heart of Man, (meaning natural Reason) are more efficacious to the Preservation of Society, than all the *Pacts*, *Surrenders*, and *Translating of Power*, had forgotten to except the Old Pact of the *Jews*, and the New Pact of *Christians.* But pardoning that, did he hope to make any wise Man believe, that when this Nation very lately was an Anarchy, and dissolute Multitude of Men, doing every one what his own Reason or imprinted Light suggested, they did again out of the same Light call in the King, and

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piece again, and ask Pardon for the Faults, which that their Illumination had brought them into, rather than out of Fear of perpetual Danger, and Hope of Preservation?

*J. D.* Without Religion, Societies are like but soapy Bubbles, quickly dissolved. It was the Judgment of as wise a Man as *T. H.* himself (though perhaps he will hardly be persuaded to it) that *Rome* owed more of its Grandeur to Religion, than either to Strength or Stratagems. *We have not exceeded the Spaniards in Number, nor the Gauls in Strength, nor the Carthaginians in Craft, nor the Grecians in Art, &c. but we have overcome all Nations by our Piety and Religion.*

*T. H.* Did not his Lordship forget himself here again, in approving this Sentence of *Tully*, which makes the Idolatry of the *Romans*, not only better than the Idolatry of other Nations; but also better than the Religion of the *Jews*, whose Law *Christ* himself says, he came not to destroy but to fulfil? And that the *Romans* overcame both them and other Nations by their Piety, when it is manifest that the *Romans* overran the World by Injustice and Cruelty, and that their Victories ought not to be ascribed to the Piety of the *Romans*, but to the Impiety as well of the *Jews* as of other Nations? But what meant he by saying *Tully* was as wise a Man as *T. H.* himself; though perhaps he will hardly be persuaded to it? Was that any part of the Controversy? No: Then it was out of his Way: God promiseth to assist good Men in their Way, but not out of their Way. 'Tis therefore the less Wonder that his Lordship was in this place deserted of the Light which God imprints in the Hearts of rudest Savages.

*J. D.* Among his Laws he inserteth *Gratitude* to Men as the third Precept of the Law of Nature; but of the Gratitude of Mankind to their Creator, there is a deep Silence. If Men had sprung up from the Earth in a Night, like Mushrooms or Excrescences, without all Sense of Honour, Justice, Conscience, or Gratitude, he could not have vilified the human Nature more than he doth.

*T. H.* My Lord discovers here an Ignorance of such Method as is necessary for lawful and strict reasoning, and Explication of the Truth in Controversy. And not only that; but also how little able he is to fix his Mind upon what he reads in other Men's Writings. When I had defined Ingratitude universally, he finds Fault that I do not mention Ingratitude towards God, as if his Lordship knew not that an Universal comprehends all the Particulars. When I had defined Equity universally, why did he not as well blame me for not telling what that Equity is in God? He is grateful to the Man of whom he receives a good Turn, that confesseth, or maketh appear he is pleased with, the Benefit he receiveth. So also Gratitude towards God is to confess his Benefits. There is also in Gratitude towards Men a Desire to requite their Benefits, so there is in our Gratitude towards God, so far to requite them, as to be kind to God's Ministers, which I acknowledged in making Sacrifices a part of natural Divine Worship; and the Benefit of those Sacrifices is the Nourishment of God's Ministers. It appears therefore, that the Bishop's Attention in reading my Writings, was either weak in itself, or weakened by Prejudice.

*J. D.* From this shameful Omission, or Preterition of the main Duty of Mankind, a Man might easily take the Height of *T. H.* his Religion. But he himself putteth it past all Conjectures. His Principles are Brim-full of prodigious Impiety. *In these four things, Opinions of Ghosts, Ignorance of second Causes, Devotion to what Men fear, and taking of things casual for Prognostics, consisteth the natural Seed of Religion;* the Culture and Improvement whereof, he referreth only to *Policy*. Human and Divine Politics are but Politics. And again, *Mankind hath this from the Conscience of their own Weakness, and the Admiration of natural Events, that the most part of Men believe that there is an invisible God, the Maker of all visible Things.* And a little after he telleth us, That *Superstition proceedeth from Fear without right Reason, and Atheism from an Opinion of Reason without Fear;* making Atheism to be more reasonable than Superstition. What is now become of that Divine Worship which natural Reason did assign unto God, the Honour of Existence,

Existence, Infiniteness, Incomprehensibility, Unity, Ubiquity? What is now become of that Dictate or Precept of Reason, concerning *Prayers, Thanksgivings, Oblations, Sacrifices*, if uncertain Opinions, Ignorance, Fear, Mistakes, the Conscience of our own Weakness, and the Admiration of natural Events, be the only Seeds of Religion?

He proceedeth further, that *Atheism itself, though it be an erroneous Opinion, and therefore a Sin, yet it ought to be numbered among the Sins of Imprudence or Ignorance.* He addeth, that *an Atheist is punished not as a Subject is punished by his King, because he did not observe Laws: but as an Enemy, by an Enemy, because he would not accept Laws.* His Reason is, because *the Atheist never submitted his Will to the Will of God, whom he never thought to be.* And he concludeth, that Man's Obligation to obey God, proceedeth from his Weakness. *Manifestum est obligationem ad prestandum ipsi (Deo) obedientiam, incumbere hominibus propter imbecilitatem.* First, it is impossible that should be a Sin of mere Ignorance or Imprudence, which is directly contrary to the Light of natural Reason. The Laws of Nature need no new Promulgation, being imprinted naturally by God in the Heart of Man. *The Law of Nature was written in our Hearts by the Finger of God, without our Assent; or rather the Law of Nature is the Assent itself.* Then if Nature dictate to us that there is a God, and that this God is to be worshipped in such and such Manner, it is not possible that Atheism should be a Sin of mere Ignorance.

Secondly, a rebellious Subject is still a Subject, *de Jure*, though not *de Facto*, by Right, though not by Deed: and so the most cursed Atheist that is, ought by Right to be the Subject of God, and ought to be punished not as a just Enemy, but as a disloyal Traitor. Which is confessed by himself, *This fourth Sin*, (that is, of those who do not by Word and Deed confess one God the supreme King of Kings) *in the natural Kingdom of God is the Crime of High Treason, for it is a Denial of divine Power, or Atheism.* Then an Atheist is a Traitor to God, and punishable as a disloyal Subject, not as an Enemy.

Lastly, it is an absurd and dishonourable Assertion, to make our Obedience to God to depend upon our Weakness, because we cannot help it, and not upon our Gratitude, because we owe our Being and Preservation to him. *Who planteth a Vineyard, and eateth not of the Fruit thereof? And who feedeth a Flock, and eateth not of the Milk of the Flock? And again, Thou art worthy, O Lord, to receive Glory, and Honour, and Power, for thou hast created all Things, and for thy Pleasure they are and were created.* But it were much better, or at least not so ill, to be a downright Atheist, than to make God to be such a Thing as he doth, and at last thrust him into the Devil's Office, to be the Cause of all Sin.

*T. H.* Though this Bishop, as I said, had but a weak Attention in Reading, and little Skill in examining the Force of an Argument, yet he knew Men, and the Art, without troubling their Judgments to win their Assents by exciting their Passions. One Rule of his Art was to give his Reader what he would have him swallow apart, by itself, and in the Nature of News, whether true or not. Knowing that the unlearned, that is most Men, are content to believe, rather than be troubled with examining, therefore (a little before) he put these Words *T. H. no Friend to Religion*, in the Margin. And in this Place, before he offers at any Confutation, he says my Principles are Brim-full of *prodigious Impieties*. And at the next Paragraph in the Margin, he puts that *I excuse Atheism*. This Behaviour becomes neither a Bishop, nor a Christian, nor any Man that pretends to good Education. Fear of invisible Powers, what is it else in savage People, but the Fear of somewhat they think a God? What invisible Power does the Reason of a savage Man suggest unto him, but those Phantasms of his Sleep or his Distemper, which we frequently call Ghosts, and the Savages thought Gods; so that the Fear of a God (though not of the true one) to them was the Beginning of Religion, as the Fear of the true God was the Beginning of Wisdom to the *Jews and Christians*? Ignorance of second Causes made Men fly to some first Cause, the Fear of which bred Devotion and Worship. The Ignorance of what that Power might do, made them observe

erve the Order of what he had done ; that they might guess by the like Order, what he was to do another Time. This was their Prognostication. What prodigious Impiety is here ? How confutes he it ? Must it be taken for Impiety upon his bare Calumny ? I said Superstition was Fear without Reason. Is not the Fear of a false God, or fancied Dæmon, contrary to right Reason ? And is not Atheism Boldness grounded on false Reasoning, such as is this, *the wicked prosper, therefore there is no God* ? He offers no Proof against any of this ; but says only I make Atheism to be more reasonable than Superstition ; which is not true : For I deny that there is any Reason either in the Atheist or in the Superstitious. And because the Atheist thinks he has Reason, where he has none, I think him the more irrational of the two. But all this while he argues not against any of this ; but enquires only, what is become of my natural Worship of God, and of his Existency, Infiniteness, Incomprehensibility, Unity, and Ubiquity. As if whatsoever Reason can suggest, must be suggested all at once. First, all Men by Nature had an Opinion of God's Existency, but of his other Attributes not so soon, but by Reasoning and by Degrees. And for the Attributes of the true God, they were never suggested but by the Word of God written. In that I say Atheism is a Sin of Ignorance, he says I excuse it. The Prophet *David* says, *The Fool hath saith in his Heart, there is no God*. Is it not then a Sin of Folly ? 'Tis agreed between us, that right Reason dictates, there is a God. Does it not follow, that denying of God is a Sin proceeding from Misreasoning. If it be not a Sin of Ignorance, it must be a Sin of Malice. Can a Man malice that which he thinks has no Being ? But may not one think there is a God, and yet maliciously deny him ? If he think there is a God, he is no Atheist ; and so the Question is changed into this, whether any Man that thinks there is a God, dares deliberately deny it ? For my part I think not. For upon what Confidence dares any Man (deliberately I say) oppose the Omnipotent ? *David* saith of himself, *My Feet were ready to slip when I saw the Prosperity of the wicked*. Therefore it is likely the Feet of Men less holy slip oftener. But I think no Man living is so daring, being out of Passion, as to hold it as his Opinion. Those wicked Men that for a long Time proceeded so successfully in the late horrid Rebellion, may perhaps make some think they were constant and resolved Atheists, but I think rather that they forgot God than believed there was none. He that believes there is such an Atheist, comes a little too near that Opinion himself. Nevertheless, if Words spoken in Passion signify a Denial of a God, no Punishment preordained by Law, can be too great for such an Insolence ; because there is no living in a Commonwealth with Men, to whose Oaths we cannot reasonably give Credit. As to that I say, *An Atheist is punished by God not as a Subject by his King, but as an Enemy*, and to my Argument for it, namely, *because he never acknowledged himself God's Subject*, he opposeth, that if Nature dictate that there is a God, and to be worshipped in such and such Manner, then Atheism is not a Sin of mere Ignorance ; as if either I or he did hold that Nature dictates the Manner of God's Worship, or any Article of our Creed, or whether to worship with or without a Surplice. Secondly, he answers that a Rebel is still a Subject *de Jure*, though not *de Facto* : And 'tis granted. But though the King lose none of his Right by the Traitor's Act, yet the Traitor loseth the Privilege of being punished by a precedent Law ; and therefore may be punished at the King's Will, as *Ravillac* was for murdering *Henry IV.* of *France*. An open Enemy and a perfidious Traitor are both Enemies. Had not his Lordship read in the *Roman* History, how *Perseus*, and other just Enemies of that State, were wont to be punished ? But what is this trifling Question to my *excusing of Atheism* ? In the seventh Paragraph of my Book *de Civitate* he found the Words (in *Latin*) which he here citeth. And to the same Sense I have said in my *Leviathan*, that the Right of Nature whereby God reigneth over Men, is to be derived not from his creating them, as if he required Obedience, as of Gratitude ; but from his irresistible Power. This he says is absurd and dishonourable. Whereas first all Power is honourable, and the greatest Power is most honourable. Is it not a more noble Tenure for a King to hold his Kingdom, and the Right to

punish those that transgress his Laws, from his Power, than from the Gratitude or Gift of the Transgressor. There is nothing therefore here of Dishonour to God Almighty. But see the Subtilty of his disputing. He saw he could not catch *Leviathan* in this Place, he looks for him in my Book *de Cive*, which is *Latin*, to try what he could fish out of that. And says I make our Obedience to God, depend upon our Weakness, as if these Words signified the *Dependence*, and not the *Necessity* of our Submission, or that *incumbere* and *dependere* were all one.

J. D. For T. H. his God is not the God of Christians, nor of any rational Men. Our God is every where, and seeing he hath no Parts, he must be wholly here, and wholly every where. So Nature itself dictateth. *It cannot be said honourably of God that he is in a Place; for nothing is in a Place, but that which hath proper Bounds of its Greatness.* But T. H. his God is not wholly every where. *No Man can conceive that anything is all in this Place, and all in another Place at the same Time, for none of these Things ever have or can be incident to Sense.* So far well, if by conceiving he mean comprehending; but then follows, *That these are absurd Speeches taken upon Credit, without any Signification at all, from deceived Philosophers, and deceived or deceiving Schoolmen.* Thus he denieth the Ubiquity of God. A Circumscriptive, a Definitive, and a Repletive being in a Place, is some Heathen Language to him.

T. H. Though I believe the Omnipotence of God, and that he can do what he will, yet I dare not say how every thing is done, because I cannot conceive nor comprehend either the divine Substance, or the Way of its Operation. And I think it Impiety to speak concerning God any thing of my own Head, or upon the Authority of Philosophers or Schoolmen, which I understand not, without Warrant in the Scripture: And what I say of Omnipotence, I say also of Ubiquity. But his Lordship is more valiant in this Place, telling us that God is *wholly here*, and *wholly there*, and *wholly every where*; because he has no Parts. I cannot comprehend nor conceive this. For methinks it implies also that the whole World is also in the whole God, and in every Part of God, nor can I conceive how any thing can be called *Whole*, which has no Parts, nor can I find any thing of this in the Scripture. If I could find it there, I could believe it; and if I could find it in the publick Doctrine of the Church, I could easily abstain from contradicting it. The Schoolmen say also, that the Soul of Man (meaning his upper Soul, which they call the rational Soul) is also *wholly in the whole Man*, and wholly in every Part of the Man. What is this but to make the human Soul the same thing in respect of Man's Body, that God is in respect of the World? These his Lordship calls here rational Men, and some of them which applaud this Doctrine, would have the High Court of Parliament corroborate such Doctrines with a Law. I said in my *Leviathan*, that it is no honourable Attribute to God, to say he is *in a Place*, because, Infinity is not confined within a Place. To which he replies, *T. H. his God is not wholly every where.* I confess the Consequence. For I understand in *English*, he that says any thing to be *all here*, means that *neither all, nor any of the same thing is elsewhere.* He says further, I take a *Circumscriptive, a Definitive, and a Repletive* being in a Place, to be Heathen Language. Truly, if this Dispute were at the Bar, I should go near to crave the Assistance of the Court, lest some Trick might be put upon me in such Obscurity. For though I know what these *Latin* Words singly signify, yet I understand not how any thing is in a *Place definitively* and not *circumscriptively*. For *definitively* comes from *definio*, which is to set Bounds. And therefore to be in a Place definitively, is when the Bounds of the *Place* are every way marked out. But to be in a Place circumscriptively, is when the Bounds of the Place are described round about. To be in a Place repletively, is to fill a Place. Who does not see that this Distinction is Canting and Fraud? If any Man will call it pious Fraud, he is to prove the Piety as clearly as I have here explained the Fraud. Besides, no Fraud can be pious in any Man, but him that hath a lawful Right to govern him whom he beguileth; whom the Bishop pretends to govern, I cannot tell. Besides his Lordship ought to have con-

considered, that every Bishop is one of the great Council, trusted by the King to give their Advice with the Lords Temporal, for the making of good Laws, Civil and Ecclesiastical, and not to offer them such obscure Doctrines, as if, because they are not versed in School Divinity, therefore they had no Learning at all, nor understood the *English* Tongue. Why did the Divines of *England* contend so much heretofore to have the Bible translated into *English*, if they never meant any but themselves should read it? If a Layman be publicly encouraged to search the Scriptures for his own Salvation, what has a Divine to do to impose upon him any strange Interpretation, unless if he make him err to Damnation, he will be damned in his Stead?

*J. D.* Our God is immutable without any Shadow of turning by Change, to whom all things are present, nothing past, nothing to come. But *T. H.* his God is measured by Time; losing something that is past; and acquiring something that doth come every Minute. That is as much as to say, That our God is infinite, and his God is finite; for unto that which is actually infinite, nothing can be added, neither Time nor Parts. Hear himself, *Nor do I understand what Derogation it can be to the divine Perfection, to attribute to it Potentiality, that is in English, Power* (so little doth he understand what Potentiality is) *and successive Duration.* And he chargeth it upon us as a Fault; that we will not have Eternity to be an *endless Succession of Time.* How, *successive Duration, and an endless Succession of Time in God?* Then God is not infinite, then God is elder To-day than he was Yesterday. Away with Blasphemies. Before he destroyed the Ubiquity of God, and now he destroyeth his Eternity.

*T. H.* I shall omit both here and henceforth his preambulatory, impertinent, and uncivil Calumnies. The thing he pretends to prove is this. That it is a Derogation to the Divine Power to attribute to it Potentiality (that is in *English* Power) and successive Duration. One of his Reasons is, God is infinite, and nothing can be added to infinite; neither of Time nor of Parts: It is true. And therefore I said, God is infinite and eternal, without Beginning or End, either of Time or Place; which he has not here confuted, but confirmed. He denies Potentiality and Power to be all one, and says I little understand what Potentiality is. He ought therefore in this place to have defined what Potentiality is: For I understand it to be the same with *Potentia*, which is in *English*, Power. There is no such Word as Potentiality in the Scriptures, nor in any Author of the *Latin* Tongue. It is found only in School Divinity, as a Word of Art, or rather as a Word of Craft, to amaze and puzzle the Laity. And therefore I no sooner read than interpreted it. In the next place he says, as wondering, How, an endless Succession of Time in God! Why not? *God's Mercy endureth for ever*, and surely God endureth as long as his Mercy, and therefore there is Duration in God, and consequently Succession of Time. *God who in sundry Times and in divers Manners spake in time past, &c.* But in a former Dispute with me about Free-will, he hath defined Eternity to be *nunc stans*, that is, an *ever standing now*, or *everlasting Instant.* This he thinks himself bound in Honour to defend. What reasonable Soul can digest this? We read in Scripture, that a thousand Years with God is but as Yesterday. And why? but because he sees as clearly to the End of a thousand Years, as to the End of a Day. But his Lordship affirms, that both a thousand Years and a Day are but one Instant, the same *standing now*, or Eternity. If he had shewed an holy Text for this Doctrine, or any Text of the Book of *Common Prayer* (in the Scripture and Book of *Common Prayer* is contained all our Religion) I had yielded to him, but School Divinity I value little or nothing at all. Though in this he contradict also the Schoolmen, who say the Soul is eternal only *à parte post*, but God is eternal both *à parte post*, and *à parte ante*. Thus there are Parts in Eternity, and Eternity being, as his Lordship says, the divine Substance, the divine Substance has Parts, and *nunc stans* has Parts. Is not this Darknes? I take it to be the Kingdom of Darknes, and the Teachers of it, especially of this Doctrine, That God who is not only *Optimus*, but also *Maximus*,

is no greater than to be wholly contained in the least Atom of Earth, or other Body, and that his whole Duration is but an Instant of Time, to be either grossly ignorant or ungodly Deceivers.

Ƴ. D. Our God is a perfect, pure, simple, indivisible, infinite Essence; free from all Composition of Matter and Form, of Substance and Accidents. All Matter is finite, and he who acteth by his infinite Essence, needeth neither Organs, nor Faculties (*id est, no Power, note that*) nor Accidents, to render him more complete. But T. H. his God is a divisible God, a compounded God, that hath Matter, or Qualities, or Accidents. Hear himself. I argue thus, *The divine Substance is indivisible, but Eternity is the divine Substance. The Major is evident, because God is Actus simplicissimus; the Minor is confessed by all Men, that whatsoever is attributed to God, is God.* Now listen to his Answer, *The Major is so far from being evident, that Actus simplicissimus signifieth nothing. The Minor is said by some Men, thought by no Man, whatsoever is thought is understood. The Major was this, The divine Substance was indivisible.* Is this far from being evident? Either it is indivisible or divisible. If it be not indivisible, then it is divisible, then it is materiate, then it is corporeal, then it hath Parts, then it is finite by his own Confession. *Habere partes, aut esse totum aliquid, sunt attributa finitorum.* Upon this silly Conceit he chargeth me for saying, *That God is not just, but Justice itself; not eternal, but Eternity itself; which he calleth unseemly Words to be said of God.* And he thinketh he doth me a great Courtesy in not adding, *Blasphemous and Atheistical.* But his Bolts are so soon shot, and his Reasons are such vain Imaginations, and such drowsy Phantasies, that no sober Man doth much regard them. Thus he hath already destroyed the Ubiquity, the Eternity, and the Simplicity of God. I wish he had considered better with himself, before he had desperately cast himself upon these Rocks.

But *paulo majora canamus*, my next Charge is, That he destroys the very Being of God, and leaves nothing in his Place, but an empty Name. For by taking away all incorporeal Substances, he taketh away God himself. The very Name, saith he, of an incorporeal Substance, is a *Contradiction*. And to say that an Angel, or Spirit, is an incorporeal Substance, is to say in Effect, that there is no Angel or Spirit at all. By the same Reason to say, That God is an incorporeal Substance, is to say there is no God at all. Either God is incorporeal, or he is finite, and consists of Parts, and consequently is no God. This, That there is no incorporeal Spirit, is that main Root of Atheism, from which so many lesser Branches are daily sprouting up.

T. H. God is indeed a perfect, pure, simple, infinite Substance; and his Name incommunicable, that is to say, not divisible into this and that individual God, in such manner as the Name of Man is divisible into *Peter* and *John*. And therefore God is individual; which Word amongst the *Greeks* is expressed by the Word *Indivisible*. Certain Heretics in the primitive Church, because special and individual are called Particulars, maintained that *Christ* was a particular God, differing in Number from God the Father. And this was the Doctrine that was condemned for Heresy in the first Council of *Nice*, by these Words, *God hath no Parts*. And yet many of the *Latin* Fathers, in their Explications of the *Nicene* Creed, have expounded the Word *Consubstantial*, by the Community of Nature, which different Species have in their Genus, and different Individuals in the Species, as if *Peter* and *John* were *Consubstantial*, because they agree in one human Nature; which is contrary, I confess, to the Meaning of the *Nice* Fathers. But that in a Substance infinitely great, it should be impossible to consider any thing as not infinite: I do not see it there condemned. For certainly he that thinks God is in every Part of the Church, does not exclude him out of the Church-yard. And is not this a considering of him by Parts? For dividing a Thing which we cannot reach, nor separate one Part thereof from another, is nothing else but considering of the same by Parts. So much concerning Indivisibility from natural Reason; for I will wade no farther, but rely upon the Scriptures. God is nowhere

where said in the Scriptures to be indivisible, unless his Lordship meant Division to consist only in Separation of Parts, which I think he did not. St. Paul indeed saith, 1 Cor. i. 13. *Is Christ divided?* Not that the Followers of Paul, Apollos, and Cephas, followed some one Part, some another of Christ; but that thinking differently of his Nature, they made, as it were, different Kinds of him. Secondly, his Lordship expounds Simplicity, by not being compounded of Matter and Form, or of Substance and Accidents, unlearnedly. For nothing can be so compounded. The Matter of a Chair is Wood, the Form is the Figure it hath apt for the intended Use; does his Lordship think the Chair compounded of the Wood and the Figure? A Man is rational; does it therefore follow that Reason is a Part of the Man? It was Aristotle deceived him, who had told him, that a rational living Creature is the Definition of a Man, and that the Definition of a Man was his Essence; and therefore the Bishop and other Schoolmen, from this, that the Word Rational is a part of these Words *Man is a Rational living Creature*, concluded that the Essence of Man was a Part of the Man, and a *Rational Man*, the same thing with a Rational Soul. I should wonder how any Man, much more a Doctor of Divinity, should be so grossly deceived, but that I know naturally the Generality of Men speak the Words of their Masters by Rote, without having any Idea of the Things which the Words signify. Lastly, he calls God an *Essence*. If he means by *Essence* the same with *Ens*, [τὸ ἐν] I approve it. Otherwise what is *Essence*? There is no such Word in the Old Testament. The Hebrew Language, which has no Word answerable to the Copulative *est*, will not bear it. The New Testament hath *ἔσθια*, but never for *Essence*, nor for *Substance*, but only for *Riches*. I come now to his Argument in Mood and Figure, which is this, *The Divine Substance is indivisible*; that's the Major: *Eternity is the Divine Substance*; that's the Minor: Ergo, the Divine Substance is indivisible. The Major, he says, is evident, because God is *Actus simplicissimus*: The Minor is confessed, he thinks, by all Men, because whatsoever is attributed to God, is God. To this I answered, that the Major is so far from being evident, that *Actus simplicissimus* signifieth nothing, and that the Minor was understood by no Man. First, what is *Actus* in the Major? does any understand *Actus* for a Substance, that is, for a Thing subsisting by itself? Is not *Actus* in English, either an *Act*, or an *Action*, or nothing? or is any of these *Substances*? If it be evident, why did he not explain *Actus* by a Definition? And as to the Minor, though all Men in the World understand that the *Eternal* is God, yet no Man can understand that the *Eternity* is God. Perhaps he and the Schoolmen mean by *Actus*, the same that they do by *Essentia*. What is the *Essence* of a Man, but his *Humanity*? or of God, but his *Deity*; of *Great*, but *Greatness*; and so of all other denominating Attributes? And the Words God and Deity, are of different Signification. Damascene, a Father of the Church, expounding the *Nicene Creed*, denies plainly that the *Deity* was incarnate; but all true Christians hold that God was incarnate. Therefore *God* and the *Deity*, signify divers Things; and therefore *Eternal* and *Eternity* are not the same, no more than a wise Man and his Wisdom are the same; nor God and his Justice the same Thing: And universally 'tis false, that the Attribute in the Abstract is the same with the Substance, to which it is attributed. Also it is universally true of God, that the Attribute in the Concrete, and the Substance to which it is attributed, is not the same Thing. I come now to his next Period or Paragraph, wherein he would fain prove, that by denying incorporeal Substance, I take away God's Existence. The Words he cites here are mine: *To say an Angel or Spirit is an incorporeal Substance, is to say in Effect, there is no Angel nor Spirit at all.* It is true also, that to say that God is an incorporeal Substance, is to say in Effect, there is no God at all. What alleges he against it, but the School Divinity, which I have already answered? Scripture he can bring none, because the Word Incorporeal is not found in Scripture. But the Bishop trusting to his *Aristotelian* and Scholastic Learning, hath hitherto made no Use of Scripture, save only of these Texts, *Who hath planted a*

Vineyard, and eateth not of the Fruit thereof; or who feedeth a Flock, and eateth not of the Milk of the Flock; and Rev. iv. 11. *Thou art worthy, O Lord, to receive Glory, Honour, and Power, for thou hast created all Things, and for thy Pleasure they were created*; thereby to prove, that the Right of God to govern and punish Mankind, is not derived from his Omnipotence. Let us now see how he proves Incorporeity by his own Reason without Scripture. *Either God, he saith, is Incorporeal or Finite.* He knows I deny both, and say he is *Corporeal* and *Infinite*, against which he offers no Proof, but only (according to his Custom of disputing) calls it the Root of Atheism; and interrogates me, What real Thing is left in the World, if God be incorporeal, but Body and Accidents? I say there is nothing left but corporeal Substance. For I have denied (as he knew) that there is any Reality in Accidents; and nevertheless maintain God's Existence, and that he is a most pure, and most simple corporeal Spirit. Here his Lordship catching nothing, removes to the Eternity of the Trinity, which these my Grounds (he says) destroy. How so? I say the Trinity, and the Persons thereof, are that one pure, simple, and eternal corporeal Spirit; and why does this destroy the Trinity, more than if I had called it incorporeal? He labours here and seeketh somewhat to refresh himself in the Word *Person*; by the same Grounds, he saith, every King has as many Persons as there be Justices of Peace in his Kingdom, and God Almighty hath as many Persons as there be Kings. Why not? For I never said that all those Kings were that God; and yet God giveth that Name to the Kings of the Earth. For the Signification of the Word *Person*, I shall expound it by and by in another Place. Here ends his Lordship's School Argument; now let me come with my Scripture Argument. *St. Paul* concerning *Christ*, Col. ii. 9. saith thus, *In him dwelleth all the Fullness of the Godhead bodily.* This Place *Athanasius*, a great and zealous Doctor in the *Nicene* Council, and vehement Enemy of *Arius* the Heretic, who allowed *Christ* to be no otherwise God, than as Men of excellent Piety were so called, expoundeth thus: The Fullness of the Godhead dwelleth in him bodily (*Greek* *σωματικῶς*) *id est, θεϊνῶς, id est, realiter.* So there is one Father for Corporeality, and that God was in *Christ* in such manner as Body is in Body. Again, there were in the primitive Church a sort of Heretics, who maintained that *Jesus Christ* had not a true real Body, but was only a Phantasm or Spright, such as the *Latins* called *Spectra*. Against the Head of this Sect (whose Name I think was *Apelles*) *Tertullian* wrote a Book, now extant amongst his other Works, intitled, *De Carne Christi*; wherein, after he had spoken of the Nature of Phantasms, and shewed that they had nothing of Reality in them, he concludeth with these Words, Whatsoever is not *Body*, is *Nothing*. So here is on my side a plain Text of Scripture, and two ancient and learned Fathers. Nor was this Doctrine of *Tertullian* condemned in the Council of *Nice*; but the Division of the Divine Substance into God the Father, God the Son, and God the Holy Ghost. For these Words, *God has no Parts*, were added, for Explication of the Word *Consubstantial*, at the Request of the dissenting Fathers, and are farther explained both in *Athanasius* his Creed, in these Words, *not three Gods, but one God*, and by the constant Attribute ever since of the *Individual* Trinity. The same Words nevertheless do condemn the *Anthropomorphites* also: For though there appeared no Christians that professed that God had an Organical Body, and consequently that the Persons were three Individuals, yet the *Gentiles* were all *Anthropomorphites*, and there condemned by those Words, *God has no Parts*.

And thus I have answered his Accusation concerning the Eternity and Existence of the Divine Substance, and made it appear, that in Truth the Question between us is, whether God be a Phantasm (*id est*, an Idol of the Fancy, which *St. Paul* saith is nothing) or a corporeal Spirit, that is to say, something that has Magnitude.

In this Place I think it not amiss, leaving for a little while this Theological Dispute, to examine the Signification of those Words, which have occasioned so much Diversity of Opinion in this kind of Doctrine.

The Word *Substance*, in Greek *Hypostasis*, *Hypoſtan*, *Hypoſtamenon*, ſignify the ſame Thing, namely, a Ground, a Baſe, any thing that has Exiſtence or Subſiſtence *in itſelf*, any thing that upholdeth that which elſe would fall, in which Senſe God is properly the Hypoſtaſis, Baſe, and Substance that upholdeth all the World, having Subſiſtence not only *in himſelf*, but *from himſelf*; whereas other Subſtances have their Subſiſtence only in themſelves, not from themſelves. But metaphorically, Faith is called a Substance, *Heb. xi. 1.* becauſe it is the Foundation or Baſe of our Hope; for Faith failing, our Hope falls. And *2 Cor. ix. 4.* St. Paul having boaſted of the liberal Promiſe of the *Corinthians* towards the *Macedonians*, calls that Promiſe the Ground, the Hypoſtaſis of that his boaſting. And *Heb. i. 3.* Chriſt is called the Image of the Substance (the Hypoſtaſis) of his Father, and for the proper and adequate Signification of the Word Hypoſtaſis, the *Greek* Fathers did always oppoſe it to Apparition or Phantaſm; as when a Man ſeeth his Face in the Water, his real Face is called the Hypoſtaſis of the phantaſtic Face in the Water. So alſo in ſpeaking, the Thing underſtood or named, is called Hypoſtaſis, in reſpect of the Name, ſo alſo a Body coloured is the Hypoſtaſis, Substance and Subject of the Colour; and in like Manner of all its other Accidents. Eſſence, and all other abſtract Names, are Words artificial belonging to the Art of Logic, and ſignifies only the Manner how we conſider the Substance itſelf. And of this I have ſpoken ſufficiently in my *Leviathan*. *Body* [*Lat.*] *Corpus* [*Græ.*] *σῶμα*, is that Substance which hath Magnitude indeterminate, and is the ſame with corporeal Substance; but *A Body* is that which hath Magnitude determinate, and confequently is underſtood to be *totum* or *integrum aliquid*. *Pure* and *ſimple Body*, is Body of one and the ſame Kind, in every Part throughout, and if mingled with Body of another Kind, though the total be compounded or mixt, the Parts nevertheleſs retain their Simplicity, as when Water and Wine are mixt, the Parts of both Kinds retain their Simplicity. For Water and Wine cannot both be in one and the ſame Place at once.

*Matter* is the ſame with *Body*; but never without Reſpect to a Body which is made thereof. *Form* is the Aggregate of all Accidents together, for which we give the Matter a new Name; ſo *Albedo*, *Whiteness*, is the Form of *Album*, or *white Body*. So alſo Humanity is the Eſſence of Man, and Deity the Eſſence of *Deus*.

Spirit is thin, fluid, transparent, inviſible Body. The Word in *Latin* ſignifies Breath, Air, Wind, and the like. In *Greek* *πνεῦμα* from *πνέω*, *Spiro*, *Flo*.

I have ſeen, and ſo have many more, two Waters, one of the River, the other a Mineral Water, ſo like, that no Man could diſcern the one from the other by his Sight; yet when they have been both put together, the whole Substance could not by the Eye be diſtinguiſhed from Milk. Yet we know that the one was not mixt with the other, ſo as every Part of the one to be in every Part of the other, for that is impoſſible, unleſs two Bodies can be in the ſame Place. How then could the Change be made in every Part, but only by the Activity of the Mineral Water, changing it every where to the Senſe, and yet not being every where and in every Part of the Water? If then ſuch groſs Bodies have ſo great Activity, what ſhall we think of Spirits, whoſe Kinds be as many as there be Kinds of Liquor, and Activity greater? Can it then be doubted, but that God, who is an infinitely fine Spirit, and withal intelligent, can make and change all Species and Kinds of Body as he pleaſeth; but I dare not ſay, that this is the Way by which God Almighty worketh, becauſe it is paſt my Apprehenſion; yet it ſerves very well to demonſtrate, that the Omnipotence of God implieth no Contradiſtion; and is better than by Pretence of magnifying the Fineneſs of the divine Substance, to reduce it to a Spright or Phantaſm, which is nothing.

A *Perſon*, [*Lat.*] *Persona*, ſignifies an intelligent Substance, that acteth any thing in his own or another's Name, or by his own or another's Authority. Of this Definition there can be no other Proof than from the Uſe of that Word, in ſuch *Latin* Authors as were eſteemed the moſt ſkilful in their own Language, of which Number was *Cicero*. But *Cicero*, in an Epistle to *Atticus*, ſaith thus, *Unus ſuſtinet*  
*tres*

*tres Personas, Mei, Adversarii, & Judicis*: That is, I that am but one Man, sustain three Persons; mine own Person, the Person of my Adversary, and the Person of the Judge. Cicero was here the Substance intelligent, one Man; and because he pleaded for himself, he calls himself his own Person; and again, because he pleaded for his Adversary, he says, he sustained the Person of his Adversary; and lastly, because he himself gave the Sentence, he says, he sustained the Person of the Judge. In the same Sense we use the Word in *English* vulgarly, calling him that acteth by his own Authority, his own Person; and him that acteth by the Authority of another, the Person of that other. And thus we have the exact Meaning of the Word *Person*. The *Greek* Tongue cannot render it; for *πρόσωπον* is properly a Face, metaphorically, a Vizard of an Actor upon the Stage. How then did the *Greek* Fathers render the Word *Person*, as it is in the Blessed Trinity? Not well. Instead of the Word *Person*, they put *Hypostasis*, which signifies Substance, from whence it might be inferred, that the three Persons in the Trinity are three divine Substances, that is, three Gods. The Word *πρόσωπον*, they could not use, because Face and Vizard are neither of them honourable Attributes of God, nor explicative of the Meaning of the *Greek* Church. Therefore the *Latin* (and consequently the *English*) Church renders *Hypostasis* every where in *Athanasius* his Creed by *Person*. But the Word *Hypostatical Union* is rightly retained and used by Divines, as being the Union of two Hypostases, that is, of two Substances or Natures in the Person of Christ. But seeing they also hold the Soul of our Saviour to be a Substance, which though separated from his Body, subsisted nevertheless in itself, and consequently before it was separated from his Body upon the Cross, was a distinct Nature from his Body, how will they avoid this Objection, that then Christ had three Natures, three Hypostases, without granting, that *his Resurrection was a new Vivification, and not a Return of his Soul out of Heaven into the Grave*? The contrary is not determined by the Church. Thus far in Explication of the Words that occur in this Controversy. Now I return again to his Lordship's Discourse.

*J. D.* When they have taken away all incorporeal Spirits, what do they leave God himself to be? He who is the Fountain of all Being, from whom and in whom all Creatures have their Being, must needs have a real Being of his own. And what real Being can God have among Bodies and Accidents? for they have left nothing else in the Universe. Then *T. H.* may move the same Question of God, which he did of Devils. *I would gladly know in what Classis of Entities, the Bishop ranketh God?* Infinite Being, and participated Being, are not of the same Nature. Yet to speak according to human Apprehension, (Apprehension and Comprehension differ much: *T. H.* confesseth that natural Reason doth dictate to us, that God is infinite, yet natural Reason cannot comprehend the Infiniteness of God) I place him among incorporeal Substances or Spirits, because he hath been pleased to place himself in that Rank, *God is a Spirit*. Of which Place *T. H.* giveth his Opinion, that it is unintelligible, and all others of the same Nature, *and fall not under human Understanding*.

They who deny all incorporeal Substances, can understand nothing by God, but either Nature, (not *Naturam naturantem*, that is, a real Author of Nature, but *Naturam naturatam*, that is, the orderly Concourse of natural Causes, as *T. H.* seemeth to intimate) or a Fiction of the Brain, without real Being, cherished for Advantage and politic Ends, as a profitable Error, howsoever dignified with the glorious Title of *the eternal Cause of all Things*.

*T. H.* To his Lordship's Question here, what I leave God to be, I answer, I leave him to be a most pure, simple, invisible Spirit Corporeal. By Corporeal I mean a Substance that has Magnitude, and so mean all learned Men, Divines and others, though perhaps there be some common People so rude as to call nothing Body, but what they can see and feel. To his second Question, what real Being he can have amongst Bodies and Accidents, I answer, The Being of a Spirit, not of a Spright. If I should ask any the most subtil Distinguisher, what middle Nature there were between an infinitely subtil Substance, and a mere Thought or Phantasm,

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by what Name could he call it? He might call it perhaps an incorporeal Substance, and so *incorporeal* shall pass for a middle Nature between *infinitely subtil* and *nothing*, and be less subtil than infinitely subtil, and yet more subtil than a Thought. It is granted, he says, that the Nature of God is incomprehensible. Doth it therefore follow, that we may give to the divine Substance what negative Name we please? Because he says, the whole divine Substance is here and there and every where throughout the World, and that the Soul of a Man is here and there and every where throughout Man's Body, must we therefore take it for a Mystery of Christian Religion, upon his or any other Schoolman's Word, without the Scripture, which calls nothing a Mystery but the Incarnation of the Eternal God? Or is Incorporeal a Mystery, when not at all mentioned in the Bible, but to the contrary it is written, *that the Fulness of the Deity was bodily in Christ*? When the Nature of the Thing is incomprehensible, I can acquiesce in the Scripture, but when the Signification of Words are incomprehensible, I cannot acquiesce in the Authority of a Schoolman.

*J. D.* We have seen what his Principles are concerning the Deity, they are full as bad or worse concerning the Trinity. Hear himself. *A Person is he that is represented as often as he is represented. And therefore God who has been represented, that is, personated, thrice, may properly enough be said to be three Persons, though neither the Word Person nor Trinity be ascribed to him in the Bible. And a little after: To conclude, the Doctrine of the Trinity, as far as can be gathered directly from the Scripture, is in Substance this, that the God who is always one and the same, was the Person represented by Moses, the Person represented by his Son incarnate, and the Person represented by the Apostles. As represented by the Apostles, the Holy Spirit by which they spake is God. As represented by his Son that was God and Man, the Son is that God. As represented by Moses, and the High Priests, the Father, that is to say, the Father of our Lord Jesus Christ, is that God. From whence we may gather the Reason why those Names, Father, Son, and Holy Ghost, in the Signification of the Godhead, are never used in the Old Testament. For they are Persons, that is, they have their Names from representing, which could not be, till divers Persons had represented God, in ruling or in directing under him.*

Who is so bold as blind *Bayard*? The Emblem of a little Boy attempting to lade all the Water out of the Sea with a Cockle-shell, doth fit *T. H.* as exactly as if it had been shaped for him, who thinketh to measure the profound and inscrutable Mysteries of Religion, by his own silly, shallow Conceits. What is now become of the great adorable Mystery of the blessed undivided Trinity? It is shrunk into nothing. Upon his Grounds there was a Time when there was no Trinity. And we must blot these Words out of our Creed, *The Father eternal, the Son eternal, and the Holy Ghost eternal*; and these other Words out of our Bibles, *Let us make Man after our Image*. Unless we mean that this was a Consultation of God with *Moses* and the Apostles. What is now become of the eternal Generation of the Son of God, if this Sonship did not begin until about four thousand Years after the Creation were expired? Upon these Grounds every King hath as many *Persons*, as there be Justices of Peace, and Petty Constables in his Kingdom. Upon this Account God Almighty hath as many *Persons*, as there have been Sovereign Princes in the World since *Adam*. According to this Reckoning, each one of us, like so many *Geryons*, may have as many *Persons* as we please to make Procurations. Such bold Presumption requireth another manner of Confutation.

*T. H.* As for the Words recited, I confess there is a Fault in the Ratiocination, which nevertheless his Lordship hath not discovered, but no Impiety. All that he objecteth is, that it followeth hereupon, that there be as many Persons of a King, as there be petty Constables in his Kingdom. And so there are, or else he cannot be obeyed. But I never said that a King, and every one of his Persons, are the same Substance. The Fault I here made, and saw not, was this; I was to prove, That it is no Contradiction (as *Lucian* and heathen Scoffers would have it) to say of God, he was One and Three. I saw the true Definition of the Word

*Person* would serve my Turn in this manner; God in his own Person both created the World, and instituted a Church in *Israel*, using therein the Ministry of *Moses*; the same God, in the Person of his Son God and Man, redeemed the World, and the same Church; the same God, in the Person of the Holy Ghost, sanctified the same Church, and all the faithful Men in the World. Is not this a clear Proof, that it is no Contradiction to say, that God is three Persons and one Substance? And doth not the Church distinguish the Persons in the same manner? See the Words of our Catechism. *Quest. What dost thou chiefly learn in these Articles of thy Belief?* *Ans.* First, I learn to believe in God the Father, that hath made me and all the World: Secondly, In God the Son, who hath redeemed me and all Mankind: Thirdly, In God the Holy Ghost, that hath sanctified me and all the elect People of God. But at what Time was the Church sanctified? Was it not on the Day of *Pentecost*, in the Descending of the Holy Ghost upon the Apostles? His Lordship all this while hath catched nothing. 'Tis I that catched myself, for saying, (instead of, *By the Ministry of Moses*) in the Person of *Moses*. But this Error I no sooner saw, than I as publicly corrected as I had committed it, in my *Leviathan* converted into *Latin*, which by this time I think is printed beyond the Seas with this Alteration, and also with the Omission of some such Passages as Strangers are not concerned in. And I had corrected this Error sooner, if I had sooner found it. For though I was told by Dr. *Cofins*, now Bishop of *Durham*, that the Place above-cited was not applicable enough to the Doctrine of the Trinity, yet I could not in reviewing the same espy the Defect till of late, when being sollicitated from beyond Sea to translate the Book into *Latin*, and fearing some other Man might do it not to my liking, I examined this Passage and others of the like Sense more narrowly. But how concludes his Lordship out of this, that I put out of the Creed these Words, *The Father eternal, the Son eternal, the Holy Ghost eternal?* or these Words, *Let us make Man after our Image*, out of the Bible? Which last Words neither I nor *Bellarmino* put out of the Bible, but we both put them out of the Number of good Arguments to prove the Trinity; for it is no unusual Thing in the *Hebrew*, as may be seen by *Bellarmino's* Quotation, to join a Noun of the plural Number with a Verb of the Singular. And we may say also of many other Texts of Scripture alledged to prove the Trinity, that they are not so firm as that high Article requireth. But mark his Lordship's Scholastic Charity in the last Words of this Period, *Such bold Presumption requireth another manner of Confutation*. This Bishop, and others of his Opinion, had been in their Element, if they had been Bishops in *Queen Mary's* Time.

*J. D.* Concerning God the Son, forgetting what he had said elsewhere, where he calleth him *God and Man*, and *the Son of God incarnate*, he doubteth not to say, that *the Word Hypostatical is canting*. As if the same Person could be both God and Man without a personal, that is, an hypostatical Union of the two Natures of God and Man.

*T. H.* If Christian Profession be (as certainly it is in *England*) a Law, and if it be of the Nature of a Law to be made known to all Men that are to obey it, in such manner as they may have no Excuse for Disobedience from their Ignorance, then without Doubt all Words unknown to the People, and as to them insignificant, are canting. The Word *Substance* is understood by the Vulgar well enough, when it is said of a Body, but in other Sense not at all, except for their Riches. But the Word *Hypostatical* is understood only by those, and but few of those, that are learned in the *Greek* Tongue, and is properly used, as I have said before, of the Union of the two Natures of *Christ* in one Person. So likewise *Consubstantial* in the *Nicene* Creed, is properly said of the Trinity. But to an *Englishman* that understands neither *Greek* nor *Latin*, and yet is as much concerned as his Lordship was, the Word *Hypostatical* is no less canting than *Eternal now*.

*J. D.* He alloweth every Man who is commanded by his lawful Sovereign, to deny *Christ* with his Tongue before Men.

*T. H. I*

T. H. I allow it in some Cafes, and to some Men, which his Lordship knew well enough, but would not mention. I alledged for it, in the Place cited, both Reason and Scripture, though his Lordship thought it not expedient to take notice of either. If it be true that I have said, why does he blame it? if false, why offers he no Argument against it, neither from Scripture nor from Reason? or why does he not shew that the Text I cite is not applicable to the Question, or not well interpreted by me? First, He barely cites it, because he thought the Words would sound harshly, and make a Reader admire them for Impiety. But I hope I shall so well instruct my Reader ere I leave this Place; that this his petty Art will have no Effect. Secondly, The Cause why he omitted my Arguments was, that he could not answer them. Lastly, The Cause why he urgeth neither Scripture nor Reason against it was, that he saw none sufficient. My Argument from Scripture was this, (in my *Leviathan*) taken out of 2 Kings v. 17. where *Naaman the Syrian* saith to *Elisha the Prophet*, *Thy Servant will henceforth offer neither Burnt-offering nor Sacrifice to other Gods, but unto the Lord. In this Thing the Lord pardon thy Servant, that when my Master goeth into the House of Rimmon to worship there, and he leaneth on my Hand, and I bow myself in the House of Rimmon: when I bow myself in the House of Rimmon, the Lord pardon thy Servant in this Thing. And he said unto him, Go in Peace.* What can be said to this? Did not *Elisha* say it from God? Or is not this Answer of the Prophet a Permission? When *St. Paul* and *St. Peter* commanded the *Christians* of their Time to obey their Princes, which then were Heathens and Enemies of *Christ*, did they mean they should lose their Lives for Disobedience? Did they not rather mean they should preserve both their Lives and their Faith, (believing in *Christ* as they did) by this Denial of the Tongue, having no Command to the contrary? If in this Kingdom a *Mahometan* should be made by Terror to deny *Mahomet* and go to Church with us, would any Man condemn this *Mahometan*? A Denial with the Mouth may perhaps be prejudicial to the Power of the Church, but to retain the Faith of *Christ* stedfastly in his Heart, cannot be prejudicial to his Soul that hath undertaken no Charge to preach to Wolves, whom they know will destroy them. About the Time of the Council of *Nice*, there was a Canon made (which is extant in the History of the *Nicene Council*) concerning those that being Christians had been seduced, not terrified, to a Denial of *Christ*, and again repenting, desired to be readmitted into the Church; in which Canon it was ordain'd, that those Men should be no otherwise readmitted than to be in the Number of the Catechised, and not to be admitted to the Communion till a great many Years Penitence. Surely the Church then would have been more merciful to them that did the same upon Terror of present Death and Torments.

Let us now see what his Lordship might, though but colourably, have alledged from Scripture against it. There be three Places only that seem to favour his Lordship's Opinion. The first is, where *Peter* denied *Christ*, and weepeth. The second is, *Acts* v. 29. *Then Peter and the other Apostles answered and said, We ought to obey God rather than Men.* The third is, *Luke* xii. 9. *But he that denieth me, shall be denied before the Angels of God.*

For Answer to these Texts, I must repeat what I have written, and his Lordship read in my *Leviathan*. For an unlearned Man that is in the Power of an idolatrous King, or State, if commanded on Pain of Death to worship before an Idol, doing it, he detesteth the Idol in his Heart, he doth well; though if he had the Fortitude to suffer Death, rather than worship it, he should do better. But if a Pastor, who, as *Christ's Messenger*, has undertaken to teach *Christ's Doctrine* to all Nations, should do the same, it were not only a sinful Scandal in respect of other Men's Consciences, but a perfidious forsaking of his Charge. In which Words I distinguish between a Pastor and one of the Sheep of his Flock. *St. Peter* finned in denying *Christ*; and so does every Pastor, that having undertaken the Charge of Preaching the Gospel in the Kingdom of an Infidel, where he could expect at the Undertaking of his Charge no less than Death. And why, but because he violates his

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Trust in doing contrary to his Commission. St. Peter was an Apostle of Christ, and bound by his voluntary undertaking of that Office, not only to confess Christ, but also to preach him before those Infidels whom he knew would, like Wolves, devour him. And therefore when Paul and the rest of the Apostles were forbidden to preach Christ, they gave this Answer, *We ought to obey God rather than Men.* And it wasto his Disciples only which had undertaken that Office that Christ saith, *he that denieth me before Men, shall be denied before the Angels of God.* And so I think I have sufficiently answered this Place, and shewed that I do not allow the denying of Christ, upon any Colour of Torments, to his Lordship, nor to any other that has undertaken the Office of a Preacher. Which if he think right, he will perhaps in this Case put himself into the Number of those whom he calls merciful Doctors, whereas now he extends his Severity beyond the Bounds of common Equity. He has read Cicero, and perhaps this Story in him. The Senate of Rome would have sent Cicero to treat of Peace with Marcus Antonius, but when Cicero had shewed them the just Fear he had of being killed by him, he was excused; and if they had forced him to it, and he by Terror turned Enemy to them, he had in Equity been excusable. But his Lordship I believe did write this more valiantly than he would have acted it.

J. D. He deposeth Christ from his true Kingly Office, making his Kingdom not to commence or begin before the Day of Judgment. And the Regimen wherewith Christ governeth his faithful in this Life, is not properly a Kingdom, but a pastoral Office, or a Right to teach. And a little after, Christ had not Kingly Authority committed to him by his Father in this World, but only Consiliary and Doctrinal.

T. H. How do I take away Christ's Kingly Office? He neither draws it by Consequence from my Words, nor offers any Argument at all against my Doctrine. The Words he cites are in the Contents of Chap xvii. *de Cive.* In the Body of the Chapter it is thus: The Time of Christ's being upon the Earth is called in Scripture the Regeneration often, but the Kingdom never. *When the Son of God comes in Majesty, and all the Angels with him, then he shall sit on the Seat of Majesty. My Kingdom is not of this World. God sent not his Son that he should judge the World. I came not to judge the World, but to save the World. Man, who made me a Judge or Divider amongst you? Let thy Kingdom come.* And other Words to the same Purpose; out of which it is clear, that Christ took upon him no Regal Power upon Earth before his Assumption. But at his Assumption, his Apostles asked him if he would then restore the Kingdom to Israel, and he answered, it was not for them to know. So that hitherto Christ had not taken that Office upon him, unless his Lordship think that the Kingdom of God and the Kingdom of Christ be two distinct Kingdoms. From the Assumption ever since, all true Christians say daily in their Prayers, *Thy Kingdom come.* But his Lordship had perhaps forgot that. But when then beginneth Christ to be a King? I say it shall be then, when he comes again in Majesty with all the Angels. And even then he shall reign (as he is Man) under his Father. For St. Paul saith, 1 Cor. xv. 25, 26. *He must reign till he hath put all Enemies under his Feet; the last Enemy that shall be destroyed is Death.* But when shall God the Father reign again? St. Paul saith in the same Chapter, ver. 28. *When all Things shall be subdued unto him, then shall the Son also himself be subject unto him that put all Things under him, that God may be all in all.* And ver. 24. *Then cometh the End, when he shall have delivered up the Kingdom to God, even the Father; when he shall have put down all Rule, Authority and Power.* This is at the Resurrection. And by this it is manifest, that his Lordship was not so well versed in Scripture, as he ought to have been.

J. D. He taketh away his priestly or propitiatory Office; And although this Act of our Redemption be not always in Scripture called a Sacrifice and Oblation, but sometimes a Price, yet by Price we are not to understand any thing, by the Value whereof he could claim Right to a Pardon for us from his offended Father, but that Price which God the Father was pleased in Mercy to demand. And again, Not that the Death of one Man, though without Sin, can satisfy for the Offences of all Men in the Rigour of Justice, but in  
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the Mercy of God, that ordained such Sacrifices for Sin, as he was pleased in Mercy to accept. He knoweth no Difference between one who was both God and Man ; between a Levitical Sacrifice, and the All-sufficient Sacrifice of the Cross ; between the Blood of a Calf, and the precious Blood of the Son of God.

T. H. Yes, I know there is a Difference between Blood and Blood, but not any such as can make a Difference in the Case here questioned. Our Saviour's Blood was most precious, but still it was human Blood ; and I hope his Lordship did never think otherwise, or that it was not accepted by his Father for our Redemption.

J. D. And touching the prophetical Office of Christ, I do much doubt whether he do believe in earnest, that there is any such thing as Prophecy in the World. He maketh very little Difference between a Prophet and a Madman, and a Dæmoniac. And if there were nothing else (says he) that bewrayed their Madness, yet that very arrogating such Inspiration to themselves is Argument enough. He maketh the Pretence of Inspiration in any Man to be, and always to have been, on Opinion pernicious to Peace, and tending to the Dissolution of all Civil Government. He subjecteth all prophetical Revelations from God, to the sole Pleasure and Censure of the Sovereign Prince, either to authorise them, or to exauctorate them. So as two Prophets prophesying the same thing at the same Time, in the Dominions of two different Princes, the one shall be a true Prophet, the other a false. And Christ, who had the Approbation of no Sovereign Prince, upon his Grounds, was to be reputed a false Prophet every where. Every Man therefore ought to consider who is the Sovereign Prophet, that is to say, who it is that is God's Vicegerent upon Earth, and hath next under God the Authority of governing Christian Men, and to observe for a Rule that Doctrine which in the Name of God he hath commanded to be taught, and thereby to examine and try out the Truth of those Doctrines which pretended Prophets, with Miracle, or without, shall at any time advance, &c. And if he disapprove them, then no more to obey their Voice ; or if he approve them, then to obey them as Men, to whom God hath given a Part of the Spirit of their Sovereign. Upon his Principles the Case holdeth as well among Jews and Turks and Heathens, as Christians. Then he that teacheth Transubstantiation in France, is a true Prophet ; he that teacheth it in England, a false Prophet. He that blasphemeth Christ in Constantinople, a true Prophet ; he that doth the same in Italy, a false Prophet. Then Samuel was a false Prophet to contest with Saul a Sovereign Prophet : So was the Man of God who submitted not to the more divine and prophetic Spirit of Jeroboam ; and Elijah for reproving Abab. Then Micaiah had but his Deserts, to be clapt up in Prison, and fed with Bread of Affliction, and Water of Affliction, for daring to contradict God's Vicegerent upon Earth : And Jeremiah was justly thrown into a Dungeon, for prophesying against Zedekiah his Liege Lord. If his Principles were true, it were strange indeed that none of these Princes, nor any other that ever was in the World, should understand their own Privileges : And yet more strange, that God Almighty should take the Part of such rebellious Prophets, and justify their Prophecies by the Event, if it were true that none but the Sovereign in a Christian (the Reason is the same for Jewish) Commonwealth can take Notice, what is or what is not the Word of God,

T. H. To remove his Lordship's Doubt in the first Place, I confess there was true Prophecy and true Prophets in the Church of God, from Abraham down to our Saviour the greatest Prophet of all, and the last of the Old Testament, and first of the New. After our Saviour's Time till the Death of St. John the Apostle, there were true Prophets in the Church of Christ, Prophets to whom God spake supernaturally, and testified the Truth of their Mission by Miracles. Of those that in the Scripture are called Prophets without Miracles, and for this Cause only, that they spake in the Name of God to Men, and in the Name of Men to God, there are, have been, and shall be in the Church, innumerable. Such a Prophet was his Lordship, and such are all Pastors in the Christian Church. But the Question here is of those Prophets, that from the Mouth of God foretel Things future, or do other Miracle. Of this Kind I deny there has been any since the Death of St. John the Evangelist. If any Man find Fault with this, he ought to name some Man or other whom we are

bound to acknowledge that they have done a Miracle, cast out a Devil, or cured any Disease, by the sole Invocation of the divine Majesty. We are not bound to trust to the Legend of the *Roman* Saints, nor to the History written by *Sulpitius* of the Life of *St. Martin*, nor to any other Fables of the *Roman* Clergy, nor to such Things as were pretended to be done by some Divines here in the Time of King *James*. Secondly, he says I make little Difference between a *Prophet* and a *Madman*, or *Dæmoniac*; to which I say he accuses me falsely. I say only thus much, *That I see nothing at all in the Scripture that requireth a Belief, that Dæmoniacs were any other thing than Madmen.* And this is also made very probable out of Scripture by a worthy Divine *Mr. Meade*. But concerning Prophets, I say only that the *Jews*, both under the Old Testament and under the New, took them to be all one with *Madmen* and *Dæmoniacs*; and prove it out of Scripture by many Places both of the Old and New Testament. Thirdly, that the Pretence or arrogating to ones self divine Inspiration, is Argument enough to shew a Man is *mad*, is my Opinion; but his Lordship understands not *Inspiration* in the same Sense that I do. He understands it properly of God's breathing into a Man, or pouring into him, the divine Substance, or divine Graces, and in that Sense, he that arrogateth Inspiration into himself, neither understands what he saith, nor makes others to understand him, which is properly Madness in some Degree. But I understand *Inspiration* in the Scripture metaphorically, for God's Guidance of our Minds to Truth and Piety. Fourthly, whereas he says, I make the Pretence of *Inspiration* to be pernicious to Peace: I answer, that I think his Lordship was of my Opinion, for he called those Men which in the late Civil War pretended the Spirit, and new Light, and to be the only faithful Men, *Phanatics*; for he called them in his Book, and did call them in his Life-time, *Phanatics*. And what is a *Phanatic* but a *Madman*? and what can be more pernicious to Peace than the Revelations that were by these *Phanatics* pretended? I do not say there were Doctrines of other Men, not called *Phanatics*, as pernicious to Peace, as theirs were, and in great Part a Cause of those Troubles. Fifthly, from that I make prophetic Revelations subject to the Examination of the lawful Sovereign, he inferreth, that two Prophets prophesying the same Thing at the same Time, in the Dominions of two different Princes, the one shall be a true Prophet, the other a false. This Consequence is not good; for seeing they teach different Doctrines, they cannot both of them confirm their Doctrine with Miracles. But this I prove, (in the Place he citeth) that, whether either of their Doctrines shall be taught publicly or not, it is in the Power of the Sovereign of the Place only to determine. Nay, I say now further, if a Prophet come to any private Man in the Name of God, that Man shall be Judge whether he be a true Prophet or not, before he obey him. See *1 John* iv. 1. Sixthly, whereas he says, that upon my Grounds Christ was to be reputed a false Prophet every where, because his Doctrine was received no where: His Lordship had read my Book more negligently than was fit for one that would confute it. My Ground is this, that Christ in right of his Father was King of the *Jews*, and consequently supreme Prophet, and Judge of all Prophets. What other Princes thought of his Prophecies, is nothing to the Purpose. I never said that Princes can make Doctrines or Prophecies true or false; but I say, every Sovereign Prince has a Right to prohibit the public Teaching of them, whether false or true. But what an Oversight is it in a Divine to say, that Christ had the Approbation of no Sovereign Prince, when he had the Approbation of God, who was King of the *Jews*, and Christ his Viceroy, and the whole Scripture written, *John* xx. 31. to prove it? when his Miracles declared it; when *Pilate* confessed it; and when the Apostles Office was to proclaim it? Seventhly, if we must not consider in Points of Christian Faith who is the Sovereign Prophet, that is, who is next under Christ our supreme Head and Governor, I wish his Lordship would have cleared, ere he died, these few Questions. Is there not Need of some Judge of controverted Doctrines? I think no Man can deny it, that has seen the Rebellion that followed the Controversy here between *Gomar* and *Arminius*. There must therefore be a Judge of Doctrines. But (says the Bishop) not the King. Who then? Shall *Dr. Bramball* be this

Judge? As profitable an Office as it is, he was more modest than to say that. Shall a private Layman have it? No Man ever thought that. Shall it be given to a *Presbyterian* Minister? No; 'tis unreasonable. Shall a Synod of *Presbyterians* have it? No; for most of the *Presbyters* in the primitive Church were undoubtedly subordinate to Bishops, and the rest were Bishops. Who then? A Synod of Bishops? Very well. His Lordship being too modest to undertake the whole Power, would have been contented with the six and twentieth Part. But suppose it in a Synod of Bishops, who shall call them together? The King. What if he will not? Who should excommunicate him, or if he despise your Excommunication, who shall send forth a writ of *Significavit*? No; all this was far from his Lordship's Thoughts. The Power of the Clergy, unless it be upheld legally by the King, or illegally by the Multitude, amounts to nothing. But for the Multitude, *Suarez* and the Schoolmen will never gain them, because they are not understood. Besides there be very few Bishops that can act a Sermon (which is a puissant Part of *Rhetoric*) so well as divers *Presbyterians* and *Pbanatic* Preachers can do. I conclude therefore, that his Lordship could not possibly believe, that the supreme Judicature in Matter of Religion could any where be so well placed as in the Head of the Church, which is the King. And so his Lordship and I think the same Thing; but because his Lordship knew not how to deduce it, he was angry with me because I did it. He says further, that *by my Principles, he that blasphemeth Christ at Constantinople is a true Prophet*, as if a Man that blasphemeth Christ, to approve his Blasphemy can procure a Miracle; for by my Principles, no Man is a Prophet whose Prophecy is not confirmed by God with a Miracle. In the last Place out of this, that the lawful Sovereign is the Judge of Prophecy, he deduces, that then *Samuel* and other Prophets were false Prophets that contested with their Sovereigns. As for *Samuel*, he was at that Time the Judge, that is to say, the Sovereign Prince in *Israel*, and so acknowledged by *Saul*. For *Saul* received the Kingdom (from God himself, who had Right to give and take it) by the Hands of *Samuel*. And God gave it him to himself only, and not to his Seed; though if he had obeyed God, he would have settled it also upon his Seed. The Commandment of God was, that he should not spare *Agag*: *Saul* obeyed not: God therefore sent *Samuel* to tell him that he was rejected. For all this *Samuel* went not about to resist *Saul*. That he caused *Agag* to be slain, was with *Saul's* Consent. Lastly, *Saul* confesses his Sin. Where is this contesting with *Saul*? After this God sent *Samuel* to anoint *David*, not that he should depose *Saul*, but succeed him, the Sons of *Saul* having never had a Right of Succession. Nor did ever *David* make War on *Saul*, or so much as resist him, but fled from his Persecution. But when *Saul* was dead, then indeed he claimed his Right against the House of *Saul*. What Rebellion or Resistance could his Lordship find here, either in *Samuel* or in *David*? Besides, all these Transactions are supernatural, and oblige not to Imitation. Is there any Prophet or Priest now, that can set up in *England*, *Scotland*, or *Ireland*, another King by Pretence of Prophecy or Religion? What did *Jeroboam* do to the Man of God, 1 *Kings* xiii. that prophesied against the Altar in *Bethel*, without first doing a Miracle, but offer to seize him for speaking (as he thought) rashly of the King's Act; and after the miraculous withering of his Hand, desire the Prophet to pray for him? The Sin of *Jeroboam* was not his Distrust of the Prophet, but his Idolatry. He was the sole Judge of the Truth which the Man of God uttered against the Altar, and the Process agreeable to Equity. What is the Story of *Elijah* and *Abab*, 1 *Kings* xviii. but a Confirmation of the Right, even of *Abab*, to be the Judge of Prophecy? *Elijah* told *Abab*, he had transgressed the Commandment of God. So may any Minister now tell his Sovereign, so he do it with Sincerity and Discretion. *Abab* told *Elijah* he troubled *Israel*. Upon this Controversy *Elijah* desired 'Trial. Send, saith he, and assemble all *Israel*; assemble also the Prophets of *Baal*, four hundred and fifty. *Abab* did so. The Question is stated before the People thus: If the Lord be God, follow him; but if *Baal*, follow him. Then upon the Altars of God  
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and *Baal* were laid the Wood and the Bullocks; and the Cause was to be judged by Fire from Heaven, to burn the Sacrifices; which *Elijah* procured, the Prophets of *Baal* could not procure. Was not this Cause here pleaded before *Abab*? The Sentence of *Abab* is not required; for *Elijah* from that Time forward was no more persecuted by *Abab*, but only by his Wife *Jezabel*. The Story of *Micaiah*, 2 *Chron.* xviii. is this; *Abab* King of *Israel* consulted the Prophets, four hundred in Number, whether he should prosper or not, in case he went with *Jehosaphat* King of *Judab* to fight against the *Syrians* at *Ramoth-gilead*. The Prophet *Micaiah* was also called, and both the Kings *Abab* and *Jehosaphat* sat together to hear what they should prophesy. There was no Miracle done. The four hundred pronounced Victory, *Micaiah* alone the contrary. The King was Judge, and most concern'd in the Event; nor had he received any Revelation in the Business. What could he do more discreetly than to follow the Counsel of four hundred rather than of one Man? But the Event was contrary; for he was slain; but not for following the Counsel of the four hundred, but for his Murder of *Naboth*, and his Idolatry. It was also a Sin in him, that he afflicted *Micaiah* in Prison; but an unjust Judgment does not take away from any King his Right of Judicature. Besides, what's all this, or that of *Jeremiah*, which he cites last, to the Question of who is Judge of Christian Doctrine?

*J. D.* Neither doth he use God the Holy Ghost more favourably than God the Son. Where *St. Peter* saith, Holy Men of God spake as they were moved by the Holy Spirit; he saith, *By the Spirit, is meant the Voice of God in a Dream or Vision supernatural.* Which Dreams or Visions, he maketh to be no more than *Imaginations which they had in their Sleep, or in an Extasy, which in every true Prophet were supernatural, but in false Prophets were either natural or feigned,* and more likely to be false than true. To say *God hath spoken to him in a Dream, is no more than to say, he dreamed that God spake to him, &c.* To say *he hath seen a Vision or heard a Voice, is to say, that he hath dreamed between sleeping and waking.* So *St. Peter's* Holy Ghost is come to be their own Imaginations, which might be either feigned, or mistaken, or true. As if the Holy Ghost did enter only at their Eyes, and at their Ears, not into their Understandings, nor into their Minds; or as if the Holy Ghost did not seal unto their Hearts the Truth and Assurance of their Prophecies. Whether a new Light be infused into their Understandings, or new Graces be inspired into their Heart, they are wrought, or caused, or created, immediately by the Holy Ghost; and so are his *Imaginations*, if they be supernatural.

*T. H.* For the Places of my *Leviathan* he cites, they are all as they stand both true and clearly proved; the setting of them down by Fragments is no Refutation; nor offers he any Argument against them. His Consequences are not deduced. I never said, that the Holy Ghost was an Imagination, or a Dream, or a Vision, but that the Holy Ghost spake most often in the Scripture by Dreams and Visions supernatural. The next Words of his, *As if the Holy Ghost did enter only at their Eyes, and at their Ears, not into their Understandings, nor into their Minds,* I let pass, because I cannot understand them. His last Words, *Whether new Light, &c.* I understand and approve.

*J. D.* But he must needs fall into these Absurdities, who maketh but a Jest of Inspiration. *They who pretend Divine Inspiration to be a supernatural entering of the Holy Ghost into a Man, are (as he thinks) in a very dangerous Dilemma; for if they worship not the Men whom they conceive to be inspired, they fall into Impiety; and if they worship them, they commit Idolatry.* So mistaking the Holy Ghost to be corporeal, something that is blown into a Man, and the Graces of the Holy Ghost to be corporeal Graces. And the Words, *inpoured or infused Virtue, and, inblown or inspired Virtue, are as absurd and insignificant, as a round Quadrangle.* He reckons it as a common Error, That *Faith and Sanctity are not attained by Study and Reason, but by supernatural Inspiration or Infusion:* And layeth this for a firm Ground; *Faith and Sanctity are indeed not very frequent, but yet they are not Miracles,*

racles, but brought to pass by Education, Discipline, Correction, and other natural Ways. I would see the greatest Pelagian of them all fly higher.

T. H. I make here no Jest of Inspiration. Seriously, I say, that in the proper Signification of the Words *Inspiration* and *Infusion*, to say Virtue is inspired, or infused, is as absurd as to say a Quadrangle is round. But metaphorically, for God's bestowing of Faith, Grace, or other Virtue, those Words are intelligible enough.

J. D. Why should he trouble himself about the Holy Spirit, who acknowledgeth no Spirit but either a subtil fluid Body, or a Ghost, or other Idol or Phantasm of the Imagination; who knoweth no inward Grace or intrinsical Holiness? *Holy* is a Word which in God's Kingdom answereth to that which Men in their Kingdoms use to call *Public*, or the King's. And again, *Wheresoever the Word Holy is taken properly, there is still something signified of Propriety gotten by Consent*. His Holiness is a Relation, not a Quality; for inward Sanctification, or real infused Holiness, in respect whereof the third Person is called the Holy Ghost, because he is not only holy in himself, but also maketh us holy, he is so great a Stranger to it, that he doth altogether deny it, and disclaim it.

T. H. The Word *Holy* I had defined in the Words which his Lordship here sets down, and by the Use thereof in the Scripture made it manifest, that that was the true Signification of the Word. There is nothing in Learning more difficult than to determine the Signification of Words. That Difficulty excuses him. He says that *Holiness*, in my Sense, is a Relation, not a Quality. All the Learned agree that Quality is an Accident; so that in attributing to God *Holiness*, as a Quality, he contradicts himself: for he has in the beginning of this his Discourse denied (and rightly) that any Accident is in God, saying whatsoever is in God is the Divine Substance. He affirms also, that to attribute any Accident to God, is to deny the Simplicity of the Divine Substance. And thus his Lordship makes God, as I do, a corporeal Spirit. Both here, and throughout, he discovers so much Ignorance, as had he charged me with Error only, and not with Atheism, I should not have thought it necessary to answer him.

J. D. We are taught in our Creed to believe the catholic or universal Church; but T. H. teacheth us the contrary, *That if there be more Christian Churches than one, all of them together are not one Church personally*. And more plainly, *Now if the whole Number of Christians be not contained in one Commonwealth, they are not one Person, nor is there an universal Church, that hath any Authority over them*. And again, *The universal Church is not one Person, of which it can be said, that it hath done, or decreed, or ordained, or excommunicated, or absolved*. This doth quite overthrow all the Authority of general Councils.

All other Men distinguish between the Church and the Commonwealth; only T. H. maketh them to be one and the same Thing. *The Commonwealth of Christian Men, and the Church of the same, are altogether the same Thing, called by two Names, for two Reasons. For the Matter of the Church and of the Commonwealth is the same, namely, the same Christian Men; and the Form is the same, which consisteth in the lawful Power of convocating them*. And hence he concludeth, *That every Christian Commonwealth is a Church endowed with all spiritual Authority*. And yet more fully, *The Church, if it be one Person, is the same Thing with the Commonwealth of Christians, called a Commonwealth, because it consisteth of Men united in one Person their Sovereign; and a Church, because it consisteth in Christian Men united in one Christian Sovereign*.

T. H. For Answer to this Period, I say only this, That taking the Church, as I do in all those Places, for a Company of Christian Men on Earth incorporated into one Person, that can speak, command, or do any Act of a Person, all that he citeth out of what I have written is true; and that all private Conventicles, though their Belief be right, are not properly called Churches; and that there is not any one universal Church here on Earth, which is a Person indued with Authority universal, to govern all Christian Men on Earth; no more than there is one uni-

versal Sovereign Prince or State on Earth that hath Right to govern all Mankind. I deny also that the whole Clergy of a Christian Kingdom or State being assembled, are the Representative of that Church, further than the Civil Laws permit; or can lawfully assemble themselves, unless by the Command or by the Leave of the Sovereign Civil Power. I say further, that the Denial of this Point tendeth in *England* towards the taking away the King's Supremacy in Causes ecclesiastical. But his Lordship has not here denied any thing of mine, because he has done no more but set down my own Words. He says further, that this Doctrine destroys the Authority of all Councils; which I confess. Nor hath any General Council at this Day in this Kingdom the Force of a Law, nor ever had, but by the Authority of the King.

*J. D.* Neither is he more orthodox concerning the Holy Scriptures: *Hitherto*, that is, *for the Books of Moses, the Power of making the Scripture canonical, was in the Civil Sovereign.* The like he saith of the Old Testament made canonical by *Esdras*. And of the New Testament, *That it was not the Apostles which made their own Writings canonical, but every Convert made them so to himself.* Yet with this Restriction, *That until the Sovereign Ruler had prescribed them, they were but Counsel and Advice, which whether good or bad, he that was counselled might without Injustice refuse to observe, and being contrary to the Laws established, could not without Injustice observe.* He maketh the Primitive Christians to have been in a pretty Condition. Certainly the Gospel was contrary to the Laws then established. But most plainly, *The Word of the Interpreter of the Scripture is the Word of God.* And the same is the Interpreter of the Scripture, and the Sovereign Judge of all Doctrines, that is, the Sovereign Magistrate, *to whose Authority we must stand no less, than to theirs, who at first did commend the Scripture to us for the Canon of Faith.* Thus if Christian Sovereigns, of different Communications, do clash one with another, in their Interpretations, or Misrepresentation of Scripture, (as they do daily) then the Word of God is contradictory to itself; or that is the Word of God in one Commonwealth, which is the Word of the Devil in another Commonwealth. And the same thing may be true, and not true, at the same time: which is the peculiar Privilege of *T. H.* to make Contradictories to be true together.

*T. H.* There is no Doubt, but by what Authority the Scripture or any other Writing is made a Law, by the same Authority the Scriptures are to be interpreted, or else they are made Law in vain. But to obey is one thing, to believe is another; which Distinction perhaps his Lordship never heard of. To obey, is to do or forbear as one is commanded, and depends on the Will; but to believe, depends not on the Will, but on the Providence and Guidance of our Hearts that are in the Hands of God Almighty. Laws only require Obedience; Belief requires Teachers, and Arguments drawn either from Reason, or from some thing already believed. Where there is no Reason for our Belief, there is no Reason we should believe. The Reason why Men believe, is drawn from the Authority of those Men whom we have no just Cause to mistrust, that is, of such Men to whom no Profit accrues by their deceiving us, and of such Men as never used to lye, or else from the Authority of such Men, whose Promises, Threats, and Affirmations, we have seen confirmed by God with Miracles. If it be not from the King's Authority, that the Scripture is Law, what other Authority makes it Law? Here some Man being of his Lordship's Judgment, will perhaps laugh and say, 'tis the Authority of God that makes them Law. I grant that. But my Question is, on what Authority they believe that God is the Author of them? Here his Lordship would have been at a Nonplus, and turning round, would have said the Authority of the Scripture makes good that God is their Author. If it be said we are to believe the Scripture upon the Authority of the Universal Church, why are not the Books we call Apocrypha the Word of God as well as the rest? If this Authority be in the Church of *England*, then it is not any other than the Authority of the Head of the Church, which is the King. For without the Head the Church is mute, the Authority therefore is in the King; which is all that I contend for in this Point. As to the

Laws of the Gentiles, concerning Religion in the primitive Times of the Church, I confess they were contrary to Christian Faith. But none of their Laws, nor Terrors, nor a Man's own Will, are able to take away Faith, though they can compel to an external Obedience; and though I may blame the *Ethnic* Princes for compelling Men to speak what they thought not, yet I absolve not all those that have had the Power in Christian Churches from the same Fault. For I believe since the Time of the first four General Councils, there have been more Christians burnt and kill'd in the Christian Church by ecclesiastical Authority, than by the Heathen Emperors Laws for Religion only without Sedition. All that the Bishop does in this Argument is but a heaving at the King's Supremacy. Oh, but (says he) if two Kings interpret a Place of Scripture in contrary Senses, it will follow that both Senses are true. It does not follow. For the Interpretation, though it be made by just Authority, must not therefore always be true. If the Doctrine in the one Sense be necessary to Salvation, then they that hold the other must die in their Sins, and be damned. But if the Doctrine in neither Sense be necessary to Salvation, then all is well, except perhaps that they will call one another Atheists, and fight about it.

*J. D.* All the Power, Virtue, Use and Efficacy, which he ascribeth to the holy Sacraments, is to be *Signs* or *Commemorations*. As for any sealing, or confirming, or conferring of Grace, he acknowledgeth nothing. The same he saith particularly of Baptism: Upon which Grounds a Cardinal's red Hat, or a Serjeant at Arms's Mace, may be called Sacraments as well as Baptism, or the holy Eucharist, if they be only Signs and Commemorations of a Benefit. If he except, that Baptism and the Eucharist, are of divine Institution; but a Cardinal's red Hat, or a Serjeant at Arms's Mace are not; he saith truly, but nothing to his Advantage or Purpose, seeing he deriveth all the Authority of the Word and Sacraments, in respect of Subjects, and all our Obligation to them, from the Authority of the Sovereign Magistrate, without which these Words *repent, and be baptized in the Name of Jesus*, are but Counsel, no Command. And so a Serjeant at Arms's Mace, and Baptism, proceed both from the same Authority. And this he saith upon this silly Ground, *That nothing is a Command, the Performance whereof tendeth to our own Benefit*. He might as well deny the Ten Commandments to be Commands, because they have an advantageous Promise annexed to them, *Do this and thou shalt live*; and *Cursed is every one that continueth not in all the Words of this Law to do them*.

*T. H.* Of the Sacraments I said no more, than that they are *Signs* or *Commemorations*. He finds Fault that I add not *Seals*, *Confirmations*, and that they *confer Grace*. First, I would have asked him if a Seal be any thing else besides a Sign, whereby to remember somewhat, as that we have promised, accepted, acknowledged, given, undertaken somewhat. Are not other *Signs*, though without a *Seal*, of Force sufficient to convince me or oblige me? A Writing obligatory, or Release, signed only with a Man's Name, is as obligatory as a Bond signed and sealed, if it be sufficiently proved, though peradventure it may require a longer Process to obtain a Sentence; but his Lordship I think knew better than I do the Force of Bonds and Bills; yet I know this, that in the Court of Heaven there is no such Difference between saying, signing, and sealing, as his Lordship seemeth here to pretend. I am baptized for a Commemoration that I have enrolled myself. I take the Sacrament of the Lord's Supper to commemorate that Christ's Body was broken, and his Blood shed for my Redemption. What is there more intimated concerning the Nature of these Sacraments, either in the Scripture or in the Book of Common Prayer? Have Bread, and Wine, and Water, in their own Nature, any other *Quality* than they had before the Consecration? It is true that the Consecration gives these Bodies a new Relation, as being a giving and dedicating of them to God, that is to say, a making of them holy, not a changing of their *Quality*. But as some silly young Men returning from *France* affect a broken *English*, to be thought perfect in the *French* Language; so his Lordship (I think) to seem a perfect Understander of the unintelligible Language of the Schoolmen, pretends an Ignorance of his Mother-tongue. He talks here of *Command* and

*Counsel*

*Counsel* as if he were no *Englishman*, nor knew any Difference between their Significations. What *Englishman* when he commandeth, says more than, Do this; yet he looks to be obeyed, if Obedience be due unto him. But when he says, *Do this*, and *thou shalt have such or such a Reward*, he encourages him, but commands him not. Oh, the Understanding of a Schoolman.

J. D. Sometimes he is for holy Orders, and giveth to the Pastors of the Church the Right of Ordination and Absolution, and Infallibility, too much for a particular Pastor, or the Pastors of one particular Church. *It is manifest, that the Consecration of the chiefest Doctors in every Church, and Imposition of Hands, doth pertain to the Doctors of the same Church.* And, *it cannot be doubted of, but the Power of binding and loosing was given by Christ to the future Pastors, after the same Manner as to his present Apostles.* And, *our Saviour hath promised this Infallibility in those Things which are necessary to Salvation, to his Apostles, until the Day of Judgment, that is to say, to the Apostles and Pastors to be consecrated by the Apostles successively, by the Imposition of Hands.*

But at other Times he casteth all this Meal down with his Foot. *Christian Sovereigns are the supreme Pastors, and the only Persons whom Christians now bear speak from God, except such as God speaketh to in these Days supernaturally.* What is now become of the promised Infallibility?

And, *it is from the Civil Sovereign that all other Pastors derive their Right of Teaching, Preaching, and all other Functions pertaining to that Office, and they are but his Ministers in the same Manner as the Magistrates of Towns, or Judges in Courts of Justice, and Commanders of Armies.* What is now become of their Ordination? Magistrates, Judges, and Generals, need no precedent Qualifications. He maketh the Pastoral Authority of Sovereigns to be *Jure Divino*, of all other Pastors *Jure Civili*: He addeth, *neither is there any Judge of Heresy among Subjects, but their own Civil Sovereign.*

Lastly, *the Church excommunicateth no Man but whom she excommunicateth by the Authority of the Prince.* And the Effect of Excommunication hath nothing in it, neither of Damage in this World, nor Terror upon an Apostate, if the Civil Power did persecute or not assist the Church. And in the World to come, leaves them in no worse Estate than those who never believed. *The Damage rather redoundeth to the Church.* Neither is the Excommunication of a Christian Subject, that obeyeth the Laws of his own Sovereign, of any Effect. Where is now their Power of binding and loosing?

T. H. Here his Lordship condemneth, first my too much Kindness to the Pastors of the Church; as if I ascribed Infallibility to every particular Minister, or at least to the Assembly of the Pastors of a particular Church. - But he mistakes me, I never meant to flatter them so much. I say only, that the Ceremony of Consecration, and Imposition of Hands, belongs to them; and that also no otherwise than as given them by the Laws of the Commonwealth. The Bishop consecrates, but the King both makes him Bishop, and gives him his Authority. The Head of the Church not only gives the Power of Consecration, Dedication, and Benediction, but may also exercise the Act himself if he please. *Solomon* did it, and the Book of Canons says, That the King of *England* has all the Right that any good King of *Israel* had. It might have added, that any other King or Sovereign Assembly had in their own Dominions. I deny that any Pastor, or any Assembly of Pastors in any particular Church, or all the Churches on Earth though united, are infallible. Yet I say the Pastors of a Christian Church assembled are in all such Points as are *necessary to Salvation*. But about what Points are *necessary to Salvation*, he and I differ. For I in Chap. XLIII. of my *Leviathan* have proved, that this Article, *Jesus is the Christ*, is the *unum necessarium*, the only Article necessary to Salvation; to which his Lordship hath not offered any Objection. And he (it seems) would have necessary to Salvation every Doctrine he himself thought so. Doubtless in this Article, *Jesus is the Christ*, every Church is infallible; for else it were no Church. Then he says, I overthrow this again, by saying, that Christian Sovereigns are the *supreme Pastors*, that is, Heads of their own Churches; *That they have their Authority Jure Divino; That*

That all other Pastors have it *Jure Civili* : How came any Bishop to have Authority over me, but by Letters Patents from the King? I remember a Parliament wherein a Bishop, who was both a good Preacher and a good Man, was blamed for a Book he had a little before published in Maintenance of the *Jus Divinum* of Bishops; a thing which before the Reformation here, was never allowed them by the Pope. Two *Jus Divinums* cannot stand together in one Kingdom. In the last place he mislikes that the Church should excommunicate by Authority of the King, that is to say, by Authority of the Head of the Church. But he tells not why. He might as well mislike that the Magistrates of the Realm should execute their Offices by the Authority of the Head of the Realm. His Lordship was in a great Error, if he thought such Incroachments would add any thing to the Wealth, Dignity, Reverence or Continuance of his Order. They are Pastors of Pastors, but yet they are the Sheep of him that is on Earth their Sovereign Pastor, and he again a Sheep of that supreme Pastor which is in Heaven. And if they did their pastoral Office, both by Life and Doctrine, as they ought to do, there could never arise any dangerous Rebellion in the Land. But if the People see once any Ambition in their Teachers, they will sooner learn that, than any other Doctrine; and from Ambition proceeds Rebellion.

¶ *D.* It may be some of *T. H.* his Disciples Desire to know what Hopes of heavenly Joys they have upon their Master's Principles. They may hear them without any great Contentment, *There is no Mention in Scripture, nor Ground in Reason, of the Cælum Empyræum*, that is, the Heaven of the Blessed, where the Saints shall live eternally with God. And again, *I have not found any Text that can probably be drawn to prove any Ascension of the Saints into Heaven, that is to say, into any Cælum Empyræum*. But he concludeth positively, that *Salvation shall be upon Earth, when God shall reign at the Coming of Christ in Jerusalem*. And again, *In short, the Kingdom of God is a Civil Kingdom, &c.* called also *the Kingdom of Heaven, and the Kingdom of Glory*. All the *Hobbians* can hope for, is, to be restored to the same Condition which *Adam* was in before his Fall. So saith *T. H.* himself, *From whence may be inferred, that the Elect, after the Resurrection, shall be restored to the Estate wherein Adam was before he had sinned*. As for the beatifical Vision he defineth it to be a Word unintelligible.

*T. H.* This *Cælum Empyræum* for which he pretendeth so much Zeal, where is it in the Scripture, where in the Book of Common Prayer, where in the Canons, where in the Homilies of the Church of *England*, or in any Part of our Religion? What has a Christian to do with such Language? Nor do I remember it in *Aristotle*. Perhaps it may be in some Schoolman or Commentator on *Aristotle*; and his Lordship makes it in *English*, the *Heaven of the Blessed*; as if *Empyræum* signified, *that which belongs to the Blessed*. *St. Austin* says better; that after the Day of Judgment, all that is not Heaven shall be Hell. Then for *beatifical Vision*, how can any Man understand it, that knows from the Scripture, that no Man ever saw, or can see God. Perhaps his Lordship thinks, that the Happiness of the Life to come is not real, but a Vision. As for the rest I have answered to it already.

¶ *D.* But considering his other Principles, I do not marvel much at his Extravagance in this Point. To what Purpose should a *Cælum Empyræum*, or Heaven of the Blessed, serve in his Judgment, who maketh the blessed Angels, that are the Inhabitants of that happy Mansion, to be either Idols of the Brain, that is in plain *English*, nothing, or thin, subtil, fluid Bodies, destroying the Angelical Nature. *The Universe being the Aggregate of all Bodies, there is no real Part thereof that is not also Body*. And elsewhere, *Every Part of the Universe is Body, and that which is not Body, is no Part of the Universe*. And because the Universe is all, that which is no Part of it is nothing, and consequently no where. How? By this Doctrine he maketh not only the Angels, but God himself to be nothing. Neither doth he save it at all, by supposing erroneously Angels to be corporeal Spirits, and by attributing the Name of incorporeal Spirit to God, *as being a Name of*

more Honour, in whom we consider not what Attribute best expresseth his Nature, which is incomprehensible, but what best expresseth our Desire to honour him. Though we be not able to comprehend perfectly what God is, yet we are able perfectly to comprehend what God is not, that is, he is not imperfect, and therefore he is not finite, and consequently he is not corporeal. This were a trim Way to honour God indeed, to honour him with a Lye. If this that he says here be true, that every Part of the Universe is a Body, and whatsoever is not a Body is nothing; then by this Doctrine, if God be not a Body, God is nothing; not an incorporeal Spirit, but one of the Idols of the Brain, a mere Nothing, though they think they dance under a Net, and have the Blind of God's Incomprehensibility between them and Discovery.

T. H. This of *incorporeal Substance* he urged before, and there I answered it. I wonder he so often rolls the same Stone. He is like *Sisyphus* in the Poets Hell, that there rolls a heavy Stone up a Hill, which no sooner he brings to Daylight, than it slips down again to the Bottom, and serves him so perpetually. For so his Lordship rolls this and other Questions, with much ado, till they come to the Light of Scripture, and then they vanish; and he vexing, sweating, and railing, goes to't again, to as little Purpose as before. From what I say of the Universe he infers, that I make God to be nothing: But infers it absurdly. He might indeed have inferred, that I make him a corporeal, but yet a pure Spirit. I mean by the Universe, the Aggregate of all Things that have Being in themselves, and so do all Men else. And because God has a Being, it follows that he is either the whole Universe, or Part of it. Nor does his Lordship go about to disprove it, but only seems to wonder at it.

J. D. To what Purpose should a *Cælum Empyræum* serve in his Judgment, who denieth the Immortality of the Soul? *The Doctrine is now, and hath been a long Time far otherwise; namely, that every Man hath Eternity of Life by Nature, inasmuch as his Soul is immortal.* Who supposeth, that when a Man dieth, there remaineth nothing of him but his Carcase? Who maketh the Word *Soul*, in holy Scripture, to signify always either the Life, or the Living Creature; and expoundeth the casting of Body and Soul into Hell-Fire, to be the casting of Body and Life into Hell-Fire? Who maketh this orthodox Truth, that the Souls of Men are Substances distinct from their Bodies, to be an Error contracted by the Contagion of the *Dæmonology* of the Greeks, and a Window that gives Entrance to the dark Doctrine of eternal Torments? Who expoundeth these Words of Solomon, [*Then shall the Dust return to the Earth as it was, and the Spirit shall return to God that gave it,*] thus, *God only knows what becomes of a Man's Spirit, when he expireth?* He will not acknowledge that there is a Spirit, or any Substance distinct from the Body. I wonder what they think doth keep their Bodies from stinking.

T. H. He comes here to that which is a great Paradox in School Divinity. The Grounds of my Opinion are the canonical Scripture, and the Texts which I cited I must again recite, to which I shall also add some others. My Doctrine is this, first, *That the Elect in Christ, from the Day of Judgment forward, by Virtue of Christ's Passion and Victory over Death, shall enjoy eternal Life, that is, they shall be immortal.* Secondly, *That there is no living Soul separated in Place from the Body, more than there is a living Body separated from the Soul.* Thirdly, *That the Reprobate shall be revived to Judgment, and shall die a second Death in Torments, which Death shall be everlasting.* Now let us consider what is said to these Points in the Scripture, and what is the Harmony therein of the Old and New Testament.

And first, because the Word *immortal Soul* is not found in the Scriptures, the Question is to be decided by evident Consequences from the Scripture. The Scripture saith of God expressly, *1 Tim. vi. 16. That He only hath Immortality, and dwelleth in inaccessible Light.* Hence it followeth, that the Soul of Man is not of its own Nature immortal, but by Grace, that is to say, by the Gift of God. And then

the Question will be, whether this Grace or Gift of God were bestowed on the Soul in the Creation and Conception of the Man, or afterwards by his Redemption? Another Question will be, in what Sense Immortality of Torments can be called a Gift, when all Gifts suppose the thing given to be grateful to the Receiver? To the first of these, Christ himself saith, *Luke xiv. 13, 14. When thou makest a Feast, call the poor, the maimed, the lame, the blind, and thou shalt be blessed, for they cannot recompense thee; for thou shalt be recompensed at the Resurrection of them that be just.* It follows hence, that the Reward of the Elect is not before the Resurrection. What Reward then enjoys a separated Soul in Heaven, or any where else till that Day come, or what has he to do there till the Body rise again? Again, *St. Paul* says, *Rom. ii. 6. 7. God will render to every Man according to his Works. To them who by patient Continuance in well-doing, seek for Honour, Glory, and Immortality, eternal Life. But unto them that be contentious, and do not obey the Truth, but obey Unrighteousness, Indignation and Wrath.* Here it is plain that God gives eternal Life only to Well-doers, and to them that seek (not to them that have already) immortality. Again, *1 Tim. i. 10. Christ hath abolished Death, and brought Life and Immortality to Light, through the Gospel.* Therefore before the Gospel of Christ, nothing was immortal but God. And *St. Paul* speaking of the Day of Judgment, *1 Cor. xv. 54. saith, that This Mortal shall put on Immortality, and that then Death is swallowed in Victory.* There was no Immortality of any thing mortal till Death was overcome, and that was at the Resurrection. And, *John viii. 52. Verily, Verily, if a Man keep my Sayings he shall never see Death,* that is to say, he shall be immortal; but it is no where said, that he which keeps not Christ's Sayings shall never see Death, nor be immortal, and yet they that say that the wicked, Body and Soul, shall be tormented everlastingly, do therein say they are immortal. *Matt. x. 28. Fear not them that can kill the Body, but are not able to kill the Soul; but fear him that is able to destroy both Soul and Body in Hell.* Man cannot kill a Soul, for the Man killed shall revive again. But God can destroy the Soul and Body in Hell, as that it shall never return to Life. In the Old Testament we read, *Gen. vii. 4. I will destroy every living Substance that I have made from off the Face of the Earth;* therefore if the Souls of them that perished in the Flood were Substances, they were also destroyed in the Flood, and were not immortal. *Matt. xxv. 41. Depart from me ye cursed into everlasting Fire, prepared for the Devil and his Angels.* These Words are to be spoken in the Day of Judgment, which Judgment is to be in the Clouds. And there shall stand the Men that are reprobated alive, where Souls according to his Lordship's Doctrine were sent long before to Hell. Therefore at that present Day of Judgment, they had one Soul by which they were there alive, and another Soul in Hell. How his Lordship could have maintained this, I understand not. But by my Doctrine, that the Soul is not a separated Substance, but that the Man at his Resurrection shall be revived by God, and raised to Judgment, and afterwards Body and Soul destroyed in Hell Fire, (which is the second Death) there is no such Consequence or Difficulty to be inferred. Besides, it avoids the unnecessary Disputes about where the Soul of *Lazarus* was for four Days he lay dead. And the Order of the divine Process is made good, of not inflicting Torments before the Condemnation pronounced.

Now as to the Harmony of the two Testaments, it is said in the Old, *Gen. ii. 17. In the Day that thou eatest of the Tree of Knowledge, dying thou shalt die. Mori-endo morieris,* that is, when thou art dead thou shalt not revive; for so hath *Athanasius* expounded it. Therefore *Adam* and *Eve* were not immortal by their Creation. Then, *Gen. iii. 22. Behold the Man is become as one of us.—Now lest he put forth his Hand and take also of the Tree of Life, and eat, and live for ever, &c.* Here they had had an Immortality by the Gift of God, if they had not sinned. It was therefore Sin that lost them eternal Life. He therefore that redeemed them from Sin was the Author of their Immortality, and consequently began in the Day of Judgment, when *Adam* and *Eve* were again made alive by Admission to the new Tree of Life, which was Christ.

Now

Now let us compare this with the New Testament; where we find these Words, *1 Cor. xv. 21. Since by Man came Death, by Man came also the Resurrection of the Dead.* Therefore all the Immortality of the Soul, that shall be after the Resurrection, is by *Christ*, and not by the Nature of the Soul. Verse 22. *As by Adam all die, even so in Christ shall all be made alive.* Therefore since we died by *Adam's* Sin, so we shall live by *Christ's* Redemption of us, that is, after the Resurrection. Again, Verse 23. *But every Man in his Order; Christ the first Fruits, afterwards they that are Christ's, at his Coming:* Therefore none shall be made alive till the Coming of *Christ*. Lastly, as when God had said, *That Day that thou eatest of the Tree of Knowledge of Good and Evil, thou shalt die,* though he condemned him then, yet he suffered him to live a long Time after; so when *Christ* had said to the Thief on the Cross, *This Day thou shalt be with me in Paradise,* yet he suffered him to lie dead till the general Resurrection; for no Man rose again from the Dead before our Saviour's Coming, and conquering Death.

If God bestowed Immortality on every Man then when he made him, and he made many to whom he never purposed to give his saving Grace, what did his Lordship think that God gave any Man Immortality, with Purpose only to make him capable of immortal Torments? 'Tis a hard Saying, and I think cannot piously be believed. I am sure it can never be proved by the canonical Scripture.

But though I have made it clear that it cannot be drawn by lawful Consequence from Scripture, that Man was created with a Soul immortal, and that the Elect only, by the Grace of God in *Christ*, shall both Bodies and Souls, from the Resurrection forward, be immortal; yet there may be a Consequence well drawn from some Words in the Rites of Burial, that prove the contrary, as these: *Forasmuch as it hath pleased Almighty God, of his great Mercy, to take unto himself the Soul of our dear Brother here departed, &c.* And these: *Almighty God, with whom do live the Spirits of them that depart hence in the Lord:* Which are Words authorized by the Church. I wonder his Lordship, that had so often pronounced them, took no notice of them here. But it often happens that Men think of those Things least, which they have most perfectly learnt by Rote. I am sorry I could not, without deserting the Sense of Scripture and mine own Conscience, say the same. But I see no just Cause yet, why the Church should be offended at it. For the Church of *England* pretendeth not, as doth the Church of *Rome*, to be above the Scripture, nor forbiddeth any Man to read the Scripture; nor was I forbidden when I wrote my *Leviathan*, to publish any thing which the Scriptures suggested. For when I wrote it, I may safely say there was no lawful Church in *England*, that could have maintained me in, or prohibited me from writing any thing. There was no Bishop, and though there were Preaching, such as it was, yet no Common-Prayer: For Extemporary Prayer, though made in the Pulpit, is not Common-Prayer. There was then no Church in *England*, that any Man living was bound to obey. What I write here at this present Time I am forced to in my Defence, not against the Church, but against the Accusations and Arguments of my Adversaries. For the Church, though it excommunicates for scandalous Life, and for teaching false Doctrines, yet it professeth to impose nothing to be held as Faith, but what may be warranted by Scripture, and this the Church itself saith in the twentieth of the thirty-nine Articles of Religion. And therefore I am permitted to alledge Scripture at any time in the Defence of my Belief.

*J. D.* But they that in one Case are grieved, in another must be relieved. If perchance *T. H.* hath given his Disciples any Discontent in his Doctrine of *Heaven* and the *holy* Angels, and the *glorified Souls of the Saints*, he will make them amends in his Doctrine of *Hell*, and the *Devils*, and the *damned Spirits*. First of the *Devils*; he fancieth that all those *Devils* which our Saviour did cast out, were Phrensies, and all *Dæmoniacks* (or Persons possessed) *no other than Madmen*. And to justify our Saviour's speaking to a *Disease as to a Person*, produceth the Example of *Inchanters*. But he declareth himself most clearly upon this Subject, in his Animadversions upon my Reply to his Defence of fatal Destiny. *There are*

in the Scripture two sorts of Things which are in English translated Devils. One is that which is called Satan, Diabolus, Abaddon, which signifieth in English an Enemy, an Accuser, and a Destroyer of the Church of God, in which Sense the Devils are but wicked Men. The other sort of Devils are called in the Scripture Dæmonia, which are the feigned Gods of the Heathen, and are neither Bodics nor spiritual Substances, but mere Fancies and Fictions of terrified Hearts, feigned by the Greeks, and other heathen People, which St. Paul calleth Nothings. So T. H. hath killed the great infernal Devil, and all his black Angels, and left no Devils to be feared, but Devils incarnate, that is, wicked Men.

T. H. As for the first Words cited, I refer the Reader to the Place itself; and for the Words concerning Satan, I leave them to the Judgment of the Learned.

J. D. And for Hell, he describeth the Kingdom of Satan, or the Kingdom of Darknes, to be a Confederacy of Deceivers. He telleth us, that the Places which set forth the Torments of Hell in holy Scripture, do design metaphorically a Grief and Discontent of Mind; from the Sight of that eternal Felicity in others, which they themselves, through their own Incredulity and Disobedience, have lost. As if metaphorical Descriptions did not bear sad Truths in them, as well as literal; as if final Desperation were no more than a little Fit of Grief and Discontent; and a guilty Conscience were no more than a transitory Passion; as if it were a Loss so easily to be borne, to be deprived for evermore of the beatifical Vision: and lastly, as if the Damned, besides that unspeakable Loss, did not likewise suffer actual Torments, proportionable in some Measure to their own Sins and God's Justice.

T. H. That Metaphors bear sad Truths in them I deny not. It is a sad thing to lose this present Life untimely. Is it not therefore much more a sad thing to lose an eternal happy Life? And I believe that he which will venture upon Sin, with such Danger, will not stick to do the same notwithstanding the Doctrine of eternal Torment. Is it not also a sad Truth, that the Kingdom of Darknes should be a Confederacy of Deceivers?

J. D. Lastly, for the damned Spirits, he declareth himself every where, that their Sufferings are not eternal. *The Fire shall be unquenchable, and the Torments everlasting; but it cannot be thence inferred, that he who shall be cast into that Fire, or be tormented with those Torments, shall endure and resist them, so as to be eternally burnt and tortured, and yet never be destroyed and die. And though there be many Places that affirm everlasting Fire, into which Men may be cast successively one after another for ever; yet I find none that affirm that there shall be an everlasting Life therein of any individual Person.* If he had said, and said only, that the Pains of the Damned may be lessened, as to the Degree of them, or that they endure not for ever, but that after they are purged by long Torments from their Dross and Corruptions, as Gold in the Fire, both the damned Spirits and the Devils themselves should be restored to a better Condition, he might have found some Ancients (who are therefore called *the merciful Doctors*) to have joined with him, though still he should have wanted the Suffrage of the Catholic Church.

T. H. Why does not his Lordship cite some Place of Scripture here to prove, that all the Reprobates which are dead, live eternally in Torment? We read indeed, that everlasting Torments were prepared for the Devil and his Angels, whose Natures also are everlasting; and that the *Beast* and the *false Prophet* shall be tormented everlastingly; but not that every Reprobate shall be so. They shall indeed be cast into the same Fire, but the Scripture says plainly enough, that they shall be both Body and Soul destroyed there. If I had said that the Devils themselves should be restored to a better Condition; his Lordship would have been so kind as to have put me into the Number of the *merciful Doctors*. Truly if I had any Warrant for the Possibility of their being less Enemies to the Church of God than they have been, I would have been as merciful to them as any Doctor of them all. As it is, I am more merciful than the Bishop.

*J. D.* But his shooting is not at Rovers, but altogether at Random, without either President or Partner. All that *eternal Fire*, all those Torments which he acknowledgeth, is but this, That *after the Resurrection, the Reprobate shall be in the Estate that Adam and his Posterity were in after the Sin committed, saving that God promised a Redeemer to Adam and not to them.* Adding, that they shall live as they did formerly, Marry, and give in Marriage; and consequently engender Children perpetually after the Resurrection, as they did before, which he calleth an Immortality of the Kind, but not of the Persons of Men. It is to be presumed, that in those their second Lives, knowing certainly from *T. H.* that there is no Hope of Redemption for them from corporal Death upon their Well-doing, nor Fear of any Torments after Death for Ill-doing, they will pass their Times here as pleasantly as they can. This is all the Damnation which *T. H.* fancieth.

*T. H.* This he has urged once before, and I answered to it, That the whole Paragraph was to prove, that for any Text of Scripture to the contrary, Men might, after the Resurrection, live as *Adam* did on Earth, and that notwithstanding the Text of *St. Luke* Chap. xx. 34, 35, 36. *Marry and propagate.* But that they shall do so, is no Assertion of mine. His Lordship knew I held that after the Resurrection there shall be at all no wicked Men; but the Elect, (all that are, have been, and hereafter shall be) shall live on Earth. But *St. Peter* says, there shall then be a new Heaven and a new Earth.

*J. D.* In sum, I leave it to the free Judgment of the understanding Reader, by these few Instances which follow, to judge what the *Hobbian* Principles are in point of Religion. *Ex ungue Leonem.*

First, That no Man needs to put himself to any Hazard for his Faith, but may safely comply with the Times. *And for their Faith it is internal and invisible. They have the Licence that Naaman had, and need not put themselves into Danger for it.*

Secondly, he alloweth Subjects, being commanded by their Sovereign, to deny Christ. *Profession with the Tongue is but an external Thing, and no more than any other Gesture, whereby we signify our Obedience. And wherein a Christian, holding firmly in his Heart the Faith of Christ, hath the Liberty which the Prophet Elisha allowed to Naaman, &c. Who by bowing before the Idol Rimmon, denied the true God as much in Effect, as if he had done it with his Lips.* Alas, why did *St. Peter* weep so bitterly for denying his Master, out of Fear of his Life or Members? It seems he was not acquainted with these *Hobbian* Principles. And in the same Place he layeth down this general Conclusion: *This we may say, that whatsoever a Subject is compelled to, in obedience to his Sovereign, and doth it not in order to his own Mind, but in order to the Laws of his Country, that Action is not his but his Sovereign's; nor is it he that in this Case denieth Christ before Men, but his Governour and the Law of his Country.* His Instance in a *Mahometan* commanded by a Christian Prince to be present at divine Service, is a weak Mistake, springing from his gross Ignorance in Case-divinity, not knowing to distinguish between an erroneous Conscience, as the *Mahometans* is, and a Conscience rightly informed.

*T. H.* In these his two first Instances I confess his Lordship does not much belye me. But neither does he confute me. Also I confess my Ignorance in his Case-divinity, which is grounded upon the Doctrine of Schoolmen; who to decide Cases of Conscience, take in, not only the Scriptures, but also the Decrees of the Popes of *Rome*, for the advancing of the Dominion of the *Roman* Church over Consciences; whereas the true Decision of Cases of Consciences ought to be grounded only on Scripture, or natural Equity. I never allowed the denying of Christ with the Tongue in all Men, but expressly say the contrary, in these Words, For an unlearned Man that is in the Power of an Idolatrous King or State, if commanded on Pain of Death to worship before an Idol, he detesteth the Idol in his Heart, he doth well; though if he had the Fortitude to suffer Death rather than worship it, he should do better. But if a Pastor who as Christ's Messenger has undertaken to preach Christ's Doctrine to all Nations, should do the same, it were not only a sinful Scandal in respect of other Christian Men's Consciences, but a per-

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fidious forsaking of his Charge. Therefore St. *Peter* in denying Christ sinned, as being an Apostle. And 'tis Sin in every Man that should now take upon him to preach against the Power of the Pope, to leave his Commission unexecuted for fear of the Fire; but in a meer Traveller, not so. The three Children and *Daniel* were worthy Champions of the true Religion. But God requireth not of every Man to be a Champion. As for his Lordship's Words of *complying with the Times*, they are not mine, but his own spiteful Paraphrase.

*J. D.* Thirdly, if this be not enough, he giveth Licence to a Christian to commit Idolatry, or at least to do an idolatrous Act, for Fear of Death or corporal Danger. *To pray unto a King voluntarily for fair Weather, or for any Thing which God only can do for us, is divine Worship, and Idolatry. On the other Side, if a King compel a Man to it by the Terror of Death, or other corporal Punishment, it is not Idolatry.* His Reason is, because *it is not a Sign, that he doth inwardly honour him as a God, but that he is desirous to save himself from Death, or from a miserable Life.* It seemeth *T. H.* thinketh there is no divine Worship, but internal; and that it is lawful for a Man to value his own Life or his Limbs more than his God. How much is he wiser than the three Children, or *Daniel* himself? who were thrown, the first into a fiery Furnace, the last into the Lions Den, because they refused to comply with the idolatrous Decree of their Sovereign Prince.

*T. H.* Here also my Words are truly cited. But his Lordship understood not what the Word *Worship* signifies; and yet he knew what I meant by it. To think highly of God (as I had defined it) is to honour him. But *to think* is internal. To worship, is to signify that Honour which we inwardly give by Signs *external*. This understood, (as by his Lordship it was) all he says to it is but a Cavil.

*J. D.* A fourth Aphorism may be this, *That which is said in the Scripture, it is better to obey God than Man, hath Place in the Kingdom of God by Pact, and not by Nature.* Why? Nature itself doth teach us it is better to obey God than Men. Neither can he say that he intended this only of Obedience, in the Use of indifferent Actions and Gestures in the Service of God commanded by the Commonwealth, for that is to obey both God and Man. But if divine Law and human Law clash one with another, without Doubt it is evermore better to obey God than Man.

*T. H.* Here again appears his Unskilfulness in reasoning. Who denies, but it is always, and in all Cases, better to obey God than Man? But there is no Law, neither divine nor human, that ought to be taken for a Law, till we know what it is, and if a divine Law, till we know that God hath commanded it to be kept. We agree that the Scriptures are the Word of God. But they are a Law by Pact; that is, to us who have been baptized into the Covenant. To all others it is an Invitation only to their own Benefit. 'Tis true, that even Nature suggesteth to us that the Law of God is to be obeyed rather than the Law of Man. But Nature does not suggest to us that the Scripture is the Law of God, much less how every Text of it ought to be interpreted. But who then shall suggest this? Dr. *Bramhall*? I deny it. Who then? The Stream of Divines? Why so? Am I that have the Scripture itself before my Eyes, obliged to venture my eternal Life upon their Interpretation, how learned soever they pretend to be, when no Counter-security that they can give me, will save me harmless? If not the Stream of Divines, who then? The lawful Assembly of Pastors or of Bishops? But there can be no lawful Assembly in *England* without the Authority of the King. The Scripture therefore, what it is, and how interpreted, is made known unto us here, by no other Way than the Authority of our Sovereign Lord both in Temporals and Spiritualls, the King's Majesty. And where he has set forth no Interpretation, there I am allowed to follow my own, as well as any other Man, Bishop or not Bishop. For my own part, all that know me, know also it is my Opinion, that the best Government in Religion is by Episcopacy, but in the King's Right, not in their own. But my Lord of *Derry* not contented with this, would have the utmost Resolution of our Faith to be into the Doctrine of the Schools. I do not think that all the Bishops be of his Mind. If they were, I would wish them to stand in Fear of that dreadful Sentence, *All covet*  
all

*all lose.* I must not let pass these Words of his Lordship, *If divine Law and human Law clash one with another, without Doubt it is better evermore to obey God than Man.* Where the King is a Christian, believes the Scripture, and hath the Legislative Power both in Church and State, and maketh no Laws concerning Christian Faith, or divine Worship, but by the Counsel of his Bishops whom he trusteth in that Behalf, if the Bishops counsel him aright, what clashing can there be between the divine and human Laws? For if the Civil Law be against God's Law, and the Bishops make it clearly appear to the King that it clasheth with divine Law, no Doubt he will mend it by himself, or by the Advice of his Parliament; for else he is no Professor of *Christ's* Doctrine, and so the clashing is at an End. But if they think that every Opinion they hold, though obscure and unnecessary to Salvation, ought presently to be Law, then there will be Clashings innumerable, not only of Laws, but also of Swords, as we have found it too true by late Experience. But his Lordship is still at this, that there ought to be for the divine Laws, that is to say, for the Interpretation of Scripture, a legislative Power in the Church, distinct from that of the King, which under him they enjoy already. This I deny. Then for clashing between the Civil Laws of Infidels with the Law of God, the Apostles teach that those their Civil Laws are to be obeyed, but so as to keep their Faith in *Christ* intirely in their Hearts; which is an Obedience easily performed. But I do not believe that *Augustus Cæsar* or *Nero* was bound to make the holy Scripture Law; and yet unless they did so, they could not attain to eternal Life.

*J. D.* His fifth Conclusion may be, that the sharpest and most successful Sword, in any War whatsoever, doth give Sovereign Power and Authority to him that hath it, to approve or reject all sorts of theological Doctrines, concerning the Kingdom of God, not according to their Truth or Falshood, but according to that Influence which they have upon political Affairs. Hear him, *But because this Doctrine will appear to most Men a Novelty, I do but propound it, maintaining nothing in this or any other Paradox of Religion, but attending the End of that Dispute of the Sword, concerning the Authority (not yet amongst my Countrymen decided) by which all sorts of Doctrine are to be approved or rejected, &c. For, the Points of Doctrine concerning the Kingdom of God, have so great Influence upon the Kingdom of Man, as not to be determined, but by them that under God have the Sovereign Power.*

—————*Careat successibus opto,  
Quisquis ab eventu facta notanda putat.*

Let him evermore want Success, who thinketh Actions are to be judged by their Events. This Doctrine may be plausible to those who desire to fish in troubled Waters; but it is justly hated by those which are in Authority, and all those who are Lovers of Peace and Tranquility.

The last part of this Conclusion smelleth rankly of *Jeroboam*: *Now shall the Kingdom return to the House of David, if this People go up to do Sacrifice in the House of the Lord at Jerusalem; whereupon the King took Counsel, and made two Calves of Gold, and said unto them, It is too much for you to go up to Jerusalem, behold thy Gods, O Israel, which brought thee out of the Land of Egypt.* But by the just Disposition of Almighty God, this Policy turned to a Sin, and was the utter Destruction of *Jeroboam* and his Family. It is not good jesting with Edge-Tools, nor playing with holy Things: Where Men make their greatest Fastness, many times they find most Danger.

*T. H.* His Lordship either had a strange Conscience, or understood not *English*. Being at *Paris* when there was no Bishop nor Church in *England*, and every Man writ what he pleased, I resolved (when it should please God to restore the Authority Ecclesiastical) to submit to that Authority, in whatsoever it should determine. This his Lordship construes for a temporizing and too much Indifferency in Religion; and says further, that the last part of my Words do smell of *Jeroboam*.

To the contrary, I say my Words were modest, and such as in Duty I ought to use. And I profess still, that whatsoever the Church of *England* (the Church, I say, not every Doctor) shall forbid me to say in matter of Faith, I shall abstain from saying it, excepting this Point, that *Jesus Christ the Son of God died for my Sins*. As for other Doctrines, I think it unlawful, if the Church define them, for any Member of the Church to contradict them.

J. D. His sixth Paradox is a Rapper: *The Civil Laws are the Rules of Good and Evil, Just and Unjust, Honest and Dishonest; and therefore what the Lawgiver commands, that is to be accounted good; what he forbids, bad.* And a little after: *Before Empires were, Just and Unjust were not; as whose Nature is relative to a Command, every Action in its own Nature is indifferent. That it is just, or unjust, proceedeth from the Right of him that commandeth. Therefore lawful Kings make those Things which they command, just, by commanding them; and those Things which they forbid, unjust, by forbidding them.* To this add his Definition of a Sin: *That which one doth, or omitteth, saith, or willett, contrary to the Reason of the Commonwealth, that is, the [Civil] Laws.* Where by the Laws he doth not understand the written Laws, elected and approved by the whole Commonwealth, but the verbal Commands or Mandates of him that hath the Sovereign Power, as we find in many places of his Writings. *The Civil Laws are nothing else but the Commands of him, that is endowed with Sovereign Power in Commonwealth, concerning the future Actions of his Subjects. And the Civil Laws are fastened to the Lips of that Man who hath the Sovereign Power.*

Where are we? in *Europe* or in *Asia*? where they ascribed a Divinity to their Kings; and, to use his own Phrase, made them *mortal Gods*. O King, live for ever! Flatterers are the common Moths of great Palaces, where *Alexander's* Friends are more numerous than the King's Friends. But such gross, palpable, pernicious Flattery as this is, I did never meet with, so derogatory both to Piety and Policy. What deserved he who should do his uttermost Endeavour to poison a common Fountain, whereof all the Commonwealth must drink? He doth the same who poisoneth the Mind of a Sovereign Prince.

Are the Civil Laws the Rules of Good and Bad, Just and Unjust, Honest and Dishonest? And what, I pray you, are the Rules of the Civil Law itself? Even the Law of God and Nature. If the Civil Laws swerve from these more authentic Laws, they are *Lesbian* Rules. *What the Lawgiver commands is to be accounted good; what he forbids, bad.* This was just the Garb of the *Athenian* Sophisters, as they are described by *Plato*. Whatsoever pleased the great Beast [the Multitude] they call holy, and just, and good. And whatsoever the great Beast disliked, they called evil, unjust, prophane. But he is not yet arrived at the Height of his Flattery. *Lawful Kings make those Things which they command just, by commanding them.* At other Times, when he is in his right Wits, he talketh of Sufferings, and expecting their Reward in Heaven; and going to Christ by *Martyrdom*; and if he had the Fortitude to suffer Death he should do better. But I fear all this was but said in Jest. How should they expect their Reward in Heaven, if his Doctrine be true, that there is no Reward in Heaven? Or how should they be Martyrs, if his Doctrine be true, that none can be Martyrs but those who conversed with Christ upon Earth? He addeth, *Before Empires were, Just and Unjust were not.* Nothing could be written more false in his Sense, more dishonourable to God, more inglorious to the human Nature; than that God should create Man, and leave him presently without any Rules, to his own ordering of himself, as the Ostrich leaveth her Eggs in the Sand. But in Truth there have been Empires in the World ever since *Adam*; and *Adam* had a Law written in his Heart by the Finger of God, before there was any Civil Law. Thus they do endeavour to make Goodness, and Justice, and Honesty, and Conscience, and God himself, to be empty Names, without any Reality, which signify nothing farther, than they conduce to a Man's Interest. Otherwise he would not, he

could not say, that *every Action, as it is invested with its Circumstances, is indifferent in its own Nature.*

T. H. My sixth Paradox he calls a Rapper. A Rapper, a Swapper, and such like Terms, are his Lordship's Elegancies. But let us see what this Rapper is: 'Tis this; The Civil Laws are the Rules of Good and Evil, Just and Unjust, Honest and Dishonest. Truly I see no other Rules they have: The Scriptures themselves were made Law to us here, by the Authority of the Commonwealth, and are therefore part of the Law Civil. If they were Laws in their own Nature, then were they Laws over all the World, and Men were obliged to obey them in *America*, as soon as they should be shewn there, though without a Miracle, by a Friar. What is Unjust but the Transgression of a Law? *Law* therefore was before Unjust: And the Law was made known by Sovereign Power before it was a Law: Therefore *Sovereign Power* was antecedent both to *Law* and *Injustice*. Who then made Unjust but Sovereign Kings or Sovereign Assemblies? Where is now the Wonder of this Rapper, *That lawful Kings make those Things which they command just, by commanding them; and those Things which they forbid, unjust, by forbidding them?* Just and Unjust were surely made; if the King made them not, who made them else? For certainly the Breach of the Civil Law is a Sin against God. Another Calumny which he would fix upon me, is, That I make the King's verbal Commands to be Laws. How so? Because I say, *the Civil Laws are nothing else but the Commands of him that hath the Sovereign Power, concerning the future Actions of his Subjects.* What verbal Command of a King can arrive at the Ears of all his Subjects (which it must do ere it be a Law) without the Seal of the Person of the Commonwealth, which is here the Great Seal of *England*? Who but his Lordship ever denied that the Command of *England* was a Law to *Englishmen*? Or that any but the King had Authority to affix the Great Seal of *England* to any Writing? And who did ever doubt to call our Laws, though made in Parliament, the King's Laws? What was ever called a Law which the King did not assent to? Because the King has granted in divers Cases not to make a Law without the Advice and Assent of the Lords and Commons, therefore when there is no Parliament in Being, shall the Great Seal of *England* stand for nothing? What was more unjustly maintained during the long Parliament (besides the resisting and murdering of the King) than this Doctrine of his Lordship's? But the Bishop endeavoured here to make the Multitude believe I maintain, That the King sinneth not, though he bid hang a Man for making his Apparel otherwise than he appointed, or his Servant for negligent Attendance. And yet he knew I distinguished always between the King's natural and politic Capacity. What Name should I give to this wilful Slander? But here his Lordship enters into Passion, and exclaims, *Where are we? in Europe or in Asia? Gross, palpable, pernicious Flattery, poisoning of a Commonwealth, poisoning the King's Mind.* But where was his Lordship when he wrote this? One would not think he was in *France*; nor that this Doctrine was written in the Year 1658, but rather in the Year 1648, in some Cabal of the King's Enemies. But what did put him into this Fit of Choler? Partly this very Thing, that he could not answer my Reasons; but chiefly, that he had lost upon me so much School Learning in our Controversy touching *Liberty and Necessity*, wherein he was to blame himself, for believing that the obscure and barbarous Language of School Divinity could satisfy an ingenuous Reader, as well as plain and perspicuous *English*. Do I flatter the King? why am I not rich? I confess his Lordship has not flattered him here.

J. D. Something there is which he hath a confused glimmering of, as the blind Man sees *Men walking like Trees*, which he is not able to apprehend and express clearly. We acknowledge, that though the Laws or Commands of a Sovereign Prince be erroneous, or unjust, or injurious, such as a Subject cannot approve for good in themselves; yet he is bound to acquiesce, and may not oppose or resist, otherwise than by Prayers and Tears, and at the most by Flight. We ac-

knowledge

knowledge that the Civil Laws have Power to bind the Conscience of a Christian, in themselves, but not from themselves, but from him who hath said, *Let every Soul be subject to the higher Powers.* Either they bind Christian Subjects to do their Sovereign's Commands, or to suffer for the Testimony of a good Conscience. We acknowledge, that in doubtful Cases *semper præsumitur pro Rege & Lege*, the Sovereign and the Law are always presumed to be in the right. But in plain evident Cases which admit no Doubt, it is always better to obey God than Man. Blunderers, whilst they think to mend one imaginary Hole, make two or three real ones. They who derive the Authority of the Scriptures, or God's Law, from the Civil Laws of Men, are like those who seek to underprop the Heavens from falling, with a Bulrush. Nay, they derive not only the Authority of the Scripture, but even the Law of Nature itself from the Civil Law. *The Laws of Nature* (which need no Promulgation) *in the Condition of Nature, are not properly Laws, but Qualities which dispose Men to Peace and Obedience. When a Commonwealth is once settled, then are they actually Laws, and not before.* God help us, into what Times are we fallen, when the immutable Laws of God and Nature are made to depend upon the mutable Laws of mortal Men, just as one should go about to controul the Sun by the Authority of the Clock.

T. H. Hitherto he never offered to mend any of the Doctrines he inveighs against; but here he does. He says I have a glimmering of something I was not able to apprehend and express clearly. Let us see his Lordship's more clear Expression. *We acknowledge* (saith he) *that though the Laws or Commands of a Sovereign Prince be erroneous, or unjust, or injurious, such as a Subject cannot approve for good in themselves, yet he is bound to acquiesce, and may not oppose or resist otherwise than by Prayers and Tears, and at the most by Flight.* Hence it follows clearly, that when a Sovereign has made a Law, though erroneous, then if his Subject oppose it, it is a Sin. Therefore I would fain know, when a Man has broken that Law by doing what is forbid, or by refusing to do what it commanded, whether he have opposed this Law or not. If to break the Law be to oppose it, he granteth it. Therefore his Lordship hath not here expressed himself so clearly, as to make Men understand the Difference between breaking a Law and opposing it. Though there be some Difference between breaking of a Law, and opposing those that are sent with Force to see it executed; yet between breaking and opposing the Law itself there is no Difference. Also though the Subject think the Law just, as when a Thief is by Law condemned to die, yet he may lawfully oppose the Execution, not only by Prayers, Tears, and Flight, but also (as I think) any way he can. For though his Fault were never so great, yet his Endeavour to save his own Life is not a Fault. For the Law expects it, and for that Cause appointeth Felons to be bound, and encompassed with armed Men to Execution. Nothing is opposite to Law but Sin: Nothing opposite to the Sheriff but Force. So that his Lordship's Sight was not sharp enough to see the Difference between the Law and the Officer. Again, *We acknowledge* (says he) *that the Laws have Power to bind the Conscience of a Christian in themselves, but not from themselves.* Neither do the Scriptures bind the Conscience because they are Scriptures, but because they were from God. So also the Book of *English Statutes* bindeth our Consciences in itself, but from the Authority of the King, who only in the Right of God has the legislative Powers. Again he saith, *We acknowledge, that in doubtful Cases, the Sovereign and the Law are always presumed to be in the right.* If he presume they are in the right, how dare he presume that the Cases they determine are doubtful? But saith he, *in evident Cases which admit no Doubt, it is always better to obey God than Man.* Yes, and in doubtful Cases also say I. But what are those Cases that admit no Doubt? I know but very few, and those are such as his Lordship was not much acquainted with.

J. D. But it is not worthy of my Labour, nor any part of my Intention, to pursue every Shadow of a Question which he springeth. It shall suffice to gather a Posy of Flowers (or rather a Bundle of Weeds) out of his Writings, and present them

them to the Reader, who will easily distinguish them from healthful Plants by the Rankness of their Smell. Such are these which follow.

*T. H.* As for the following Pofy of Flowers, there wants no more to make them sweet, than to wipe off the Venom blown upon some of them by his Lordship's Breath.

*J. D.* 1. *To be delighted in the Imagination only of being possessed of another Man's Goods, Servants, or Wife, without any Intention to take them from him by Force or Fraud, is no Breach of the Law, which saith, Thou shalt not covet.*

*T. H.* What Man was there ever whose Imagination of any thing he thought would please him, was not some Delight? Or what Sin is there, where there is not so much as an Intention to do Injustice? But his Lordship would not distinguish between Delight and Purpose, nor between a Wish and a Will. This was Venom. I believe, that his Lordship himself, even before he was married, took some Delight in the Thought of it, and yet the Woman then was not his own. All Love is Delight, but all Love is not Sin. Without this Love of that which is not yet a Man's own, the World had not been peopled.

*J. D.* 2. *If a Man by the Terror of present Death be compelled to do a Fact against the Law, he is totally excused, because no Law can oblige a Man to abandon his own Preservation, Nature compelleth him to the Fact. The like Doctrine he hath elsewhere. When the Actor doth any thing against the Law of Nature by the Command of the Author, if he be obliged by former Covenants to obey him, not he, but the Author, breaketh the Law of Nature.*

*T. H.* The second Flower is both sweet and wholesome.

*J. D.* 3. *It is a Doctrine repugnant to Civil Society, that whatsoever a Man does against his Conscience is Sin.*

*T. H.* 'Tis plain, that to do what a Man thinks in his own Conscience to be Sin, is Sin; for it is a Contempt of the Law itself; and from thence ignorant Men, out of an erroneous Conscience, disobey the Law, which is pernicious to all Government.

*J. D.* 4. *The Kingdom of God is not shut but to them that sin, that is, to them who have not performed due Obedience to the Laws of God; nor to them, if they believe the necessary Articles of the Christian Faith.*

5. *We must know that the true acknowledging of Sin is Repentance itself.*

6. *An Opinion publicly appointed to be taught, cannot be Heresy, nor the Sovereign Princes that authorised the same, Heretics.*

*T. H.* The fourth, fifth, and sixth smell well. But to say, that the Sovereign Prince in *England* is a Heretic, or that an Act of Parliament is heretical, stinks abominably, as it was thought *Primo Elizabethæ*.

*J. D.* 7. *Temporal and Spiritual Government are but two Words to make Men see double, and mistake their lawful Sovereign, &c. There is no other Government in this Life, neither of State, nor Religion, but Temporal.*

8. *It is manifest, that they who permit a contrary Doctrine to that which themselves believe and think necessary [to Salvation] do against their Consciences, and Will, as much as in them lieth, the eternal Destruction of their Subjects.*

*T. H.* The seventh and eighth are Roses and Jessamin. But his leaving out the Words [to Salvation] was Venom.

*J. D.* 9. *Subjects sin if they do not worship God according to the Laws of the Commonwealth.*

*T. H.* The ninth he hath poisoned, and made it, not mine; he quotes my Book *de Cive*, Cap. 15. 19. where I say, *Regnante Deo per solam rationem naturalem*, that is, *Before the Scripture was given*, they sinned that refused to worship God, according to the Rites and Ceremonies of the Country, which hath no ill Scent, but to undutiful Subjects.

*J. D.* 10. *To believe in Jesus [in Jesum] is the same as to believe that Jesus is Christ.*

*T. H.* And so it is always in the Scripture.

*J. D.*

*J. D. 11. There can be no Contradiction between the Laws of God, and the Laws of a Christian Commonwealth. Yet, we see Christian Commonwealths daily contradict one another.*

*T. H.* The 11th is also good. But his Lordship's Instance, *That Christian Commonwealths contradict one another*, has nothing to do here. Their Laws do indeed contradict one another, but contradict not the Law of God. For God commands their Subjects to obey them in all Things, and his Lordship himself confesseth that their Laws, though erroneous, bind the Conscience. But Christian Commonwealths would seldom contradict one another, if they made no Doctrine Law, but such as were necessary to Salvation.

*J. D. 12. No Man giveth but with Intention of some Good to himself. Of all voluntary Acts, the Object is to every Man his own Good. Moses, St. Paul, and the Decii were not of his Mind.*

*T. H.* That which his Lordship adds to the 12th, namely, that *Moses, St. Paul, and the Decii were not of my Mind*, is false. For the two former did what they did for a Good to themselves, which was eternal Life; and the *Decii* for a good Fame after Death. And his Lordship also, if he had believed there is an eternal Happiness to come, or thought a good Fame after Death to be any thing worth, he would have directed all his actions towards them, and have despised the Wealth and Titles of the present World.

*J. D. 13. There is no natural Knowledge of Man's Estate after Death, much less of Reward which is then to be given to Breach of Faith, but only a Belief grounded upon other Men's saying, that they know it supernaturally, or that they know those that knew them that knew others that knew it supernaturally.*

*T. H.* The 13th is good and fresh.

*J. D. 14. David's killing of Uriah was no Injury to Uriah, because the Right to do what he pleased was given him by Uriah himself.*

*T. H.* David himself makes this good, in saying, *To thee only have I sinned.*

*J. D. 15. To whom it belongeth to determine Controversies which may arise from the divers Interpretations of Scripture, he hath an Imperial Power over all Men which acknowledge the Scripture to be the Word of God.*

*16. What is Theft, what is Murder, what is Adultery, and universally what is an Injury, is known by the Civil Law, that is, by the Commands of the Sovereign.*

*T. H.* For the 15th, he should have disputed it with the Head of the Church. And as to the 16th, I would have asked him by what other Law his Lordship would have it determined what is Theft, or what is Injury, than by the Laws made in Parliament, or by the Laws which distinguish between *Meum* and *Tuum*? His Lordship's Ignorance smells rankly, ('tis his own Phrase) in this and many other Places, (which I have let pass) of his own Interest. The King tells us what is Sin, in that he tells us what is Law. He hath authorised the Clergy to dehort the People from Sin, and to exhort them by good Motives, (both from Scripture and Reason) to obey the Laws; and supposeth them (though under forty Years old) by the Help they have in the University, able, in case the Law be not written, to teach the People, old and young, what they ought to follow in doubtful Cases of Conscience, that is to say, they are authorised to expound the Laws of Nature; but not so as to make it a doubtful Case whether the King's Laws be to be obeyed or not. All they ought to do is from the King's Authority. And therefore this my Doctrine is no Weed.

*J. D. 17. He admitteth incestuous Copulations of the Heathens, according to their Heathenish Laws, to have been lawful Marriages. Though the Scripture teach us expressly, that for those Abominations the Land of Canaan spued out her Inhabitants, Levit. xviii. 28.*

*T. H.* The 17th, he hath corrupted with a false Interpretation of the Text. For in that Chapter from the Beginning to ver. 20, are forbidden Marriages in certain Degrees of Kindred. For ver. 20, which begins with *Moreover*, to the 28th, are forbidden sacrificing of Children to *Moloch*, and prophaning of God's Name,

and Buggery with Man and Beast, with this Cause express'd, (*For all these Abominations have the Men of the Land done which were before you, and the Land is defiled*) That the Land spue not you out also. As for Marriages within the Degrees prohibited, they are not referred to the Abominations of the Heathen. Besides, for some Time after *Adam*, such Marriages were necessary.

*J. D.* 18. I say that no other Article of Faith besides this, that *Jesus is Christ*, is necessary to a Christian Man for Salvation.

19. Because *Christ's Kingdom is not of this World*, therefore neither can his Ministers, unless they be Kings, require Obedience in his Name. They have no Right of commanding, no Power to make Laws.

*T. H.* These two smell comfortably, and of Scripture. The contrary Doctrine smells of Ambition and Encroachment of Jurisdiction, or Rump of the *Roman Tyranny*.

*J. D.* 20. I pass by his Errors about Oaths, about Vows, about the Resurrection, about the Kingdom of Christ, about the Power of the Keys, Binding, Loosing, Excommunication, &c. his ignorant Mistakes of *meritum congrui* and *condigni*, active and passive Obedience, and many more, for fear of being tedious to the Reader.

*T. H.* The Terms of School Divinity, of which Number are *meritum congrui*, *meritum condigni*, and *passive Obedience*, are so obscure as no Man living can tell what they mean, so that they that use them may admit or deny their Meaning, as it shall serve their Turns. I said not that this was their Meaning, but that I thought it was so. For no Man living can tell what a Schoolman means by his Words. Therefore I expounded them according to their true Signification. Merit *ex condigno* is when a Thing is deserved by Pact; as when I say the Labourer is worthy of his Hire, I mean *meritum ex condigno*. When a Man of his own Grace throweth Money among the People, with an Intention that what Part soever of it any of them could catch, he that catcheth merits it, not by Pact, nor by precedent Merit, as a Labourer, but because it was congruent to the Purpose of him that cast it amongst them. In all other Meaning these Words are but Jargon, which his Lordship had learnt by Rote. Also *passive Obedience* signifies nothing, except it may be called *passive Obedience*, when a Man refraineth himself from doing what the Law hath forbidden. For in his Lordship's Sense the Thief that is hanged for stealing hath fulfilled the Law; which I think is absurd.

*J. D.* His whole Works are a Heap of mishapen Errors, and absurd Paradoxes, vented with the Confidence of a Jugler, the Brags of a Mountebank, and the Authority of some *Pythagoras*, or third *Cato*, lately dropped down from Heaven.

Thus we have seen how the *Hobbian* Principles do destroy the Existence, the Simplicity, the Ubiquity, the Eternity and Infiniteness of God, the Doctrine of the blessed Trinity, the Hypostatical Union, the Kingly, Sacerdotal, and Prophetical Office of Christ, the Being and Operation of the Holy Ghost, Heaven, Hell, Angels, Devils, the Immortality of the Soul, the Catholic and all National Churches; the holy Scriptures, holy Orders, the holy Sacraments, the whole Frame of Religion, and the Worship of God; the Laws of Nature, the Reality of Goodness, Justice, Piety, Honesty, Conscience, and all that is sacred. If his Disciples have such an implicit Faith, that they can digest all these Things, they may feed with *Ostriches*.

*T. H.* He here concludes his first Chapter with bitter Reproaches, to leave in his Reader (as he thought) a Sting, supposing perhaps that he will read nothing but the Beginning and End of his Book, as is the Custom of many Men. But to make him lose that petty Piece of Cunning, I must desire of the Reader one of these two Things. Either that he would read with it the Places of my *Leviathan* which he cites, and see not only how he answers my Arguments, but also what the Arguments are which he produceth against them; or else that he would forbear to condemn me, so much as in his Thought; for otherwise he is unjust. The Name of Bishop is of great Authority, but these Words are not the Words of a Bishop, but of a passionate Schoolman, too fierce and unseemly in any Man whatsoever. Besides, they are untrue. Who that knows me will say I have the Confidence of a

Jugler,

Jugler, or that I use to brag of any thing, much less that I play the Mountebank? What my Works are, he was no fit Judge. But now he has provoked me, I will say thus much of them, that neither he, if he had lived, could, nor I if I would, can extinguish the Light which is set up in the World by the greatest Part of them; and for these Doctrines which he impugne, I have few Opposers, but such whose Profit or whose Fame in Learning is concerned in them. He accuses me first of destroying the Existence of God, that is to say, he would make the World believe I were an Atheist. But upon what Ground? Because I say, that God is a Spirit, but *Corporeal*. But to say that, is allowed me by St. Paul, that says *There is a spiritual Body, and there is an animal Body*, 1 Cor. xv. He that holds that there is a God, and that God is really somewhat (for *Body* is doubtlessly a *real Substance*) is as far from being an Atheist as is possible to be. But he that says God is an *incorporeal Substance*, no Man can be sure whether he be an Atheist or not. For no Man living can tell whether there be any *Substance* at all, that is not also *Corporeal*. For neither the Word *Incorporeal*, nor *Immaterial*, nor any Word equivalent to it, is to be found in Scripture or in Reason. But on the contrary, that *the Godhead dwelleth bodily in Christ*, is found in Colos. ii. 9. and *Tertullian* maintains, that God is either a *Corporeal Substance* or *Nothing*: Nor was he ever condemned for it by the Church. For why? not only *Tertullian*, but all the Learned, call *Body*, not only that which one can see, but also whatsoever has Magnitude, or that is somewhere; for they had greater Reverence for the divine Substance than that they durst think it had no *Magnitude*, or was *nowhere*. But they that hold God to be a Phantasm, as did the Exorcists in the Church of *Rome*, that is, such a Thing as were at that Time thought to be the Sprights that were said to walk in Church-yards, and to be the Souls of Men buried, they do absolutely make God to be nothing at all. But how? Were they Atheists? No. For though by Ignorance of the Consequence they said that which was equivalent to Atheism, yet in their Hearts they thought God a Substance, and would also, if they had known what *Substance* and what *Corporeal* meant, have said he was a Corporeal Substance. So that this *Atheism by Consequence* is a very easy Thing to be fallen into, even by the most godly Men of the Church. He also that says that God is *wholly here*, and *wholly there*, and *wholly every where*, destroys by Consequence the Unity of God, and the Infiniteness of God, and the Simplicity of God. And this the Schoolmen do, and are therefore *Atheists by Consequence*, and yet they do not all say in their Hearts that there is no God. So also his Lordship, by exempting the Will of Man from being subject to the Necessity of God's Will or Decree, denies by *Consequence* the divine Prescience, which also will amount to *Atheism by Consequence*. But out of this, that God is a *Spirit Corporeal* and *infinitely pure*, there can no unworthy or dishonourable Consequence be drawn. Thus far to his Lordship's first Chapter in Justification of my *Leviathan*, as to Matter of Religion; and especially to wipe off that unjust Slander cast upon me by the Bishop of *Derry*. As for the second Chapter which concerns my Civil Doctrines, since my Errors there, if there be any, will not tend very much to my Disgrace, I will not take the Pains to answer it.

Whereas his Lordship has talked in his Discourse here and there ignorantly of Heresy, and some others have not doubted to say publicly, that there be many Heresies in my *Leviathan*; I will add hereunto for a general Answer, an historical Relation concerning the Word Heresy, from the first Use of it amongst the *Grecians*, till this present Time.

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A N

HISTORICAL NARRATION

CONCERNING

H E R E S Y,

A N D

The PUNISHMENT thereof.

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*At veluti Pueri trepidant, atq; omnia cæcis  
In tenebris metuunt : Sic nos in luce timemus  
Interdum nihilo quæ sunt metuenda magis, quàm  
Quæ Pueri in tenebris pavitant, metuuntq; futura.*

*Lucr. lib. ii. 3, 6.*

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*Hærefews Larvas, Sectarum immania Monstra  
Hobbius invictò dispulit ingenio.*

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**T**HE Word *Heresy* is *Greek*, and signifies a taking of any thing, and particularly the taking of an Opinion. After the Study of Philosophy begun in *Greece*, and the Philosophers, disagreeing amongst themselves, had started many Questions, not only about Things natural, but also moral and civil; because every Man took what Opinion he pleased, each several Opinion was called a *Heresy*; which signified no more than a private Opinion, without reference to Truth or Falshood. The Beginners of these Heresies were chiefly *Pythagoras*, *Plato*, *Aristotle*, *Epicurus*, *Zeno*; Men, who as they held many Errors, so also found they out many true and useful Doctrines, in all kinds of Learning: and for that cause were well esteemed of by the greatest Personages of their own Times; and so also were some few of their Followers.

But the rest, ignorant Men, and very often needy Knaves, having learned by Heart the Opinions of these admir'd Philosophers, and pretending to take after them, made use thereof to get their Living by the teaching of rich Men's Children that happened to be in love with those great Names. Tho' by their impertinent Discourse, fordid and ridiculous Manners, they were generally despised, of what Sect or Heresy soever; whether they were *Pythagoreans*, or *Academics*, Followers of *Plato*; or *Peripatetics*, Followers of *Aristotle*; *Epicureans*, or *Stoics*, Followers of *Zeno*: For these were the Names of Heresies, or, as the *Latins* call them, *Seets*, à *sequendo*, so much talk'd of from after the Time of *Alexander* till this present Day, and that have perpetually troubled or deceived the People with whom they lived, and were never more numerous than in the Time of the primitive Church.

The

The Heresy of *Aristotle*, by the Revolutions of Time, has had the good Fortune to be predominant over the rest. However, originally the Name of *Heresy* was no Disgrace, nor the Word *Heretic* at all in Use. Tho' the several Sects, especially the *Epicureans* and *Stoics*, hated one another; and the *Stoics* being the fiercer Men, used to revile those that differed from them, with the most despiteful Words they could invent.

It cannot be doubted, but that, by the Preaching of the Apostles and Disciples of *Christ* in *Greece*, and other Parts of the *Roman* Empire, full of these Philosophers, many thousands of Men were converted to the Christian Faith, some really, and some feignedly, for factious Ends, or for Need; (for Christians lived then in common, and were charitable :) and because most of these Philosophers had better Skill in Disputing and Oratory than the common People, and thereby were better qualified both to defend and propagate the Gospel: There is no doubt, I say; but most of the Pastors of the primitive Church were for that Reason chosen out of the Number of these Philosophers; who retaining still many Doctrines which they had taken up on the Authority of their former Masters, whom they had in Reverence, endeavoured many of them to draw the Scriptures every one to his own Heresy. And thus at first entered Heresy into the Church of *Christ*. Yet these Men were all of them Christians; as they were when they were first baptized: Nor did they deny the Authority of those Writings which were left them by the Apostles and Evangelists, tho' they interpreted them many times with a Bias to their former Philosophy. And this Dissention amongst themselves was a great Scandal to the Unbelievers, and which not only obstructed the Way of the Gospel, but also drew Scorn and greater Persecution upon the Church.

For remedy whereof, the chief Pastors of Churches did use, at the rising of any new Opinion, to assemble themselves for the examining and determining of the same; wherein, if the Author of the Opinion were convinced of his Error, and subscribed to the Sentence of the Church assembled, then all was well again: but if he still persisted in it, they laid him aside, and considered him but as an Heathen Man; which to an unfeigned Christian, was a great Ignominy, and of Force to make him consider better of his own Doctrine; and sometimes brought him to the Acknowledgment of the Truth. But other Punishment they could inflict none, that being a Right appropriated to Civil Power. So that all the Punishment the Church could inflict, was only Ignominy; and that among the Faithful, consisting in this, that his Company was by all the Godly avoided, and he himself branded with the Name of *Heretic*, in Opposition to the whole Church, that condemned his Doctrine. So that *Catholic* and *Heretic* were terms relative; and here it was that Heretic became to be a Name, and a Name of Disgrace, both together.

The first and most troublesome Heresies in the primitive Church, were about the Trinity. For, according to the usual Curiosity of natural Philosophers, they could not abstain from disputing the very first Principles of Christianity, into which they were baptized, *In the Name of the Father, the Son, and the Holy Ghost*. Some there were that made them allegorical: Others would make one Creator of Good, and another of Evil; which was, in Effect, to set up two Gods, one contrary to another; supposing that Causation of Evil could not be attributed to God, without Impiety. From which Doctrine they are not far distant, that now make the first Cause of sinful Actions to be every Man as to his own Sin. Others there were that would have God to be a Body with Parts organical, as Face, Hands, Fore-Parts and Back-Parts. Others, that *Christ* had no real Body, but was a mere Phantasm: (For Phantasms were taken then, and have been ever since, by unlearned and superstitious Men, for Things real and subsistent.) Others denied the Divinity of *Christ*: Others, that *Christ* being God and Man, was two Persons: Others confess'd he was one Person, and withal that he had but one Nature. And a great many other Heresies arose from the too much Adherence to the Philosophy of those Times, whereof some were suppress'd for a Time by St. *John's* pub-

lishing his Gospel, and some by their own Unreasonableness vanished, and some lasted till the Time of *Constantine* the Great, and after.

When *Constantine* the Great (made so by the Assistance and Valour of the Christian Soldiers) had attained to be the only *Roman* Emperor, he also himself became a Christian, and caused the Temples of the Heathen Gods to be demolished, and authorised Christian Religion only to be public. But towards the latter End of his Time, there arose a Dispute in the City of *Alexandria*, between *Alexander* the Bishop, and *Arius* a Presbyter of the same City; wherein *Arius* maintained, first, That *Christ* was inferior to his Father, and afterwards, That he was no God; alledging the Words of *Christ*, *My Father is greater than I*. The Bishop, on the contrary, alledging the Words of *St. John*, *And the Word was God*; and the Words of *St. Thomas*, *My Lord and my God*. This Controversy presently amongst the Inhabitants and Soldiers of *Alexandria* became a Quarrel, and was the Cause of much Bloodshed in and about the City; and was likely then to spread farther, as afterwards it did. This so far concerned the Emperor's Civil Government, that he thought it necessary to call a general Council of all the Bishops and other eminent Divines throughout the *Roman* Empire, to meet at the City of *Nice*. When they were assembled, they presented the Emperor with Libels of Accusation one against another. When he had received these Libels into his Hands, he made an Oration to the Fathers assembled, exhorting them to agree, and to fall in hand with the Settlement of the Articles of Faith, for which Cause he had assembled them, saying, Whatsoever they should decree therein, he would cause to be observed. *This may perhaps seem a greater Indifferency than would in these Days be approved of.* But so it is in the History; and the Articles of Faith necessary to Salvation, were not thought then to be so many as afterwards they were defined to be by the Church of *Rome*.

When *Constantine* had ended his Oration, he caused the aforesaid Libels to be cast into the Fire, as became a wise King and a charitable Christian. This done, the Fathers fell in hand with their Business, and following the Method of a former Creed, commonly called *The Apostles Creed*, made a Confession of Faith, *viz.* **I believe in one God, the Father Almighty, Maker of Heaven and Earth, and of all things visible and invisible,** (in which is condemned the Polytheism of the Gentiles.) **And in one Lord Jesus Christ the only begotten Son of God,** (against the many Sons of the many Gods of the Heathen.) **Begotten of his Father before all Worlds, God of God,** (against the *Arians*.) **Very God of very God,** (against the *Valentinians*, and against the Heresy of *Apelles*, and others, who made *Christ* a meer Phantasm.) **Light of Light,** [This was put in for Explication, and used before to that Purpose, by *Tertullian*.] **Begotten, not made, being of one Substance with the Father.** In this again they condemn the Doctrine of *Arius*: for this Word *Of one Substance*, in *Latin* *Consubstantialis*, but in *Greek* *ὁμοούσιος*, that is, *Of one Essence*, was put as a Touchstone to discern an *Arian* from a *Catholic*: and much ado there was about it. *Constantine* himself, at the passing of this Creed, took notice of it for a hard Word; but yet approved of it, saying, That in a divine Mystery it was fit to use *divina & arcana Verba*; that is, divine Words, and hidden from human Understanding; calling that Word *ὁμοούσιος*, divine, not because it was in the divine Scripture, (for it is not there) but because it was to him *Arcanum*, that is, not sufficiently understood. *And in this again appeared the Indifferency of the Emperor, and that he had for his End, in the calling of the Synod, not so much the Truth, as the Uniformity of the Doctrine, and Peace of his People that depended on it.* The Cause of the Obscurity of this Word *ὁμοούσιος* proceeded chiefly from the Difference between the *Greek* and *Roman* Dialect, in the Philosophy of the *Peripatetics*. The first Principle of Religion in all Nations is, *That God is*, that is to say, that God is really Something, and not a mere Fancy; but that which is really something, is considerable alone by itself, as being *somewhere*. In which Sense a Man is a thing real: for I can consider him *to be*, without considering any thing *to be* besides him.

And for the same Reason, the Earth, the Air, the Stars, Heaven, and their Parts, are all of them Things real. And because whatsoever is real here, or there, or in any Place, has Dimensions, that is to say, Magnitude; and that which hath Magnitude, whether it be visible or invisible, finite or infinite, is called by all the Learned, a *Body*: It followeth, that all real Things, in that they are *somewhere*, are corporeal. On the contrary, Essence, Deity, Humanity, and such like Names, signify nothing that can be considered, without first considering there is an *Ens*, a God, a Man, &c. So also, if there be any real Thing that is *white* or *black*, *hot* or *cold*, the same may be considered by itself; but Whiteness, Blackness, Heat, Coldness, cannot be considered, unless it be first supposed that there is some real Thing to which they are attributed. These real Things are called by the *Latin* Philosophers, *Entia, subjecta, substantia*; and by the *Greek* Philosophers, τὰ ὄντα ὑποκειμένα, ὑποσάμενα. The other, which are incorporeal, are called by the *Greek* Philosophers, εἶσα συμβεβηχότα, φαντάσματα; but most of the *Latin* Philosophers use to convert εἶσα into *substantia*, and so confound real and corporeal Things with incorporeal; which is not well: for Essence and Substance signify divers things. And this Mistake is received, and continues still in these Parts, in all Disputes both of Philosophy and Divinity: for in Truth *Essentia* signifies no more, than if we should talk ridiculously of the *Isness* of the Thing that is. [By whom all things were made.] This is proved out of *St. John* i. 1, 2, 3. and *Heb.* i. 3. and that again out of *Gen.* i. where God is said to create every thing by his sole Word, as when he said, *Let there be Light, and there was Light.* And then that Christ was that Word, and in the Beginning with God, may be gathered out of divers Places of *Moses*, *David*, and other of the Prophets. Nor was it ever questioned amongst Christians (except by the *Arians*) but that Christ was God Eternal, and his Incarnation eternally decreed. But the Fathers, all that write Expositions on this Creed, could not forbear to philosophise upon it, and most of them out of the Principles of *Aristotle*: which are the same the Schoolmen now use; as may partly appear by this, that many of them, amongst their Treatises of Religion, have affected to publish Logic and Physic Principles according to the Sense of *Aristotle*; as *Atbanasius*, and *Damascene*. And so some later Divines of Note, still confound the Concrete with the Abstract, *Deus* with *Deitas*, *Ens* with *Essentia*, *Sapiens* with *Sapientia*, *Æternus* with *Æternitas*. If it be for exact and rigid Truth-fake, why do they not say also, that Holiness is a holy Man, Covetousness a covetous Man, Hypocrisy an Hypocrite, and Drunkenness a Drunkard, and the like, but that it is an Error? The Fathers agree that the Wisdom of God is the eternal Son of God, by whom all things were made, and that he was incarnate by the Holy Ghost, if they meant it in the Abstract: for if *Deitas* abstracted be *Deus*, we make two Gods of one. This was well understood of *Damascene*, in his Treatise *De Fide Orthodoxâ* (which is an Exposition of the *Nicene* Creed) where he denies absolutely that *Deitas* is *Deus*, lest (seeing God was made Man) it should follow, the Deity was made Man; which is contrary to the Doctrine of the *Nicene* Fathers. The Attributes therefore of God in the Abstract, when they are put for God, are put *Metonymically*; which is a common thing in Scripture; for Example, *Prov.* viii. 28. where it is said, *Before the Mountains were settled, before the Hills was I brought forth*; the Wisdom there spoken of being the Wisdom of God, signifies the same with the wise God. This kind of Speaking is also ordinary in all Languages. This considered, such abstracted Words ought not to be used in arguing, and especially in the deducing the Articles of our Faith; though in the Language of God's eternal Worship, and in all godly Discourses, they cannot be avoided: And the Creed itself is less difficult to be assented to in its own Words, than in all such Expositions of the Fathers. **Who for us Men and our Salvation came down from Heaven, and was incarnate by the Holy Ghost of the Virgin Mary, and was made Man.** I have not read of any Exception to this: For where *Atbanasius* in his Creed says of the Son, *He was not made, but begotten*, it is to be understood of the Son as he was God Eternal;

nal ; whereas here it is spoken of the Son as he is Man. And of the Son also as he was Man, it may be said he was begotten of the Holy Ghost ; for a Woman conceiveth not but of him that begetteth ; which is also confirmed, *Mat. i. 20.* *That which is begotten in her (τὸ γέννηθεν) is of the Holy Ghost.* And was also Crucified for us under Pontius Pilate : He suffered and was buried : And the third Day he rose again according to the Scriptures, and ascended into Heaven : and sitteth on the right Hand of the Father ; And he shall come again with Glory to judge both the Quick and the Dead. Whose Kingdom shall have no End. [Of this Part of the Creed I have not met with any Doubt made by any Christian.] Hither the Council of *Nice* proceedeth in their general Confession of Faith, and no further.

This finished, some of the Bishops present at the Council (seventeen or eighteen, whereof *Eusebius*, Bishop of *Cæsarea*, was one ) not sufficiently satisfied, refused to subscribe till this Doctrine of *ὁμοούσιος* should be better explained. Thereupon the Council decreed, that whosoever shall say that God hath Parts, shall be anathematized ; to which the said Bishops subscribed. And *Eusebius*, by Order of the Council, wrote a Letter, the Copies whereof were sent to every absent Bishop, that being satisfied with the Reason of their subscribing, they also should subscribe. The Reason they gave of their Subscription was this, *That they had now a Form of Words prescribed, by which, as a Rule, they might guide themselves so, as not to violate the Peace of the Church.* By this it is manifest, that no Man was an Heretic, but he that in plain and direct Words contradicted that Form by the Church prescribed, and that no Man could be made an Heretic by Consequence. And because the said Form was not put into the Body of the said Creed, but directed only to the Bishops, there was no Reason to punish any Lay-person that should speak to the contrary.

But what was the Meaning of this Doctrine, *That God has no Parts?* Was it made Heresy to say, that God, who is a real Substance, cannot be considered or spoken of as *here* or *there*, or any where, which are Parts of Places ? or that there is any real Thing without Length every way, that is to say, which hath no Magnitude at all, finite nor infinite ? or is there any whole Substance, whose two Halves or three Thirds are not the same with that Whole ? or did they mean to condemn the Argument of *Tertullian*, by which he confuted *Apelles* and other Heretics of his Time ; namely, *Whatsoever was not Corporeal, was nothing but Phantasm, and not Corporeal*, for Heretical ? No certainly, no Divines say that. They went to establish the Doctrine of *One individual God in Trinity* ; to abolish the Diversity of Species in God, not the Distinction of *here* and *there* in Substance. When *St. Paul* asked the *Corinthians*, *Is Christ divided?* He did not think they thought him impossible to be considered as having Hands and Feet, but that they might think him (according to the manner of the Gentiles) one of the Sons of God, as *Arius* did ; but not the only begotten Son of God. And thus also it is expounded in the Creed of *Athanasius*, who was present in that Council, by these Words, *Not confounding the Persons, nor dividing the Substances* ; that is to say, that God is not divided into three Persons, as Man is divided into *Peter*, *James*, and *John* ; nor are the three Persons one and the same Person. But *Aristotle*, and from him all the *Greek* Fathers, and other learned Men, when they consider the general Latitude of a Word, they call it Division ; as when they divide *Animal* into Man and Beast, they call these εἶδη, *Species* ; and when they again divide the *Species* Man into *Peter* and *John*, they call these μέρη, *partes individuae*. And by this confounding the Division of the Substance with the Distinction of Words, divers Men have been led into the Error of attributing to God a Name, which is not the Name of any Substance at all, viz. *Incorporeal*.

By these Words, *God has no Parts*, thus explained, together with the Part of the Creed which was at that Time agreed on, many of those Heresies which were antecedent to that first general Council, were condemned ; as that of *Manes*, who appeared about thirty Years before the Reign of *Constantine*, by the first Article, *I be-*  
lieve

lieve in one God; though in other Words it seems to me to remain still in the Doctrine of the Church of Rome, which so ascribeth a Liberty of the Will to Men, as that their Will and Purpose to commit Sin, should not proceed from the Cause of all Things, God; but originally for themselves, or from the Devil. It may seem perhaps to some, that by the same Words the *Anthropomorphites* also were then condemned: And certainly, if by Parts were meant not Persons individual, but Pieces, they were condemned: For Face, Arms, Feet, and the like, are Pieces. But this cannot be, for the *Anthropomorphites* appeared not till the Time of *Valens* the Emperor, which was after the Council of *Nice* between forty and fifty Years; and was not condemned till the second General Council at *Constantinople*.

Now for the Punishment of Heretics ordained by *Constantine*, we read of none; but that Ecclesiastical Officers, Bishops and other Preachers, if they refused to subscribe to this Faith, or thought the contrary Doctrine, were for the first Fault deprived of their Offices, and for the second banished. And thus did Heresy, which at first was the Name of private Opinion, and no Crime, by Virtue of a Law of the Emperor, made only for the Peace of the Church, become a Crime in a Pastor, and punishable with Deprivation first, and next with Banishment.

After this Part of the Creed was thus established, there arose presently many new Heresies, partly about the Interpretation of it, and partly about the Holy Ghost, of which the *Nicene* Council had not determined. Concerning the Part established, there arose Disputes about the Nature of Christ, and the Word *Hypostasis*, *id est*, Substance; for of Persons there was yet no Mention made, the Creed being written in *Greek*, in which Language there is no Word that answereth to the *Latin* Word *Persona*. And the Union, as the Fathers called it, of the human and divine Nature in Christ, *Hypostatical*, caused *Eutyches*, and after him *Dioscorus*, to affirm, there was but one Nature in Christ; thinking that whensoever two Things are united, they are one: And this was condemned as *Arianism* in the Councils of *Constantinople* and *Ephesus*. Others, because they thought two living and rational Substances, such as are God and Man, must needs be also two *Hypostases*, maintained that Christ had two *Hypostases*: But these were two Heresies condemned together. Then concerning the Holy Ghost, *Nestorius* Bishop of *Constantinople*, and some others, denied the Divinity thereof. And whereas about seventy Years before the *Nicene* Council, there had been holden a Provincial Council at *Carthage*, wherein it was decreed, that those Christians which in the Persecutions had denied the Faith of Christ, should not be received again into the Church unless they were again baptized: This also was condemned, though the President in that Council were that most sincere and pious Christian, *Cyprian*. And at last the Creed was made up in tire as we have it, in the *Chalcedonian* Council, by Addition of these Words, **And I believe in the Holy Ghost, the Lord and Giver of Life, who proceedeth from the Father and the Son. Who with the Father and the Son together is worshipped and glorified. Who spake by the Prophets. And I believe one Catholic and Apostolic Church. I acknowledge one Baptism for the Remission of Sins. And I look for the Resurrection of the Dead, and the Life of the World to come.** In this Addition are condemned, first the *Nestorians* and others, in these Words, **Who with the Father and the Son together is worshipped and glorified**: And secondly, the Doctrine of the Council of *Carthage*, in these Words, **I believe one Baptism for the Remission of Sins**: For one Baptism is not there put as opposite to several Sorts or Manners of Baptism, but to the Iteration of it. *St. Cyprian* was a better Christian than to allow any Baptism that was not in the Name of the Father, Son, and Holy Ghost. In the general Confession of Faith contained in the Creed called the *Nicene* Creed, there is no Mention of *Hypostasis*, nor of *Hypostatical* Union, nor of Corporeal, nor of Incorporeal, nor of Parts; the understanding of which Words being not required of the Vulgar, but only of the Pastors, whose Disagreement else might trouble the Church; nor were such Points necessary to Salvation, but set abroad for Ostentation of Learning, or else to dazle Men, with Design to lead them towards some Ends

of their own. The Changes of Prevalence in the Empire between the *Catholics* and the *Arians*, and how the great *Athanasius*, the most fierce of the *Catholics*, was banished by *Constantine*, and afterwards restored, and again banished, I let pass; only it is to be remembered, that *Athanasius* is supposed to have made his Creed then, when (banished) he was in *Rome*, *Liberius* being Pope; by whom, as is most likely, the Word *Hypostasis*, as it was in *Athanasius's* Creed, was disliked: For the *Roman Church* could be never brought to receive it, but instead thereof used their own Word *Persona*. But the first and last Words of that Creed the Church of *Rome* refused not: For they make every Article, not only those of the Body of the Creed, but all the Definitions of the *Nicene* Fathers to be such, as a Man cannot be saved, unless he believe them stedfastly; though made only for Peace Sake, and to unite the Minds of the Clergy, whose Disputes were like to trouble the Peace of the Empire. After these four first General Councils, the Power of the *Roman Church* grew up apace; and either by the Negligence or Weakness of the succeeding Emperors, the Pope did what he pleased in Religion. *There was no Doctrine which tended to the Power Ecclesiastical, or to the Reverence of the Clergy, the Contradiction whereof was not by one Council or another made Heresy, and punished arbitrarily by the Emperors with Banishment or Death.* And at last Kings themselves, and Commonwealths, unless they purged their Dominions of Heretics, were excommunicated, interdicted, and their Subjects let loose upon them by the Pope; insomuch as to an ingenuous and serious Christian, there was nothing so dangerous as to enquire concerning his own Salvation, of the holy Scripture; the careless cold Christian was safe, and the skilful Hypocrite a Saint. But this is a Story so well known, as I need not insist upon it any longer, but proceed to the Heretics here in *England*, and what Punishments were ordained for them by Acts of Parliament. All this while the penal Laws against Heretics were such, as the several Princes and States, in their own Dominions, thought fit to enact. The Edicts of the Emperors made their Punishments Capital, but for the Manner of the Execution, left it to the Prefects of Provinces: And when other Kings and States intended (according to the Laws of the *Roman Church*) to extirpate Heretics, they ordained such Punishment as they pleased. The first Law that was here made for the Punishments of Heretics called *Lollards*, and mentioned in the Statutes, was in the fifth Year of *Richard II.* occasioned by the Doctrine of *John Wickliff* and his Followers; which *Wickliff*, because no Law was yet ordained for his Punishment in Parliament, by the Favour of *John of Gaunt*, the King's Son, during the Reign of *Edward III.* had escaped. But in the fifth Year of the next King, which was *Richard II.* there passed an Act of Parliament to this Effect; That Sheriffs and others should have Commissions to apprehend such as were certified by the Prelates to be Preachers of Heresy, their Fautors, Maintainers and Abettors, and to hold them in strong Prison, till they should justify themselves, according to the Law of holy Church. So that hitherto there was no Law in *England* by which a Heretic could be put to Death, or otherwise punished, than by imprisoning him till he was reconciled to the Church. After this, in the next King's Reign, which was *Henry IV.* Son of *John of Gaunt* by whom *Wickliff* had been favoured, and who in his aspiring to the Crown had needed the Good-will of the Bishops, was made a Law, in the second Year of his Reign, wherein it was enacted, That every Ordinary may convene before him, and imprison any Person suspected of Heresy; and that an obstinate Heretic shall be burnt before the People.

In the next King's Reign, which was *Henry V.* in his second Year, was made an Act of Parliament, wherein it is declared, that the Intent of Heretics, called *Lollards*, was to subvert the Christian Faith, the Law of God, the Church, and the Realm: And that an Heretic convict should forfeit all his Fee-simple Lands, Goods and Chattels, besides the Punishment of Burning. Again, in the five and twentieth Year of King *Henry VIII.* it was enacted, that an Heretic convict shall abjure his Heresies, and refusing so to do, or relapsing, shall be burnt in open Place, for Example of others. This Act was made after the putting down of the Pope's Authority:

Authority : and by this it appears, that King *Henry VIII.* intended no farther Alteration in Religion, than the Recovering of his own Right Ecclesiastical. But in the first Year of his Son King *Edward VI.* was made an Act, by which were repealed not only this Act, but also all former Acts concerning Doctrines, or Matters of Religion ; so that at this Time there was no Law at all for the Punishment of Heretics.

Again, in the Parliament of the first and second Year of Queen *Mary*, this Act of *1 Edw. VI.* was not repealed, but made useles, by reviving the Statute of *25 Hen. VIII.* and they freely put it in Execution ; infomuch as it was debated, Whether or no they should proceed upon that Statute against the Lady *Elizabeth*, the Queen's Sister.

The Lady *Elizabeth*, not long after, by the Death of Queen *Mary*, coming to the Crown ; in the fifth Year of her Reign, by Act of Parliament repealed in the first place all the Laws ecclesiastical of Queen *Mary*, with all other former Laws concerning the Punishment of Heretics ; nor did she enact any other Punishments in their place. In the second place it was enacted, That the Queen by her Letters Patents, should give a Commission to the Bishops, with certain other Persons, in her Majesty's Name, to execute the Power ecclesiastical ; in which Commission the Commissioners were forbidden to adjudge any thing to be Heresy, which was not declared to be Heresy by some of the first four General Councils : But there was no Mention made of General Councils, but only in that Branch of the Act which authorised that Commission, commonly called, *The High Commission* ; nor was there in that Commission any thing concerning how Heretics were to be punished, but it was granted to them, that they might declare, or not declare, as they pleased, to be Heresy or not Heresy, any of these Doctrines which had been condemned for Heresy in the first four General Councils. So that during the Time that the said High Commission was in being, there was no Statute by which a Heretic could be punished otherways, than by the ordinary Censures of the Church ; nor Doctrine accounted Heresy, unless the Commissioners had actually declared and published, that all which was made Heresy by those four Councils, should be made Heresy also now : But I never heard that any such Declaration was made either by Proclamation, or by recording it in Churches, or by public Printing, as in penal Laws is necessary ; the Breaches of it are excused by Ignorance : Besides, if Heresy had been made capital, or otherwise civilly punishable, either the four General Councils themselves, or at least the Points condemned in them, ought to have been printed, or put into Parish Churches in *English*, because without it, no Man could know how to beware of offending against them.

Some Men may perhaps ask, Whether nobody were condemned and burnt for Heresy, during the Time of the High Commission ?

I have heard there were : But they which approve such Executions, may peradventure know better Grounds for them than I do ; but those Grounds are very well worthy to be enquired after.

Lastly, in the seventeenth Year of the Reign of King *Charles I.* shortly after that the *Scots* had rebelliously put down the Episcopal Government in *Scotland*, the Presbyterians in *England* endeavoured the same here. The King, though he saw the Rebels ready to take the Field, would not condescend to that ; but yet in hope to appease them, was content to pass an Act of Parliament for abolishing the High Commission. But though the High Commission were taken away, yet the Parliament having other Ends besides the setting up of the Presbyterate, pursued the Rebellion, and put down both Episcopacy and Monarchy, erecting a Power, by them called, *The Commonwealth* ; by others, the *Rump* ; which Men obey'd not out of Duty, but for Fear ; nor was there any human Laws left in Force to restrain any Man from preaching or writing any Doctrine concerning Religion that he pleased ; and in this Heat of the War, it was impossible to disturb the Peace of the State, which then was none.

And in this Time it was, that a Book called *Leviathan*, was written in Defence of the King's Power, Temporal and Spiritual, without any Word against Episcopacy, or against any Bishop, or against the public Doctrine of the Church. It pleased God about twelve Years after the Usurpation of this *Rump*, to restore his most gracious Majesty that now is, to his Father's Throne, and presently his Majesty restored the Bishops, and pardoned the Presbyterians; but then both the one and the other accused in Parliament this Book of Heresy, when neither the Bishops before the War had declared what was Heresy, when if they had, it had been made void by the putting down of the High Commission at the Importunity of the Presbyterians. So fierce are Men, for the most Part, in Dispute, where either their Learning or Power is debated, that they never think of the Laws, but as soon as they are offended, they cry out, *Crucify*; forgetting what *St. Paul* saith, even in case of obstinate holding of an Error, *2 Tim. ii. 24, 25. The Servant of the Lord must not strive, but be gentle unto all Men, apt to teach, patient, in Meekness instructing those that oppose, if God peradventure may give them Repentance, to the acknowledging of the Truth*: Of which Counsel, such Fierceness as hath appeared in the Disposition of Divines, down from before the Council of *Nice* to this present Time, is a Violation.

OF  
LIBERTY  
AND  
NECESSITY:  
A  
TREATISE.

WHEREIN

All Controversy concerning PREDESTINATION, ELECTION, FREE-WILL, GRACE, MERITS, REPROBATION, &c. is fully decided and cleared.

T O T H E

L o r d M A R Q U E S S o f

N E W C A S T L E .

*Right Honourable,*

I Had once resolv'd to answer my *Lord Bishop's* Objections to my Book *De CIVE* in the first Place, as that which concerns me most, and afterwards to examine his Discourse of LIBERTY and NECESSITY, which (because I never utter'd my Opinion of it) concern'd me the less. But seeing it was your Lordship's and my Lord Bishop's Desire that I should begin with the *latter*, I was contented so to do, and I here present and submit it to your Lordship's Judgment.

And first, I assure your Lordship, I find in it no new Argument, neither from *Scripture*, nor from *Reason*, that I have not often heard before, which is as much as to say, I am not surpriz'd.

The *Preface* is a handsome one, but it appeareth even in that, that he hath mistaken the Question. For whereas he says thus, *If I be free to write this Discourse, I have obtained the Cause*: I deny that to be true; for 'tis enough to his Freedom of Writing, that he had not written it, unless he would himself. If he will obtain the Cause, he must prove, that before he writ it, it was not necessary he should prove it afterward. It may be, his Lordship thinks it all one to say, *I was free* to write it, and, *It was not necessary* I should write it; but I think otherwise: for he is *free* to do a thing, that may do it if he have the Will to do it, and may forbear, if he have the Will to forbear. And yet if there be a *Necessity* that he shall have the *Will* to do it, the Action is necessarily to follow: and if there be a *Necessity* that he shall have the *Will* to forbear, the Forbearing also will be necessary. The Question therefore is not, Whether a *Man* be a *free Agent*, that is to say, Whether he can write or forbear, speak or be silent, according to his *Will*; but, Whether the *Will* to write, and the *Will* to forbear, come upon him according to his *Will*, or according to any thing else in his own Power. I acknowledge this *Liberty* that I *can* do if I *will*; but to say, I *can will* if I *will*, I take to be an absurd Speech, wherefore I cannot grant my Lord the Cause upon his *Preface*.

In the next Place he maketh certain Distinctions of *Liberty*, and says, he meaneth not *Liberty* from *Sin*, nor from *Servitude*, nor from *Violence*, but, from *Necessity*, *Necessitation*, *Inevitability*, and *Determination*, to one.

It had been better to *define Liberty*, than thus to *distinguish*; for I understand never the more what he means by *Liberty*, and though he say he means *Liberty* from *Necessitation*, yet I understand not how such a *Liberty* can be, and 'tis a taking of the Question without Proof: For what is else the Question between us, but whether *such* a Liberty be possible or not?

There are in the same Place other Distinctions, as a Liberty of *Exercise only* (which he calls a *Liberty of Contradiction*, namely, of doing not Good or Evil *simply*, but of doing this or that Good, or this or that Evil *respectively*) and a *Liberty of Specification and Exercise also* (which he calls a *Liberty of Contrariety*) namely, a Liberty not only to do Good or Evil, but also to do or not do this or that Good or Evil.

And with these *Distinctions* his Lordship says he *clears the Coast*, whereas in Truth he darkeneth his own Meaning and the Question, not only with the Jargon

of *Exercise only*, *Specification also*, *Contradiction*, *Contrariety*, but also with pretending Distinction where none is : For how is it possible that the *Liberty* of doing or not doing this or that Good or Evil, can consist (as he says it does, in God and good Angels) without a Liberty of doing or not doing Good or Evil?

The next thing his Lordship does, after clearing of the Coast, is the dividing of his Forces (as he calls them) into *two* Squadrons, *one* of Places of *Scriptures*, the *other* of *Reasons*; which Allegory he useth, I suppose, because he addresseth the Discourse to your Lordship, who is a military Man. All that I have to say, touching this, is, that I observe a great Part of those his *Forces* do look and *march* another Way, and some of them *fight* amongst themselves.

And the first Place of *Scripture* taken from *Numb. xxx. 14.* is one of those that look another Way; the Words are, *If a Wife make a Vow, it is left to her Husband's Choice either to establish it or make it void.* For it proves no more but that the Husband is a *free and voluntary Agent*, but not that his *Choice* therein is not *necessitated* or not *determined* to what he shall chuse, by precedent *necessary* Causes.

For if there come into the Husband's Mind greater Good by establishing than abrogating such a Vow, the Establishing will follow necessarily; and if the Evil that will follow, in the Husband's Opinion, outweigh the Good, the contrary must needs follow: and yet in this following of one's *Hopes* and *Fears*, consisteth the Nature of *Election*. So that a Man may both chuse this, and cannot but chuse this, and consequently *Chusing* and *Necessity* are joined together.

The second Place of *Scripture* is *Joshua xxiv. 15.* The third is *2 Sam. xxiv. 12.* whereby it is clearly proved, that there is *Election* in *Man*, but not proved that such *Election* was not *necessitated* by the *Hopes* and *Fears*, and Considerations of *Good* and *Bad* to follow, which depend not on the *Will*, nor are subject to *Election*. And therefore one Answer serves all such Places, as if there were a thousand.

But his Lordship supposing, it seems, I might answer, as I have done, that *Necessity* and *Election* might stand together, and instance in the Actions of *Children*, *Fools*, or *brute Beasts*, whose *Fancies*, I might say, are *necessitated* and *determined* to *one*; before these his Proofs out of *Scripture*, desires to prevent that Instance, and therefore says, that the Actions of *Children*, *Fools*, *Madmen*, and *Beasts*, are indeed *determined*, but that they proceed not from *Election*, nor from *free*, but from *spontaneous Agents*. As for Example, that the *Bee*, when it maketh Honey, does it *spontaneously*; and when the *Spider* makes his Web, he does it *spontaneously*, but not by *Election*.

Though I never meant to ground my Answer upon the Experience of what *Children*, *Fools*, *Madmen*, and *Beasts* do; yet that your Lordship may understand what can be meant by *spontaneous*, and how it differeth from *voluntary*, I will answer that *Distinction*, and shew that it *fighteth* against its fellow Arguments.

Your Lordship is therefore to consider, that all *voluntary* Actions, where the Thing that induceth the *Will* is not *Fear*, are called also *spontaneous*, and said to be done by a Man's *own* Accord. As when a Man giveth Money voluntarily to another for Merchandize, or out of Affection, he is said to do it of his own Accord, which in *Latin* is *Sponte*, and therefore the Action is *spontaneous* (though to give one's Money willingly to a Thief to avoid Killing, or throw it into the Sea to avoid Drowning, where the Motive is *Fear*, be not called *spontaneous*.) But every *spontaneous* Action is not therefore *voluntary*, for *voluntary* presupposes some precedent *Deliberation*, that is to say, some *Consideration*, and *Meditation*, of what is likely to *follow*, both upon the doing, and abstaining from the Action deliberated of; whereas many Actions are done of our *own* Accord, and are therefore *spontaneous*; for which nevertheless, as my Lord thinks, we never consulted nor *deliberated* in ourselves. As when making no Question, nor any the least Doubt in the World, but the Thing we are about is good, we *eat* and *walk*, or in Anger *strike* or *revile*, which my Lord thinks *spontaneous*, but not *voluntary* nor *elective* Actions, and with such kind of Actions, he says *Necessitation* may stand, but not with such as  
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are *voluntary*, and proceed upon *Election* and *Deliberation*. Now if I make it appear to your Lordship, that those Actions, which, he says, proceed from *Spontaneity*, and which he ascribes to *Children*, *Fools*, *Madmen*, and *Beasts*, proceed from *Election* and *Deliberation*, and that Actions *inconsiderate*, *rash*, and *spontaneous*, are ordinarily found in those, that are by themselves and many more thought as *wise*, or wiser than ordinarily Men are, then my Lord Bishop's Argument concludeth, that *Necessity* and *Election* may stand together, which is contrary to that which he intended by all the rest of his Arguments to prove.

And first your Lordship's own Experience furnishes you with Proof enough, that *Horses*, *Dogs*, and other brute *Beasts*, do *demur* oftentimes upon the Way they are to take, the Horse retiring from some strange Figure that he sees, and coming on again to avoid the Spur. And what else doth a Man that *deliberateth*, but one while *proceed* toward Action, another while *retire* from it, as the *Hope* of greater Good draws him, or the *Fear* of greater Evil *drives* him away.

A *Child* may be so young as to do what it does without all *Deliberation*, but that is but till it have the Chance to be hurt by doing of somewhat, or till it be of Age to understand the Rod: for the Actions, wherein he hath once had a Check, shall be *deliberated* on the second Time.

*Fools* and *Madmen* manifestly *deliberate* no less than the *wisest* Men, though they make not so good a *Choice*, the Images of Things being by Disease altered.

For *Bees* and *Spiders*, if my Lord Bishop had had so little to do as to be a Spectator of their Actions, he would have confessed not only *Election* but *Art*, *Prudence* and *Policy*, in them, very near equal to that of Mankind. Of *Bees*, *Aristotle* says, *their Life is Civil*.

Again, his Lordship is deceived if he think any *spontaneous* Action after once being checked in it, differs from an Action *voluntary* and *elective*: for even the setting of a Man's Foot, in the Posture for *Walking*, and the Action of ordinary *Eating*, was once *deliberated* of how and when it should be done, and though afterward it became *easy* and *habitual*, so as to be done without *Fore-thought*; yet that does not hinder but that the Act is *voluntary*, and proceedeth from *Election*. So also are the *rashest* Actions of *Choleric* Persons *voluntary* and upon *Deliberation*: for who is there but very young Children, that hath not *considered* when and how far he *ought*, or safely *may* strike or revile? Seeing then his Lordship agrees with me, that such Actions are *necessitated*, and the *Fancy* of those that do them *determined* to the Action they do, it follows, out of his Lordship's own Doctrine, that the Liberty of *Election* does not take away the *Necessity* of *electing* this or that *individual* Thing. And thus one of his Arguments fights against another.

The second Argument from *Scripture* consisteth in Histories of Men that did one Thing, when if they would, they might have done another; the Places are two: One is 1 *Kings* iii. 11. where the History says, God was pleased that *Solomon*, who might, if he would, have asked *Riches*, or *Revenge*, did nevertheless ask *Wisdom* at God's Hands; the other is the Words of St *Peter* to *Ananias*, Acts v. 4. *After it was sold, was it not in thine own Power?*

To which the Answer is the same with that I answered to the former Places, that they prove there is *Election*, but do not disprove the *Necessity*, which I maintain, of what they so elect.

The fourth Argument (for to the third and fifth I shall make but one Answer) is to this Effect; *If the Decree of God, or his Foreknowledge, or the Influence of the Stars, or the Concatenation of Causes, or the Physical or Moral Efficacy of Causes, or the last Dictate of the Understanding, or whatsoever it be, do take away true Liberty, then Adam before his Fall had no true Liberty. Quicquid ostendes mihi sic incredulus odi.*

That which I say *necessitateth* and *determinateth* every Action (that his Lordship may no longer doubt of my Meaning) is the *Sum of all Things, which being now existent, conduce and concur to the Production of that Action hereafter, whereof if any one Thing now were wanting, the Effect could not be produced.* This *Concourse of Causes*, whereof every one is *determined* to be such as it is by a like *Concourse of former*

ner Causes, may well be called (in respect they were all set and ordered by the eternal Cause of all Things, God Almighty) the *Decree* of God.

But that the *Foreknowledge* of God should be a Cause of any thing, cannot be truly said, seeing Foreknowledge is Knowledge, and Knowledge depends on the Existence of the Things known, and not they on it.

The *Influence of the Stars* is but a small Part of the whole Cause, consisting of the Concourse of all Agents.

Nor does the *Concourse of all Causes* make one simple Chain or Concâtenation, but an innumerable Number of Chains, joined together, not in all Parts, but in the first Link God Almighty; and consequently the whole Cause of an Event, doth not always depend on one single Chain, but on many together.

*Natural Efficacy of Objects* does determine voluntary Agents, and necessitates the Will, and consequently the *Action*; but for *moral Efficacy*, I understand not what he means.

The last *Dictate of the Judgment*, concerning the Good or Bad that may follow on any Action, is not properly the whole Cause, but the last Part of it, and yet may be said to produce the Effect necessarily, in such Manner as the last Feather may be said to break a Horse's Back, when there were so many laid on before as there wanted but that one to do it.

Now for his *Argument*, that if the Concourse of all the Causes necessitate the Effect, that then it follows, Adam had no true Liberty: I deny the Consequence; for I make not only the Effect, but also the Election, of that particular Effect necessary, inasmuch as the Will itself, and each Propension of a Man during his Deliberation, is as much necessitated, and depends on a sufficient Cause as any thing else whatsoever. As for Example, it is no more necessary that Fire should burn, than that a Man or other Creature, whose Limbs be moved by Fancy, should have Election, that is, Liberty, to do what he hath a Fancy to do, though it be not in his Will or Power to chuse his Fancy, or chuse his Election and Will.

This Doctrine, because my Lord Bishop says he hates, I doubt had better been suppressed, as it should have been, if both your Lordship and he had not pressed me to an Answer.

The Arguments of greatest Consequence, are the third and the fifth; and they fall both into one, namely; *If there be a Necessity of all Events, then it will follow, that Praise and Reprehension, and Reward and Punishment, are all vain and unjust, and that if God should openly forbid, and secretly necessitate the same Action, punishing Men for what they could not avoid, there would be no Belief among them of Heaven and Hell.*

To oppose hereunto I must borrow an Answer from St. Paul, Rom. ix. 17. From ver. 11 of the Chapter to the 18th, is laid down the very same Objection in these Words: *When they (meaning Esau and Jacob) were yet unborn, and had done neither Good nor Evil, that the Purpose of God according to Election, not by Works, but by him that calleth, might remain firm, it was said unto her (viz. Rebecca) That the elder should serve the younger, &c. What then shall we say? Is there Injustice with God? God forbid. It is not therefore in him that willeth, nor in him that runneth, but in God that sheweth Mercy. For the Scripture saith to Pharaoh, I have stirred thee up that I might shew my Power in thee, and that my Name might be set forth in all the Earth. Therefore whom God willeth, he hath Mercy on, and whom he willeth he hardeneth.* Thus you see the Case put by St. Paul, is the same with that of my Lord Bishop, and the same Objection in these Words following:

*Thou wilt ask me then, Why does God yet complain, for who hath resisted his Will?*

To this therefore the Apostle answers, not by denying it was God's Will, or that the Decree of God concerning Esau was not before he had sinned, or that Esau was not necessitated to do what he did; but thus? *Who art thou O Man, that interrogatest God? shall the Work say to the Workman, Why hast thou made me thus? Hath not the Potter Power over the Clay, of the same Stuff to make one Vessel to Honour,*

*another to Dishonour?* According therefore to this Answer of *St. Paul*, I answer my Lord's Objection, and say, the *Power* of God alone, without other Helps, is sufficient *Justification* of any Action he doth. That which Men make amongst themselves here by *Pacts* and *Covenants*, and call by the Name of *Justice*, and according whereunto Men are accounted and termed rightly *just* or *unjust*, is not that by which God Almighty's Actions are to be measured or called just, no more than his Counsels are to be measured by human Wisdom. That which he does, is made just by his doing it; just, I say, in him, though not always just in us.

For a Man that shall command a Thing openly, and plot secretly the Hindrance of the same, if he punish him that he so commandeth, for not doing it, it is unjust. So also, his Counsels are therefore not in vain, because they be his, whether we see the Use of them or not. When God afflicted *Job*, he did object no Sin unto him, but justified his afflicting of him, by telling him of his *Power*. *Hast thou, saith God, an Arm like mine? Where wert thou when I laid the Foundations of the Earth?* and the like. So our *Saviour*, concerning the Man that was born blind, said, it was not for his Sin, or for his Parents Sin, but that the Power of God might be shewn in him. *Beasts* are 'subject to Death and Torments, yet they cannot sin, it was God's Will they should be so. *Power irresistible justifies all Actions, really and properly*, in whomsoever it be found; less Power does not: and because such Power is in God only, he must needs be just in all Actions, and we, that not comprehending his Counsels, call him to the Bar, commit Injustice in it.

I am not ignorant of the usual Reply to this Answer, by distinguishing between *Will* and *Permission*, as that God Almighty does indeed sometimes *permit* Sins, and that he also foreknoweth that the Sin he permitteth, shall be committed, but does not *will* it, nor *necessitate* it.

I know also they distinguish the Action from the Sin of the Action, saying, that God Almighty does indeed cause the *Action*, whatsoever Action it be, but not the *Sinfulness* and *Irregularity* of it, that is, the *Discordance* between the *Action* and the *Law*. Such Distinctions as these dazzle my Understanding; I find no Difference between the *Will* to have a Thing done, and the *Permission* to do it, when he that permitteth can hinder it, and knows that it will be done unless he hinder it. Nor find I any Difference between an *Action* and the *Sin* of that Action; as for Example, between the killing of *Uriah*, and the Sin of *David* in killing *Uriah*; nor when *one* is Cause both of the *Action* and of the *Law*, how *another* can be Cause of the *Disagreement* between them, no more than how one Man making a longer and a shorter Garment, another can make the Inequality that is between them. This I know; God cannot sin, because his doing a Thing makes it just, and consequently, no Sin; as also, because whatsoever can sin, is subject to another's Law, which God is not. And therefore 'tis Blasphemy to say, God can sin; but to say, that God can so order the World, as a Sin may be necessarily caused thereby in a Man, I do not see how it is any Dishonour to him. Howsoever, if such or other *Distinctions* can make it clear, that *St. Paul* did not think *Esau's* or *Pharaoh's* Actions proceeded from the *Will* and *Purpose* of God, or that proceeding from his Will, could not therefore without Injustice be blamed or punished, I will, as soon as I understand them, turn unto my Lord's Opinion; for I now hold nothing in all this Question betwixt us, but what seemeth to me, not obscurely, but most expressly said in this Place by *St. Paul*. And thus much in Answer to his Places of Scripture.

## To the Arguments from Reason.

OF the Arguments from *Reason*, the first is that which his Lordship faith, is drawn from *Zeno's* beating of his Man, which is therefore called *Argumentum baculinum*, that is to say, a wooden Argument: The Story is this, *Zeno* held, That all Actions were necessary; his Man therefore being for some Fault beaten, excused himself upon the Necessity of it: To avoid this Excuse, his Master pleaded likewise the Necessity of beating him. So that not he that maintained, but he that derided the Necessity, was beaten, contrary to that his Lordship would infer. And the Argument was rather withdrawn than drawn from the Story.

The second Argument is drawn from certain Inconveniences which his Lordship thinks would follow such an Opinion. It is true that ill Use might be made of it, and therefore your Lordship and my Lord Bishop, ought, at my Request, to keep private what I say here of it. But the Inconveniences are indeed none, and what Use soever be made of Truth, yet Truth is Truth; and now the Question is not, what is fit to be preached, but, what is true.

The first Inconvenience he says, is this; *That the Laws, which prohibit any Action, will be unjust.*

2. *That all Consultations are vain.*

3. *That Admonitions to Men of Understanding are of no more Use, than to Children, Fools, and Madmen.*

4. *That Praise, Dispraise, Reward and Punishment, are in vain.*

5, 6. *That Counsels, Aets, Arms, Books, Instruments, Study, Tutors, Medicines, are in vain.*

To which Arguments his Lordship expecting I should answer, by saying, the Ignorance of the Event were enough to make us use the Means, adds, (as it were a Reply to my Answer foreseen) these Words: *Alas! how should our not knowing the Event be a sufficient Motive to make us use the Means?* Wherein his Lordship says right, but my Answer is not that which he expecteth: I answer,

First, That the *Necessity* of an *Action* doth not make the *Laws* that prohibit it, *unjust*. To let pass, that not the *Necessity*, but the *Will* to break the *Law*, maketh the *Action unjust*, because the *Law* regardeth the *Will*, and no other precedent Causes of *Action*. And to let pass, that no *Law* can possibly be *unjust*, inasmuch as every Man maketh (by his Consent) the *Law* he is bound to keep, and which consequently must be just, unless a Man can be unjust to himself. I say, what *necessary* Cause soever precede an *Action*, yet if the *Action* be *forbidden*, he that doth it *willingly* may justly be punished. For Instance, suppose the *Law* on Pain of Death prohibit Stealing, and that there be a Man, who by the Strength of Temptation is *necessitated* to steal, and is thereupon put to Death, does not this Punishment deter others from Theft? Is it not a Cause that others steal not? Doth it not frame and make their Wills to Justice?

To make the *Law*, is therefore to make a *Cause* of *Justice*, and to *necessitate* Justice; and consequently, 'tis no Injustice to make such a *Law*.

The Intention of the *Law* is not to grieve the *Delinquent*, for that which is past, and not to be undone; but to make him and others *just*, that else would not be so, and respecteth not the evil *Act past*, but the *Good to come*, inasmuch as without the good Intention for the future, no past *Act* of a *Delinquent* could justify his being kill'd in the Sight of God. But you will say, How is it just to kill one Man to amend another, if what were done were *necessary*? To this I answer, That Men are justly killed, not for that their *Actions* are not *necessitated*, but because they are *noxious*, and they are spared and preserved whose *Actions* are not noxious. For where there is no *Law*, there no Killing, nor any thing else, can be unjust; and by the Right of Nature, we destroy (without being unjust) all that is noxious, both Beasts and Men; and for Beasts we kill them justly, when we

do

do it in order to our own Preservation; and yet my Lord himself confesseth, that their Actions as being only *spontaneous*, and not *free*, are all *necessitated* and determined to that one Thing they shall do. For Men, when we make Societies or Commonwealths, we lay not down our Right to kill, excepting in certain Cases, as Murder, Theft, or other offensive Action; so that the Right which the *Commonwealth* hath to put a Man to Death for Crimes, is not created by the *Law*, but remains from the first Right of *Nature*, which every Man hath to preserve himself; for that the Law doth not take the Right away in the Case of Criminals, who were by the Law excepted. Men are not therefore put to Death, or punished, for that their Theft proceedeth from *Election*; but because it was *noxious*, and contrary to Men's Preservation, and the Punishment conducing to the Preservation of the rest, inasmuch as to punish those that do voluntary Hurt, and none else, frameth and maketh Men's *Wills* such as Men would have them. And thus it is plain, that from the *Necessity* of a *voluntary* Action, cannot be inferred the *Injustice* of the *Law* that forbiddeth it, or the Magistrate that punisheth it.

Secondly, I deny that it maketh *Consultations* to be in *vain*, 'tis the *Consultation* that *causeth* a Man, and *necessitateth* him to *chuse* to do one Thing rather than another: So that unless a Man say that that Cause is in vain which necessitateth the Effect, he cannot infer the Superfluoufness of Consultation out of the Necessity of the Election proceeding from it. But it seemeth his Lordship reasons thus: If I must do this rather than that, I shall do this rather than that, though I consult not at all; which is a false Proposition and a false Consequence, and no better than this; If I shall live till To-morrow, I shall live till To-morrow, tho' I run myself through with a Sword To-day. If there be a *Necessity* that an Action shall be done, or that any Effect shall be brought to pass, it does not therefore follow, that there is nothing necessarily requisite as a Means to bring it to pass; and therefore when it is determined, that one Thing shall be chosen before another, 'tis determined also for what *Cause* it shall so be chosen, which Cause, for the most part, is *Deliberation* or *Consultation*, and therefore Consultation is not in vain, and indeed the less in vain by how much the Election is more necessitated, if *More* and *Less* had any Place in *Necessity*.

The same Answer is to be given to the third supposed Inconvenience, namely, that *Admonitions* are in *vain*; for the Admonitions are Parts of Consultation, the Admonitor being a Counsellor for the Time to him that is admonished.

The fourth pretended Inconvenience is, that *Praise*, *Dispraise*, *Reward* and *Punishment*, will be in *vain*. To which I answer, that for *Praise* and *Dispraise*, they depend not at all on the *Necessity* of the Action praised or dispraised. For what is it else to *praise*, but to say a Thing is good? Good I say, for me, or for some Body else, or for the State and Commonwealth? And what is it to say an Action is good, but to say it is as I would wish, or as another would have it, or according to the Will of the State? that is to say, according to the Law. Does my Lord think that no Action can please me, or him, or the Commonwealth, that should proceed from *Necessity*? Things may be therefore *necessary*, and yet *Praise-worthy*, as also *necessary*, and yet *dispraised*, and neither of them both in vain; because *Praise* and *Dispraise*, and likewise *Reward* and *Punishment*, do by Example make and conform the Will to Good and Evil. It was a very great Praise in my Opinion, that *Velleius Paterculus* gives *Cato*, where he says that he was good by *Nature*, & *quia aliter esse non potuit*.

To the fifth and sixth Inconveniences, that *Counsels*, *Arts*, *Arms*, *Instruments*, *Books*, *Study*, *Medicines*, and the like, would be *superfluous*, the same Answer serves as to the former, that is to say, that this Consequence, *If the Effect shall necessarily come to pass, then it shall come to pass without its Causes*, is a false one, and those things named Counsels, Arts, Arms, &c. are the Causes of these Effects.

His Lordship's *third* Argument consisteth in other *Inconveniences*, which he saith will follow, namely, *Impiety* and *Negligence* of religious Duties, as Repentance, and *Zeal* to God's Service, &c. To

To which I answer as to the rest, that they follow not. I must confess, if we consider the greatest Part of Mankind, not as they should be, but as they are, that is, as Men, whom either the Study of acquiring Wealth, or Preferment, or whom the Appetite of sensual Delights, or the Impatience of meditating, or the rash embracing of wrong Principles, have made unapt to discuss the Truth of Things: I must, I say, confess, that the Dispute of this Question will rather hurt than help their Piety; and therefore if his Lordship had not desired this Answer, I should not have written it, nor do I write it but in Hopes your Lordship and his will keep it private. Nevertheless in very Truth, the *Necessity* of Events does not of itself draw with it any *Impiety* at all. For *Piety* consisteth in *two* Things; one that we honour God in our Hearts, which is, that we think as highly of his *Power* as we can, (for to honour any thing is nothing else but to think it to be of great Power;) the other is, that we signify that Honour and Esteem by our Words and Actions, which is called *Cultus*, or *Worship of God*. He therefore that thinketh that all Things proceed from God's *eternal Will*, and consequently are *necessary*, does he not think God *Omnipotent*? Does he not esteem of his *Power* as highly as is possible? which is to honour God as much as may be in his Heart. Again, he that thinketh so, is he not more apt by *external Acts* and Words to acknowledge it, than he that thinketh otherwise? yet is this external Acknowledgment the same thing which we call *Worship*. So that this Opinion fortifies *Piety* in both Kinds, external and internal; therefore far from destroying it. And for *Repentance*, which is nothing else but a glad Returning in the right Way, after the Grief of being out of the Way; though the Cause that made him go astray were necessary, yet there is no Reason why he should not grieve; and again, though the Cause why he returned into the Way were necessary, there remained still the Causes of Joy. So that the *Necessity* of the Actions taketh away neither of those Parts of *Repentance*, Grief for the Error, and Joy for returning.

And for *Prayer*, whereas he saith, that the *Necessity* of Things destroy *Prayer*; I deny it: for though *Prayer* be none of the *Causes* that *move* God's *Will*, (his Will being unchangeable) yet since we find in God's Word, he will not give his Blessings but to those that ask, the Motive of Prayer is the same. *Prayer* is the Gift of God no less than the *Blessing*, and the Prayer is decreed together in the same Decree wherein the Blessing is decreed. 'Tis manifest that *Thanksgiving* is no Cause of the Blessing past, and that which is past is sure and necessary; yet even amongst Men Thanks is in Use as an Acknowledgment of the Benefit past, though we should expect no new Benefit for our Gratitude. And Prayer to God Almighty is but Thanksgivings for God's Blessings in general; and though it precede the particular Thing we ask, yet it is not a Cause or Means of it, but a Signification that we expect nothing but from God, in such Manner, as he, not as we, will; and our Saviour by Word of Mouth bids us pray, *thy Will* (not our Will) *be done*, and by Example teaches us the same, for he prayed thus, *Father, if it be thy Will, let this Cup pass, &c.* The End of Prayer, as of Thanksgiving, is not to *move* but to *honour* God Almighty, in acknowledging that what we ask can be effected by him only.

*The fourth Argument from Reason is this, The Order, Beauty, and Perfection of the World requireth, that in the Universe should be Agents of all Sorts; some necessary, some free, some contingent. He that shall make all things necessary, or all things free, or all things contingent, doth overthrow the Beauty and Perfection of the World.*

In which Argument I observe first a *Contradiction*; for seeing he that *maketh* any Thing, in that he maketh it, maketh it to be *necessary*; it followeth that he that maketh all Things, maketh all Things necessarily to be: As if a Workman make a Garment, the Garment must necessarily be; so if God make every Thing, every Thing must necessarily be. Perhaps the Beauty of the World requireth, (though we know it not) that some Agents should work without Deliberation

(which his Lordship calls *necessary* Agents) and some Agents with Deliberation; (and those both he and I call *free* Agents) and that some Agents should work, and we not know how, (and their Effects we both call *Contingents*); but this hinders not but that he that electeth may have his *Election* necessarily determined to *one* by *former* Causes, and that which is *contingent* and imputed to Fortune, be nevertheless *necessary* and depend on *precedent* necessary Causes. For by *contingent*, Men do not mean that which hath *no* Cause, but that which hath not for Cause any thing that we perceive: As for Example, when a Traveller meets with a Shower, the Journey had a Cause, and the Rain had a Cause sufficient to produce it; but because the Journey causeth not the Rain, nor the Rain the Journey, we say they were contingent one to another. And thus you see that though there be three Sorts of Events, *necessary*, *contingent*, and *free*, yet they may be *all* necessary, without Destruction of the Beauty or Perfection of the Universe.

To the first Argument from Reason, which is, *that if Liberty be taken away, the Nature and formal Reason of Sin is taken away*; I answer by denying the Consequence: The Nature of Sin consisteth in this, that the *Action* done proceed from our *Will*, and be against the *Law*. A Judge, in judging whether it be Sin or no, which is done against the Law, looks at no higher Cause of the Action, than the Will of the Doer. Now when I say the Action was *necessary*, I do not say it was done *against* the Will of the Doer, but *with* his Will, and *necessary*, because Man's Will, that is, every Volition, or Act of the Will and Purpose of Man, had a *sufficient*, and therefore a *necessary* Cause, and consequently every *voluntary* Action was *necessitated*. An Action therefore may be *voluntary* and a *Sin*, and nevertheless be *necessary*; and because God may afflict by a Right derived from his *Omnipotence*, though Sin were not, and because the Example of Punishment on voluntary Sinners, is the Cause that produceth Justice, and maketh Sin less frequent, for God to punish such Sinners (as I have said before) is no Injustice. And thus you have my Answer to his Lordship's Objections, both out of Scripture, and from Reason.

*Certain Distinctions, which his Lordship supposing might be brought to evade his Arguments, are by him removed.*

**H**E says a Man may perhaps answer, that the *Necessity* of Things held by him, is not a *Stoical* Necessity, but a *Christian* Necessity, &c. But this *Distinction* I have not used, nor indeed ever heard before, nor could I think any Man could make *Stoical* and *Christian* two Kinds of *Necessity*, though they may be two Kinds of *Doctrine*. Nor have I drawn my Answer to his Lordship's Arguments from the Authority of any Sect, but from the Nature of the Things themselves.

But here I must take Notice of certain Words of his Lordship's in this Place, as making against his own Tenet. *Where all the Causes, saith he, being joined together, and subordinate one to another, do make but one total Cause, if any one Cause (much more the first) in the whole Series or Subordination of Causes, be necessary, it determines the rest, and without Doubt maketh the Effect necessary.* For that which I call the *necessary* Cause of any Effect, is the *joining* together of all Causes subordinate to the first, into one total Cause. *If any of these, saith he, especially the first, produce its Effect necessarily, then all the rest are determined.* Now it is manifest, that the first Cause is a necessary Cause of all the Effects that are next and immediate to it, and therefore by his Lordship's own Reason all Effects are necessary.

Nor is that Distinction of *Necessary* in respect of the *first Cause*, and *Necessary* in respect of *second Causes*, mine; it does (as his Lordship well notes) imply a Contradiction. But the Distinction of *free* into *free from Compulsion*, and *free from Necessitation*, I acknowledge. For to be *free from Compulsion* is to do a Thing so as *Terror* be not the Cause of his *Will* to do it; for a Man is then only said to be compelled, when

when Fear makes him willing to it : As when a Man willingly throws his Goods into the Sea to save himself, or submits to his Enemy for fear of being killed. Thus all Men that do any thing for *Love*, or *Revenge*, or *Lust*, are *free from Compulsion*, and yet their Actions may be as necessary as those that are done by Compulsion ; for sometimes other Passions work as forcibly as Fear. But *free from Necessitation*, I say, no Man can be, and 'tis that which his Lordship undertook to disprove.

This *Distinction*, his Lordship says, uses to be *fortified* by two Reasons (but they are not mine.) The first, he says, is, that it is granted by all Divines, that an *Hypothetical Necessity*, or Necessity upon Supposition, may stand with *Liberty*. That you may understand this, I will give you an Example of *Hypothetical Necessity*. If *I shall live, I shall eat*. This is an *Hypothetical Necessity*. Indeed it is a necessary Proposition, that is to say, it is necessary that that Proposition should be true whenever uttered ; but 'tis not the Necessity of the Thing, nor is it therefore necessary that the Man should live, nor that the Man should eat. I do not use to *fortify* my Distinctions with such Reasons, let his Lordship confute them how he will, it contents me ; but I would have your Lordship take Notice hereby, how easy and plain a Thing, (but withal false) with the grave Usage of such Terms as *Hypothetical Necessity*, and *Necessity upon Supposition*, and such like Terms of Schoolmen, may be obscured, and made seem *profound Learning*.

The second Reason that may confirm the Distinction of *free from Compulsion*, and *free from Necessitation*, he says is, that God and good Angels do Good necessarily, and yet are more free than we. This Reason, though I had no need of, yet I think it so far forth good, as it is true that God and good Angels do Good necessarily, and yet are free ; but because I find not in the Articles of our Faith, nor in the Decrees of our Church, set down in what Manner I am to conceive God and good Angels to work by Necessity, or in what Sense they work *freely*, I suspend my Sentence in that Point, and am content that there be a *Freedom from Compulsion*, and yet no *Freedom from Necessitation*, as hath been proved, in that a Man may be necessitated to some Action without Threats and without Fear of Danger. But how my Lord can avoid the consisting together of *Freedom* and *Necessity*, supposing God and good Angels are freer than Men, and yet do Good necessarily, that we must examine : *I confess*, saith he, *that God and good Angels are more free than we, that is, intensively in Degree of Freedom, not extensively in the Latitude of the Object, according to a Liberty of Exercise not of Specification*.

Again, we have here two Distinctions that are no Distinctions, but made to seem so by Terms invented by I know not whom, to cover Ignorance, and blind the Understanding of the Reader : For it cannot be conceived that there is any Liberty greater, than for a Man to do what he will. One Heat may be more intensive than another, but not one Liberty than another ; he that can do what he will, hath all Liberty possible, and he that cannot hath none at all. Also *Liberty* (as his Lordship says the Schools call it) of *Exercise*, which is as I have said before, a Liberty to do or not to do, cannot be without a *Liberty* (which they call) of *Specification*, that is to say, a Liberty to do, or not to do, this or that in particular. For how can a Man conceive he hath Liberty to do any Thing, that hath not Liberty to do this or that, or somewhat in particular ? If a Man be forbidden in Lent to eat this and that, and every other particular Kind of Flesh, how can he be understood to have a Liberty to eat Flesh, more than he that hath no Licence at all ? You may by this again see the Vanity of Distinctions used in the *Schools*, and I do not doubt but that the imposing of them, by Authority of *Doctors* in the *Church*, hath been a great Cause that Men have laboured, though by Sedition and evil Courses, to shake them off ; for nothing is more apt to beget Hatred, than the tyrannizing over Men's Reason and Understanding, especially when it is done, not by the Scriptures, but by the Pretence of Learning, and more Judgment than that of other Men.

In the next Place, his Lordship bringeth two Arguments against distinguishing between *free from Compulsion*, and *free from Necessitation*.

The first is, that *Election* is opposite not only to *Coaction* or *Compulsion*, but also *Necessitation* or Determination to one. This is it he was to prove from the Beginning, and therefore bringeth no new Argument to prove it, and so those brought formerly, I have already answered. And in this Place I deny again, that Election is opposite to either; for when a Man is compelled, for Example, to subject himself to an Enemy or to die, he hath still Election left him, and a Deliberation to bethink which of the two he can better endure. And he that is led to Prison by Force, hath Election, and may deliberate whether he will be hall'd and trail'd on the Ground, or make use of his own Feet: Likewise when there is no *Compulsion*, but the Strength of *Temptation* to do an evil Action, being greater than the Motives to *abstain*, it necessarily determines him to the Doing of it; yet he deliberates while, sometimes, the Motives to do, sometimes the Motives to forbear, are working on him, and consequently he *electeth* which he will. But commonly when we see and know the Strength that moves us, we acknowledge *Necessity*; but when we see not, or mark not the Force that moves us, we then think there is none, and that it is not *Causes* but *Liberty* that produceth the Action. Hence it is that they think he does not chuse this, that of Necessity chuses it; but they might as well say, Fire doth not burn, because it burns of Necessity.

The second Argument is not so much an Argument as a Distinction, to shew in what Sense it may be said, that *voluntary* Actions are *necessitated*, and in what Sense not. And therefore his Lordship alledgeth, as from the Authority of the *Schools*, (and that which rippeth up the Bottom of the *Question*) that there is a double Act of the *Will*: The one, he says, is *Actus imperatus*, an Act done at the Command of the Will, by some inferior Faculty of the Soul; as to open or shut one's Eyes, and this Act may be compell'd; the other, he says, is *Actus elicitus*, an Act allured or drawn forth by Allurement out of the Will, as to *will*, to *chuse*, to *elect*; this he says, cannot be compelled. Wherein (letting pass that metaphorical Speech of attributing Command and Subjection to the Faculties of the Soul, as if they made a Commonwealth or Family within themselves, and could speak one to another, which is very improper in searching the Truth of a Question) you may observe, first, that to compel a *voluntary* Act, is nothing else but to will it; for it is all one to say, my Will commands the Shutting of my Eyes, or the Doing of any other Action; and to say, I have the Will to shut my Eyes: So *Actus imperatus* here, might as easily have been said in *English* a *voluntary Action*, but that they that invented the Term, understood not any thing it signified.

Secondly, you may observe, that *Actus elicitus* is exemplified by these Words, to *will*, to *elect*, to *chuse*, which are all one, and so to will is here made an Act of the Will; and indeed as the Will is a Faculty or Power in a Man's Soul, so to will is an Act of it according to that Power; but as it is absurdly said, that to dance is an Act allured or drawn by fair Means out of the Ability to dance; so is it also to say, that to will is an Act allured or drawn out of the Power to will, which Power is commonly called the Will. Howsoever it be, the Sum of his Lordship's Distinction is, that a *voluntary* Act may be done by *Compulsion*, that is to say, by foul Means; but to will that, or any Act, cannot be but by *Allurement*, or fair Means. Now seeing fair Means, Allurements, and Enticements, produce the Action which they do produce, as *necessarily* as foul Means and Threatning; it follows, that to *will* may be made as *necessary* as any thing that is done by *Compulsion*. So that Distinction of *Actus imperatus*, and *Actus elicitus*, are but Words, and of no Effect against Necessity.

His Lordship in the rest of his Discourse, reckoneth up the Opinion of certain Professions of Men, touching the Causes wherein the Necessity of Things (which they maintain) consisteth. And first he saith, the *Astrologer* deriveth his *Necessity* from the *Stars*: Secondly, that the *Physician* attributeth it to the *Temper* of the Body.

Body. For my part, I am not of their Opinion, because, neither the Stars alone; nor the Temperature of the Patient alone, is able to produce any Effect, without the Concurrence of all other Agents. For there is hardly any one Action, how casual soever it seem, to the causing whereof concur not whatsoever is *in Rerum Natura*, which because it is a great Paradox; and depends on many antecedent Speculations, I do not press in this Place. Thirdly, he disputeth against the Opinion of them that say, *External Objects* presented to Men of such and such Temperatures, do make their Actions *necessary*, and says, the Power such Objects have over us, proceeds from our own Fault: but that is nothing to the Purpose, if such Fault of ours proceedeth from Causes not in our own Power, and therefore that Opinion may hold true for all that Answer.

Further he says, *Prayer, Fasting, &c.* may alter our *Habits*; 'tis true, but when they do so, they are *Causes* of the contrary *Habit*, and make it *necessary*, as the former *Habit* had been necessary, if *Prayer, Fasting, &c.* had not been. Besides, we are not moved or disposed to Prayer or any other Action, but by outward Objects, as pious Company, godly Preachers, or something equivalent. Fourthly, he says a resolved Mind is not easily surpris'd, as the Mind of *Ulysses*, who when others wept, alone wept not; and of the *Philosopher*, that abstained from Striking, because he found himself angry; and of him that poured out the Water when he was thirsty; and the like. Such Things, I confess, have, or may have been done, and do prove only that it was not necessary for *Ulysses* then to weep; nor for that *Philosopher* to strike, nor for that other Man to drink; but it does not prove that it was not necessary for *Ulysses* then to abstain (as he did) from Weeping, nor for the *Philosopher* to abstain (as he did) from Striking, nor for the other Man to forbear Drinking; and yet that was the Thing his Lordship ought to have proved. Lastly, his Lordship confesses, that the *Dispositions* of Objects may be *dangerous* to *Liberty*, but cannot be *destructive*. To which I answer, it is impossible: for *Liberty* is never in any other Danger than to be lost; and if it cannot be lost (which he confesses) I may infer it can be in no Danger at all.

The fourth Opinion his Lordship rejecteth, is of them that make the Will necessarily to follow the last Dictate of the Understanding; but it seems his Lordship understands that Tenet in another Sense than I do: for he speaketh as if they that held it, did suppose Men must dispute the Sequel of every Action they do, great and small, to the least Grain, which is a Thing his Lordship (with Reason) thinks untrue. But I understand it to signify, that the *Will* follows the *last* Opinion or *Judgment* immediately preceding the *Action*, concerning whether it be good to do it or not, whether he have weigh'd it long before, or not at all; and that I take to be the Meaning of them that hold it. As for Example, when a Man strikes, his Will to strike follows necessarily that Thought he had of the Sequel of his Stroke, immediately before the Lifting up of his Hand. Now if it be understood in that Sense, the *last* Dictate of the Understanding does *necessitate* the *Action*, though not as the whole Cause, yet as the last Cause, as the last Feather necessitates the Breaking of a Horse's Back, when there are so many laid on before, as there needed but the Addition of one to make the Weight sufficient.

That which his Lordship alledgeth against this, is, first, out of a *Poet*, who in the Person of *Medea* says,

———*Video meliora, proboque,  
Deteriora sequor.*

But that Saying (as pretty as it is) is not true: for though *Medea* saw many Reasons to forbear killing her Children, yet the last Dictate of her Judgment was, that the present Revenge on her Husband outweighed them all, and thereupon the wicked Action *necessarily* followed. Then the Story of the *Roman*, who of two Competitors said, one had the better Reason, but the other must have the Office. This also maketh against his Lordship; for the last Dictate of his Judgment that had

had the bestowing of the Office, was this, That it was better to take a great Bribe, than reward a great Merit.

Thirdly, he objects that Things nearer the Sense, move more powerfully than Reason ; what followeth thence but this, The Sense of the present Good is commonly more immediate to the Action, than the Foresight of the evil Consequence to come? Fourthly, whereas his Lordship says, that do what a Man can, he shall sorrow more for the Death of his Son than for the Sin of his Soul, makes nothing to the last Dictate of the Understanding ; but it argues plainly that Sorrow for Sin is not *voluntary*, and by Consequence, that *Repentance* proceedeth from *Causes*.

The last Part of this Discourse containeth his Lordship's Opinion about reconciling *Liberty* with the *Prescience* and *Decrees* of *God*, otherwise than some *Divines* have done ; against whom he says, he had formerly written a Treatise, out of which he repeateth only two Things : One is, *That we ought not to desert a certain Truth, for not being able to comprehend the certain Manner of it.* And I say the same ; as for Example, that his Lordship ought not to desert this certain Truth, *That there are certain and necessary Causes which make every Man to will what he willeth, though he do not yet conceive in what Manner the Will of Man is caused.* And yet I think the Manner of it is not very hard to conceive, seeing we see daily, that *Praise, Dispraise, Reward and Punishment, good and evil Sequels of Men's Actions* retained in *Memory*, do frame and make us to the *Election* of whatsoever it be that we elect, and that the *Memory* of such Things proceeds from the *Senses*, and *Sense* from the Operation of the *Objects* of Sense (which are external to us, and governed only by *God Almighty*) and by Consequence all *Actions*, even of *free* and *voluntary* Agents, are *necessary*.

The other Thing that he repeateth, is, that the best Way to reconcile *Contingence* and *Liberty* with *Prescience* and the *Decrees* of *God*, is to subject future *Contingencies* to the *Aspect* of *God*. The same is also my Opinion, but contrary to what his Lordship all this while laboured to prove. For hitherto he held *Liberty* and *Necessity*, that is to say, *Liberty* and the *Decrees* of *God*, irreconcilable, unless the *Aspect* of *God* (which Word appeareth now the first Time in this Discourse) signify somewhat else besides *God's Will* and *Decree*, which I cannot understand. But he adds, that we must subject them, according to that *Presentiality* which they have in *Eternity*, which he says cannot be done by them that conceive *Eternity* to be an *everlasting Succession*, but only by them that conceive it as an *indivisible Point*. To which I answer, that as soon as I can conceive *Eternity* to be an *indivisible Point*, or any thing, but an *everlasting Succession*, I will renounce all that I have written on this Subject. I know *St. Thomas Aquinas* calls *Eternity, Nunc stans*, an *ever-abiding now* ; which is easy enough to say ; but tho' I fain would, yet I could never conceive it ; they that can are more happy than I. But in the mean time his Lordship alloweth all Men to be of my Opinion, save only those that can conceive in their Minds a *Nunc stans*, which I think are none. I understand as little how it can be true his Lordship says, that *God* is not *just*, but *Justice* itself ; not *wise*, but *Wisdom* itself ; not *eternal*, but *Eternity* itself ; nor how he concludes thence, that *Eternity* is a *Point indivisible*, and not a *Succession* ; nor in what Sense it can be said, that an *infinite Point*, and wherein is no *Succession*, can comprehend all *Time*, though *Time* be *successive*. These Phrases I find not in the *Scripture* ; I wonder therefore what was the Design of the *Schoolmen* to bring them up, unless they thought a Man could not be a true *Christian*, unless his Understanding be first strangled with such hard Sayings. And thus much for Answer to his Lordship's Discourse, wherein I think not only his *Squadrons* of *Arguments*, but also his *Reserve* of *Distinctions* are defeated. And now your Lordship shall have my Doctrine concerning the same Question, with my *Reasons* for it, positively, and as briefly as I can, without any Terms of *Art*, in plain *English*.

## My Opinion about LIBERTY and NECESSITY.

FIRST I conceive, that when it cometh into a Man's Mind to do or not to do some certain Action, if he have no Time to *deliberate*, the doing it or abstaining, *necessarily* follow the present Thought he hath of the *good* or *evil* Consequence thereof to himself. As for Example, in sudden *Anger*, the *Action* shall follow the Thought of *Revenge*; in sudden *Fear*, the Thought of *Escape*. Also when a Man hath Time to *deliberate*, but deliberates not, because never any thing appeared that could make him doubt of the Consequence, the *Action* follows his Opinion of the *Goodness* or *Harm* of it. These Actions I call VOLUNTARY, (my Lord) if I understand him aright that calls them SPONTANEOUS. I call them *Voluntary*, because those *Actions* that follow immediately the *last* Appetite, are *Voluntary*, and here where is one only Appetite, that one is the *last*. Besides, I see 'tis reasonable to punish a *rash* Action, which could not be justly done by Man to Man, unless the same were *Voluntary*. For no *Action* of a Man can be said to be without *Deliberation*, though never so sudden, because it is supposed he had Time to *deliberate* all the precedent Time of his Life, whether he should do that Kind of Action or not. And hence it is, that he that killeth in a sudden Passion of *Anger*, shall nevertheless be justly put to *Death*, because all the Time, wherein he was able to consider whether to kill were Good or Evil, shall be held for one continual *Deliberation*, and consequently the killing shall be judged to proceed from *Election*.

Secondly, I conceive when a Man *deliberates*, whether he shall do a Thing or not do it, that he does nothing else but consider whether it be better for himself to do it or not to do it. And to *consider* an Action, is to imagine the *Consequences* of it both *good* and *evil*. From whence is to be inferred, that *Deliberation* is nothing else but *alternate* Imagination of the *good* and *evil* Sequels of an *Action*, or (which is the same Thing) *alternate Hope* and *Fear*, or *alternate Appetite* to do or quit the Action of which he *deliberateth*.

Thirdly, I conceive that in all *Deliberations*, that is to say, in all *alternate Succession* of contrary *Appetites*, the *last* is that which we call the WILL, and is immediately next before the doing of the Action, or next before the doing of it become impossible. All other *Appetites* to do, and to quit, that come upon a Man during his *Deliberations*, are called *Intentions* and *Inclinations*, but not *Wills*, there being but one Will, which also in this Case may be called the *last* Will, though the *Intentions* change often.

Fourthly, I conceive that those *Actions*, which a Man is said to do upon *Deliberation*, are said to be *voluntary*, and done upon *Choice* and *Election*; so that *voluntary* Action, and Action proceeding from *Election*, is the same Thing; and that of a *voluntary Agent*, it is all one to say, he is *free*, and to say, he hath not made an End of *deliberating*.

Fifthly, I conceive *Liberty* to be rightly defined in this Manner; *Liberty is the Absence of all the Impediments to Action that are not contained in the Nature and intrinsic Quality of the Agent*. As for Example, the Water is said to descend *freely*, or to have *Liberty* to descend by the Channel of the River, because there is no Impediment that Way, but not a-crofs, because the Banks are Impediments. And though the Water cannot ascend, yet Men never say it wants the *Liberty* to ascend, but the *Faculty* or Power, because the Impediment is in the Nature of the Water, and intrinsic. So also we say, he that is tied, wants the *Liberty* to go, because the Impediment is not in him, but in his Bands; whereas we say not so of him that is sick or lame, because the Impediment is in himself.

Sixthly, I conceive that nothing taketh Beginning from *itself*, but from the *Action* of some other immediate *Agent* without itself. And that therefore, when first a Man hath an *Appetite* or *Will* to something, to which immediately before he had no Appetite nor Will, the *Cause* of his *Will*, is not the *Will* itself, but *something* else not in his own disposing. So that whereas it is out of Controversy, that of *voluntary*

tary Actions the *Will* is the *necessary* Cause, and by this which is said, the *Will* is also *caused* by other Things whereof it disposeth not, it followeth, that *voluntary* Actions have all of them *necessary* Causes, and therefore are *necessitated*.

Seventhly, I hold that to be a *sufficient* Cause, to which nothing is wanting that is needful to the producing of the *Effect*. The same also is a *necessary* Cause. For if it be possible that a *sufficient* Cause shall not bring forth the *Effect*, then there wanteth somewhat which was needful to the producing of it, and so the *Cause* was not *sufficient*; but if it be impossible that a *sufficient* Cause should not produce the *Effect*, then is a *sufficient* Cause a *necessary* Cause (for that is said to produce an *Effect necessarily* that cannot but produce it.) Hence it is manifest, that whatsoever is produced, is produced *necessarily*: for whatsoever is produced hath had a *sufficient* Cause to produce it, or else it had not been; and therefore also *voluntary* Actions are *necessitated*.

Lastly, that ordinary *Definition* of a *free Agent*, (namely, *That a free Agent is that, which, when all things are present which are needful to produce the Effect, can nevertheless not produce it,*) implies a Contradiction, and is Nonsense; being as much as to say, The Cause may be *sufficient*, that is to say, *necessary*, and yet the *Effect* shall not follow.

### My REASONS.

FOR the first five Points, wherein it is explicated, 1. What *Spontaneity* is; 2. What *Deliberation* is; 3. What *Will*, *Propension*, and *Appetite* are; 4. What a *free Agent* is; 5. What *Liberty* is; there can no other Proof be offered but every Man's own Experience, by Reflection on himself, and remembering what he useth in his Mind, that is, what he himself meaneth when he saith an Action is *spontaneous*, a Man *deliberates*; such is his *Will*, that *Agent* or that *Action* is *free*. Now he that reflecteth so on himself, cannot but be satisfied, that *Deliberation* is the *Consideration of the good and evil Sequels of an Action to come*; that by *Spontaneity* is meant *inconsiderate Action* (or else nothing is meant by it;) that *Will* is the *last Act of our Deliberation*; that a *free Agent* is he that can do if he will, and forbear if he will; and that *Liberty* is the *Absence of external Impediments*. But, to those that out of Custom speak not what they conceive, but what they hear, and are not able, or will not take the Pains to consider what they think when they hear such Words, no Argument can be sufficient, because *Experience* and *Matter of Fact* is not verified by other Men's Arguments, but by every Man's own *Sense* and *Memory*. For Example; How can it be proved, that to *love* a Thing, and to think it *good*, is all one, to a Man that doth not mark his own Meaning by those Words? Or how can it be proved that *Eternity* is not *Nunc stans* to a Man that says those Words by Custom, and never considers how he can conceive the Thing in his Mind?

Also the sixth Point, that a Man cannot imagine any thing to begin *without a Cause*, can no other Way be made known, but by trying how he can imagine it; but if he try, he shall find as much Reason (if there be no Cause of the thing) to conceive it should begin at one Time as another, that he hath not equal Reason to think it should begin at all Times, which is impossible; and therefore he must think there was some special Cause why it began then, rather than sooner or later; or else that it began never, but was *eternal*.

For the seventh Point, which is, that all *Events* have *necessary* Causes, it is there proved, in that they have *sufficient* Causes. Further, let us in this Place also suppose any Event never so casual, as the throwing (for Example) *Ames Ace* upon a Pair of Dice, and see, if it must not have been *necessary* before it was thrown. For seeing it was thrown, it had a *Beginning*, and consequently a *sufficient* Cause to produce it, consisting partly in the *Dice*, partly in outward Things,

as the Posture of the Parts of the *Hand*, the Measure of *Force* applied by the *Caster*, the Posture of the Parts of the *Table*, and the like. In sum, there was nothing wanting which was necessarily requisite to the producing of that particular *Cast*, and consequently the *Cast* was necessarily thrown; for if it had not been thrown, there had wanted somewhat requisite to the throwing of it, and so the *Cause* had not been *sufficient*. In the like manner it may be proved, that every other *Accident*, how *contingent* soever it seem, or how *voluntary* soever it be, is produced *necessarily*, which is that that my Lord Bishop disputes against. The same may be proved also in this Manner: Let the Case be put, for Example, of the *Weather*; 'Tis necessary that *To-morrow it shall rain, or not rain*. If therefore it be not *necessary* it shall rain, it is *necessary* it shall not rain, otherwise there is no Necessity that the Proposition, *It shall rain or not rain*, should be true. I know there be some that say, it may necessarily be true, that one of the two shall come to pass, but not, singly that it shall rain, or that it shall not rain, which is as much as to say, *one* of them is *necessary*, yet neither of them is *necessary*; and therefore to seem to avoid that Absurdity, they make a Distinction, that neither of them is true *determinatè*, but *indeterminatè*; which Distinction either signifies no more but this, One of them is true, but we know not which, and so the Necessity remains, though we know it not; or if the Meaning of the Distinction be not that, it hath no Meaning, and that they might as well have said, One of them is true *Titirice*, but neither of them *Tu patulice*.

The last Thing, in which also consisteth the whole Controversy, namely, that there is no such Thing as an *Agent*, which when all Things requisite to Action are present, can nevertheless forbear to produce it; or (which is all one) that there is no such Thing as *Freedom from Necessity*, is easily inferred from that which hath been before alledged. For if it be an *Agent* it can *work*, and if it *work*, there is nothing wanting of what is requisite to produce the *Action*, and consequently the *Cause* of the *Action* is *sufficient*, and if *sufficient*, then also *necessary*, as hath been proved before.

And thus you see how the *Inconveniencies*, which his Lordship objecteth must follow upon the holding of *Necessity*, are avoided, and the *Necessity* itself *demonstratively* proved. To which I could add, if I thought it good *Logic*, the *Inconvenience* of denying *Necessity*, as that it destroyeth both the *Decrees* and the *Prescience* of *God Almighty*; for whatsoever *God* hath *purposed* to bring to pass by *Man*, as an *Instrument*, or forsooth shall come to pass; a *Man*, if he have *Liberty* (such as his Lordship affirmeth) from *Necessitation*, might frustrate, and make not to come to pass, and *God* should either not *foreknow* it, and not *decree* it, or he should *foreknow* such Things shall be, as shall never be, and *decree* that which shall never come to pass.

This is all that hath come into my Mind touching this Question since I last considered it. And I humbly beseech your Lordship to communicate it only to my Lord Bishop. And so praying *God* to prosper your Lordship in all your Designs, I take Leave, and am,

My most Noble and most obliged Lord,

Rouen, Aug. 20.  
1652.

Your most humble Servant,

THOMAS HOBBS.



*B E H E M O T H:*  
T H E  
H I S T O R Y

Of the Causes of the

Civil Wars of *England,*

And of the Counsels and Artifices by which they were  
carried on, from the Year 1640, to the Year 1660.

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*Bella per Anglicos plusquam civilia campos,  
Jusque datum sceleri loquimur -----*

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*B E H E M O T H:*  
O R, T H E  
*E P I T O M E*  
O F T H E  
*C I V I L W A R S* of *E N G L A N D.*

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P A R T I.

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*A.* I F in Time, as in Place, there were Degrees of High and Low, I verily believe that the highest of Time would be that which passed between 1640 and 1660; for he that thence, as from the Devil's Mountain, should have looked upon the World, and observed the Actions of Men, especially in *England*, might have had a Prospect of all kinds of Injustice, and all kinds of Folly that the World could afford; and how they were produced by their Hypocrisy and Self-conceit, whereof the one is double Iniquity, and the other double Folly.

*B.* I should be glad to behold that Prospect. You that have lived in that Time, and in that Part of your Age, wherein Men use to see best into Good and Evil; I pray you set me (that could not see so well) upon the same Mountain by the Relation of the Actions you then saw, and of their Causes, Pretensions, Justice, Order, Artifice, and Event.

*A.* In the Year 1640 the Government of *England* was Monarchical, and the King that reigned, *Charles* the First of that Name, holding the Sovereignty, by Right of a Descent continued above six hundred Years, and from a much longer Descent King of *Scotland*, and from the Time of his Ancestors *Henry II.* King of *Ireland*; a Man that wanted no Virtue, either of Body or Mind, nor endeavour'd any thing more, than to discharge his Duty towards God, in the well governing of his Subjects.

*B.* How could he then miscarry, having in every County so many train'd Soldiers as would (put together) have made an Army of 60000 Men, and divers Magazines of Ammunition in Places fortified?

*A.* If those Soldiers had been (as they and all other of his Subjects ought to have been) at his Majesty's Command, the Peace and Happiness of the three Kingdoms had continued, as it was left by King *James*; but the People were corrupted generally, and disobedient Persons esteemed the best Patriots.

*B.* But sure there were Men enough, besides those that were ill affected, to have made an Army sufficient to have kept the People from uniting into a Body able to oppose him.

*A.* Truly I think, if the King had had Money, he might have had Soldiers enough in *England*; for there were very few of the common People that cared

much for either of the Causes, but would have taken any Side for Pay and Plunder; but the King's Treasure was very low, and his Enemies that pretended the People's Ease from Taxes, and other specious Things, had the Command of the City of *London*, and of most Cities and Corporate Towns in *England*, and of many particular Persons besides.

*B.* But how came the People to be so corrupted? and what Kind of People were they that did so seduce them?

*A.* The Seducers were of divers Sorts. One Sort were Ministers, Ministers (as they called themselves) of Christ; and sometimes in their Sermons to the People; God's Ambassadors, pretending to have a Right from God to govern every one his Parish, and their Assembly the whole Nation.

Secondly, there were a very great Number, though not comparable to the other, which notwithstanding that the Pope's Power in *England*, both Temporal and Ecclesiastical, had been by Act of Parliament abolished, did still retain a Belief, that we ought to be governed by the Pope, whom they pretended to be the Vicar of Christ, and in the Right of Christ to be the Governor of all Christian People; and these were known by the Name of Papists, as the Ministers I mentioned before were commonly called Presbyterians.

Thirdly, There were not a few, who in the Beginning of the Troubles were not discovered, but shortly after declared themselves for a Liberty in Religion, and those of different Opinions one from another; some of them (because they would have all Congregations free and independent upon one another) were called Independents; Others that held Baptism to Infants, and such as understood not into what they are baptized, to be ineffectual, were called therefore Anabaptists: Others that held that Christ's Kingdom was at this Time to begin upon the Earth, were called Fifth-monarchy Men; besides divers other Sects, as Quakers, Adamites, &c. whose Names and peculiar Doctrines I do not well remember; and these were the Enemies which arose against his Majesty from the private Interpretation of the Scripture, exposed to every Man's scanning in his Mother-Tongue.

Fourthly, There were an exceeding great Number of Men of the better Sort, that had been so educated, as that in their Youth, having read the Books written by famous Men of the antient *Grecian* and *Roman* Commonwealths, concerning their Polity and great Actions; in which Books the popular Government was extolled by the glorious Name of Liberty, and Monarchy disgraced by the Name of Tyranny, they became thereby in Love with their Forms of Government; and out of these Men were chosen the greatest Part of the House of Commons; or if they were not the greatest Part, yet by Advantage of their Eloquence, they were always able to sway the rest.

Fifthly, the City of *London*, and other great Towns of Trade, having in Admiration the Prosperity of the *Low-Countries*, after they had revolted from their Monarch the King of *Spain*, were inclined to think, that the like Change of Government here, would to them produce the like Prosperity.

Sixthly, There were a very great Number that had either wasted their Fortunes, or thought them too mean for the good Parts they thought were in themselves; and more there were that had able Bodies, but saw no Means how honestly to get their Bread: These longed for a War, and hoped to maintain themselves hereafter by the lucky chusing of a Party to side with, and consequently did, for the most part, serve under them that had greatest Plenty of Money.

Lastly, The People in general were so ignorant of their Duty, as that not one perhaps of ten thousand knew what Right any Man had to command him, or what Necessity there was of King or Commonwealth, for which he was to part with his Money against his Will; but thought himself to be so much Master of whatsoever he possessed, that it could not be taken from him upon any Pretence of common Safety without his own Consent. King they thought was but a Title of the highest Honour, which Gentleman, Knight, Baron, Earl, Duke, were but Steps to ascend to, with the Help of Riches; they had no Rule of Equity, but Precedents

and Custom, and he was thought wisest and fittest to be chosen for a Parliament, that was most averse to the granting of Subsidies, or other public Payments.

B. In such a Constitution of People, methinks the King is already outed of his Government, so that they need not have taken Arms for it; for I cannot imagine how the King should come by any Means to resist them.

A. There was indeed very great Difficulty in the Business; but of that Point you will be better inform'd in the Pursuit of this Narration.

B. But I desire to know first the several Grounds of the Pretences, both of the Pope, and of the Presbyterians, by which they claim a Right to govern us, as they do, in chief; and after that, from whence, and when crept in the Pretences of that long Parliament for a Democracy.

A. As for the Papists, they challenge this Right from a Text in *Deut. xvii.* and other like Texts, according to the old *Latin* Translation in these Words: *And he that out of Pride shall refuse to obey the Commandment of that Priest, which shall at that Time minister before the Lord thy God; that Man shall, by the Sentence of the Judge, be put to Death.* And because, as the *Jews* were the People of God then, so is all *Christendom* the People of God now; they infer from thence, that the Pope, whom they pretend to be the High Priest of all Christian People, ought also to be obey'd in all her Decrees, by all Christians, upon Pain of Death. Again, whereas in the New Testament Christ saith, *All Power is given unto me in Heaven and in Earth; go therefore and teach all Nations, and baptize them in the Name of the Father, and of the Son, and of the Holy Ghost, and teach them to observe all these Things that I have commanded you.* From thence they infer, that the Command of the Apostles was to be obey'd, and by Consequence the Nations were bound to be govern'd by them, and especially by the Prince of the Apostles *St. Peter*, and by his Successors the Popes of *Rome*.

B. For the Text in the Old Testament, I do not see how the Commandment of God to the *Jews* to obey their Priests, can be interpreted to have the like Force in the Case of other Nations Christian, more than upon Nations Unchristian; for all the World are God's People; unless we also grant, that a King cannot of an Infidel be made Christian, without making himself subject to the Laws of that Apostle, or Priest, or Minister that shall convert him. The *Jews* were a peculiar People of God, a sacerdotal Kingdom, and bound to no other Law, but what first *Moses*, and afterwards every High Priest did go and receive immediately from the Mouth of God in Mount *Sinai*, in the Tabernacle of the Ark, and in the *Sanctum Sanctorum* of the Temple. And for the Text in *St. Matthew*, I know the Words of the Gospel are not *Go teach*, but *Go and make Disciples*; and that there is a great Difference between a Subject and a Disciple, and between Teaching and Commanding. And if such Texts as these must be so interpreted, why do not Christian Kings lay down their Titles of Majesty and Sovereignty, and call themselves the Pope's Lieutenants? But the Doctors of the *Roman* Church seem to decline that Title of Absolute Power, in their Distinction of Power Spiritual and Temporal; but this Distinction I do not very well understand.

A. By spiritual Power they mean the Power to determine Points of Faith, and to be Judges in the inner Court of Conscience, of moral Duties, and of a Power to punish those Men that obey not their Precepts by Ecclesiastical Censure, that is, by Excommunication: and this Power, they say, the Pope hath immediately from Christ, without Dependence upon any King, or Sovereign Assembly, whose Subjects they be that stand excommunicate. But for the Power Temporal, which consists in judging and punishing those Actions that are done against the Civil Laws, they say, they do not pretend to it directly, that is to say, so far forth as such Actions tend to the Hindrance or Advancement of Religion and good Manners, which they mean when they say, *in ordine ad spiritualia*.

B. What Power then is left to Kings, and other Civil Sovereigns, which the Pope may not pretend to be his *in ordine ad spiritualia*?

*A.* None, or very little : and this Power the Pope pretends to in all Christendom, but some of his Bishops also in their several Dioceses, *Jure Divino*, that is, immediately from Christ, without deriving it from the Pope.

*B.* But what if a Man refuse Obedience to this pretended Power of the Pope and his Bishops ? What Harm can Excommunication do him, especially if he be the Subject of another Sovereign ?

*A.* Very great Harm ; for by the Pope's or Bishop's Signification of it to the Civil Power, he shall be punished sufficiently.

*B.* He was in an ill Case then, that adventured to write, or speak in defence of the Civil Power, that must be punished by him, whose Rights he defended ; like *Uzza* that was slain, because he would needs, unbidden, put forth his Hand to keep the Ark from falling. But what if a whole Nation should revolt from the Pope at once ? What Effect could Excommunication have upon the Nation ?

*A.* Why, they should have no more Mass said, at least by any of the Pope's Priests : Besides, the Pope should have no more to do with them, but cast them off, and so they would be in the same Case, as if a Nation should be cast off by their King, and left to be governed by themselves, or whom they would.

*B.* This would not be taken so much for a Punishment to the People, as to the King ; and therefore when a Pope excommunicates a whole Nation, methinks he rather excommunicates himself, than them. But I pray you tell me, what were the Rights that the Pope pretended to in the Kingdoms of others Princes ?

*A.* First, An Exemption of all Priests, Friars and Monks, in Criminal Causes, from the Cognizance of Civil Judges. Secondly, Collation of Benefices, on whom he pleased, Native or Stranger, and Exaction of Tenths, First-fruits, and other Payments. Thirdly, Appeals to *Rome* in all Causes where the Church could pretend to be concerned. Fourthly, To be the supreme Judge, concerning Lawfulness of Marriage, (*i. e.* concerning the Hereditary Succession of Kings) and to have the Cognizance of all Causes concerning Adultery and Fornication.

*B.* Good ! A Monopoly of Women.

*A.* Fifthly, A Power of absolving Subjects of their Duties, and of their Oaths of Fidelity to their lawful Sovereigns, when the Pope should think fit, for the Extirpation of Heresy.

*B.* This Power of absolving Subjects of their Obedience, as also that other of being Judge of Manners and Doctrine, is as absolute a Sovereignty as is possible to be, and consequently there must be two Kingdoms in one and the same Nation, and no Man be able to know which of his Masters he must obey.

*A.* For my Part I shall rather obey that Master that had the Right of making Laws, and of inflicting Punishments, than him that pretendeth only to a Right of making Canons, that is to say, Rules, and no Right of Co-action, or otherwise punishing, but by Excommunication.

*B.* But the Pope pretends also that his Canons are Laws ; and for punishing, can there be greater than Excommunication ; supposing it true (as the Pope saith it is) that he that dies Excommunicate is damned ? Which Supposition, it seems, you believe not, else you would rather have chosen to obey the Pope, that would cast you Body and Soul into Hell, than the King that can only kill the Body.

*A.* You say true ; for it were very uncharitable in me to believe, that all *Englishmen* (except a few Papists) that have been born and called Heretics, ever since the Reformation of Religion in *England*, should be damned.

*B.* But those that die Excommunicate in the Church of *England*, at this Day, do you not think them also damned ?

*A.* Doubtless he that dies in Sin without Repentance, is damned, and he that is Excommunicate for Disobedience to the King's Laws, either Spiritual or Temporal, is Excommunicate for Sin ; and therefore, if he die Excommunicate and without Desire of Reconciliation, he dies impenitent. You see what follows ; but to die in Disobedience to the Precepts and Doctrines of those Men that have no

Authority

Authority or Jurisdiction over us is quite another Case, and bringeth no such Danger with it.

*B.* But what is this Heresy which the Church of *Rome* so cruelly persecutes, as to depose Kings that do not, when they are bidden, turn all Heretics out of their Dominions?

*A.* Heresy is a Word, which when it is used without Passion, signifies a private Opinion: So the different Sects of the old Philosophers, Academians, Peripatetics, Epicureans, Stoics, &c. were called Heresies: but in the Christian Church there was in the Signification of that Word comprehended a sinful Opposition to him that was chief Judge of Doctrines, in order to the Salvation of Mens Souls; and consequently Heresy may be said to bear the same Relation to the Power Spiritual, that Rebellion doth to the Power Temporal, and is suitably to be persecuted by him that will preserve a Power Spiritual and Dominion over Mens Consciences.

*B.* It would be very well (because we are all of us permitted to read the Holy Scriptures, and bound to make them the Rule of our Actions, both public and private) that Heresy were by some Law defined, and the particular Opinions set forth, for which a Man were to be condemned and punished as a Heretic; for else, not only Men of mean Capacity, but even the wisest and devoutest Christian may fall into Heresy without any Will to oppose the Church; for the Scriptures are hard, and the Interpretations different of different Men.

*A.* The Meaning of the Word Heresy is by Law declared in an Act of Parliament in the first Year of Queen *Elizabeth*, wherein it is ordained, That the Persons who had by the Queen's Letters Patents the Authority Spiritual (meaning the High Commission) shall not have the Authority to adjudge any Matter or Cause to be Heresy, but only such as heretofore have been adjudged to be Heresy by the Authority of the Canonical Scriptures, or by the first four General Councils, or by any other General Council, where the same was declared Heresy by the express and plain Words of the said Canonical Scriptures, or such as hereafter shall be adjudged Heresy by the High Court of Parliament of this Realm, with the Assent of the Clergy in their Convocation.

*B.* It seems therefore if there arise any new Error that hath not yet been declared Heresy, (and many such may arise) it cannot be judged Heresy without a Parliament; for how foul soever the Error be, it cannot have been declared Heresy, neither in the Scriptures, nor in the Councils, because it was never before heard of, and consequently there can be no Error (unless it fall within the Compass of Blasphemy against God, or Treason against the King) for which a Man can in Equity be punished. Besides, who can tell what is declared by the Scripture, which every Man is allowed to read and interpret to himself? Nay, more, what Protestant, either of the Laity or Clergy, (if every General Council can be a competent Judge of Heresy) is not already condemned? for divers Councils have declared a great many of our Doctrines to be Heresy, and that (as they pretend) upon the Authority of the Scriptures.

*A.* What are those Points that the first four General Councils have declared Heresy?

*B.* The first General Council held at *Nice* declared all to be Heresy, which was contrary to the *Nicene* Creed, upon occasion of the Heresy of *Arius*, which was the denying the Divinity of Christ. The second General Council held at *Constantinople*, declared Heresy the Doctrine of *Macedonius*; which was, that the Holy Ghost was created. The third Council assembled at *Ephesus*, condemned the Doctrine of *Nestorius*, that there were two Persons in Christ. The fourth held at *Chalcedon*, condemned the Error of *Eutyches*, that there was but one Nature in Christ. I know of no other Points condemned in these four Councils, but such as concern Church Government, or the same Doctrines taught by other Men in other Words: and these Councils were all called by the Emperors,

perors, and by them their Decrees confirmed, at the Petition of the Councils themselves.

*A.* I see by this, that both the calling of the Council, and the Confirmation of their Doctrine and Church Government, had no obligatory Force, but from the Authority of the Emperor. How comes it then to pass, that they take upon them now a Legislative Power, and say their Canons are Laws? That Text, *All Power is given to me in Heaven and Earth*, had the same Force then as it hath now, and conferred a Legislative Power on the Councils, not only over Christian Men, but over all Nations in the World.

*B.* They say no; for the Power they pretend to is derived from this, that when a King was converted from Gentilism to Christianity, he did by that very Submission to the Bishop that converted him, submit to the Bishop's Government, and became one of his Sheep; which Right therefore he could not have over any Nation that was not Christian.

*A.* Did *Sylvester* (who was Pope of *Rome* in the Time of *Constantine* the Great who was converted by him) tell the Emperor his new Disciple beforehand, that if he became a Christian he must be the Pope's Subject?

*B.* I believe not; for it is likely enough, if he had told him so plainly, or but made him suspect it, he would either have been no Christian at all, or but a counterfeit one.

*A.* But, if he did not tell him so, and that plainly, it was foul Play, not only in a Priest, but in any Christian; and for this Derivation of their Right from the Emperor's Consent, it proceeds only from this, that they dare not challenge a Legislative Power, nor call their Canons Laws in any Kingdom in *Christendom*, farther than the Kings make them so. But in *Peru*, when *Atabalipa* was King, the Friar told him, that Christ being King of all the World, had given the disposing of all the Kingdoms therein to the Pope, and that the Pope had given *Peru* to the *Roman* Emperor *Charles V.* and required *Atabalipa* to resign it; and for refusing it, seized upon his Person by the *Spanish* Army there present, and murder'd him; you see by this how much they claim, when they have Power to make it good.

*B.* When began the Popes to take this Authority upon them first?

*A.* After the Inundation of the northern People had overflow'd the western Parts of the Empire, and possessed themselves of *Italy*, the People of the City of *Rome* submitted themselves, as well in Temporals as Spirituals, to their Bishop; and then first was the Pope a Temporal Prince, and stood no more in so great Fear of the Emperors, who lived far off at *Constantinople*. In this Time it was that the Pope began, by Pretence of his Power Spiritual, to encroach upon the Temporal Rights of all other Princes of the West, and so continued gaining upon them, till his Power was at the highest, in that three hundred Years or thereabout, which passed between the eighth and eleventh Century, that is, between the Time of Pope *Leo III.* and Pope *Innocent III.* For in this Time Pope *Zachary I.* deposed *Chilperic* then King of *France*, and gave the Kingdom to one of his Subjects, *Pepin*; and *Pepin* took from the *Lombards* a great Part of their Territory, and gave it to the Church. Shortly after, the *Lombards* having recover'd their Estate, *Charles* the Great retook it, and gave it to the Church again, and Pope *Leo III.* made *Charles* Emperor.

*B.* But what Right did the Pope then pretend for the creating of an Emperor?

*A.* He pretended the Right of being Christ's Vicar, and what Christ could give, his Vicar might give; and you know that Christ was King of all the World.

*B.* Yes, as God; and so he gives all the Kingdoms of the World, which nevertheless proceed from the Consent of the People, either for Fear or Hope.

*A.* But this Gift of the Empire was in a more special Manner, in such a Manner as *Moses* had the Government of *Israel* given him, or rather as *Josbua* had it given him, to go in and out before the People, as the High Priest should direct him; and so the Empire was understood to be given him, on Condition to be directed

rected by the Pope; for when the Pope invested him with the Regal Ornaments, the People all cry'd out, *Deus dat*, that is to say, 'tis God that gives it; and the Emperor was contented so to take it. And from that Time all, or most of the Christian Kings, do put into their Titles the Words *Dei gratia*, that is, by the Gift of God, and their Successors use still to receive the Crown and Scepter from a Bishop.

*B.* 'Tis certainly a very good Custom for Kings to be put in mind by whose Gift they reign; but it cannot from that Custom be infer'd, that they receive the Kingdom by Mediation of the Pope, or by any other Clergy: for the Popes themselves received the Papacy from the Emperor. The first that ever was elected Bishop of *Rome*, after the Emperors were Christians, and without the Emperor's Consent, excused himself by Letters to the Emperor with this; That the People and Clergy of *Rome* forced him to take it upon him, and prayed the Emperor to confirm it; which the Emperor did, but with Reprehension of their Proceedings, and Prohibition of the like for the Time to come: The Emperor was *Lotharius*, and the Pope *Calixtus I.*

*A.* You see by this the Emperor never acknowledged this Gift of God was the Gift of the Pope, but maintained, the Popedom was the Gift of the Emperor; but in Process of Time, by the Negligence of the Emperors, (for the Greatness of Kings makes them that they cannot easily descend into the obscure and narrow Mines of an ambitious Clergy) they found Means to make the People believe, there was a Power in the Pope and Clergy, which they ought to submit unto, rather than to the Commands of their own Kings, whensoever it should come into Controversy. And to that End devised and decreed many new Articles of Faith, to the Diminution of the Authority of Kings, and to the Disjunction of them and their Subjects, and to a closer Adherence of their Subjects to the Church of *Rome*. Articles, either not at all found in, or not well founded upon the Scriptures. As first; that it should not be lawful for a Priest to marry.

*B.* What Influence could that have upon the Power of Kings?

*A.* Do you not see, that by this the King must of necessity either want the Priesthood, and therewith a great Part of the Reverence due to him from the most religious part of his Subjects, or else want lawful Heirs to succeed him: by which Means, being not taken for the Head of the Church, he was sure in any Controversy between him and the Pope, that his Subjects would be against him.

*B.* Is not a Christian King as much a Bishop now, as the Heathen Kings were of old; for among them *Episcopus* was a Name common to all Kings? Is not he a Bishop now, to whom God hath committed the Charge of all the Souls of his Subjects, both of the Laity and the Clergy? And though he be, in relation to our Saviour who is the chief Pastor, but a Sheep; yet compared to his own Subjects, they are all Sheep, both Laic and Cleric, and he only Shepherd. And seeing a Christian Bishop is but a Christian endued with Power to govern the Clergy, it follows, that every Christian King is not only a Bishop, but an Archbishop, and his whole Dominion his Diocese. And though it were granted, that Imposition of Hands is necessary from a Priest, yet seeing Kings have the Government of the Clergy, that are his Subjects, even before Baptism; the Baptism itself wherein he is received as a Christian, is a sufficient Imposition of Hands, so that whereas before he was a Bishop, now he is a Christian Bishop.

*A.* For my Part I agree with you: This Prohibition of Marriage to Priests came in about the Time of Pope *Gregory VII.* and *William I.* King of *England*; by which Means the Pope had in *England*, what with secular, and what with regular Priests, a great many lusty Batchelors at his Service. Secondly, That Auricular Confession to a Priest was necessary to Salvation. 'Tis true, that before that Time, Confession to a Priest was usual, and performed for the most part (by him that confessed) in Writing; but that Use was taken away about the Time of King *Edward III.* and Priests commanded to take Confessions from the Mouth of the Confitent: and Men did generally believe, that without Confession and Abso-

lution before their Departure out of the World, they could not be saved; and having Absolution from a Priest, that they could not be damned. You understand by this, how much every Man would stand in awe of the Pope and Clergy, more than they would of the King; and what Inconvenience it is to a State for their Subjects to confess their secret Thoughts to Spies.

B. Yes, as much as eternal Torture is more terrible than Death; so much they would fear the Clergy more than the King.

A. And though perhaps the *Roman* Clergy will not maintain, that a Priest hath Power to remit Sins absolutely, but only with a Condition of Repentance, yet the People were never so instructed by them; but were left to believe, that whencesoever they had Absolution, their precedent Sins were all discharged, when their Penance, which they took for Repentance, was performed. Within the same Time began the Article of Transubstantiation; for it had been disputed a long Time before in what manner a Man did eat the Body of our Saviour *Jesus Christ*, as being a Point very difficult for a Man to conceive and imagine clearly; but now it was made very clear, that the Bread was transubstantiated into Christ's Body, and so was become no more Bread but Flesh.

B. It seems then that Christ had many Bodies, and was in as many Places at once, as there were Communicants. I think the Priests then were so wanton, as to insult upon the Dulness, not only of common People, but also of Kings and their Councillors.

A. I am now in a Narration, not in a Disputation, and therefore I would have you at this time to consider nothing else, but what Effect this Doctrine would work upon Kings and their Subjects, in relation to the Clergy, who only were able of a Piece of Bread to make our Saviour's Body, and thereby at the Hour of Death to save their Souls.

B. For my Part, it would have an Effect on me to make me think them Gods, and to stand in awe of them, as of God himself, if he were visibly present.

A. Besides these and other Articles tending to the upholding of the Pope's Authority, they had many fine Points in their Ecclesiastical Polity, conducing to the same End; of which I will mention only such as were established within the same Time. For then it was the Order came up of Preaching Friars, that wander'd up and down with Power to preach in what Congregation they pleased, and were sure enough to instil into the People nothing that might lessen their Obedience to the Church of *Rome*; but on the contrary, whatsoever might give Advantage to it against the Civil Power. Besides, they privately insinuated themselves with Women and Men of weak Judgment, confirming their Adherence to the Pope, and urging them in the Time of their Sickness, to be beneficial to it by Contribution of Money, or building religious Houses, or pious Works, and necessary for the Remission of their Sins.

B. I do not remember that I have read of any Kingdom or State in the World, where Liberty was given to any private Man to call the People together, and make Orations frequently to them, or at all, without first making the State acquainted, except only in Christendom. I believe the Heathen Kings foresaw, that a few such Orators would be able to make a great Sedition. *Moses* did indeed command to read the Scriptures, and expound them in the Synagogues every Sabbath-day; but the Scriptures then were nothing else but the Laws of the Nation delivered unto them by *Moses* himself; and I believe it would do no Hurt, if the Laws of *England* also were often read and expounded in the several Congregations of *Englishmen*, at Times appointed, that they may know what to do; for they know already what to believe.

A. I think that neither the preaching of Friars nor Monks, nor of Parochial Priests, tended to teach Men what, but whom to believe: for the Power of the Mighty hath no Foundation, but in the Opinion and Belief of the People; and the End which the Pope had in multiplying Sermons, was no other, but to prop and enlarge his own Authority over all Christian Kings and States.

Within

Within the same Time, that is, between the Time of the Emperor *Charles* the Great, and of King *Edward* III. of *England*, began their second Polity, which was to bring Religion into an Art, and thereby to maintain all the Decrees of the *Roman* Church by Disputation; not only from the Scriptures, but also from the Philosophy of *Aristotle*, both Moral and Natural; and to that End the Pope exhorted the said Emperor by Letter to erect Schools of all Kinds of Literature, and from thence began the Institution of Universities; for not long after the Universities began in *Paris* and in *Oxford*. It is true, that there were Schools in *England* before that Time, in several Places, for the Instruction of Children in the *Latin* Tongue, that is to say, in the Tongue of the Church; but for an University of Learning, there was none erected till that Time; though it be not unlikely there might be then some that taught Philosophy, Logic, and other Arts in divers Monasteries, the Monks having little else to do, but to study. After some Colleges were built to that Purpose, it was not long Time before many more were added to them, by the Devotion of Princes and Bishops, and other wealthy Men: and the Discipline therein was confirmed by the Popes that then were, and Abundance of Scholars sent thither by their Friends to study, as to a Place, from whence the Way was open and easy to Preferment both in Church and Commonwealth. The Profit the Church of *Rome* expected from them, and in effect received, was the Maintenance of the Pope's Doctrine, and of his Authority over Kings, and their Subjects, by School-Divines, who striving to make good many Points of Faith incomprehensible, and calling in the Philosophy of *Aristotle* to their Assistance, wrote great Books of School-Divinity, which no Man else, nor they themselves, were able to understand; as any Man may perceive that shall consider the Writings of *Peter Lombard*, or *Scotus*, or of him that wrote Commentaries upon him, or of *Suarez*, or any other School-Divine of later Times; which Kind of Learning nevertheless hath been much admired by two Sorts of Men, otherwise prudent enough; the one of which Sorts were of those that were already devoted, and really affectionate to the *Roman* Church: for they believed the Doctrine before, but admired the Arguments because they understood them not, and yet found the Conclusions to their Mind. The other Sort were negligent Men, that had rather admire with others, than take the Pains to examine. So that all Sorts of People were fully resolved, that both the Doctrine was true, and the Pope's Authority no more than what was due to him.

B. I see that a Christian King, or State, how well soever provided he be of Money and Arms, (where the Church of *Rome* hath such Authority) will have but a hard Match for it, for want of Men: for their Subjects will hardly be drawn into the Field, and fight with Courage against their Consciences.

A. It is true, that great Rebellions have been raised by Churchmen in the Pope's Quarrel against Kings, as in *England* against King *John*, and in *France* against King *Henry* IV. wherein the Kings had a more considerable Part on their Sides, than the Pope had on his, and shall always have so, if they have Money; for there are but few whose Consciences are so tender as to refuse Money when they want it: but the great Mischiefs done to Kings upon Pretence of Religion is, when the Pope gives Power to one King to invade another.

B. I wonder how King *Henry* VIII. could then so utterly extinguish the Authority of the Pope in *England*, and that without any Rebellion at home, or any Invasion from abroad.

A. First, the Priests, Monks and Friars, being in the Height of their Power, were now for the most part grown insolent and licentious, and thereby the Force of their Arguments was now taken away by the Scandal of their Lives, which the Gentry and Men of good Education easily perceived; and the Parliament consisting of such Persons, were therefore willing to take away their Power; and generally the common People, which from a long Custom had been in love with Parliaments, were not displeas'd therewith. Secondly, the Doctrine of *Luther* beginning a little before, was now by a great many Men of the greatest Judgments so well received, as that there was no Hope to restore the Pope to his Power by Rebellion. Thirdly, the

the Revenue of Abbies, and all other religious Houses, falling hereby into the King's Hands, and by him being disposed of to the most eminent Gentlemen in every County, could not but make them do their best to confirm themselves in the Possession of them. Fourthly, King *Henry* was of a Nature quick and severe in the punishing of such as should be the first to oppose his Designs. Lastly, (as to Invasion from abroad) in Case the Pope had given the Kingdom to another Prince, it had been in vain; for *England* is another Manner of Kingdom than *Navarre*. Besides, the *French* and *Spanish* Forces were employed at that Time one against another; and though they had been at Leisure, they would have found perhaps no better Success, than the *Spaniards* found afterwards in 1588. Nevertheless; notwithstanding the Insolence, Avarice and Hypocrisy of the then Clergy, and notwithstanding the Doctrine of *Luther*, if the Pope had not provoked the King by endeavouring to cross his Marriage with his second Wife, his Authority might have remained in *England*, till there had risen some other Quarrel.

B. Did not the Bishops that then were, and had taken an Oath, wherein was, amongst other Things, that they should defend and maintain the Regal Rights of *St. Peter*; the Words are, *Regalia Sancti Petri*, which nevertheless some have said are *Regulas Sancti Petri*, that is to say, *St. Peter's* Rules or Doctrine; and that the Clergy afterward did read it, (being perhaps written in Short-hand) by a Mistake to the Pope's Advantage, *Regalia*: Did not, I say, the Bishops oppose that Act of Parliament against the Pope, and against the taking of the Oath of Supremacy?

A. No, I do not find the Bishops did many of them oppose the King; for having no Power without him, it had been great Imprudence to provoke his Anger. There was besides a Controversy in those Times between the Pope and the Bishops; most of which did maintain, that they exercised their Jurisdiction Episcopal in the Right of God, as immediately as the Pope himself did exercise the same over the whole Church. And because they saw that by this Act of the King in Parliament they were to hold their Power no more of the Pope, and never thought of holding it of the King, they were perhaps better content to let that Act of Parliament pass. In the Reign of King *Edward VI.* the Doctrine of *Luther* had taken so great Root in *England*, that they threw out also a great many of the Pope's new Articles of Faith; which Queen *Mary* succeeding him restored again, together with all that had been abolished by *Henry VIII.* saving (that which could not be restored) the religious Houses; and the Bishops and Clergy of King *Edward* were partly burnt for Heretics, partly fled, and partly recanted: and they that fled betook themselves to those Places beyond Sea, where the reformed Religion was either protected, or not persecuted; who after the Decease of Queen *Mary* returned again to Favour and Preference under Queen *Elizabeth*, that restored the Religion of her Brother King *Edward*: And so it hath continued till this Day, excepting the Interruption made in this late Rebellion of the Presbyterians and other Democratical Men. But though the *Romish* Religion were now cast out by the Law, yet there were Abundance of People, and many of them of the Nobility, that still retained the Religion of their Ancestors, who as they were not much molested in Points of Conscience, so they were not by their own Inclination very troublesome to the Civil Government; but by the secret Practice of the Jesuits and other Emissaries of the *Roman* Church, they were made less quiet, than they ought to have been; and some of them to venture upon the most horrid Act that ever had been heard of before: I mean the Gunpowder-Treason. And upon that Account, the Papists of *England* have been looked upon as Men that would not be sorry for any Disorders here, that might possibly make way to the restoring of the Pope's Authority; and therefore I named them for one of the Distempers of the State of *England*, in the Time of our late King *Charles*.

B. I see that *Monsieur du Plessis*, and Dr. *Morton*, Bishop of *Durham*, writing of the Progress of the Pope's Power, and intituling their Books, one of them, *The Mystery of Iniquity*; the other, *The Grand Imposture*, were both in the right: for I believe

there was never such another Cheat in the World; and I wonder that the Kings and States of *Christendom* never perceived it.

*A.* It is manifest they did perceive it. How else durst they make War against the Pope, and some of them take him out of *Rome* itself, and carry him away Prisoner? But if they would have freed themselves from his Tyranny, they should have agreed together, and made themselves every one (as *Henry VIII.* did) Head of the Church within their own respective Dominions; but not agreeing, they let his Power continue, every one hoping to make Use of it, when there should be Cause, against his Neighbour.

*B.* Now, as to that other Distemper by Presbyterians, how came their Power to be so great, being of themselves, for the most part, but so many poor Scholars?

*A.* This Controversy between the Papists and the Reformed Churches, could not chuse but make every Man, to the best of his Power, examine by the Scriptures which of them was in the right; and to that End they were translated into vulgar Tongues, whereas before the Translation of them was not allowed, nor any Man to read them, but such as had express Licence so to do: for the Pope did concerning the Scriptures the same that *Moses* did concerning Mount *Sinai*: *Moses* suffered no Man to go up to it to hear God speak, or gaze upon him, but such as he himself took with him; and the Pope suffered none to speak with God in the Scriptures, that had not some part of the Pope's Spirit in him, for which he might be trusted.

*B.* Certainly *Moses* did therein very wisely, and according to God's own Commandment.

*A.* No Doubt of it, and the Event itself hath made it since appear so: for after the Bible was translated into *English*, every Man, nay every Boy and Wench, that could read *English*, thought they spoke with God Almighty, and understood what he said; and when by a certain Number of Chapters a Day, they had read the Scriptures once or twice over, the Reverence and Obedience due to the Reformed Church here, and to the Bishops and Pastors therein, was cast off, and every Man became a Judge of Religion, and an Interpreter of the Scriptures to himself.

*B.* Did not the Church of *England* intend it should be so? What other End could they have in recommending the Bible to me, if they did not mean I should make it the Rule of my Actions? else they might have kept it, though open to themselves, to me sealed up in *Hebrew*, *Greek*, and *Latin*, and fed me out of it in such Measure as had been requisite for the Salvation of my Soul, and the Church's Peace.

*A.* I confess this Licence of interpreting the Scripture was the Cause of so many several Sects as have lain hid, till the Beginning of the late King's Reign, and did then appear to the Disturbance of the Commonwealth. But to return to the Story; those Persons who fled for Religion in the Time of *Queen Mary*, resided, for the most part, in Places where the Reformed Religion was professed, and governed by an Assembly of Ministers, who also were not a little made Use of, for want of better Statesmen, in Points of Civil Government; which pleased so much the *English* and *Scotch* Protestants that lived amongst them, that at their Return they wished there were the same Honour and Reverence given to the Ministry in their own Countries; in *Scotland*, King *James* being then young, soon (with the Help of some of the powerful Nobility) they brought it to pass. Also they that returned into *England*, in the Beginning of the Reign of *Queen Elizabeth*, endeavoured the same here; but could never effect it, till this last Rebellion, nor without the Help of the *Scots*: and it was no sooner effected, but they were defeated again by the other Sects, which, by the Preaching of the Presbyterians, and private Interpretation of Scripture, were grown numerous.

*B.* I know indeed, that in the Beginning of the late War, the Power of the Presbyterians was so very great, that not only the Citizens of *London* were, almost

all of them, at their Devotion, but also the greatest part of all other Cities and Market-Towns of *England*. But you have not yet told me by what Art and what Degrees they became so strong.

*A.* It was not their own Art alone that did it, but they had the Concurrence of a great many Gentlemen, that did no less desire a popular Government in the Civil State, than these Ministers did in the Church: and as these did in the Pulpit draw the People to their Opinions, and to a Dislike of the Church Government, Canons, and Common-Prayer-Book, so did the other make them in Love with Democracy by their Harangues in the Parliament, and by their Discourses and Communication with People in the Country, continually extolling of Liberty, and inveighing against Tyranny, leaving the People to collect of themselves, that this Tyranny was the present Government of the State; and as the Presbyterians brought with them into their Churches their Divinity from the Universities, so did many of the Gentlemen bring their Politics from thence into the Parliament; but neither of them did this very boldly in the Time of Queen *Elizabeth*. And though it be not likely that all of them did it out of Malice, but many of them out of Error; yet certainly the chief Leaders were ambitious Ministers and ambitious Gentlemen; the Ministers envying the Authority of Bishops, whom they thought less learned; and the Gentlemen envying the Privy Council, whom they thought less wise than themselves. For 'tis a hard Matter for Men who do all think highly of their own Wits (when they have also acquired the Learning of the University) to be persuaded, that they want any Ability requisite for the Government of a Commonwealth, especially having read the glorious Histories, and the sententious Politics of the ancient popular Governments of the *Greeks* and *Romans*, amongst whom Kings were hated, and branded with the Name of Tyrants, and popular Government (though no Tyrant was ever so cruel as a popular Assembly) passed by the Name of Liberty. The Presbyterian Ministers, in the beginning of the Reign of Queen *Elizabeth*, did not (because they durst not) publicly preach against the Discipline of the Church; but not long after (by the Favour perhaps of some great Courtier) they went abroad preaching into most of the Market-Towns of *England*, as the preaching Friars had formerly done, upon Working-days in the Morning: in which Sermons, those, and others of the same Tenets, that had Charge of Souls, both by the Manner and Matter of their Preaching, apply'd themselves wholly to the winning of the People to a liking of their Doctrines, and good Opinion of their Persons.

And first for the Manner of their Preaching, they so framed their Countenance and Gesture at the Entrance into the Pulpit, and their Pronunciation, both in their Prayer and Sermon, and used the Scripture Phrase, whether understood by the People or not, as that no Tragedian in the World could have acted the Part of a right godly Man better than these did; inasmuch as a Man unacquainted with such Art, could never suspect any ambitious Plot in them, to raise Sedition against the State, (as they then had design'd) or doubt that the Vehemence of their Voice, (for the same Words with the usual Pronunciation had been of little Force) and Forcedness of their Gesture and Looks, could arise from any think else, but Zeal to the Service of God. And by this Art they came into such Credit, that Numbers of Men used to go forth of their own Parishes and Towns, on Working-days, leaving their Calling, and on *Sundays*, leaving their own Churches, to hear them preach in other places, and to despise their own, and all other Preachers that acted not so well as they: and as for those Ministers that did not usually preach, but instead of Sermons did read to the People such Homilies as the Church had appointed, they esteemed and called them Dumb Dogs.

Secondly, For the Matter of their Sermons, because the Anger of the People in the late *Roman* Usurpation, was then fresh, they saw there could be nothing more gracious with them, than to preach against such other Points of the *Romish* Religion, as the Bishops had not yet condemned; that so receding farther from Popery

perly than they did, they might with Glory to themselves leave a Suspicion on the Bishops, as Men not yet well purged from Idolatry.

Thirdly, Before their Sermons, their Prayer was, or seem'd to be *extempore*, which they pretended to be dictated by the Spirit of God within them, and many of the People believed, or seem'd to believe it: for any Man might see, that had Judgment, that they did not take Care beforehand what they should say in their Prayers. And from hence came a Dislike of the Common-Prayer-Book, which is a set Form premeditated, that Men might see to what they were to say *Amen*.

Fourthly, They did never in their Sermons, or but lightly, inveigh against the lucrative Vices of Men of Trade or Handicraft; such as are Feigning, Lying, Cozening, Hypocrisy, or other Uncharitableness, except want of Charity to their Pastors and to the faithful; which was a great Ease to the generality of Citizens, and the Inhabitants of Market-Towns, and no little Profit to themselves.

Fifthly, By preaching up an Opinion, that Men were to be assured of their Salvation by the Testimony of their own private Spirit, meaning the Holy Ghost dwelling within them. And from this Opinion, the People that found in themselves a sufficient Hatred towards the Papists, and an Ability to repeat the Sermons of these Men at their coming home, made no Doubt but that they had all that was necessary, how fraudulently and spitefully soever they behaved themselves to their Neighbours that were not reckoned amongst the Saints, and sometimes to those also.

Sixthly, They did indeed with great Earnestness and Severity inveigh often against two Sins, carnal Lusts and vain Swearing, which without question was very well done: but the common People were thereby inclined to believe, that nothing else was Sin, but that which was forbidden in the third and seventh Commandment: for few Men do understand by the Name of Lust, any other Concupiscence than that which is forbidden in the seventh Commandment; for Men are not ordinarily said to lust after another Man's Cattle, or other Goods, or Possessions, and therefore never made much Scruple of the Acts of Fraud and Malice, but endeavoured to keep themselves from Uncleanliness only, or at least from the Scandal of it. And whereas they did, both in their Sermons and Writings, maintain and inculcate, that the very first Motions of the Mind, that is to say, the Delight Men and Women took in the Sight of one another's Form, though they checked the Proceeding thereof, so that it never grew up to be a Design, was nevertheless a Sin, they brought young Men into Desperation, and to think themselves damned, because they could not (which no Man can, and is contrary to the Constitution of Nature) behold a delightful Object without Delight: and by this Means they became Confessors to such as were thus troubled in Conscience, and were obeyed by them as their spiritual Doctors, in all Cases of Conscience.

B. Yes, divers of them did preach frequently against Oppression.

A. 'Tis true, I had forgot that: but it was before such as were free enough from it, I mean the common People, who would easily believe themselves oppressed, but never Oppressors. And therefore you may reckon this amongst their Artifices to make the People believe they were oppressed by the King, or perhaps by the Bishops, or both; and incline the meaner Sort to their Party afterward, when there should be Occasion. But this was but sparingly done in the Time of *Queen Elizabeth*, whose Fear and Jealousy they were afraid of. Nor had they as yet any great Power in the Parliament House, whereby to call in question her Prerogative by Petitions of Right, and other Devices, as they did afterwards, when democratical Gentlemen had received them into their Councils, for the Design of changing the Government from Monarchical to Popular, which they called Liberty.

B. Who would think that such horrible Designs as these could so easily and so long remain covered with the Cloak of Godliness: for that they were most impious Hypocrites is manifest enough by the War these Proceedings ended in, and by the impious Acts in that War committed. But when began first to appear in Parliament the Attempt of popular Government, and by whom?

A. As

*A.* As to the Time of attempting the Change of Government from Monarchical to Democritical, we must distinguish. They did not challenge the Sovereignty in plain Terms, and by that Name, till they had slain the King, nor the Rights thereof altogether by particular Heads; till the King was driven from *London* by Tumults, raised in that City against him, and retired for the Security of his Person to *York*, where he had not been many Days, when they sent unto him nineteen Propositions; whereof above a dozen were Demands of several Powers, essential parts of the Power Sovereign. But before that Time they had demanded, some of them, (in a Petition, which they called a Petition of Right) which nevertheless the King had granted them in a former Parliament; though he deprived himself thereby, not only of the Power to levy Money without their Consent, but also of his ordinary Revenue by Custom of Tonnage and Poundage, and of the Liberty to put into Custody such Men as he thought likely to disturb the Peace, and raise Sedition in the Kingdom. As for the Men that did this; 'tis enough to say they were the Members of the last Parliament, and of some other Parliaments in the Beginning of King *Charles*, and the End of King *James's* Reign; to name them all is not necessary, farther than the Story shall require. Most of them were Members of the House of Commons; some few also of the Lords; but all such as had a great Opinion of their Sufficiency in Politics, which they thought was not sufficiently taken Notice of by the King.

*B.* How could the Parliament, when the King had a great Navy, and a great Number of trained Soldiers, and all the Magazines of Ammunition in his Power, be able to begin the War?

*A.* The King had these Things indeed in his Right, but that signifies little; when they that had the Custody of the Navy and Magazines, and with them all the trained Soldiers, and in a Manner all his Subjects, were by the preaching of Presbyterian Ministers, and the seditious Whisperings of false and ignorant Politicians, made his Enemies: And when the King could have no Money but what the Parliament should give him, which you may be sure should not be enough to maintain his Regal Power, which they intended to take from him.

And yet I think they would never have ventured into the Field, but for that unlucky Business of imposing upon the *Scots* (who were all Presbyterians) our Book of Common-Prayer; for I believe the *English* would never have taken well that the Parliament should make War upon the King upon any Provocation, unless it were in their own Defence, in case the King should first make War upon them; and therefore it behoved them to provoke the King, that he might do something that might look like Hostility. It happened in the Year 1637, that the King by the Advice, as it is thought, of the Archbishop of *Canterbury*, sent down a Book of Common-Prayer into *Scotland*, not differing in Substance from ours, nor much in Words, besides the putting of the Word *Presbyter* for that of *Minister*, commanding it to be used (for Conformity to this Kingdom) by the Ministers there, for an ordinary Form of divine Service: This being read in the Church at *Edinburgh*, caused such a Tumult there, that he that read it had much ado to escape with his Life, and gave Occasion to the greatest Part of the Nobility and others to enter by their own Authority, into a Covenant amongst themselves, which impudently they called a Covenant with God, to put down Episcopacy, without consulting with the King; which they presently did, animated thereto by their own Confidence; or by Assurance from some of the Democritical *Englishmen*, that in former Parliaments had been the greatest Opposers of the King's Interest, that the King would not be able to raise an Army to chastise them without calling a Parliament; which would be sure to favour them: For the Thing which those Democriticals chiefly then aimed at, was to force the King to call a Parliament, which he had not done for ten Years before, as having no Help, but Hindrance to his Designs in the Parliaments he had formerly called. However, contrary to their Expectation, by the Help of his better affected Subjects of the Nobility and Gentry, he made a Shift to raise a sufficient Army to have reduced the *Scots* to their former Obedience, if it had proceeded

to Battle : and with this Army he marched himself into *Scotland*, where the *Scotch* Army was also brought into the Field against him, as if they meant to fight : but then the *Scots* sent to the King for Leave to treat by Commissioners on both Sides ; and the King, willing to avoid the Destruction of his own Subjects, condescended to it. The Issue was Peace, and the King thereupon went to *Edinburgh*, and passed an Act of Parliament there to their Satisfaction.

B. Did he not then confirm Episcopacy ?

A. No, but yielded to the abolishing of it : but by this Means the *English* were crossed in their Hope of a Parliament ; but the said Democraticals, formerly Opposers of the King's Interest, ceased not to endeavour still to put the two Nations into a War ; to the end the King might buy the Parliament's Help at no less a Price than Sovereignty itself.

B. But what was the Cause that the Gentry and Nobility of *Scotland* were so averse from the Episcopacy ? For I can hardly believe that their Consciences were extraordinarily tender, nor that they were so very great Divines, as to know what was the true Church-Discipline established by our Saviour and his Apostles ; nor yet so much in love with their Ministers, as to be over-ruled by them in the Government either Ecclesiastical or Civil ; for in their Lives they were just as other Men are, Pursuers of their own Interests and Preferments, wherein they were not more opposed by the Bishops than by their Presbyterian Ministers.

A. Truly I do not know ; I cannot enter into other Men's Thoughts farther than I am led by the Consideration of human Nature in general : But upon this Consideration I see first, that Men of ancient Wealth and Nobility are not apt to brook, that poor Scholars should (as they must when they are made Bishops) be their Fellows. Secondly, That from the Emulation of Glory between the Nations, they might be willing to see this Nation afflicted by Civil War, and might hope by aiding the Rebels here, to acquire some Power over the *English*, at least so far as to establish here the Presbyterian Discipline ; which was also one of the Points they afterwards openly demanded. Lastly, They might hope for in the War, some great Sum of Money, as a Reward of their Assistance, besides great Booty, which they afterwards obtained. But whatsoever was the Cause of their Hatred to Bishops, the pulling of them down was not all they aimed at : If it had, (now that Episcopacy was abolished by Act of Parliament) they would have rested satisfied, which they did not : for after the King was returned to *London*, the *English* Presbyterians and Democraticals, by whose Favour they had put down Bishops in *Scotland*, thought it Reason to have the Assistance of the *Scots*, for the pulling down of Bishops in *England*. And in order thereunto, they might perhaps deal with the *Scots* secretly, to rest unsatisfied with that Pacification, which they were before contented with. Howsoever it was, not long after the King was returned to *London*, they sent up to some of their Friends at Court a certain Paper, containing (as they pretended) the Articles of the said Pacification, a false and scandalous Paper, which was by the King's Command burnt (as I have heard) publicly ; and so both Parts returned to the same Condition they were in, when the King went down with his Army.

B. And so there was a great deal of Money cast away to no Purpose : But you have not told me who was General of that Army.

A. I told you the King was there in Person : He that commanded under him was the Earl of *Arundel*, a Man that wanted not either Valour or Judgment. But to proceed to Battle or to Treaty, was not in his Power, but in the King's.

B. He was a Man of a most noble and loyal Family, and whose Ancestors had formerly given a great Overthrow to the *Scots*, in their own Country, and in all likelihood he might have given them the like now, if they had fought.

A. He might indeed : but it had been but a kind of Superstition to have made him General upon that Account, though many Generals heretofore have been chosen for the good Luck of their Ancestors on like Occasions. In the long War between *Athens* and *Sparta*, a General of the *Athenians* by Sea won many Victories against the *Spartans* ; for which Cause, after his Death, they chose his Son for General with

ill Succes. The *Romans* that conquered *Carthage* by the Valour and Conduct of *Scipio*, when they were to make War again in *Afric* against *Cæsar*, chose another *Scipio* for General, a Man valiant and wise enough, but he perished in the Employment. And to come home to our own Nation, the Earl of *Effex* made a fortunate Expedition to *Cadiz*, but his Son, sent afterwards to the same Place, could no nothing. 'Tis but a foolish Superstition to hope that God has entail'd Succes in War upon a Name or Family.

B. After the Pacification broken, what succeeded next.

A. The King sent Duke *Hamilton* with Commission and Instructions into *Scotland*, to call a Parliament there, and to use all the Means he could otherwise; but all was to no Purpose: for the *Scots* were now resolved to raise an Army, and to enter into *England*, to deliver, as they pretended, their Grievances to his Majesty in a Petition; because the King, they said, being in the Hands of evil Counsellors, they could not otherwise obtain their Right: but the Truth is, they were animated to it by the Democratical and Presbyterian *English*, with a Promise of Reward and Hope of Plunder. Some have said, that Duke *Hamilton* also did rather encourage them to, than deter them from the Expedition, as hoping by the Disorder of the two Kingdoms, to bring to pass that which he had formerly been accused to endeavour, to make himself King of *Scotland*. But I take this to have been a very uncharitable Censure upon so little Ground, to judge so hardly of a Man, that afterwards lost his Life in seeking to procure the Liberty of the King his Master.

This Resolution of the *Scots* to enter *England* being known, the King wanting Money to raise an Army against them, was now (as his Enemies here wished) constrained to call a Parliament to meet at *Westminster*, the 13th Day of *April* 1640.

B. Methinks a Parliament of *England*, if upon any Occasion, should furnish the King with Money now in a War against the *Scots*, out of an inveterate Disaffection to that Nation, that had always anciently taken part with their Enemies the *French*, and which always esteemed the Glory of *England* for an Abatement of their own.

A. 'Tis indeed commonly seen, that neighbour Nations envy one another's Honour, and that the less potent bears the greater Malice; but that hinders them not from agreeing in those Things, which their common Ambition leads them to. And therefore the King found not the more, but the less Help from this Parliament; and most of the Members thereof, in their ordinary Discourses, seemed to wonder why the King should make a War upon *Scotland*: and in that Parliament sometimes called them *Their Brethren the Scots*. But instead of taking the King's Business, which was the raising of Money, into their Consideration, they fell upon the redressing of Grievances, and especially such ways of levying Money as in the late Intermision of Parliaments the King had been forced to use, such as were Ship-Money, for Knighthood, and such other Vails (as one may call them) of the Regal Office, which Lawyers had found justifiable by the ancient Records of the Kingdom. Besides, they fell upon the Actions of divers Ministers of State, though done by the King's own Command and Warrant; insomuch, that before they were to come to the Business for which they were called, the Money which was necessary for this War (if they had given any, as they never meant to do) had come too late. It is true, there was Mention of a Sum of Money to be given the King, by way of Bargain, for relinquishing of his Right to Ship-Money, and some other of his Prerogatives, but so seldom, and without determining any Sum, that it was in vain for the King to hope for any Succes; and therefore upon the 5th of *May* following he dissolved it.

B. Where then had the King Money to raise and pay his Army?

A. He was forced the second Time to make use of the Nobility and Gentry, who contributed, some more, some less, according to the Greatness of their Estates; but amongst them all they made up a very sufficient Army.

B. It

*B.* It seems then that the same Men that crossed his Business in the Parliament, now out of Parliament advanced it all they could. What was the Reason of that?

*A.* The greatest part of the Lords in Parliament, and of the Gentry throughout *England*, were more affected to Monarchy than to a popular Government, but so, as not to endure to hear of the King's absolute Power, which made them in Time of Parliament easily to condescend to abridge it, and bring the Government to a mixt Monarchy, as they call'd it, wherein the absolute Sovereignty should be divided between the King, the House of Lords, and the House of Commons.

*B.* But how, if they cannot agree?

*A.* I think they never thought of that; but I am sure they never meant the Sovereignty should be wholly, either in one or both Houses. Besides, they were loth to desert the King, when he was invaded by Foreigners; for the *Scots* were esteemed by them as a foreign Nation.

*B.* It is strange to me, that *England* and *Scotland* being but one Island, and their Language almost the same, and being governed by one King, should be thought Foreigners to one another. The *Romans* were Masters of many Nations, and to oblige them the more to obey, by the Edicts and Laws sent unto them from the City of *Rome*, they thought fit to make them all *Romans*; and out of divers Nations, as *Spain*, *Germany*, *Italy*, and *France*, to advance some that they thought worthy, even to be Senators of *Rome*, and to give every one of the common People the Privileges of the City of *Rome*, by which they were protected from the Contumelies of other Nations, where they resided. Why were not the *Scots* and *English* in like Manner united into one People?

*A.* King *James*, at his first coming to the Crown of *England*, did endeavour it, but could not prevail. But for all that, I believe the *Scots* have now as many Privileges in *England*, as any Nation had in *Rome*, of those which were so as you say made *Romans*; for they are all naturalized, and have Right to buy Land in *England* to themselves and their Heirs.

*B.* It's true of them that were born in *Scotland* after the Time that King *James* was in Possession of the Kingdom of *England*.

*A.* There be very few now that were born before. But why have they a better Right that were born after, than they that were born before?

*B.* Because they were born Subjects to the King of *England*, and the rest not.

*A.* Were not the rest born Subjects to King *James*? and was not he King of *England*?

*B.* Yes, but not then.

*A.* I understand not the Subtilty of that Distinction. But upon what Law is that Distinction grounded? Is there any Statute to that Purpose?

*B.* I cannot tell; I think not: but it is grounded upon Equity.

*A.* I see little Equity in this; that those Nations that are bound to equal Obedience to the same King, should not have equal Privileges. And now seeing there be so very few born before King *James*'s coming in; what greater Privilege had those ingrafted *Romans* by their Naturalization in the State of *Rome*, or in the State of *England* the *English* themselves, more than the *Scots*.

*B.* Those *Romans*, when any of them were in *Rome*, had their Voice in the making of Laws.

*A.* And the *Scots* have their Parliaments, wherein their Assent is required to the Laws there made, which is as good. Have not many of the Provinces of *France* their several Parliaments and several Constitutions? and yet they are all equally natural Subjects to the King of *France*: and therefore for my part, I think they were mistaken, both *English* and *Scots*, in calling one another Foreigners. Howsoever that be, the King had a very sufficient Army, wherewith he marched towards *Scotland*, and by that time he was come to *York*, the *Scotch* Army was drawn up to the Frontiers, and ready to march into *England*; which also they presently did, giving out all the Way, that their March should be without Damage to the Country, and that their Errand was only to deliver a Petition to the King, for the  
Redress

Redrefs of many pretended Injuries they had received from such of the Court, whose Counsel the King most followed; so they passed through *Northumberland* quietly, till they came to a Ford in the River of *Tine*, a little above *Newcastle*, where they found some little Opposition from a Party of the King's Army sent thither to stop them, whom the *Scots* easily master'd, and as soon as they were over, seized upon *Newcastle*, and coming farther on, upon the City of *Durham*, and sent to the King to desire a Treaty, which was granted, and the Commissioners on both Sides met at *Rippon*. The Conclusion was, that all should be referred to the Parliament, which the King should call to meet at *Westminster* on the third of *November* following, being in the same Year 1640; and thereupon the King returned to *London*.

B. So the Armies were disbanded.

A. No; the *Scotch* Army was to be defrayed by the Counties of *Northumberland* and *Durham*, and the King was to pay his own, till the disbanning of both should be agreed upon in Parliament.

B. So in Effect both the Armies were maintained at the King's Charge, and the whole Controversy to be decided by a Parliament almost wholly Presbyterian, and as partial to the *Scots* as themselves could have wished.

A. And yet for all this they durst not presently make War upon the King, there was so much yet left of Reverence to him in the Hearts of the People, as to have made them odious, if they had declared what they intended: they must have some Colour or other to make it believed, that the King made War first upon the Parliament; and besides, they had not yet sufficiently disgraced him in Sermons and Pamphlets, nor removed from about him those they thought could best counsel him. Therefore they resolved to proceed with him like skilful Hunters: first to single him out by Men disposed in all parts to drive him into the open Field, and then in Case he should but seem to turn Head, to call that a making of War against the Parliament.

And first they called in question such as had either preached or written in Defence of any of those Rights, which belonging to the Crown, they meant to usurp, and take from the King to themselves: whereupon some few Preachers and Writers were imprisoned, or forced to fly. The King not protecting these, they proceeded to call in question some of the King's own Actions in his Ministers, whereof they imprisoned some, and some went beyond Sea. And whereas certain Persons having endeavoured by Books and Sermons to raise Sedition, and having committed other Crimes of high Nature, had therefore been censured by the King's Council in the Star-chamber, and imprisoned; the Parliament, by their own Authority, to try, it seems, how the King and People would take it, (for their Persons were inconsiderable) ordered their setting at Liberty: which was accordingly done, with great Applause of the People that flocked about them in *London*, in manner of a Triumph. This being done without Resistance, the King's Right to Ship-Money——

B. Ship-Money! What's that?

A. The Kings of *England*, for the Defence of the Sea, had Power to tax all the Counties of *England*, whether they were maritime or not, for the building and furnishing of Ships; which Tax the King had then lately found Cause to impose, and the Parliament exclaimed against it as an Oppression: and one of their Members that had been taxed but 20 s. (mark the Oppression; a Parliament-man of 500 l. a Year Land, taxed at 20 s.) they were forced to bring it to a Trial at Law, he refusing Payment, and he was cast. Again, when all the Judges of *Westminster* were demanded their Opinions concerning the Legality of it, of twelve that there are, it was judged legal by Ten: for which, though they were not punished, yet they were affrighted by the Parliament.

B. What did the Parliament mean, when they did exclaim against it as illegal? Did they mean it was against Statute-law, or against the Judgments of Lawyers

given heretofore, which are commonly called Reports ; or did they mean it was against Equity, which I take to be the same with the Law of Nature ?

*A.* It is a hard matter, or rather impossible, to know what other Men mean, especially if they be crafty : but sure I am, Equity was not their Ground for this Pretence of Immunity from contributing to the King, but at their own Pleasure : for when they have laid the Burthen of defending the whole Kingdom, and governing it, upon any Person whatsoever, there is very little Equity he should depend on others for the Means of performing it ; for if he do, they are his Sovereign, not he theirs. And as for the Common Law contained in Reports, they have no Force, but what the King gives them. Besides, it were more unreasonable, that a corrupt or foolish Judge's unjust Sentence, should by any Time, how long soever, obtain the Authority and Force of a Law. But amongst the Statute Laws there is one called *Magna Charta*, or the Great Charter of the Liberties of *Englishmen*, in which there is one Article, wherein a King heretofore hath granted, That no Man shall be distrained, that is, have his Goods taken from him, otherwise than by the Law of the Land.

*B.* Is not that a sufficient Ground for their Purpose ?

*A.* No ; that leaves us in the same Doubt which you think it clears : for where was that Law of the Land then ? Did they mean another *Magna Charta*, that was made by some King more ancient yet ? No ; that Statute was made, not to exempt any Man from Payments to the Public, but for securing of every Man from such as abused the King's Power by surreptitious obtaining the King's Warrants, to the oppressing of those against whom he had any Suit in Law : but it was conducing to the Ends of some rebellious Spirits in this Parliament to have it interpreted in the wrong Sense, and suitable enough to the Understanding of the rest, or most part of them, to let it pass ?

*B.* You make the Members of that Parliament very simple Men, and yet the People chose them for the wisest of the Land.

*A.* If Craft be Wisdom, they were wise enough ; but Wise, as I define it, is he that knows how to bring his Business to pass (without the Assistance of Knavery and ignoble Shifts) by the sole Strength of his good Contrivance : A Fool may win from a better Gamester by the Advantage of false Dice, and packing of Cards.

*B.* According to your Definition there be few wise Men now-a-days ; such Wisdom is a Kind of Gallantry that few are brought up to, and most think Folly. Fine Cloaths, Great Feathers, Civility towards Men that will not swallow Injuries, and Injury towards them that will, is the present Gallantry : but when the Parliament afterwards, having gotten the Power into their Hands, levied Money for their own Use ; what said the People to that ?

*A.* What else, but that it was legal, and to be paid, as being imposed by Consent of Parliaments ?

*B.* I have heard often that they ought to pay what was imposed by Consent of Parliaments to the Use of the King ; but to their own Use never before. I see by this it is easier to gull the Multitude, than any one Man amongst them : for what one Man that has not his natural Judgment depraved by Accident, could be so easily cozened in a Matter that concerns his Purse, had he not been passionately carried away by the rest to change Government, or rather to a Liberty of every one to govern himself ?

*A.* Judge then what Kind of Men such a Multitude of ignorant People were like to elect for their Burgeffes and Knights of Shires.

*B.* I can make no other Judgment, but that they, who were then elected, were just such as had been elected for former Parliaments, and as are like to be elected for Parliaments to come : for the common People have been, and always will be ignorant of their Duty to the Public, as never meditating any thing but their particular Interest, in other Things following their immediate Leaders, which are either the Preachers, or the most potent of the Gentlemen that dwell amongst them,

as common Soldiers for the most part follow their immediate Captains, if they like them. If you think the late Miseries have made them wiser, that will quickly be forgot, and then we shall be no wiser than we were.

*A.* Why may not Men be taught their Duty, that is, the Science of just and unjust, as divers other Sciences have been taught from true Principles and evident Demonstration? and much more easily than any of those Preachers and Democratical Gentlemen could teach Rebellion and Treason?

*B.* But who can teach what none have learned? Or if any Man hath been so singular, as to have studied the Science of Justice and Equity; how can he teach it safely, when it is against the Interest of those, that are in Possession of the Power to hurt him?

*A.* The Rules of just and unjust sufficiently demonstrated, and from Principles evident to the meanest Capacity, have not been wanting, and notwithstanding the Obscurity of their Author, have shined, not only in this, but also in foreign Countries, to Men of good Education; but they are few in respect of the rest of Men, whereof many cannot read; many, though they can, have no Leisure, and of them that have Leisure, the greatest Part have their Minds wholly employed and taken up by their private Business, or Pleasures: So that it is impossible, that the Multitude should ever learn their Duty, but from the Pulpit and upon Holy-days: but then, and from thence it is, that they learned their Disobedience. And therefore the Light of that Doctrine has been hitherto covered and kept under here by a Cloud of Adversaries, which no private Man's Reputation can break through, without the Authority of the Universities; but out of the Universities came all those Preachers that taught the contrary. The Universities have been to this Nation, as the Wooden Horse was to the *Trojans*.

*B.* Can you tell me why, and when, the Universities here and in other Places first began?

*A.* It seems, for the Time, they began in the Reign of the Emperor *Charles* the Great; before which Time, I doubt not but that there were many Grammar Schools for the *Latin* Tongue, which was the natural Language of the *Roman* Church; but for Universities, that is to say, Schools for the Sciences in general, and especially for Divinity, it is manifest, that the Institution of them was recommended by the Pope's Letter to the Emperor *Charles* the Great, and recommended farther by a Council held in his Time, I think, at *Chalon sur Saone*; and not long after was erected an University at *Paris*; and the College called *University-College* at *Oxford*: And so by Degrees several Bishops, Noblemen and rich Men, and some Kings and Queens contributing thereunto, the Universities obtained at last their present Splendor.

*B.* But what was the Pope's Design in it?

*A.* What other Design was he like to have, but what you heard before, the Advancement of his own Authority in the Countries where the Universities were erected? There they learned to dispute for him, and with unintelligible Distinctions to blind Men's Eyes, whilst they incroached upon the Right of Kings; and it was an evident Argument of that Design, that they fell in hand with the Work so quickly. For the first Rector of the University of *Paris*, as I have read somewhere, was *Peter Lombard*, who first brought in them the Learning called School-Divinity; and was seconded by *John Scot* of *Duns*, who lived in, or near the same Time, whom any ingenious Reader, not knowing what was the Design, would judge to have been two the most egregious Blockheads in the World, so obscure and senseless are their Writings. And from these the Schoolmen that succeeded, learnt the Trick of imposing what they list upon their Readers, and declining the Force of true Reason by verbal Forks, I mean Distinctions that signify nothing, but serve only to astonish the Multitude of ignorant Men. As for the understanding Readers, they were so few, that these new sublime Doctors cared not what they thought. These Schoolmen were to make good all the Articles of Faith, which the Popes from time to time should command to be believed: amongst which there were very many

many inconsistent with the Rights of Kings, and other Civil Sovereigns, as asserting to the Pope all Authority whatsoever they should declare to be necessary, *in ordine ad Spiritualia*, that is to say, in order to Religion.

From the Universities also it was, that all Preachers proceeded, and were poured out into City and Country to terrify the People into an absolute Obedience to the Pope's Canons and Commands, which for fear of wakening Kings and Princes too much, they durst not yet call Laws.

From the Universities it was, that the Philosophy of *Aristotle* was made an Ingredient to Religion, as serving for a Salve to a great many of the absurd Articles, concerning the Nature of Christ's Body, and the Estate of Angels and Saints in Heaven; which Articles they thought fit to have believed, because they bring some of them Profit, and others, Reverence to the Clergy, even to the meanest of them: for when they shall have made the People believe that the meanest of them can make the Body of Christ, who is there that will not both shew them Reverence, and be liberal to them, or to the Church, especially in the Time of their Sickness, when they think they make and bring unto them their Saviour?

B. But what Advantage to them in these Impositions was the Doctrine of *Aristotle*?

A. They have made more Use of his Obscurity than of his Doctrine: for none of the ancient Philosophers Writings are comparable to those of *Aristotle* for their Aptness to puzzle, and entangle Men with Words, and to breed Disputation, which must at last be ended in the Determination of the Church of *Rome*; and yet in the Doctrine of *Aristotle* they made use of many Points; as first the Doctrine of separated Essences.

B. What are separated Essences?

A. Separated Beings.

B. Separated from what?

A. From every thing that is.

B. I cannot understand the Being of any thing, which I understand not to be: but what can they make of that?

A. Very much in Questions concerning the Nature of God, and concerning the Estate of Man's Soul after Death, in Heaven, Hell, and Purgatory; by which you, and every Man knows, how great Obedience, and how much Money they gain from the common People. Whereas *Aristotle* holdeth the Soul of Man to be the first Giver of Motion to the Body, and consequently to itself; they make use of that in the Doctrine of Free-will; what, and how they gain by that, I will not say.

He holdeth forth, that there be many Things that come to pass in this World from no Necessity of Causes, but mere Contingency, Casualty and Fortune.

B. Methinks in this they make God stand idle, and to be a meer Spectator of the Games of Fortune; for what God is the Cause of must needs come to pass, and in my Opinion, nothing else. But because there must be some Ground for the Justice of the eternal Torment of the Damned; perhaps it is this, that Men's Wills and Propensions are not (they think) in the Hands of God, but of themselves; and in this also I see somewhat conducing to the Authority of the Church.

A. This is not much, nor was *Aristotle* of such Credit with them, but that when his Opinion was against theirs, they could slight him. Whatsoever he says is impossible in Nature, they can prove well enough to be possible, from the Almighty Power of God, who can make many Bodies to be in one and the self-same Place, and one Body to be in many Places at the same Time, if the Doctrine of Transubstantiation require it, though *Aristotle* deny it. I like not the Design of drawing Religion into an Art, whereas it ought to be a Law; and though not the same in all Countries, yet in every Country indisputable; nor that they teach it not as Arts ought to be taught, by shewing first the Meaning of their Terms, and then deriving from them the Truth they would have us believe; nor that their Terms are, for the most part, unintelligible, though to make it seem rather want of Learning in the Reader, than want of fair dealing in themselves: They are, for the most part, *Latin* and *Greek* Words, wry'd a little at the Point, towards the

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native Language of the several Countries, where they are used: But that which is most intolerable is, that all Clerks are forced to make as if they believed them, if they mean to have any Church Preferment, the Keys whereof are in the Pope's Hands; and the Common People, whatsoever they believe of those subtle Doctrines, are never esteemed better Sons of the Church for their Learning. There is but one Way there to Salvation, that is, extraordinary Devotion and Liberality to the Church, and Readiness for the Church's Sake, if it be required, to fight against their natural and lawful Sovereigns.

*B.* I see what Use they make of *Aristotle's* Logic, Physics, and Metaphysics; but I see not yet how his Politics can serve their Turn.

*A.* Nor I. It has, I think, done them no good, though it has done us here much hurt by Accident: for Men grown weary at last of the Insolence of Priests, and examining the Truth of these Doctrines that were put upon them, began to search the Sense of the Scriptures, as they are in the learned Languages, and consequently studying *Greek* and *Latin*, became acquainted with the democratical Principles of *Aristotle* and *Cicero*, and from the Love of their Eloquence, fell in love with their Politics, and that more and more, till it grew into the Rebellion we now talk of, without any other Advantage to the *Roman* Church, but that it was a weakening to us, whom since we broke out of their Net, in the Time of *Henry VIII.* they have continually endeavoured to recover.

*B.* What have they gotten by teaching of *Aristotle's* Ethics?

*A.* It is some Advantage to them, that neither the Morals of *Aristotle*, nor of any other, have done them any harm, nor us any good. Their Doctrines have caused a great deal of Dispute concerning Virtue and Vice, but no Knowledge of what they are, nor any Method of obtaining Virtue, nor of avoiding Vice.

The End of moral Philosophy is to teach Men of all sorts their Duty, both to the Public and to one another. They estimate Virtue, partly by a Mediocrity of the Passions of Men, and partly by that they are praised; whereas it is not the much or little Praise that makes an Action virtuous, but the Cause; nor much or little Blame that makes an Action vicious, but its being unconformable to the Laws, in such Men as are subject to the Law, or its being unconformable to Equity or Charity in all Men whatsoever.

*B.* It seems you make a Difference between the Ethics of Subjects, and the Ethics of Sovereigns.

*A.* So I do. The Virtue of a Subject is comprehended wholly in Obedience to the Laws of the Commonwealth. To obey the Law is Justice and Equity, which is the Law of Nature, and consequently is Civil Law in all Nations of the World: and nothing is Injustice or Iniquity otherwise than it is against the Law. Likewise to obey the Laws is the Prudence of a Subject; for without such Obedience the Commonwealth (which is every Subject's Safety and Protection) cannot subsist. And though it be Prudence also in private Men, justly and moderately to enrich themselves, yet craftily to withhold from the Public, or defraud it of such a Part of their Wealth, as is by Law required, is no Sign of Prudence, but of want of Knowledge of what is necessary for their own Defence.

The Virtues of Sovereigns are such as tend to the Maintenance of Peace at Home, and to the Resistance of Foreign Enemies. Fortitude is a royal Virtue, and though it be necessary in such private Men as shall be Soldiers, yet for other Men, the less they dare, the better it is, both for the Commonwealth, and for themselves. Frugality (though perhaps you will think it strange) is also a royal Virtue: for it increases the Public Stock, which cannot be too great for the Public Use, nor any Man too sparing of what he has in Trust for the Good of others. Liberality also is a royal Virtue: for the Commonwealth cannot be well served without extraordinary Diligence and Service of Ministers, and great Fidelity to their Sovereigns, who ought therefore to be encouraged, and especially those that do him Service in the Wars. In sum, all Actions and Habits are to be esteemed good or evil by their Causes and Usefulness, in reference to the Commonwealth, and not by their

Mediocrity, nor by their being commended: for several Men praise several Customs, and that which is Virtue with one is blamed by others, and contrarily what one calls Vice, another calls Virtue, as their present Affections lead them.

*B.* Methinks you should have placed amongst the Virtues that, which in my Opinion, is the greatest of all Virtues, Religion.

*A.* So I have, though, it seems, you did not observe it. But whither do we digress from the Way we were in?

*B.* I think you have not digressed at all: for I suppose your Purpose was, to acquaint me with the History, not so much of those Actions that pass'd in the Time of the late Troubles, as of their Causes, and of the Counsels and Artifice by which they were brought to pass. There be divers Men that have written the History, out of whom I might have learned what they did, and somewhat also of the Contrivance; but I find little in them of what I would ask. Therefore since you were pleased to enter into this Discourse at my Request, be pleased also to inform me after my own Method: and for the Danger of Confusion that may arise from that, I will take care to bring you back to the Place from whence I drew you; for I well remember where it was.

*A.* Well then: To your Question concerning Religion; inasmuch as I told you, that all Virtue is comprehended in Obedience to the Laws of the Commonwealth, whereof Religion is one, I have placed Religion amongst the Virtues.

*B.* Is Religion then the Law of a Commonwealth?

*A.* There is no Nation in the World, whose Religion is not established, and receives not its Authority from the Laws of that Nation. It is true, that the Law of God receives no Evidence from the Laws of Men; but because Men can never by their own Wisdom come to the Knowledge of what God hath spoken and commanded to be observed, nor be obliged to obey the Laws, whose Author they know not, they are to acquiesce in some human Authority or other. So that the Question will be, whether a Man ought in Matter of Religion, that is to say, when there is no Question of his Duty to God and the King, to rely upon the Preaching of their Fellow-Subjects, or of a Stranger, or upon the Voice of the Law?

*B.* There is no great Difficulty in that Point: for there is none that preach here, or any where else, at least ought to preach, but such as have Authority so to do from him, or them that have the Sovereign Power; so that if the King gives us Leave, you or I may as lawfully preach as them that do; and I believe we should perform that Office a great deal better than they that preached us into the Rebellion.

*A.* The Church Morals are in many Points very different from those that I have here set down, for the Doctrine of Virtue and Vice; and yet without any Conformity with that of *Aristotle*. For in the Church of *Rome* the principal Virtues are to obey their Doctrine, though it be Treason, and that is to be religious: To be beneficial to the Clergy, that is their Piety and Liberality, and to believe upon their Word that which a Man knows in his Conscience to be false, which is the Faith they require. I could name a great many more such Points of their Morals, but that I know you know them already, being so well versed in the Cases of Conscience written by their Schoolmen, who measure the Goodness and Wickedness of all Actions, by their Congruity with the Doctrine of the *Roman* Clergy.

*B.* But what is the Moral Philosophy of the Protestant Clergy in *England*?

*A.* So much as they shew of it in their Life and Conversation is for the most part very good, and of very good Example, much better than their Writings.

*B.* It happens many times that Men live honestly for Fear, who, if they had Power, would live according to their own Opinions; that is, if their Opinions be not right, unrighteously.

*A.* Do the Clergy in *England* pretend as the Pope does, or as the Presbyterians do, to have a Right from God immediately to govern the King and his Subjects in

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all Points of Religion and Manners ; if they do, you cannot doubt but that if they had Number and Strength, which they are never like to have, they would attempt to obtain that Power, as the others have done.

*B.* I would be glad to see a System of the present Morals written by some Divine of good Reputation and Learning, and of the late King's Party.

*A.* I think I can recommend unto you the best that is extant, and such as (except a few Passages that I dislike) is very well worth your reading. The Title of it is, *The whole Duty of Man, laid down in a plain and familiar Way*; and yet I dare say, that if the Presbyterian Ministers, even those of them which were the most diligent Preachers of the late Sedition, were to be tried by it, they would go near to be found not Guilty. He has divided the Duty of Man into three great Branches, which are his Duty to God, to himself, and to his Neighbour. In his Duty to God he puts the Acknowledgment of him in his Essence and his Attributes, and in the believing of his Word : His Attributes are Omnipotence, Omniscience, Infiniteness, Justice, Truth, Mercy, and all the rest that are found in Scripture. Which of these did not those seditious Preachers acknowledge equally with the best of Christians ? The Word of God are the Books of holy Scripture received for Canonical in *England*.

*B.* They receive the Word of God, but 'tis according to their own Interpretation.

*A.* According to whose Interpretation was it received, by the Bishops and the rest of the loyal Party, but their own ? He puts for another Duty, Obedience and Submission to God's Will. Did any of them, nay did any Man living, do any thing at any time against God's Will ?

*B.* By God's Will I suppose he means there his revealed Will, that is to say, his Commandments, which I am sure they did most horribly break, both by their preaching and otherwise.

*A.* As for Actions, there is no doubt but all Men are guilty enough (if God deal severely with them) to be damned. And for their preaching, they will say they thought it agreeable to God's revealed Will in the Scriptures ; if they thought it so, it was not Disobedience, but Error ; and how can any Man prove they thought otherwise ?

*B.* Hypocrisy hath this great Prerogative above other Sins, that it cannot be accused.

*A.* Another Duty he sets down is, to honour him in his House, that is, the Church, in his Possessions, in his Day, in his Word and Sacraments.

*B.* They perform this Duty as well (I think) as any other Ministers, I mean the loyal Party, and the Presbyterians have always had an equal Care to have God's House free from Profanation ; To have Tithes duly paid, and Offerings accepted ; To have the Sabbath-day kept holy, the Word preached, and the Lord's Supper and Baptism duly administered. But is not keeping of the Feasts and of the Fasts one of those Duties that belong to the Honour of God ? If it be, the Presbyterians fail in that.

*A.* Why so ? They kept some Holy-days, and they had Fasts amongst themselves, though not upon the same Days that the Church ordains; but when they thought fit ; as when it pleased God to give the King any notable Victory ; and they governed themselves in this Point by the holy Scripture, as they pretend to believe ; and who can prove they do not believe so ?

*B.* Let us pass over all other Duties, and come to that Duty which we owe to the King, and consider whether the Doctrine taught by those Divines which adhered to the King be such, in that Point, as may justify the Presbyterians, that incited the People to Rebellion : for that's the Thing you call in Question.

*A.* Concerning our Duty to our Rulers, he hath these Words : An Obedience we must pay, either active or passive ; the active, in case of all lawful Commands, that is, whenever the Magistrate commands something which is not contrary to some Command of God, we are then bound to act according to that Command of the Magistrate,

Magistrate, to do the 'Things he requires: but when he enjoyns any thing contrary to what God hath commanded, we are not then to pay him this active Obedience; we may, nay we must refuse thus to act, (yet here we must be very well assured, that the thing is so contrary, and not pretend Conscience for a Cloak of Stubbornness) we are in that Case to obey God, rather than Men: but even this is a Season for the passive Obedience, we must patiently suffer what he inflicts on us for such Refusal, and not, to secure ourselves, rise up against him.

*B.* What is there in this to give colour to the late Rebellion.

*A.* They will say they did it in Obedience to God, inasmuch as they did believe it was according to the Scripture: out of which they will bring Examples perhaps of *David* and his Adherents, that resisted King *Saul*, and of the Prophets afterward, that vehemently from time to time preached against the idolatrous Kings of *Israel* and *Judah*. *Saul* was their lawful King, and yet they paid him neither active nor passive Obedience; for they did put themselves into a posture of Defence against him, though *David* himself spared his Person; and so did the Presbyterians put into their Commissions to their General, that they should spare the King's Person. Besides, you cannot doubt but that they who in the Pulpit did animate the People to take Arms in defence of the then Parliament, alledged Scripture, that is, the Word of God for it. If it be lawful then for Subjects to resist the King, when he commands any thing that is against the Scripture, that is, contrary to the Command of God, and to be Judge of the Meaning of the Scripture, it is impossible that the Life of any King, or the Peace of any Christian Kingdom, can be long secure. It is this Doctrine that divides a Kingdom within itself, whatsoever the Men be, Loyal, or Rebels, that write or preach it publicly. And thus you see, that if those seditious Ministers be tried by this Doctrine, they will come off well enough.

*B.* I see it; and wonder at People that having never spoken with God Almighty, nor knowing one more than another what he hath said, when the Laws and the Preacher disagree, should so keenly follow the Minister, for the most part an ignorant, though a ready-tongu'd Scholar, rather than the Laws that were made by the King, with the Consent of the Peers and the Commons of the Land.

*A.* Let us examine his Words a little nearer: First, concerning Passive Obedience. When a Thief hath broken the Laws, and according to the Law is therefore executed, can any Man understand, that this Suffering of his is an Obedience to the Law? Every Law is a Command to do, or to forbear, neither of these are fulfilled by suffering. If any Suffering can be called Obedience, it must be such as is voluntary; for no involuntary Action can be counted a Submission to the Law. He that means that his Suffering should be taken for Obedience, must not only not resist, but also not fly, nor hide himself to avoid his Punishment; and who is there amongst them that discourse of Passive Obedience, when his Life is in extreme Danger, that will voluntarily present himself to the Officers of Justice? Do not we see that all Men, when they are led to Execution, are both bound and guarded, and would break loose, if they could, and get away? Such is their Passive Obedience. Christ saith, *The Scribes and Pharisees sit in Moses Chair: all therefore whatsoever they bid you observe, that observe and do*, Matt. xxiii. 3. which is a doing an active Obedience: and yet the Scribes and Pharisees appear not by the Scripture to have been such godly Men, as never to command any thing against the revealed Will of God.

*B.* Must Tyrants also be obeyed in every thing actively? Or is there nothing wherein a lawful King's Command may be disobeyed? What if he should command me with my own Hands to execute my Father, in case he should be condemned to die by the Law?

*A.* This is a Case that need not be put. We never have read, nor heard of any King, or Tyrant, so inhuman as to command it. If any did, we are to consider whether that Command were one of his Laws: for by disobeying Kings, we mean the disobeying of his Laws, those his Laws that were made before they were applied to any particular Person: for the King, though as a Father of Children,

dren, and a Master of domestic Servants; yet he commands the People in general never but by a precedent Law, and as a politic, not a natural Person. And if such a Command as you speak of were contrived into a general Law, (which never was, nor never will be) you were bound to obey it, unless you depart the Kingdom after the Publication of the Law, and before the Condemnation of your Father.

B. Your Author says farther, in refusing Active Obedience to the King that commanded any thing contrary to God's Law, we must be very well assured that the thing is so contrary. I would fain know how it is possible to be assured?

A. I think you do not believe that any of those Refusers do, immediately from God's own Mouth, receive any Command contrary to the Command of the King, who is God's Lieutenant, nor any other Way than you and I do; that is to say, than by the Scriptures. And because Men do, for the most part, rather draw the Scripture to their own Sense, than follow the true Sense of the Scripture, there is no other Way to know certainly, and in all Cases, what God commands, or forbids us to do, but by the Sentence of him or them that are constituted by the King to determine the Sense of the Scripture upon hearing of the particular Case of Conscience, which is in question. And they that are so constituted are easily known in all Christian Commonwealths, whether they be Bishops, or Ministers, or Assemblies that govern the Church under him, or them, that have the Sovereign Power.

B. Some Doubts may be raised from this that you now say: for if Men be to learn their Duty from the Sentence which other Men shall give, concerning the Meaning of the Scriptures, and not from their own Interpretation; I understand not to what End they were translated into *English*, and every Man, not only permitted, but also exhorted to read them. For what could that produce but Diversity of Opinion, and consequently (as Man's Nature is) Disputation, Breach of Charity, Disobedience, and at last Rebellion? Again, since the Scripture was allowed to be read in *English*, why were not the Translations such as might make all that's read understood even by mean Capacities? Did not the *Jews*, such as could read, understand their Law in the *Jewish* Language, as well as we do our Statute Laws in *English*? And as for such Places of the Scripture, as had nothing of the Nature of a Law, it was nothing to the Duty of the *Jews*, whether they were understood or not, seeing nothing is punishable, but the Transgression of some Law.

The same Question I may ask concerning the New Testament: for I believe, that those Men to whom the original Language was natural, did understand sufficiently what Commands and Counsels were given them by our Saviour and his Apostles, and his immediate Disciples. Again; how will you answer that Question which was put by St. *Peter* and St. *John*, *Acts* iv. 19. when by *Annas* the High Priest, and others of the Council of *Jerusalem*, they were forbidden to teach any more in the Name of Jesus? *Whether is it right in the Sight of God, to hearken unto you more than unto God?*

A. The Case is not the same. *Peter* and *John* had seen, and daily conversed with our Saviour, and by the Miracles he wrought, did know he was God, and consequently knew certainly, that their Disobedience to the High Priest's present Command was just. Can any Minister now say, that he hath immediately, from God's own Mouth, received a Command to disobey the King, or know otherwise, than by the Scripture, that any Command of the King, that hath the Form and Nature of a Law, is against the Law of God; which in divers Places directly and evidently commandeth to obey him in all things. The Text you cite does not tell us, that a Minister's Authority, rather than a Christian King's, shall decide the Questions that arise from the different Interpretations of the Scripture. And therefore, where the King is Head of the Church, and by Consequence (to omit, that the Scripture itself was not received, but by the Authority of Kings and States) chief Judge of the Rectitude of all Interpretations of Scripture; to obey the King's Laws and publick Edicts, is not to disobey, but to obey God. A Minister ought not to

think, that his Skill in the *Latin, Greek, or Hebrew* Tongues, if he have any, gives him a Privilege to impose upon all his Fellow-Subjects in his own Sense, or what he pretends to be his Sense of every obscure place of Scripture; nor ought he, as oft as he hath found out some fine Interpretation, not before thought on by others, to think he had it by Inspiration: for he cannot be assured of that; no, nor that his Interpretation, as fine as he thinks it, is not false; and then all his Stubbornness and Contumacy toward the King, and his Laws, is nothing but Pride of Heart and Ambition, or else Imposture. And whereas you think it needless, or perhaps hurtful, to have the Scriptures in *English*, I am of another Mind. There are so many Places of Scripture easy to be understood, that teach both true Faith, and good Morality, and that as fully as is necessary to Salvation; of which no Seducer is able to dispossess the Mind of any ordinary Reader: and the reading of them is so profitable, as not to be forbidden without great Damage to them and the Commonwealth.

*B.* All that is required, both in Faith and Manners, for Man's Salvation, is, I confess, set down in Scripture, as plainly as can be. *Children, obey your Parents in all Things: Servants, obey your Masters: Let all Men be subject to the higher Powers, whether it be the King, or those that are sent by him: Love God with all your Soul, and your Neighbour as your self:* are Words of Scripture, which are well enough understood: but neither Children, nor the greatest part of Men, do understand why it is their Duty to do so. They see not that the Safety of the Commonwealth, and consequently their own, depends upon their doing it. Every Man by Nature, without Discipline, does in all his Actions look upon, as far as he can see, the Benefit that shall redound to himself from his Obedience. He reads that Covetousness is the Root of all Evil, but he thinks, and sometimes finds, it is the Root of his Estate. And so in other Cases the Scripture says one thing, and they think another, weighing the Commodities or Incommodities of this present Life only, which are in their Sight, never putting into the Scales the Good and Evil of the Life to come, which they see not.

*A.* All this is no more than happens where the Scripture is seal'd up in *Greek* and *Latin*, and the People taught the same Things out of them by Preachers.

But they that are of a Condition and Age fit to examine the Sense of what they read, and that take a Delight in searching out the Grounds of their Duty, certainly cannot chuse but, by their reading of the Scriptures, come to such a Sense of their Duty, as not only to obey the Laws themselves, but also to induce others to do the same: for commonly Men of Age and Quality, are followed by their inferior Neighbours, that look more upon the Example of those Men whom they reverence, and whom they are unwilling to displease, than upon Precepts and Laws.

*B.* These Men of the Condition and Age you speak of are, in my Opinion, the unfittest of all others to be trusted with the reading of the Scriptures. I know you mean such as have studied the *Greek* or *Latin*, or both Tongues, and that are withal such as love Knowledge, and consequently take Delight in finding out the Meaning of the most hard Texts, or in thinking they have found it, in case it be new, and not found out by others. These are therefore they, that pretermittting the easy Places, which teach them their Duty, fall to scanning only of the Mysteries of Religion; as, How it may be made out with Wit, that there be Three that bear Rule in Heaven, and those Three but One? How the Deity could be made Flesh? How that Flesh could be really present in many Places at once? Where's the Place, and what the Torments of Hell, and other metaphysical Doctrines? Whether the Will of Man be free, or governed by the Will of God? Whether Sanctity comes by Inspiration or Education? By whom Christ now speaks to us? Whether by the King, or by the Clergy, or by the Bible, to every Man that reads it and interprets it to himself, or by a private Spirit to every private Man? These and the like Points are the Study of the Curious, and the Cause of all our late Mischiefs, and the Cause that makes the plainer sort of Men, whom the Scripture had taught Belief in Christ, Love towards God; Obedience to the King,  
and

and Sobriety of Behaviour, forget it all, and place their Religion in the disputable Doctrines of these your wise Men.

*A.* I do not think these Men fit to interpret the Scripture to the rest, nor do I say that the rest ought to take their Interpretation for the Word of God. Whatsoever is necessary for them to know is so easy, as not to need Interpretation. Whatsoever is more, does them no good. But in case any of those unnecessary Doctrines shall be authorized by the Laws of the King, or other State, I say it is the Duty of every Subject not to speak against them, inasmuch as it is every Man's Duty to obey him or them that have the Sovereign Power; and the Wisdom of all such Powers to punish such as shall publish, or teach their private Interpretations, when they are contrary to the Law, and likely to incline Men to Sedition or Disputing against the Law.

*B.* They must punish then the most of those that have had their Breeding in the Universities: for such curious Questions in Divinity are first started in the Universities, and so are all those politic Questions concerning the Rights of Civil and Ecclesiastical Government, and there they are furnished with Arguments for Liberty out of the Works of *Aristotle, Plato, Cicero, Seneca*, and out of the Histories of *Rome* and *Greece*, for their Disputation against the necessary Power of their Sovereigns. Therefore I despair of any lasting Peace amongst ourselves, till the Universities here shall bend and direct their Studies to the settling of it, that is, to the teaching of absolute Obedience to the Laws of the King, and to his public Edicts under the Great Seal of *England*: for I make no Doubt, but that solid Reason, back'd with the Authority of so many Learned Men, will more prevail for the keeping of us in Peace within ourselves, than any Victory can do over the Rebels: but I am afraid that it is impossible to bring the Universities to such a Compliance with the Actions of State, as is necessary for the Business.

*A.* Seeing the Universities have heretofore, from time to time, maintained the Authority of the Pope, contrary to all Laws Divine, Civil, and Natural, against the Right of our Kings, why can they not as well, when they have all Manner of Laws and Equity on their Side, maintain the Rights of him that is both Sovereign of the Kingdom, and Head of the Church?

*B.* Why then were they not in all Points for the King's Power presently after that King *Henry VIII.* was in Parliament declared Head of the Church, as much as they were before for the Authority of the Pope?

*A.* Because the Clergy in the Universities, by whom all Things there are governed, and the Clergy without the Universities, as well Bishops as inferior Clerks, did think that the pulling down of the Pope was the setting up them (as to *England*) in his Place, and made no Question (the greatest Part of them) but that their spiritual Power did depend, not upon the Authority of the King, but of Christ himself, derived to them by a successive Imposition of Hands from Bishop to Bishop, notwithstanding they knew that this Derivation passed through the Hands of Popes and Bishops, whose Authority they had cast off. For though they were content that the Divine Right, which the Pope pretended to in *England*, should be deny'd him; yet they thought it not so fit to be taken from the Church of *England*, whom they now supposed themselves to represent.

It seems they did not think it reasonable that a Woman, or a Child, or a Man that could not construe the *Hebrew, Greek, or Latin* Bible, nor know perhaps the Declensions and Conjugations of *Greek* or *Latin* Nouns and Verbs, should take upon him to govern so many learned Doctors in Matters of Divinity; for Religion has been for a long time, and is now by most People taken for the same thing with Divinity, to the great Advantage of the Clergy.

*B.* And especially now amongst the Presbyterians; for I see few that are by them esteemed very good Christians, besides such as can repeat their Sermons, and wrangle for them about the Interpretation of the Scripture, and fight for them also with their Bodies or Purfes, when they shall be required. To believe in Christ is nothing with them, unless you believe as they bid you: Charity is nothing with them, unless

unless it be Charity and Liberality to them, and partaking with them in Faction. How we can have Peace while this is our Religion, I cannot tell. *Hæret lateri letbalis arundo.* The seditious Doctrine of the Presbyterians has been stuck so hard in the People's Heads and Memories, (I cannot say into their Hearts; for they understand nothing in it, but that they may lawfully rebel) that I fear the Commonwealth will never be cured.

*A.* The two great Virtues that were severally in *Henry VII.* and *Henry VIII.* when they shall be jointly in one King, will easily cure it. That of *Henry VII.* was, without much Noise of the People to fill his Coffers; that of *Henry VIII.* was an early Severity; but this without the former cannot be exercised.

*B.* This that you say looks (methinks) like an Advice to the King, to let them alone till he have gotten ready Money enough to levy and maintain a sufficient Army, and then to fall upon them, and destroy them.

*A.* God forbid that so horrible, unchristian, and inhuman a Design should ever enter into the King's Heart. I would have him have Money enough, readily to raise an Army able to suppress any Rebellion, and to take from his Enemies all Hope of Success, that they may not dare to trouble him in the Reformation of the Universities, but to put none to Death without the actual committing such Crimes, as are already made Capital by the Laws. The Core of Rebellion, as you have seen by this, and read of other Rebellions, are the Universities, which nevertheless are not to be cast away, but to be better disciplined; that is to say, that the Politics there taught be made to be (as true Politics should be) such as are fit to make Men know, that it is their Duty to obey all Laws whatsoever that shall by the Authority of the King be enacted, till by the same Authority they shall be repealed; such as are fit to make Men understand, that the Civil Laws are God's Laws, as they that make them are by God appointed to make them; and to make Men know, that the People and the Church are one Thing, and that no Man has Title to govern under him, that has it not from him. That the King owes his Crown to God only, and to no Man, Ecclesiastic, or other; and that the Religion they teach there be a quiet waiting for the coming again of our Blessed Saviour; and in the mean time a Resolution to obey the King's Laws, which also are God's Laws, to injure no Man, to be in Charity with all Men, to cherish the poor and sick, and to live soberly and free from Scandal. Without mingling our Religion with Points of Natural Philosophy, as Freedom of Will, incorporeal Substance, everlasting Nows, Ubiquities, Hypostases, which the People understand not, nor will ever care for. When the Universities shall be thus disciplined, there will come out of them, from time to time, well principled Preachers, and they that are now ill principled from time to time fall away.

*B.* I think it a very good Course, and perhaps the only one, that can make our Peace amongst ourselves constant. For if Men know not their Duty, what is there that can force them to obey the Laws? An Army you'll say; but what shall force the Army? Were not the Train'd-bands an Army? Were they not Janisaries, that not very long ago slew *Osman* in his own Palace at *Constantinople*? I am therefore of your Opinion, both that Men may be brought to a Love of Obedience by Preachers and Gentlemen that imbibe good Principles in their Youth at the Universities, and also, that we never shall have a lasting Peace, till the Universities themselves be in such Manner (as you have said) reformed; and the Ministers know they have no Authority but what the Supreme Civil Power gives them; and the Nobility and Gentry know, that the Liberty of a State is not an Exemption from the Laws of their own Country, whether made by an Assembly, or by a Monarch; but an Exemption from the Constraint and Insolence of their Neighbours.

And now I am satisfied in this point, I will bring you back to the Place, from whence my Curiosity drew you to this long Digression.

We were upon the Point of Ship-money, one of those Grievances which the Parliament exclaimed against as tyrannical and arbitrary Government, thereby to single out (as you called it) the King from his Subjects, and to make a Party against him, when they should

should need it. And now you may proceed, if it please you, to such other Artifices as they used to the same Purpose.

*A.* I think it were better to give over here our Discourse of this Business, and refer it to some other Day that you shall think fit.

*B.* Content. That Day, I believe, is not far off.

# B E H E M O T H.

## P A R T II.

*A.* **Y**OU are welcome ; yet if you had staid somewhat longer, my Memory would have been so much the better provided for you.

*B.* Nay, I pray you give me now what you have about you ; for the rest I am content you take what time you please.

*A.* After the Parliament had made the People believe, that the exacting of Ship-Money was unlawful, and the People thereby inclined to think it tyrannical ; in the next Place, to increase their Dissaffection to his Majesty, they accused him of a Purpose, to introduce and authorize the *Roman* Religion in this Kingdom, than which nothing was more hateful to the People ; not because it was erroneous, (which they had neither Learning nor Judgment enough to examine) but because they had been used to hear it inveighed against in the Sermons and Discourses of the Preachers, whom they trusted to : and this was indeed the most effectual Calumny to alienate the People's Affections from him, that could possibly be invented. The Colour they had for this Slander was first, that there was one *Rosetti* Resident (at and a little before that Time) from the Pope, with the Queen, and one Mr. *George Con* Secretary to the Cardinal *Francisco Barbarini*, Nephew to Pope *Urban VIII.* sent over under Favour and Protection of the Queen (as was conceived) to draw as many Persons of Quality about the Court as he should be able, to reconcile themselves to the Church of *Rome* ; with what Success I cannot tell ; but it is likely he gained some, especially of the weaker Sex, if I may say they were gained by him, when, not his Arguments, but Hope of Favour from the Queen in all Probability prevailed upon them.

*B.* In such a Conjunction as that was, it had perhaps been better they had not been sent.

*A.* There was Exception also taken at a Convent of Fryars Capuchins in *Somerset-House*, though allowed by the Articles of Marriage : and it was reported, that the Jesuits also were shortly after to be allowed a Convent in *Clerkenwell* : and in the mean time, the principal Secretary, Sir *Francis Windebank*, was accused for having by his Warrant set at Liberty some *English* Jesuits, that had been taken and imprisoned, for returning into *England* after Banishment, contrary to the Statute which had made it Capital. Also the Resort of *English* Catholics to the Queen's Chapel gave them Colour to blame the Queen herself, not only for that, but also for all the Favours that had been shewn to the Catholics ; insomuch that some of them did not stick to say openly, that the King was governed by her.

*B.* Strange Injustice ! The Queen was a Catholic by Profession, and therefore could not but endeavour to do the Catholics all the Good she could, she had not else been truly that which she professed to be : but it seems they meant to force her :

to Hypocrisy, being Hypocrites themselves. Can any Man think it a Crime in a devout Lady, of what Sect soever, to seek the Favour and Benediction of that Church whereof she is a Member?

*A.* To give the Parliament another Colour for their Accusation on Foot of the King, as to introducing of Popery, there was a great Controversy between the Episcopal and Presbyterian Clergy about Free-will. The Dispute began first in the *Low-Countries*, between *Gomar* and *Armin*, in the time of King *James*, who foreseeing it might trouble the Church of *England*, did what he could to compose the Difference: and an Assembly of Divines was thereupon got together at *Dort*, to which also King *James* sent a Divine or two, but it came to nothing; the Question was left undecided, and became a Subject to be disputed of in the Universities here. All the Presbyterians were of the same Mind with *Gomar*, but a very great many others not, and those were called here *Arminians*, who because the Doctrine of Free-will had been exploded as a Papistical Doctrine, and because the Presbyterians were far the greater Number, and already in favour with the People, were generally hated; it was easy therefore for the Parliament to make that Calumny pass currently with the People, when the Archbishop of *Canterbury*, *Dr. Laud*, was for *Arminius*, and had a little before, by his Power Ecclesiastical, forbidden all Ministers to preach to the People of Predestination: and when all Ministers that were gracious with him, and hoped for any Church Preferment, fell to preaching, and writing for Free-will, to the uttermost of their Power, as a Proof of their Ability and Merit. Besides, they gave out (some of them) that the Archbishop was in Heart a Papist; and in case he could effect a Toleration here of the *Roman Religion*, was to have a Cardinal's Hat; which was not only false, but also without any Ground at all for a Suspicion.

*B.* It is a strange Thing, that Scholars, obscure Men, that could receive no Clarity but from the Flame of the State, should be suffered to bring their unnecessary Disputes, and together with them their Quarrels, out of the Universities into the Commonwealth; and more strange, that the State should engage in their Parties, and not rather put them both to Silence. A State can constrain Obedience, but convince no Error, nor alter the Mind of them that believe they have the better Reason. Suppression of Doctrines does but unite and exasperate; that is, increase both the Malice and Power of them that have already believed them. But what are the Points they disagree in? Is there any Controversy between Bishop and Presbyterian concerning the Divinity or Humanity of Christ? Do either of them deny the Trinity, or any Article of the Creed? Does either Party preach openly, or write directly against Justice, Charity, Sobriety, or any other Duty necessary to Salvation; except only the Duty to the King, and not that neither, but when they have a Mind either to rule, or destroy the King? Lord have Mercy upon us! Can nobody be saved that understands not their Disputations? Or is there more requisite, either of Faith or Honesty, for the Salvation of one Man than another? What needs so much preaching of Faith to us that are no Heathens, and that believe already all that Christ and his Apostles have told us is necessary to Salvation, and more too? Why is there so little preaching of Justice? I have indeed heard Righteousness often recommended to the People, but I have seldom heard the Word Justice in their Sermons; nay, though in the *Latin* and *Greek* Bible the Word Justice occurs exceeding often; yet in the *English*, (though it be a Word that every Man understands) the Word Righteousness (which few understand to signify the same, but take it rather for Rightness of Opinion than of Action or Intention) is put in the place of it.

*A.* I confess I know very few Controversies amongst Christians of Points necessary to Salvation. They are the Questions of Authority and Power over the Church, or of Profit, or of Honour to Church-men, that for the most part raise all the Controversies. For what Man is he, that will trouble himself, and fall out with his Neighbours for the saving of my Soul, or the Soul of any other than himself? When the Presbyterian Ministers and others did so furiously preach Sedition, and  
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animate Men to Rebellion in these late Wars ; who was there that had not a Benefice, or having one, feared not to lose it, or some other part of his Maintenance by the Alteration of the Government, that did voluntarily, without any Eye to Reward, preach so earnestly against Sedition, as the other Party preached for it ? I confess, that for ought I have observed in History, and other Writings of the Heathens, *Greek* and *Latin*, that those Heathens were not at all behind us in point of Virtue and moral Duties, notwithstanding that we had much preaching, and they none at all. I confess also, that considering what Harm may proceed from a Liberty that Men have upon every *Sunday*, and oftener, to harangue all the People of a Nation at one time, whilst the State is ignorant of what they will say, and that there is no such Thing permitted in all the World out of *Christendom*, nor therefore any Civil Wars about Religion, I have thought much preaching an Inconvenience ; nevertheless I cannot think that preaching to the People the Points of their Duty, both to God and Man, can be too frequent, so it be done by grave, discreet and ancient Men, that are revered by the People ; and not by light quibbling young Men, whom no Congregation is so simple, as to look to be taught by, (as being a Thing contrary to Nature) or to pay them any Reverence, or to care what they say, except some few that may be delighted with their Jangling : I wish with all my Heart there were enough of such discreet and ancient Men, as might suffice for all the Parishes of *England*, and that they would undertake it. But this is but a Wish ; I leave it to the Wisdom of the State to do what it pleaseth.

B. What did they next ?

A. Whereas the King had sent Prisoners into Places remote from *London*, three Persons that had been condemn'd for publishing seditious Doctrine, some in Writing, some in public Sermons, the Parliament (whether with his Majesty's Consent or no, I have forgotten) caused them to be released, and to return to *London* ; meaning (I think) to try how the People would be pleased therewith, and by Consequence, how their Endeavours to draw the People's Affections from the King had already prospered. When these three came through *London*, it was a kind of Triumph, the People flocking together to behold them, and receiving them with such Acclamations, and almost Adoration, as if they had been let down from Heaven. Inasmuch as the Parliament was now sufficiently assur'd of a great and tumultuous Party, whensoever they should have Occasion to use it : On the Confidence whereof they proceeded to their next Plot, which was to deprive the King of such Ministers, as by their Wisdom, Courage and Authority, they thought most able to prevent, or oppose their farther Designs against the King.

And first the House of Commons resolved to impeach the Earl of *Strafford*, Lord Lieutenant of *Ireland*, of High Treason.

B. What was that Earl of *Strafford* before he had that Place ? And how had he offended the Parliament, or given them Cause to think he would be their Enemy ? for I have heard that in former Parliaments he had been as parliamentary as any other.

A. His name was Sir *Thomas Wentworth*, a Gentleman, both for Birth and Estate very considerable in his own Country, which was *Yorkshire*, but more considerable for his Judgment in the public Affairs, not only of that Country, but generally of the Kingdom, and was therefore often chosen for the Parliament, either as Burgess for some Borough, or Knight of the Shire. For his Principles of Politics, they were the same that were generally proceeded upon by all Men else that were thought fit to be chosen for the Parliament, which are commonly these : To take for the Rule of Justice and Government the Judgments and Acts of former Parliaments, which are commonly called Precedents : To endeavour to keep the People from being subject to extra-parliamentary Taxes of Money, and from being with parliamentary Taxes too much oppressed : To preserve to the People their Liberty of Body from the arbitrary Power of the King out of Parliament : To seek Redress of Grievances.

B. What

B. What Grievances ?

A. The Grievances commonly were such as these : The King's too much Liberality to some Favourite : The too much Power of some Minister or Officer of the Commonwealth : The Misdemeanour of Judges Civil or Spiritual, but especially all unparliamentary raising of Money upon the Subjects. And commonly of late, till such Grievances be redressed, they refuse, or at least make great Difficulty to furnish the King with Money necessary for the most urgent Occasions of the Commonwealth.

B. How then can a King discharge his Duty as he ought to do, or the Subject know which of his Masters he is to obey ; for here are manifestly two Powers, which, when they chance to differ, cannot both be obeyed ?

A. 'Tis true ; but they have not often differed so much to the Danger of the Commonwealth, as they have done in this Parliament 1640. In all the Parliaments of the late King *Charles*, before the Year 1640, my Lord of *Strafford* did appear in Opposition to the King's Demands, as much as any Man, and was, for that Cause, very much esteemed and cried up by the People as a good Patriot, and one that courageously stood up in defence of their Liberties ; and for the same Cause was so much the more hated, when afterwards he endeavoured to maintain the Royal and just Authority of his Majesty.

B. How came he to change his Mind so much, as it seems he did ?

A. After the Dissolution of the Parliament holden in the Year 1627 and 1628, the King finding no Money to be gotten from Parliaments, which he was not to buy with the Blood of such Servants and Ministers as he loved best, abstained a long time from calling any more, and had abstained longer, if the Rebellion of the *Scots* had not forced him to it. During that Parliament the King made Sir *Thomas Wentworth* a Baron, recommended to him for his great Ability, which was generally taken notice of by the Disservice he had done the King in former Parliaments, but which might be useful also for him in the Times that came on ; and not long after he made him of the Council, and after that again Lieutenant of *Ireland*, which Place he discharged with great Satisfaction and Benefit to his Majesty, and continued in that Office, till by the Envy and Violence of the Lords and Commons of that unlucky Parliament of 1640, he died. In which Year he was made General of the King's Forces against the *Scots* that then entered into *England*, and the Year before, Earl of *Strafford*. The Pacification being made, and the Forces on both Sides disbanded, and the Parliament at *Westminster* now sitting, it was not long before the House of Commons accused him to the House of Lords of High Treason.

B. There was no great Probability of his being a Traitor to the King, from whose Favour he had received his Greatness, and from whose Protection he was to expect his Safety. What was the Treason they laid to his Charge ?

A. Many Articles were drawn up against him, but the Sum of them was contained in these two. First, That he had traiterously endeavoured to subvert the fundamental Laws and Government of the Realm ; and instead thereof to introduce arbitrary and tyrannical Government against Law. Secondly, That he had laboured to subvert the Rights of Parliaments, and the ancient Course of Parliamentary Proceedings.

B. Was this done by him without the Knowledge of the King ?

A. No.

B. Why then, if it were Treason, did not the King himself call him in question by his Attorney ? What had the House of Commons to do without his Command, to accuse him in the House of Lords ? They might have complained to the King, if he had not known it before. I understand not this Law.

A. Nor I.

B. Had this been by any former Statutes made Treason ?

A. Not that I ever heard of ; nor do I understand how any thing can be Treason against the King, that the King hearing and knowing does not think Treason. But  
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it was a Piece of that Parliament's Artifice to put the Word Traiterously to any Article exhibited against any Man, whose Life they meant to take away.

B. Was there no particular Instance of Action, or Words, out of which they argued that Endeavour of his to subvert the fundamental Laws of Parliament whereof they accused him ?

A. Yes ; they said he gave the King Counsel to reduce the Parliament to their Duty by the *Irish* Army, which not long before my Lord of *Strafford* himself had caused to be levied there for the King's Service ; but it was never proved against him, that he advised the King to use it against the Parliament.

B. What are those Laws that are called fundamental ? for I understand not how one Law can be more fundamental than another, except only that Law of Nature that binds us all to obey him, whosoever he be, whom lawfully, and for our own Safety we have promised to obey ; nor any other fundamental Law to a King ; but *Salus Populi*, the Safety and well-being of his People.

A. This Parliament in the Use of their Words, when they accused any Man ; never regarded the Signification of them, but the Weight they had to aggravate their Accusation to the ignorant Multitude, which think all Faults heinous, that are expressed in heinous Terms, if they hate the Person accused, as they did this Man ; not only for being of the King's Party, but also for deserting the Parliament's Party as an Apostate.

B. I pray you tell me also what they mean by arbitrary Government, which they seemed so much to hate ? Is there any Governor of a People in the World that is forced to govern them, or forced to make this and that Law, whether he will or no ? I think not ; or if any be, he that forces him does certainly make Laws, and govern arbitrarily.

A. That's true ; and the true Meaning of the Parliament was, that not the King, but they themselves should have the arbitrary Government, not only of *England*, but of *Ireland*, and (as it appeared by the Event) of *Scotland* also.

B. How the King came by the Government of *Scotland* and *Ireland* by Descent from his Ancestors, every Body can tell ; but if the King of *England* and his Heirs should chance (which God forbid) to fail, I cannot imagine what Title the Parliament of *England* can acquire thereby to either of those Nations.

A. Yes ; they'll say they had been conquered anciently by the *English* Subjects Money.

B. Like enough, and suitable to the rest of their Impudence.

A. Impudence in Democratical Assemblies does almost all that's done ; 'tis the Goddess of Rhetoric, and carries Proof with it : for what ordinary Man will not from so great Boldness of Affirmation conclude, there is great Probability in the Thing affirmed. Upon this Accusation he was brought to his Tryal in *Westminster-Hall*, before the House of Lords, and found guilty, and presently after declared Traitor by a Bill of Attainder, that is, by Act of Parliament.

B. It is a strange Thing that the Lords should be induced, upon so light Grounds, to give a Sentence, or give their Assent to a Bill so prejudicial to themselves and their Posterity.

A. 'Twas not well done, and yet (as it seems) not ignorantly ; for there is a Clause in the Bill, that it should not be taken hereafter for an Example, that is, for a Prejudice in the like Case hereafter.

B. That's worse than the Bill itself, and is a plain Confession that their Sentence was unjust : for what Harm is there in the Examples of just Sentences ? Besides, if hereafter the like Case should happen, the Sentence is not at all made weaker by such a Provision.

A. Indeed I believe that the Lords, most of them, were not of themselves willing to condemn him of Treason, they were awed to it by the Clamour of common People that came to *Westminster*, crying out Justice, Justice, against the Earl of *Strafford* ; the which were caused to flock thither by some of the House of Commons that were well assured, after the triumphant Welcome of *Pryn*, *Burton* and

*Bastwick*, to put the People into Tumult, upon any Occasion they desired. They were awed unto it partly also by the House of Commons itself, which if it desired to undo a Lord, had no more to do, but to vote him a Delinquent.

*B.* A Delinquent ; what's that ? A Sinner is't not ? Did they mean to undo all Sinners ?

*A.* By Delinquent they meant only a Man to whom they would do all the Hurt they could : but the Lords did not yet, I think, suspect they meant to cashier their whole House.

*B.* It's a strange Thing the whole House of Lords should not perceive, that the Ruin of the King's Power, or the weakening of it, was the Ruin, or weakening of themselves : for they could not think it likely, that the People ever meant to take the Sovereignty from the King to give it to them, who were few in Number, and less in Power than so many Commoners, because less beloved by the People.

*A.* But it seems not so strange to me ; for the Lords for their personal Abilities, as they were no less, so also they were no more skilful in the public Affairs, than the Knights and Burgeſſes : for there is no Reason to think, that if one that is to-day a Knight of the Shire in the Lower House, be to-morrow made a Lord, and a Member of the Higher House, he is therefore wiser than he was before. They are all of both Houses prudent and able Men as any in the Land, in the Business of their private Estates, which require nothing but Diligence and natural Wit to govern them ; but for the Government of a Commonwealth, neither Wit nor Prudence, nor Diligence is enough, without infallible Rules, and the true Science of Equity and Justice.

*B.* If this be true, it is impossible any Commonwealth in the World, whether Monarchy, Aristocracy or Democracy should continue long without Change, or Sedition tending to change, either of the Government or of the Governors.

*A.* 'Tis true ; nor have any the greatest Commonwealths in the World been long free from Sedition. The *Greeks* had for a while their petty Kings, and then by Sedition came to be petty Commonwealths, and then growing to be greater Commonwealths, by Sedition again became Monarchies, and all for want of Rules of Justice for the common People to take notice of, which if the People had known in the Beginning of every of these Seditious, the ambitious Persons could never had the Hope to disturb their Government, after it had been once settled ; for Ambition can do little without Hands, and few Hands it would have, if the common People were as diligently instructed in the true Principles of their Duty, as they are terrified and amazed by Preachers with fruitless and dangerous Doctrines concerning the Nature of Man's Will, and many other philosophical Points that tend not at all to the Salvation of the Soul in the World to come, nor to their Ease in this Life, but only to the Direction towards the Clergy of that Duty which they ought to perform to the King.

*B.* For ought I see, all the States of Christendom will be subject to these Fits of Rebellion, as long as the World lasteth.

*A.* Like enough, and yet the Fault (as I have said) may be easily mended, by mending the Universities.

*B.* How long had the Parliament now sitten ?

*A.* It began *November* the third 1640. My Lord of *Strafford* was impeached of Treason before the Lords *November* the 12th, sent to the *Tower* *November* the 22d, his Tryal began *March* 22d, and ended *April* 13th. After his Tryal he was voted guilty of High Treason in the House of Commons, and after that in the House of Lords *May* the 6th, and on the 12th of *May* beheaded.

*B.* Great Expedition ; but could not the King for all that have saved him by a Pardon ?

*A.* The King had heard all that passed at his Tryal, and had declared he was unsatisfied concerning the Justice of their Sentence, and (I think) notwithstanding the Danger of his own Person from the Fury of the People, and that he was counsell'd to give way to his Execution, not only by such as he most relied on, but also by the

Earl of *Strafford* himself, he would have pardoned him, if that could have preserved him against the Tumult raised and countenanced by the Parliament itself, for the terrifying of those they thought might favour him: and yet the King himself did not stick to confess afterwards, that he had done amiss in that he did not rescue him.

*B.* 'Twas an Argument of good Disposition in the King; but I never read that *Augustus Cæsar* acknowledged that he had done a Fault in abandoning *Cicero* to the Fury of his Enemy *Antonius*. Perhaps because *Cicero* having been of the contrary Faction to his Father, had done *Augustus* no Service at all out of Favour to him, but only out of Enmity to *Antonius*, and out of Love to the Senate, that is indeed out of Love to himself that sway'd the Senate; as it is very likely the Earl of *Strafford* came over to the King's Party for his own Ends, having been so much against the King in former Parliaments.

*A.* We cannot safely judge of Men's Intentions; but I have observed often, that such as seek Preferment by their Stubbornness, have mis'd of their Aim; and on the other side, that those Princes, that with Preferment are forced to buy the Obedience of their Subjects, are already, or must be soon after in a very weak Condition: for in a Market where Honour and Power is to be bought with Stubbornness, there will be a great many as able to buy, as my Lord *Strafford* was.

*B.* You have read, that when *Hercules* fighting with the *Hydra*, had cut off any one of his many Heads, there still arose two other Heads in its Place, and yet at last he cut them off all.

*A.* The Story is told false: for *Hercules* at first did not cut off those Heads, but bought them off, and afterwards, when he saw it did him no good, then he cut them off, and got the Victory.

*B.* What did they next?

*A.* After the first Impeachment of the Earl of *Strafford*, the House of Commons, upon *December* the 18th, accused the Archbishop of *Canterbury* also of High Treason, that is, of Design to introduce arbitrary Government, &c. for which he was *February* the 18th sent to the Tower, but his Tryal and Execution were deferred a long Time, till *January* the 10th 1643, for the Entertainment of the *Scots*, that were come into *England* to aid the Parliament.

*B.* Why did the *Scots* think there was so much Danger in the Archbishop of *Canterbury*? He was not a Man of War, nor a Man able to bring an Army into the Field; but he was perhaps a very great Politician.

*A.* That did not appear by any remarkable Event of his Counsels. I never heard but he was a very honest Man for his Morals, and a very zealous Promoter of the Church Government by Bishops, and that desired to have the Service of God performed, and the House of God adorned, as suitably as was possible to the Honour we ought to do to the Divine Majesty. But to bring, as he did, into the State his former Controversies, I mean his Squabbings in the University about Free-will, and his standing upon Punctilios, concerning the Service Book and its Rubrics, was not, in my Opinion, an Argument of his Sufficiency in Affairs of State. About the same Time they passed an Act (which the King consented to) for a triennial Parliament, wherein was enacted, That after the present Parliament there should be a Parliament called by the King within the Space of three Years, and so from three Years to three Years, to meet at *Westminster*, upon a certain Day named in the Act.

*B.* But what if the King did not call it, finding it perhaps inconvenient, or hurtful to the Safety or Peace of his People, which God hath put into his Charge? For I do not well comprehend how any Sovereign can well keep a People in Order when his Hands are tied, or when he hath any other Obligation upon him, that the Benefit of those he governs; and at this Time, for any thing you have told me, they acknowledged the King for their Sovereign.

*A.* I know not; but such was the Act. And it was farther enacted, That if the King did it not by his own Command, then the Lord Chancellor, or the Lord Keeper

Keeper for the Time being, should fend out the Writs of Summons; and if the Chancellor refused, then the Sheriffs of the several Counties should, of themselves, in their next County Courts, before the Day set down for the Parliament's meeting, proceed to the Election of the Members for the said Parliament.

B. But what if the Sheriffs refused?

A. I think they were to be sworn to it: but for that, and other Particulars, I refer you to the Act.

B. To whom should they be sworn, when there is no Parliament?

A. No doubt but to the King, whether there be a Parliament sitting or no.

B. Then the King may release them of their Oath.

A. Besides, they obtained of the King the putting down the Star-Chamber, and the High-Commiffion-Courts.

B. Besides, if the King upon the Refusal should fall upon them in Anger; who shall (the Parliament not sitting) protect either the Chancellor or the Sheriffs in their Disobedience.

A. I pray you do not ask me any Reason of such Things I understand no better than you. I tell you only an Act passed to that Purpose, and was signed by the King in the middle of *February*, a little before the Archbishop was sent to the Tower. Besides this Bill, the two Houses of Parliament agreed upon another, wherein it was enacted, That the present Parliament should continue till both the Houses did consent to the Dissolution of it; which Bill also the King signed the same Day he signed the Warrant for the Execution of the Earl of *Strafford*.

B. What a great Progress made the Parliament towards the Ends of the most seditious Members of both Houses in so little Time? They sat down in *November*, and now it was *May*; in this Space of Time, which is but half a Year, they won from the King the Adherence which was due to him from his People; they drove his faithfullest Servants from him; beheaded the Earl of *Strafford*; imprison'd the Archbishop of *Canterbury*; obtain'd a triennial Parliament after their own Dissolution, and a Continuance of their own sitting, as long as they listed; which last amounted to a total Extinction of the King's Right, in case that such a Grant were valid, which I think it is not, unless the Sovereignty itself be in plain Terms renounced, which it was not. But what Money, by way of Subsidy, or otherwise, did they grant the King in Recompence of all these his large Concessions?

A. None at all; but often promised they would make him the most glorious King that ever was in *England*; which were Words that passed well enough for well-meaning with the common People.

B. But the Parliament was contented now: for I cannot imagine what they should desire more from the King, than he had now granted them.

A. Yes; they desired the whole and absolute Sovereignty, and to change the Monarchical Government into an Oligarchy; that is to say, to make the Parliament, consisting of a few Lords, and about four hundred Commoners, absolute in the Sovereignty, for the present, and shortly after to lay the House of Lords aside: for this was the Design of the Presbyterian Ministers, who taking themselves to be by Divine Right the only lawful Governors of the Church, endeavoured to bring the same Form of Government into the Civil State. And as the Spiritual Laws were to be made by their Synods, so the Civil Laws should be made by the House of Commons, who as they thought would no less be ruled by them afterwards, than they formerly had been; wherein they were deceived, and found themselves outgone by their own Disciples, though not in Malice, yet in Wit.

B. What followed after this?

A. In *August* following, the King supposing he had now sufficiently obliged the Parliament to proceed no farther against him, took a Journey into *Scotland*, to satisfy his Subjects there, as he had done here, intending perhaps so to gain their Good-wills, that in case the Parliament here should levy Arms against him, they should not be aided by the *Scots*; wherein he also was deceived; for though they seemed satisfied with what he did, (whereof one Thing was his giving way to the Abolition

lition of Episcopacy) yet afterwards they made a League with the Parliament, and for Money (when the King began to have the better of the Parliament) invaded *England* in the Parliament's Quarrel, but this was a Year or two after.

*B.* Before you go any farther, I desire to know the Ground and Original of that Right, which either the House of Lords, or House of Commons, or both together, now pretend to.

*A.* It is a Question of Things so long past, that they are now forgotten. Nor have we any thing to conjecture by, but the Records of our own Nation, and some small and obscure Fragments of *Roman* Histories: And for the Records, seeing they are of Things done only, sometimes justly, sometimes unjustly, you can never by them know what Right they had, but only what Right they pretended.

*B.* However let me know what Light we have in this Matter from the *Roman* Histories.

*A.* It would be too long, and an useles Digression, to cite all the ancient Authors that speak of the Forms of those Commonwealths, which were amongst our first Ancestors the *Saxons*, and other *Germans*, and of other Nations, from whom we derive the Titles of Honour now in use in *England*; nor will it be possible to derive from them any Argument of Right, but only Examples of Fact, which by the Ambition of potent Subjects have been oftener unjust, than otherwise. And for those *Saxons* or *Angles*, that in ancient Times by several Invasions made themselves Masters of this Nation; they were not in themselves one Body of a Commonwealth, but only a League of divers petty *German* Lords and States, such as was the *Grecian* Army in the *Trojan* War, without other Obligation, than that which proceeded from their own Fear and Weakness. Nor were those Lords, for the most part, the Sovereigns at home in their own Country, but chosen by the People for the Captains of the Forces they brought with them. And therefore it was not without Equity, when they had conquered any part of the Land, and made some one of them King thereof, that the rest should have greater Privileges than the common People and Soldiers, amongst which Privileges a Man may easily conjecture this to be one; That they should be made acquainted, and be of Council with him that hath the Sovereignty in matter of Government, and have the greatest and most honourable Offices, both in Peace and War. But because there can be no Government where there is more than one Sovereign, it cannot be infer'd, that they had a Right to oppose the King's Resolutions by Force, nor to enjoy those Honours and Places longer than they should continue good Subjects. And we find that the Kings of *England* did, upon every great Occasion, call them together, by the Name of discreet and wise Men of the Kingdom, and hear their Counsel, and make them Judges of all Causes that, during their sitting, were brought before them. But as he summon'd them at his own Pleasure, so he had also ever the Power at his own Pleasure to dissolve them. The *Normans* also, that descended from the *Germans*, as we did, had the same Customs in this Particular; and by this Means this Privilege of the Lords to be of the King's Great Council, and when they were assembled to be the highest of the King's Courts of Justice, continued still after the Conquest to this Day. But though there be amongst the Lords divers Names or Titles of Honour, yet they have their Privilege by the only Name of Baron, a Name receiv'd from the ancient *Gauls*, amongst whom that Name signified the King's Man, or rather one of his great Men: By which it seems to me, that though they gave him Counsel, when he requir'd it, yet they had no Right to make War upon him, if he did not follow it.

*B.* When began first the House of Commons to be Part of the King's Great Council?

*A.* I do not doubt but that before the Conquest some discreet Men, and known to be so by the King, were called by special Writ to be of the same Council, though they were not Lords; but that is nothing to the House of Commons: The Knights of Shires and Burgeffes were never called to Parliament

for ought that I know, till the beginning of the Reign of *Edward I.* or the latter end of the Reign of *Henry III.* immediately after the Misbehaviour of the Barons; and for ought any Man knows, were called on purpose to weaken that Power of the Lords, which they had so freshly abused. Before the Time of *Henry III.* the Lords were descended most of them from such as in the Invasions and Conquests of the *Germans* were Peers and Fellow-Kings, till one was made King of them all; and their Tenants were their Subjects, as it is at this Day with the Lords of *France*: But after the Time of *Henry III.* the Kings began to make Lords in the Place of them whose Issue failed, Titulary only, without the Lands belonging to their Title; and by that means their Tenants being no longer bound to serve them in the Wars, they grew every Day less and less able to make a Party against the King, though they continued still to be his Great Council. And as their Power decreased, so the Power of the House of Commons increased; but I do not find they were part of the King's Council at all, nor Judges over other Men; though it cannot be denied, but a King may ask their Advice, as well as the Advice of any other; but I do not find that the End of their summoning was to give Advice, but only in Case they had any Petitions for Redress of Grievances, to be ready there with them, whilst the King had his Great Council about him.

But neither they nor the Lords could present to the King as a Grievance; That the King took upon him to make the Laws; to chuse his own Privy Counsellors; to raise Money and Soldiers; to defend the Peace and Honour of the Kingdom; to make Captains in his Army; to make Governors of his Castles, whom he pleased; for this had been to tell the King, that it was one of their Grievances that he was King.

*B.* What did the Parliament do whilst the King was in *Scotland*?

*A.* The King went in *August*, after which the Parliament *September* the 8th adjourned, till the 20th of *October*, and the King returned about the End of *November* following, in which Time the most seditious of both Houses, and which had designed the Change of Government, and to cast off Monarchy, (but yet had not Wit enough to set up any other Government in its Place, and consequently left it to the Chance of War) made a Cabal amongst themselves, in which they projected how by seconding one another to govern the House of Commons, and invented how to put the Kingdom, by the Power of that House, into a Rebellion, which they then called a Posture of Defence against such Dangers from abroad as they themselves would feign and publish. Besides, while the King was in *Scotland*, the *Irish* Papists got together a great Party, with an Intention to massacre the Protestants there, and had laid a Design for the seizing of *Dublin* Castle *October* the 23d, where the King's Officers of the Government of that Country made their Residence, and had effected it, had it not been discovered the Night before. The Manner of the Discovery, and the Murders they committed in the Country afterwards, I need not tell you, since the whole Story of it is extant.

*B.* I wonder they did not expect and provide for a Rebellion in *Ireland*, as soon as they began to quarrel with the King in *England*: for was there any body so ignorant, as not to know, that the *Irish* Papists did long for a Change of Religion there, as well as the Presbyterians in *England*? or that in general the *Irish* Nation did hate the Name of Subjection to *England*? or would longer be quiet than they feared an Army out of *England* to chastise them? What better Time then could they take for their Rebellion than this, wherein they were encouraged, not only by our Weakness, caused by this Division between the King and his Parliament, but also by the Example of the Presbyterians, both of the *Scotch* and *English* Nation? But what did the Parliament do upon this Occasion in the King's Absence?

*A.* Nothing, but consider what Use they might make of it to their own Ends, partly by imputing it to the King's evil Counsellors, and partly by Occasion thereof to demand of the King the Power of pressing and ordering of Soldiers; which Power whosoever has, has also, without Doubt, the whole Sovereignty.

*B.* When came the King back?

*A.* He

*A.* He came back the 25th of *November*, and was welcomed with the Acclamations of the common People, as much as if he had been the most beloved of all the Kings that were before him, but found not a Reception by the Parliament answerable to it. They presently began to pick new Quarrels against him out of every thing he said to them. *December* the 2d the King called together both Houses of Parliament, and then did only recommend unto them the raising Succours for *Ireland*.

*B.* What Quarrel could they pick out of that?

*A.* None: but in order thereto, as they may pretend, they had a Bill in Agitation to assert the Power of levying and pressing Soldiers to the two Houses of the Lords and Commons; which was as much as to take from the King the Power of the Militia, which is in Effect the whole Sovereign Power: for he that hath the Power of levying and commanding the Soldiers, has all other Rights of Sovereignty, which he shall please to claim. The King hearing of it, called the Houses of Parliament together again, on *December* the 14th, and then pressed again the Business of *Ireland*, (as there was need; for all this while the *Irish* were murdering of the *English* in *Ireland*, and strengthening themselves against the Forces they expected out of *England*) and withal told them, he took Notice of the Bill in agitation for pressing of Soldiers, and he was contented it should pass with a *Salvo Jure* both for him and them, because the present Time was unseasonable to dispute it in.

*B.* What was there unreasonable in this?

*A.* Nothing. What's unreasonable is one Question, what they quarrelled at is another. They quarrelled at this: That his Majesty took Notice of the Bill, while it was in Debate in the House of Lords, before it was presented to him in the Course of Parliament, and also that he shewed himself displeas'd with those that propounded the said Bill: both which they declared to be against the Privileges of Parliament, and petitioned the King to give them Reparation against those by whose evil Counsel he was induced to it, that they might receive condign Punishment.

*B.* This was cruel Proceeding. Do not the Kings of *England* use to sit in the Lords House when they please? and was not this Bill in Debate then in the House of Lords? It is a strange thing that a Man should be lawfully in the Company of Men, where he must needs hear and see what they say and do; and yet must not take notice of it, so much as to the same Company: for though the King was not present at the Debate itself, yet it was lawful for any of the Lords to make him acquainted with it. Any one of the House of Commons, though not present at a Proposition or Debate in the House, nevertheless hearing of it from some of his Fellow-members, may certainly not only take notice of it, but also speak to it in the House of Commons: but to make the King give up his Friends and Counsellors to them, to be put to Death, Banishment, or Imprisonment, for their good Will to him, was such a Tyranny over a King, no King ever exercised over any Subject, but in Cases of Treason and Murder, and seldom then.

*A.* Presently hereupon began a kind of War between the Pens of the Parliament and those of the Secretaries, and other able Men that were with the King: for upon the 15th of *December* they sent to the King a Paper called, *A Remonstrance of the State of the Kingdom*, and with it a Petition, both which they caused to be published. In the Remonstrance they complained of certain mischievous Designs of a malignant Party then, before the Beginning of the Parliament, grown ripe; and did set forth what Means had been used for the preventing of it by the Wisdom of the Parliament, what Rubs they had found therein, what Course was fit to be taken for restoring and establishing the ancient Honour, Greatness, and Safety of the Crown and Nation.

1st. And of these Designs the Promoters and Actors were, they said, Jesuited Papists.

2dly. The Bishops, and that part of the Clergy that cherish Formality as a Support of their own Ecclesiastical Tyranny and Usurpation.

3dly. Counsellors and Courtiers, that for private Ends (they said) had engaged themselves to farther the Interests of some Foreign Princes.

*B.* It may very well be that some of the Bishops, and some of the Court may have, in Pursuit of their private Interest, done something indiscreetly, and perhaps wickedly; therefore I pray you tell me in particular what their Crimes were: for methinks the King should not have connived at any thing against his own Supreme Authority.

*A.* The Parliament were not very keen against them that were against the King; they made no Doubt but all they did was by the King's Command, but accused thereof the Bishops, Counsellors, and Courtiers, as being a more mannerly way of accusing the King himself, and defaming him to his Subjects: for the Truth is, the Charge they brought against him was so general as not to be called an Accusation, but Railing. At first, they said they nourished Questions of Prerogative and Liberty between the King and his People, to the end that seeming much addicted to his Majesty's Service, they might get themselves into Places of greatest Trust and Power in the Kingdom.

*B.* How could this be called an Accusation, in which there is no Fact for any Accusers to apply their Proofs to, or their Witnesses: for granting that these Questions of Prerogative had been moved by them, who can prove that their End was to gain to themselves and Friends the Places of Trust and Power in the Kingdom?

*A.* A second Accusation was, That they endeavoured to suppress the Purity and Power of Religion.

*B.* That's Canting; it is not in Man's Power to suppress the Power of Religion.

*A.* They meant that they suppressed the Doctrine of the Presbyterians, that is to say, the very Foundation of the then Parliament's treacherous Pretensions.

*A* Third; That they cherished *Arminians*, Papiſts, and Libertines, (by which they meant the common Protestants, who meddle not with Disputes) to the end they might compose a Body fit to act according to their Counsels and Resolutions.

*A* Fourth; That they endeavoured to put the King upon other Courses of raising Money, than by the ordinary Way of Parliaments: Judge whether these may be properly called Accusations, or not rather spiteful Reproaches of the King's Government.

*B.* Methinks this last was a very great Fault; for what good could there be in putting the King upon an odd Course of getting Money, when the Parliament was willing to supply him as far as to the Security of the Kingdom, or to the Honour of the King should be necessary?

*A.* But I told you before they would give him none, but with a Condition he should cut off the Heads of whom they pleased, how faithfully soever they had served him: and if he would have sacrificed all his Friends to their Ambition, yet they would have found other Excuses for denying him Subsidies: for they were resolved to take from him the Sovereign Power to themselves, which they could never do without taking great Care that he should have no Money at all. In the next place they put into the Remonstrance, as Faults of them whose Counsel the King followed, all those Things which since the Beginning of the King's Reign were by them disliked, whether Faults or not, and whereof they were not able to judge for want of Knowledge of the Causes and Motives that induced the King to do them, and were known only to the King himself, and such of his Privy-Council as he revealed them to.

*B.* But what were those particular pretended Faults?

*A.* 1. The Dissolution of his first Parliament at *Oxford*. 2. The Dissolution of his second Parliament, being in the second Year of his Reign. 3. The Dissolution of his Parliament in the fourth Year of his Reign. 4. The fruitless Expedition against

against *Calais*. 5. The Peace made with *Spain*, whereby the *Palatines* Cause was deserted, and left to chargeable and hopeless Treaties. 6. The sending of Commissions to raise Money by way of Loan. 7. Raising of Ship-money. 8 Enlargement of Forests contrary to *Magna Charta*. 9. The Design of engrossing all the Gunpowder into one Hand, and keeping it in the Tower of *London*. 10. A Design to bring in the Use of Brass Money. 11. The Fines, Imprisonments, Stigmatizings, Mutilations, Whippings, Pillories, Gags, Confinements and Banishments by Sentence in the Court of Star-Chamber. 12. The displacing of Judges. 13. Illegal Acts of the Council-Table. 14. The arbitrary and illegal Power of the Earl Marshal's Court. 15. The Abuses in Chancery, Exchequer Chamber, and Court of Wards. 16. The selling of Titles of Honour, of Judges and Serjeants Places, and other Offices. 17. The Insolence of Bishops and other Clerks in Suspensions, Excommunications, Deprivations and Degradations of divers painful, and learned, and pious Ministers.

B. Were there any such Ministers degraded, deprived; or excommunicated?

A. I cannot tell; but I remember I have heard threaten'd divers painful, unlearned and seditious Ministers. 18. The Excess of Severity of the High Commission Court. 19. The preaching before the King against the Property of the Subject; and for the Prerogative of the King above the Law; and divers other petty Quarrels they had to the Government, which though they were laid upon this Faction, yet they knew they would fall upon the King himself in the Judgment of the People, to whom by printing it was communicated.

Again, after the Dissolution of the Parliament, *May* the 5th 1640, they find other Faults; as, the Dissolution itself; the imprisoning some Members of both Houses; a forced Loan of Money attempted in *London*; the Continuance of the Convocation, when the Parliament was ended, and the Favour shewed to Papists by Secretary *Windebank* and others.

B. All this will go current with common People for Misgovernment, and for Faults of the King, though some of them were Misfortunes, and both the Misfortunes and the Misgovernment (if any were) were the Faults of the Parliament, who by denying to give him Money, did both frustrate his Designs abroad, and put him upon those extraordinary Ways (which they call illegal) of raising Money at home.

A. You see what a Heap of Evils they have raised to make a Shew of ill Government to the People, which they second with an Enumeration of the many Services they have done the King in overcoming a great many of them, though not all, and in divers other Things; and say, that though they had contracted a Debt to the *Scots* of 22000 l. and granted six Subsidies, and a Bill of Pole-money worth six Subsidies more, yet that God had so blessed the Endeavours of this Parliament, that the Kingdom was a Gainer by it: and then follows the Catalogue of those good Things they had done for the King and Kingdom. For the Kingdom they had done (they said) these Things. They had abolished Ship-money; they had taken away Coat and Conduct-money, and other Military Charges, which they said amounted to little less than the Ship-money. That they suppressed all Monopolies, which they reckoned above a Million yearly saved by the Subject. That they had quelled living Grievances, meaning evil Counsellors and Actors, by the Death of my Lord of *Strafford*, by the Flight of the Chancellor *Finch*, and of Secretary *Windebank*, by the Imprisonment of the Archbishop of *Canterbury*; and of Judge *Bartlet*, and the Impeachment of other Bishops and Judges. That they had passed a Bill for a Triennial Parliament, and another for the Continuance of the present Parliament, till they should think fit to dissolve themselves.

B. That is to say for ever if they be suffered. But the Sum of all these Things which they had done for the Kingdom is, that they had left it without Government, without Strength, without Money, without Law, and without good Counsel.

A. They reckoned also putting down of the High-Commission, and the abating of the Power of the Council-Table, and of the Bishops and their Courts; the taking  
6 T away

away of unnecessary Ceremonies in Religion ; removing of Ministers from their Livings, that were not of their Faction, and putting in such as were.

B. All this was but their own, and not the Kingdom's Business.

A. The Good they had done the King was first (they said) the giving of 25000*l.* a Month for the Relief of the Northern Counties.

B. What need of Relief had the Northern more than the rest of the Counties of *England*?

A. Yes ; in the Northern Counties were quartered the *Scotch* Army, which the Parliament called in to oppose the King, and consequently their Quarter was to be discharged.

B. True ; but by the Parliament that called them in.

A. But they say no ; and that this Money was given to the King, because he is bound to protect his Subjects.

B. He is no farther bound to that, than they to give him Money wherewithal to do it. This is very great Impudence to raise an Army against the King, and with that Army to oppress their Fellow-Subjects, and then require that the King should relieve them ; that is to say, be at the Charge of paying the Army that was raised to fight against him.

A. Nay farther ; They put to the King's Account the 300000*l.* given to the *Scots*, without which they would not have invaded *England* ; besides many other Things that I now remember not.

B. I did not think there had been so great Impudence and Villainy in Mankind.

A. You have not observed the World long enough to see all that's ill. Such was their Remonstrance, as I have told you : With it they sent a Petition containing three Points. 1. That his Majesty would deprive the Bishops of their Votes in Parliament, and remove such Oppressions in Religion, Church Government and Discipline, as they had brought in. 2. That he would remove from his Council all such as should promote the People's Grievances, and employ in his great and public Affairs such as the Parliament should confide in. 3. That he would not give away the Lands escheated to the Crown by the Rebellion in *Ireland*.

B. This last Point, methinks, was not wisely put in at this Time, it should have been reserved, till they had subdued the Rebels, against whom there were yet no Forces sent over. 'Tis like felling the Lion's Skin before they had killed him. But what Answer was made to the other two Propositions ?

A. What Answer should be made but a Denial ? About the same time the King himself exhibited Articles against six Persons of the Parliament, five whereof were of the House of Commons, and one of the House of Lords, accusing them of High Treason, and upon the 4th of *January* went himself to the House of Commons to demand those five of them : but private Notice having been given by some treacherous Person about the King, they had absented themselves ; and by that Means frustrated his Majesty's Intentions ; and after he was gone, the House making a heinous Matter of it, and a high Breach of their Privileges, adjourned themselves into *London*, there to sit as a General Committee, pretending they were not safe at *Westminster* ; for the King when he went to the House to demand those Persons, had somewhat more Attendance with him, (but not otherwise armed than his Servants used to be) than he ordinarily had : and would not be pacified, though the King did afterward wave the Prosecution of those Persons, unless he would also discover to them those that gave him Counsel to go in that Manner to the Parliament House, to the End they might receive condign Punishment, which was the Word they used instead of Cruelty.

B. This was a harsh Demand. Was it not enough that the King should forbear his Enemies, but also that he must betray his Friends ? If they thus tyrannize over the King, before they have gotten the Sovereign Power into their Hands ; how will they tyrannize over their Fellow-Subjects, when they have gotten it ?

A. So as they did.

B. How long staid that Committee in *London* ?

*A.* Not above two or three Days, and then were brought from *London* to the Parliament House by Water, in great Triumph, guarded with a tumultuous Number of armed Men, there to sit in Security in despite of the King, and make traitorous Acts against him, such, and as many as they listed, and under Favour of these Tumults to frighten away from the House of Peers all such as were not of their own Faction. For at this Time the Rabble was so insolent, that scarce any of the Bishops durst go to the House, for fear of Violence upon their Persons: inso-much as twelve of them excused themselves of coming thither; and by way of Petition to the King remonstrated, That they were not permitted to go quietly to the Performance of that Duty, and protesting against all Determinations, as of none Effect, that should pass in the House of Lords during their forced Absence; which the House of Commons taking hold of, sent up to the Peers one of their Members to accuse them of High Treason; whereupon ten of them were sent to the *Tower*, after which Time there were no more Words of their High Treason; but there passed a Bill by which they were deprived of their Votes in Parliament, and to this Bill they got the King's Assent: and in the Beginning of *September* after, they voted that the Bishops should have no more to do in the Government of the Church, but to this they had not the King's Assent, the War being now begun.

*B.* What made the Parliament so averse to Episcopacy, and especially the House of Lords, whereof the Bishops were Members? for I see no Reason why they should do it to gratify a Number of poor Parish Priests, that were Presbyterians, and that were never likely any Way to serve the Lords, but on the contrary to do their best to pull down their Power, and subject them to their Synods and Classes.

*A.* For the Lords, very few of them did perceive the Intention of the Presbyterians; and besides that, they durst not (I believe) oppose the Lower House.

*B.* But why were the Lower House so earnest against them?

*A.* Because they meant to make use of their Tenants, and with pretended Sanctity to make the King and his Party odious to the People, by whose Help they were to set up Democracy, and depose the King, or to let him have the Title only so long as he should act for their Purposes: but not only the Parliament, but in a Manner all the People of *England* were their Enemies upon the Account of their Behaviour, as being (they said) too imperious. This was all that was colourably laid to their Charge; the main Cause of pulling them down, was the Envy of the Presbyterians that incensed the People against them, and against Episcopacy itself.

*B.* How would the Presbyterians have the Church to be governed?

*A.* By National and Provincial Synods.

*B.* Is not this to make the National Assembly an Archbishop, and the Provincial Assemblies so many Bishops?

*A.* Yes; but every Minister shall have the Delight of sharing the Government, and consequently of being able to be revenged on them that do not admire their Learning, and help to fill their Purfes, and win to their Service them that do.

*B.* It is a hard Case, that there should be two Factions to trouble the Commonwealth, without any Interest in it of their own, other than every particular Man may have; and that their Quarrels should be only about Opinions, that is, about who has the most Learning, as if their Learning ought to be the Rule of governing all the World. What is it they are learned in? Is it Politics and Rules of State? I know it is called Divinity, but I hear almost nothing preached but Matter of Philosophy. For Religion in itself admits of no Controversy. 'Tis a Law of the Kingdom, and ought not to be disputed. I do not think they pretend to speak with God, and know his Will, by any other Way than reading the Scriptures, which we also do.

*A.* Yes; some of them do, and give themselves out for Prophets by extraordinary Inspiration; but the rest pretend only (for their Advancement to Benefices and Charge of Souls) a greater Skill in the Scriptures than other Men have, by reason of their Breeding in the Universities, and Knowledge there gotten of the *Latin* Tongue, and some also of the *Greek* and *Hebrew* Tongues, wherein the Scripture was written; besides their Knowledge of Natural Philosophy, which is here publicly taught.

*B.* As

*B.* As for the *Latin, Greek, and Hebrew* Tongues, it was once (to the Detection of *Roman* Fraud, and to the Ejection of the *Romish* Power) very profitable, or rather necessary; but now that is done, and we have the Scripture in *English*, and Preaching in *English*, I see no great Need of *Latin, Greek, and Hebrew*. I should think myself better qualified by understanding well the Languages of our Neighbours, *French, Dutch, and Italian*. I think it was never seen in the World before the Power of Popes was set up, that Philosophy was much conducing to Power in a Commonwealth.

*A.* But Philosophy, together with Divinity, have very much conduced to the Advancement of the Professors thereof to Places of the greatest Authority, next to the Authority of Kings themselves, in the ancient Kingdoms of the World, as is manifestly to be seen in the History of those Times.

*B.* I pray you cite me some of the Authors and Places.

*A.* First, What were the *Druids* of old time in *Britany* and *France*? What Authority these had you may see in *Cæsar, Strabo*, and others, and especially in *Diodorus Siculus*, the greatest Antiquary perhaps that ever was, who speaking of the *Druids* (which he calls *Sarovides*) in *France*, says thus: There be also amongst them certain Philosophers and Theologians, that are exceedingly honoured, whom they also use as Prophets; these Men by their Skill in Augury, and Inspection into the Bowels of Beasts sacrificed, foretel what is to come, and have the Multitude obedient to them. And a little after: It is a Custom amongst them, that no Man may sacrifice without a Philosopher; because (say they) Men ought not to present their Thanks to the Gods, but by them that know the Divine Nature, and are as it were of the same Language with them, and that all good things ought by such as these to be prayed for.

*B.* I can hardly believe that those *Druids* were very skilful, either in Natural Philosophy or Moral.

*A.* Nor I; for they held and taught the Transmigration of Souls from one Body to another, as did *Pythagoras*; which Opinion, whether they took from him, or he from them, I cannot tell.

What were the *Magi* in *Persia*, but Philosophers and Astrologers? You know how they came to find our Saviour by the conduct of a Star, either from *Persia* itself, or from some Country more Eastward than *Judea*. Were not these in great Authority in their Country? And are they not in most part of Christendom thought to have been Kings?

*Egypt* hath been thought by many the most ancient Kingdom and Nation of the World, and their Priests had the greatest Power in Civil Affairs, that any Subjects ever had in any Nation. And what were they but Philosophers and Divines? Concerning whom the same *Diodorus Siculus* says thus: The whole Country (of *Egypt*) being divided into three Parts, the Body of the Priests have one, as being of most Credit with the People, both for their Devotion towards the Gods, and also for their Understanding gotten by Education. And presently after: For generally these Men, in the greatest Affairs of all, are the King's Counsellors, partly executing, and partly informing and advising; foretelling him also (by their Skill in Astrology, and Art in the Inspection of Sacrifices) the Things that are to come, and reading to him out of their Holy Books, such of the Actions there recorded as are profitable for him to know. 'Tis not there as in *Greece*, one Man or one Woman that has the Priesthood, but they are many that attend the Honours and Sacrifices of the Gods, and leave the same Employment to their Posterity, which next to the King hath the greatest Power and Authority.

Concerning the Judicature amongst the *Egyptians*, he saith thus: From out of the most eminent Cities, *Hieropolis, Thebes, and Memphis*, they chuse Judges, which are a Council not inferior to that of *Areopagus* in *Athens*, or that of the Senate in *Lacedæmon*. When they are met, being in Number thirty, they chuse one from amongst themselves to be Chief Justice; and the City, whereof he is, sendeth another in his Place. This Chief Justice wore about his Neck, hung in a Gold Chain, a Jewel of precious Stones, the Name of which Jewel was Truth, which  
when

when the Chief Justice had put on, then began the Pleading, &c. and when the Judges had agreed on the Sentence, then did the Chief Justice put this Jewel of Truth to one of the Pleas. You see now what Power was acquir'd in Civil Matters by the Conjunction of Philosophy and Divinity.

Let us come now to the Commonwealth of the *Jews*. Was not the Priesthood in a Family (namely the Levites) as well as the Priesthood of *Egypt*? Did not the High Priest give Judgment by the Breast-plate of Urim and Thummim? Look upon the Kingdom of *Assyria*, and the Philosophers and *Chaldeans*. Had they not Lands and Cities belonging to their Family, even in *Abraham's* Time, who dwelt (you know) in *Ur* of the *Chaldeans*; of these the same Author says thus: The *Chaldeans* are a Sect in Politics like to that of the *Egyptian* Priests; for being ordained for the Service of the Gods, they spend the whole Time of their Life in Philosophy, being of exceeding great Reputation in Astrology, and pretending much also to Prophecy, foretelling things to come by Purifications and Sacrifices, and to find out by certain Incantations the preventing of Harm, and the bringing to pass Good. They have also Skill in Augury, and in the Interpretation of Dreams and Wonders, nor are they unskilful in the Art of foretelling by the Inwards of Beasts sacrificed, and have their Learning, not as the *Greeks*: for the Philosophy of the *Chaldeans* goes to their Family by Tradition, and the Son receives it from his Father.

From *Assyria* let us pass into *India*, and see what Esteem the Philosophers had there. The whole Multitude (says *Diodorus*) of the *Indians* is divided into seven Parts; whereof the first is the Body of Philosophers, for Number the least, but for Eminence the first; for they are free from Taxes, and as they are not Masters of others, so are no others Masters of them. By private Men they are called to the Sacrifices, and to the Care of Burials of the Dead, as being thought most beloved of the Gods, and skilful in the Doctrine concerning Hell, and for this Employment receive Gifts and Honours very considerable. They are also of great Use to the People of *India*; for being taken at the Beginning of the Year into the Great Assembly, they foretell them of great Droughts, great Rains, also of Winds and of Sickneses, and of whatsoever is profitable for them to know before-hand.

The same Author concerning the Laws of the *Ethiopians* saith thus: The Laws of the *Ethiopians* seem very different from those of other Nations, and especially about the Election of their Kings: for the Priests propound some of the chief Men amongst them, named in a Catalogue, and whom the God (which according to a certain Custom is carried about to Feastings) does accept of, him the Multitude elect for their King, and presently adore and honour him as a God, put into the Government by Divine Providence. The King being chosen, he has the Manner of his Life limited to him by the Laws, and does all other Things according to the Custom of the Country, neither rewarding, nor punishing any Man, otherwise than from the Beginning is established amongst them by Law; nor use they to put any Man to death, though he be condemned to it, but to send some Officer to him with a Token of Death; who seeing the Token, goes presently to his House, and kills himself presently after: But the strangest Thing of all is, that which they do concerning the Death of their Kings: for the Priests that live in *Meröe*, and spend their Time about the Worship and Honour of the Gods, and are in greatest Authority; when they have a mind to it, send a Messenger to the King, to bid him die, for that the Gods have given such Order, and that the Commandments of the Immortals are not by any Means to be neglected by those that are by Nature mortal; using also other Speeches to him, which Men of simple Judgment, and that have not Reason enough to dispute against those unnecessary Commands, as being educated in an old and undelible Custom, are content to admit of. Therefore in former Times the Kings did obey the Priests, not as mastered by Force and Arms, but as having their Reason mastered by Superstition. But in the Time of *Ptolemy II. Ergamenes*, King of the *Ethiopians*, having had

his Breeding in Philosophy after the Manner of the *Greeks*, being the first that durst dispute their Power, took Heart as befitted a King, came with Soldiers to a Place called *Abaton*, where was then the Golden Temple of the *Ethiopians*, killed all the Priests, abolished the Custom, and rectified the Kingdom according to his Will.

*B.* Though they that were killed were most damnable Impostors, yet the Act was cruel.

*A.* It was so: but were not the Priests cruel to cause their Kings, whom a little before they adored as Gods, to make away themselves? The King killed them for the Safety of his Person; they him out of Ambition or Love of Change. The King's Act may be coloured with the Good of his People; the Priests had no Pretence against their Kings, who were certainly very godly, or else would never have obey'd the Command of the Priests by a Messenger unarmed, to kill themselves. Our late King, the best King perhaps that ever was, you know, was murdered, having been first persecuted by War, at the Incitement of Presbyterian Ministers, who are therefore guilty of the Death of all that fell in that War, which were, I believe, in *England*, *Scotland*, and *Ireland*, near 100,000 Persons. Had it not been much better that those seditious Ministers, which were not perhaps 1000, had been all killed, before they had preached. It had been, I confess, a great Massacre, but the killing of 100,000 is a greater.

*B.* I am glad the Bishops were out at this Business; as ambitious as some say they are, it did not appear in that Business, for they were Enemies to them that were in it.

*A.* But I intend not by those Quotations to commend either the Divinity or the Philosophy of those heathen People; but to shew only what the Reputation of those Sciences can effect among the People. For their Divinity was nothing but Idolatry, and their Philosophy (excepting the Knowledge which the *Egyptian* Priests, and from them the *Chaldeans*, had gotten by long Observation and Study in Astronomy, Geometry, and Arithmetic) very little; and that in great part abused in Astrology and Fortune-telling. Whereas the Divinity of the Clergy in this Nation, considered apart from the Mixture (that has been introduced by the Church of *Rome*, and in part retained here) of the babbling Philosophy of *Aristotle*, and other *Greeks*, that has no Affinity with Religion, and serves only to breed Disaffection, Dissention, and finally Sedition and Civil War, (as we have lately found by dear Experience, in the Differences between the Presbyterians and Episcopals) is the true Religion: but for these Differences both Parties, as they came in Power, not only suppressed the Tenets of one another, but also whatsoever Doctrine look'd with an ill Aspect upon their Interest, and consequently all true Philosophy, especially Civil and Moral, which can never appear propitious to Ambition, or to an Exemption from their Obedience due to the Sovereign Power.

After the King had accused the Lord *Kimbolton*, a Member of the Lords House, and *Hollis*, *Haslerigg*, *Hampden*, *Pim* and *Stroud*, five Members of the Lower House, of High Treason; and after the Parliament had voted out the Bishops from the House of Peers; they pursued especially two Things in their Petitions to his Majesty: The one was, That the King would declare who were the Persons that advised him to go, as he did, to the Parliament House, to apprehend them, and that he would leave them to the Parliament to receive condign Punishment; and this they did to stick upon his Majesty the Dishonour of deserting his Friends, and betraying them to his Enemies. The other was, That he would allow them a Guard out of the City of *London*, to be commanded by the Earl of *Essex*; for which they pretended they could not else sit in Safety: which Pretence was nothing but an upbraiding of his Majesty for coming to Parliament better accompany'd than ordinary, to seize the said five seditious Members.

*B.* I see no reason, in petitioning for a Guard, they should determine it to the City of *London* in particular, and the Command by Name to the Earl of *Essex*; unless they meant the King should understand it for a Guard against himself.

*A.* Their

*A.* Their meaning was, that the King should understand it so, and (as I verily believe) they meant he should take it for an Affront: and the King himself understanding it so, deny'd to grant it; though he were willing, if they could not otherwise be satisfy'd, to command such a Guard to wait upon them, as he would be responsible for to God Almighty. Besides this, the City of *London* petitioned the King (put upon it, no doubt, by some Members of the Lower House) to put the Tower of *London* into the Hands of Persons of Trust, meaning such as the Parliament should approve of, and to appoint a Guard for the Safety of his Majesty and the Parliament. This Method of bringing Petitions in a tumultuous Manner by great Multitudes of clamorous People, was ordinary with the House of Commons, whose Ambition could never have been served by way of Prayer and Request, without extraordinary Terror.

After the King had waved the Prosecution of the five Members, but denied to make known who had advised him to come in Person to the House of Commons, they question'd the Attorney-General, who, by the King's Command, had exhibited the Articles against them, and voted him a Breaker of the Privilege of Parliament, and no doubt had made him feel their Cruelty, if he had not speedily fled the Land.

About the End of *January*, they made an Order of both Houses of Parliament to prevent the going over of Popish Commanders into *Ireland*; not so much fearing that, as that by this the King himself chusing his Commanders for that Service, might aid himself out of *Ireland* against the Parliament. But this was no great Matter in respect of a Petition they sent his Majesty about the same Time, that is to say, about the 27th or 28th of *January*, 1641, wherein they desired in Effect the absolute Sovereignty of *England*, though by the Name of Sovereignty they challenged it not, whilst the King was living: For to the End that the Fears and Dangers of this Kingdom might be removed, and the mischievous Designs of those who are Enemies to the Peace of it, might be prevented, they pray; That his Majesty would be pleased to put forthwith, 1. The Tower of *London*; 2. All other Forts; 3. The whole Militia of the Kingdom, into the Hands of such Persons as should be recommended to him by both the Houses of Parliament. And this they stile a necessary Petition.

*B.* Were there really any such Fears and Dangers generally conceived here? or did there appear any Enemies at that Time with such Designs as are mentioned in the Petition?

*A.* Yes: but no other fear of Danger, but such as any discreet and honest Man might justly have of the Designs of the Parliament itself, who were the greatest Enemies to the Peace of the Kingdom that could possibly be. 'Tis also worth observing, that this Petition began with these Words, *Most Gracious Sovereign*: So stupid they were as not to know, that he that is Master of the Militia, is Master of the Kingdom, and consequently is in Possession of a most absolute Sovereignty. The King was now at *Windsor*, to avoid the Tumults of the Common People before the Gates of *Whitehall*, together with their Clamours and Affronts there. The 9th of *February* after he came to *Hampton-Court*, and thence he went to *Dover* with the Queen and the Princess of *Orange*, his Daughter, where the Queen with the Princess of *Orange* embarked for *Holland*; but the King returned to *Greenwich*, whence he sent for the Prince of *Wales* and the Duke of *York*, and so went with them towards *York*.

*B.* Did the Lords join with the Commons in this Petition for the Militia?

*A.* It appears so by the Title: but I believe they durst not but do it. The House of Commons took them for a Cypher; Men of Title only, without real Power. Perhaps also the most of them thought, that the taking of the Militia from the King would be an Addition to their own Power; but they were very much mistaken, for the House of Commons never intended they should be Sharers in it.

*B.* What Answer made the King to this Petition?

*A.* That

*A.* That when he shall know the Extent of Power, which is intended to be established in those Persons, whom they desire to be the Commanders of the Militia in the several Counties, and likewise to what Time it shall be limited, That no Power shall be executed by his Majesty alone without the Advice of Parliament; then he will declare, that (for the securing them from all Dangers or Jealousies of any) his Majesty will be content to put into all the Places, both Forts and Militia in the several Counties, such Persons as both the Houses of Parliament shall either approve, or recommend unto him; so that they declare before unto his Majesty the Names of the Persons whom they approve or recommend; unless such Persons shall be named, against whom he shall have just and unquestionable Exceptions.

*B.* What Power, for what Time, and to whom, did the Parliament grant, concerning the Militia?

*A.* The same Power which the King had before planted in his Lieutenants and Deputy-Lieutenants in the several Counties, and without other Limitation of Time but their own Pleasure.

*B.* Who were the Men that had this Power?

*A.* There is a Catalogue of them printed. They are very many, and most of them Lords; nor is it necessary to have them named: for to name them is, in my Opinion, to brand them with the Mark of Disloyalty, or of Folly. When they had made a Catalogue of them, they sent it to the King with a new Petition for the Militia: Also presently after they sent a Message to his Majesty, praying him to leave the Prince at *Hampton-Court*; but the King granted neither.

*B.* Howsoever it was well done of them to get Hostages (if they could) of the King before he went from them.

*A.* In the mean Time, to raise Money for the reducing of *Ireland*, the Parliament invited Men to bring in Money by way of Adventure, according to these Propositions. 1. That two millions and five hundred thousand Acres of Land in *Ireland* should be assigned to the Adventurers in this Proposition.

|                          |    |                                                                                                                                                       |
|--------------------------|----|-------------------------------------------------------------------------------------------------------------------------------------------------------|
|                          | 1. |                                                                                                                                                       |
| For an Adven-<br>ture of | }  | 200—1000 Acres in <i>Ulster</i> .<br>300—1000 Acres in <i>Conaught</i> .<br>450—1000 Acres in <i>Munster</i> .<br>600—1000 Acres in <i>Leinster</i> . |

All according to *English* Measure, and consisting of Meadow, Arable, and profitable Pasture; Boggs, Woods, and barren Mountains being cast in over and above. 2. A Revenue was reserved to the Crown from 1 *d.* to 3 *d.* on every Acre. 3. That Commissions should be sent by the Parliament to erect Manors, settle Wastes and Commons, maintain preaching Ministers, to create Corporations, and to regulate Plantations. The rest of the Propositions concern only the Times and Manner of Payment of the Sums subscribed by the Adventurers. And to these Propositions his Majesty assented; but to the Petition of the Militia his Majesty denied his Assent.

*B.* If he had not, I should have thought it a great Wonder. What did the Parliament after this?

*A.* They sent him another Petition, which was presented to him when he was at *Theobalds*, in his Way to *York*; wherein they tell him plainly, That unless he be pleased to assure them by those Messengers then sent, that he would speedily apply his Royal Assent to the Satisfaction of their former Desires, they shall be enforced, for the Safety of his Majesty and his Kingdoms, to dispose of the Militia by the Authority of both Houses, &c. They petition his Majesty also to let the Prince stay at *St. James's*, or some other of his Majesty's Houses near *London*. They tell him also, that the Power of raising, ordering, and disposing of the Militia cannot be granted to any Corporation without the Authority and Consent of Parliament,

Parliament, and those Parts of the Kingdom, which have put themselves into a Posture of Defence, have done nothing therein, but by Direction of both Houses, and what is justifiable by the Laws of this Kingdom.

B. What Answer made the King to this?

A. It was a putting of themselves into Arms, and under Officers such as the Parliament should approve of. 4. They voted, That his Majesty should be again desired that the Prince might continue about *London*. Lastly, They voted a Declaration to be sent to his Majesty by both the Houses; wherein they accuse his Majesty of a Design of altering Religion, though not directly him, but them that counselled him; whom they also accused of being the Inviters and Fomenters of the *Scotch War*, and Framers of the Rebellion in *Ireland*; and upbraided the King again for accusing the Lord *Kimbolton*, and the five Members, and of being privy to the Purpose of bringing up his Army, which was raised against the *Scots*, to be employed against the Parliament. To which his Majesty sent his Answer from *Newmarket*. Whereupon it was resolved by both Houses, that in this Case of extreme Danger, and of his Majesty's Refusal, the Ordinance agreed upon by both Houses for the Militia, doth oblige the People by the fundamental Laws of this Kingdom; and also, that whosoever shall execute any Power over the Militia, by colour of any Commission of Lieutenancy, without Consent of both Houses of Parliament, shall be accounted a Disturber of the Peace of the Kingdom. Whereupon his Majesty sent a Message to both Houses from *Huntingdon*, requiring Obedience to the Laws established, and prohibiting all Subjects, upon Pretence of their Ordinance, to execute any thing concerning the Militia, which is not by those Laws warranted. Upon this the Parliament vote a Standing to their former Votes; as also, that when the Lords and Commons in Parliament, which is the Supreme Court of Judicature in the Kingdom, shall declare what the Law of the Land is; to have this not only question'd, but contradicted, is a high Breach of the Privilege of Parliament.

B. I thought that he that makes the Law, ought to declare what the Law is; for what is it else to make a Law, but to declare what it is? So that they have taken from the King, not only the Militia, but also the Legislative Power.

A. They have so; but I make account that the Legislative Power (and indeed all Power possible) is contained in the Power of the Militia. After this they seize such Money as was due to his Majesty upon the Bill of Tonnage and Poundage, and upon the Bill of Subsidies, that they might disable him every Way they possibly could. They sent him also many other contumelious Messages and Petitions, after his coming to *York*: amongst which one was; That whereas the Lord Admiral, by Indisposition of Body, could not command the Fleet in Person, he would be pleased to give Authority to the Earl of *Warwick* to supply his Place; when they knew the King had put Sir *John Pennington* in it before.

B. To what End did the King entertain so many Petitions, Messages, Declarations and Remonstrances, and vouchsafe his Answers to them, when he could not chuse but clearly see, they were resolv'd to take from him his Royal Power, and consequently his Life? For it could not stand with their Safety to let either him or his Issue live, after they had done him so great Injuries.

A. Besides this, the Parliament had at the same Time a Committee residing at *York*, to spy what his Majesty did, and to inform the Parliament thereof, and also to hinder the King from gaining the People of that County to his Party: So that when his Majesty was courting the Gentlemen there, the Committee was instigating of the Yeomanry against him. To which also the Ministers did very much contribute: So that the King lost his Opportunity at *York*.

B. Why did not the King seize the Committee into his Hands, or drive them out of Town?

A. I know not: But I believe he knew the Parliament had a greater Party than he, not only in *Yorkshire*, but also in *York*.

Towards the End of *April*, the King, upon Petition of the People of *Yorkshire*, to have the Magazine of *Hull*, to remain still there, for the greater Security of the Northern Parts, thought fit to take it into his own Hands. He had a little before appointed Governor of that Town the Earl of *Newcastle*; but the Townsmen having been already corrupted by the Parliament, refused to receive him, but refused not to receive Sir *John Hotbam*, appointed to be Governor by the Parliament. The King therefore coming unto the Town, guarded only by his own Servants, and a few Gentlemen of the Country thereabouts, was denied Entrance by Sir *John Hotbam* that stood upon the Wall, for which Act he presently caused Sir *John Hotbam* to be proclaimed a Traitor, and sent a Message to the Parliament, requiring Justice to be done upon the said *Hotbam*, and that the Town and Magazine might be delivered into his Hands. To which the Parliament made no Answer, but instead thereof published another Declaration, in which they omitted nothing of their former Slanders against his Majesty's Government, but inserted certain Propositions declarative of their own pretended Right, *viz.*

1. That whatsoever they declare to be Law, ought not to be questioned by the King.
2. That no Precedents can be Limits to bound their Proceedings.
3. That a Parliament for the public Good may dispose of any Thing, wherein the King or Subject hath a Right; and that they, without the King, are this Parliament, and the Judge of this public Good, and that the King's Consent is not necessary.
4. That no Member of either House ought to be troubled for Treason, Felony, or any other Crime, unless the Cause be first brought before the Parliament, that they may judge of the Fact, and give leave to proceed, if they see Cause.
5. That the Sovereign Power resides in both Houses, and that the King ought to have no negative Voice.
6. That the levying of Forces against the personal Commands of the King, (though accompanied with his Presence) is not levying War against the King; but the levying of War against his politic Person, *viz.* his Laws, &c.
7. That Treason cannot be committed against his Person, otherwise than as he is intrusted with the Kingdom, and discharges that Trust; and that they have a Power to judge whether he have discharged this Trust or not.
8. That they may dispose of the King when they will.

*B.* This is plain Dealing, and without Hypocrisy. Could the City of *London* swallow this?

*A.* Yes; and more too, if need be. *London*, you know has a great Belly, but no Palate, nor Taste of Right and Wrong. In the Parliament Roll of *Henry IV.* amongst the Articles of the Oath the King at his Coronation took, there is one runs thus: *Concedes justas Leges & Consuetudines esse tenendas; & promittes per te eas esse protegendas, & ad honorem Dei corroborandas, quas vulgus elegerit.* Which the Parliament urged for the Legislative Authority, and therefore interpret *quas vulgus elegerit*, which the People shall chuse; as if the King should swear to protect and corroborate Laws, before they were made, whether they be good or bad; whereas the Words signify no more, but that he shall protect and corroborate such Laws as they have chosen, that is to say, the Acts of Parliament then in being. And in the Records of the Exchequer it is thus: *Will you grant to hold and keep the Laws and rightful Customs which the Commonalty of this your Kingdom have, and will you defend and uphold them? &c.* And this was the Answer his Majesty made to that Point.

*B.* And I think this Answer very full and clear: but if the Words were to be interpreted in the other Sense, yet I see no Reason why the King should be bound to swear to them: for *Henry IV.* came to the Crown by the Votes of a Parliament, not much inferior in Wickedness to this long Parliament, that deposed and murdered their lawful King; saving that it was not the Parliament itself, but the Usurper that murdered King *Richard II.*

*A.* About a Week after, in the Beginning of *May*, the Parliament sent the King another Paper, which they stiled the humble Petition and Advice of both Houses, containing 19 Propositions; which when you shall hear, you shall be able to judge what Power they meant to leave to the King, more than to any one of his Subjects. The first of them is this:

1. That the Lords, and others of his Majesty's Privy-Council, and all great Officers of State, both at home and abroad, be put from their Employments, and from his Council; save only such as should be approved of by both Houses of Parliament, and none put into their Places, but by Approbation of the said Houses. And that all Privy-Councillors take an Oath for the due Execution of their Places, in such Form as shall be agreed upon by the said Houses.

2. That the great Affairs of the Kingdom be debated, resolved and transacted only in Parliament; and such as shall presume to do any thing to the contrary, be referred to the Censure of the Parliament, and such other Matters of State, as are proper for his Majesty's Privy-Council; shall be debated, and concluded by such as shall from time to time be chosen for that Place by both Houses of Parliament; and that no public Act concerning the Affairs of the Kingdom, which are proper for his Privy-Council, be esteemed valid, as proceeding from the Royal Authority, unless it be done by the Advice and Consent of the major Part of the Council, attested under their Hands: and that the Council be not more than 25, or less than 15; and that when a Councillor's Place falls void in the Interval of Parliament, it shall not be supplied without the Assent of the major Part of the Council; and that such Choice also shall be void, if the next Parliament after confirm it not.

3. That the Lord High Steward of *England*, Lord High Constable, Lord Chancellor, or Keeper of the Great Seal, Lord Treasurer, Lord Privy-Seal, Earl-Marshal, Lord Admiral, Warden of the Cinque Ports, Chief Governor of *Ireland*, Chancellor of the Exchequer, Master of the Wards, Secretaries of States, two Chief Justices and Chief Baron, be always chosen with the Approbation of both Houses of Parliament, and in the Intervals of Parliament, by the major Part of the Privy-Council.

4. That the Government of the King's Children shall be committed to such as both Houses shall approve of, and in the Intervals of Parliament, such as the Privy-Council shall approve of; that the Servants then about them, against whom the Houses have just Exception, should be removed.

5. That no Marriage be concluded or treated of for any of the King's Children, without Consent of Parliament.

6. That the Laws in Force against Jesuits, Priests, and Popish Recufants, be strictly put in Execution.

7. That the Votes of Popish Lords in the House of Peers be taken away, and that a Bill be passed for the Education of the Children of Papists in the Protestant Religion.

8. That the King will be pleased to reform the Church Government and Liturgy, in such manner as both Houses of Parliament shall advise.

9. That he would be pleased to rest satisfied with that Course that the Lords and Commons have appointed for ordering the Militia, and recall his Declarations and Proclamations against it.

10. That such Members as have been put out of any Place or Office, since this Parliament began, may be restored, or have Satisfaction.

11. That all Privy-Councillors and Judges take an Oath, the Form whereof shall be agreed on, and settled by Act of Parliament for the maintaining the Petition of Right, and of certain Statutes made by the Parliament.

12. That all the Judges and Officers placed by Approbation of both Houses of Parliament, may hold their Places *quam diu bene se gesserint*.

13. That the Justice of Parliament may pass upon all Delinquents, whether they be within the Kingdom, or fled out of it; and that all Persons cited by either House of Parliament may appear and abide the Censure of Parliament.

14. That the general Pardon offered by his Majesty be granted with such Exceptions, as shall be advised by both Houses of Parliament.

*B.* What a spiteful Article was this! All the rest proceeded from Ambition, which many times well-natured Men are subject to; but this proceeded from an inhuman and devilish Cruelty.

*A.* 15. That the Forts and Castles be put under the Command of such Persons, as, with the Approbation of the Parliament, the King shall appoint.

16. That the extraordinary Guards about the King be discharged; and for the future none raised, but according to the Law in case of actual Rebellion, or Invasion.

*B.* Methinks these very Propositions sent to the King are an actual Rebellion.

*A.* 17. That his Majesty enter into a more strict Alliance with the United Provinces, and other neighbouring Protestant Princes and States.

18. That his Majesty be pleased, by Act of Parliament, to clear the Lord *Kimbolton*, and the five Members of the House of Commons, in such Manner as that future Parliaments may be secured from the Consequence of that evil Precedent.

19. That his Majesty be pleased to pass a Bill for restraining Peers made hereafter, from sitting or voting in Parliament, unless they be admitted with Consent of both Houses of Parliament.

These Propositions granted; they promise to apply themselves to regulate his Majesty's Revenue to his best Advantage, and to settle it to the Support of his Royal Dignity in Honour and Plenty; and also to put the Town of *Hull* into such Hands as his Majesty shall appoint, with Consent of Parliament.

*B.* Is not that to put it into such Hands as his Majesty shall appoint by the Consent of the Petitioners, which is no more than to keep it in their Hands as it is? Did they want, or think the King wanted common Sense, so as not to perceive that their Promise herein was worth nothing?

*A.* After the sending of these Propositions to the King, and his Majesty's Refusal to grant them, they began, on both Sides, to prepare for War. The King raised a Guard for his Person in *Yorkshire*, and the Parliament thereupon having voted, that the King intended to make War upon his Parliament, gave Order for the mustering and exercising the People in Arms, and published Propositions to invite and encourage them to bring in either ready Money or Plate, or to promise under their Hands to furnish and maintain certain Numbers of Horse, Horsemen, and Arms, for the Defence of the King and Parliament, (meaning by King, as they had formerly declar'd, not his Person, but his Laws) promising to repay their Money with Interest of 8 *l.* in the 100 *l.* and the Value of their Plate, with 12 *d.* the Ounce for the Fashion. On the other side the King came to *Nottingham*, and there did set up his Standard Royal, and sent out Commissions of Array, to call those to him, which by the ancient Laws of *England* were bound to serve him in the Wars. Upon this Occasion there passed divers Declarations between the King and Parliament, concerning the Legality of this Array, which are too long to tell you at this Time.

*B.* Nor do I desire to hear any Mooting about this Question: for I think that general Law of *Salus Populi*, and the Right of defending himself, against those that had taken from him the Sovereign Power, are sufficient to make legal whatsoever he should do, in order to the Recovery of his Kingdom, or to the punishing of the Rebels.

*A.* In the mean time the Parliament raised an Army, and made the Earl of *Essex* General thereof; by which Act they declared what they meant formerly, when they petitioned the King for a Guard to be commanded by the said Earl of *Essex*; and now the King sends out his Proclamations, forbidding Obedience to the Orders of the Parliament concerning the Militia; and the Parliament send out Orders against the Execution of the Commissions of Array. Hitherto, though it were a War before, yet there was no Blood shed; they shot at one another nothing but Paper.

*B.* I understand now how the Parliament destroy'd the Peace of the Kingdom; and how easily, by the Help of seditious Presbyterian Ministers, and of ambitious ignorant Orators, they reduced this Government into Anarchy: but I believe it will be a harder Task for them to bring in Peace again, and settle the Government either in themselves, or any other Governor or Form of Government. For  
granting

granting that they obtained the Victory in this War, they must be beholden for it to the Valour, good Conduct, or Felicity of those to whom they give the Command of their Armies; especially to the General, whose good Success will, without doubt, draw with it the Love and Admiration of the Soldiers; so that it will be in his Power, either to take the Government upon himself, or to place it where himself thinks good. In which case, if he take it not to himself, he will be thought a Fool; and if he do, he shall be sure to have the Envy of his subordinate Commanders, who look for a Share, either in the present Government, or in the Succession to it: for they will say, Has he obtained this Power by his own, without our Danger, Valour and Counsel? and must we be his Slaves, whom we have thus raised? or is not there as much Justice on our Side against him, as was on his Side against the King?

*A.* They will, and did; insomuch that the Reason why *Cromwell*, after he had gotten into his own Hands the absolute Power of *England*, *Scotland*, and *Ireland*, by the Name of Protector, did never dare to take upon him the Title of King, nor was ever able to settle it upon his Children. His Officers would not suffer it, as pretending after his Death to succeed him; nor would the Army consent to it, because he had ever declared to them, against the Government of a single Person.

*B.* But to return to the King. What Means had he to pay; what Provision had he to arm; nay, to levy an Army, able to resist the Army of the Parliament, maintained by the great Purse of the City of *London*, and Contributions of almost all the Towns Corporate in *England*, and furnished with Arms as fully as they could require?

*A.* 'Tis true, the King had great Disadvantages, and yet by little and little he got a considerable Army, with which he so prospered, as to grow stronger every Day, and the Parliament weaker, till they had gotten the *Scots*, with an Army of 21,000 Men, to come into *England* to their Assistance. But to enter into the particular Narration of what was done in the War, I have not now Time.

*B.* Well then, we will talk of that at next meeting.

# B E H E M O T H.

## P A R T III.

*B.* **W**E left at the Preparations on both Sides for War: which when I considered by myself, I was mightily puzzled to find out what Possibility there was for the King to equal the Parliament in such a Course; and what Hopes he had of Money, Men, Arms, fortified Places, Shipping, Council, and Military Officers, sufficient for such an Enterprize against the Parliament, that had Men and Money as much at command, as the City of *London*, and other Corporation Towns were able to furnish, which was more than they needed. And for the Men they should set forth for Soldiers, they were almost all of them spitefully bent against the King and his whole Party, whom they took to be either Papists, or Flatterers of the King, or that had designed to raise their Fortunes by the Plunder of the City, and other Corporation Towns. And though I believe not that they were more valiant than other Men, nor that they had so much Experience in the War, as to be accounted good Soldiers;

diers; yet they had that in them, which in time of Battle is more conducing to Victory than Valour and Experience both together, and that was Spight.

And for Arms, they had in their Hands the chief Magazines, the Tower of *London*, and the Town of *Kingston* upon *Hull*, besides most of the Powder and Shot that lay in several Towns, for the Use of the Train'd Bands.

Fortified Places there were not many then in *England*, and most of them in the Hands of the Parliament.

The King's Fleet was wholly in their Command under the Earl of *Warwick*.

Counsellors they needed no more than such as were of their own Body; so that the King was every way inferior to them, except it were perhaps in Officers.

*A.* I cannot compare their Chief Officers. For the Parliament, the Earl of *Effex* (after the Parliament had voted the War) was made General of all their Forces, both in *England* and *Irleand*, from whom all other Commanders were to receive their Commissions.

*B.* What moved them to make General the Earl of *Effex*? And for what Cause was the Earl of *Effex* so displeas'd with the King, as to accept that Office?

*A.* I do not certainly know what to answer to either of those Questions: But the Earl of *Effex* had been in the Wars Abroad, and wanted neither Experience, Judgment, nor Courage, to perform such an Undertaking. And besides that, you have heard, I believe, how great a Darling of the People his Father had been before him, and what Honour he had gotten by the Success of his Enterprize upon *Cales*, and in some other Military Actions. To which I may add, that this Earl himself was not held by the People to be so great a Favourite at Court, as that they might not trust him with their Army against the King. And by this you may perhaps conjecture the Cause for which the Parliament made Choice of him for General.

*B.* But why did they think him discontented with the Court?

*A.* I know not that; nor indeed that he was so. He came to the Court as other Noblemen did, when Occasion was, to wait upon the King, but had no Office, till a little before this Time, to oblige him to be there continually: but I believe verily, that the Unfortunateness of his Marriages had so discountenanced his Conversation with the Ladies, that the Court could not be his proper Element, unless he had some extraordinary Favour there to balance that Calamity: but for particular Discontent from the King, or Intention of Revenge for any supposed Disgrace, I think he had none, nor that he was any ways addicted to Presbyterian Doctrines, or other Fanatic Tenets in Church or State; saving only, that he was carried away with the Stream (in a manner) of the whole Nation, to think that *England* was not an absolute, but a mixt Monarchy: not considering that the supreme Power must always be absolute, whether it be in the King, or in the Parliament.

*B.* Who was the General of the King's Army?

*A.* None yet, but himself; nor indeed had he yet any Army; but there coming to him at that Time his two Nephews, the Princes *Rupert* and *Maurice*, he put the Command of his Horse into the Hands of Prince *Rupert*, a Man, than whom no Man living has a better Courage, nor was more active and diligent in prosecuting his Commissions; and though but a young Man then, was not without Experience in the conducting of Soldiers; as having been an Actor in part of his Father's Wars in *Germany*.

*B.* But how could the King find Money to pay such an Army as was necessary for him against the Parliament?

*A.* Neither the King nor Parliament had much Money at that Time, in their own Hands, but were fain to rely upon the Benevolence of those that took their Parts. Wherein, I confess, the Parliament had a mighty great Advantage. Those that helped the King in that kind were only Lords and Gentlemen, which not approving the Proceedings of the Parliament, were willing to undertake the Payment every one of a certain Number of Horse, which cannot be thought any very

great Assistance, the Persons that payed them being so few: for other Moneys that the King then had, I have not heard of any, but what he borrowed upon Jewels in the *Low Countries*. Whereas the Parliament had a very plentiful Contribution, not only from *London*, but generally from their Faction in all other Places of *England*, upon certain Propositions (published by the Lords and Commons in *June* 1642, at what Time they had newly voted, that the King intended to make War upon them) for bringing in of Money or Plate to maintain Horse and Horsemen, and to buy Arms for the Preservation of the public Peace, and for the Defence of the King, and both Houses of Parliament: for the Repayment of which Money and Plate they were to have the public Faith.

*B.* What public Faith is there, when there is no Public? What is it that can be called Public in a Civil War without the King?

*A.* The Truth is, the Security was nothing worth, but served well enough to gull those seditious Blockheads, that were more fond of Change, than either of their Peace or Profit.

Having by this Means gotten Contributions from those that were well-affected to their Cause, they made Use of it afterwards to force the like Contribution from others: for in *November* following they made an Ordinance for assessing also of those, that had not contributed then, or had contributed, but not proportionably to their Estates. And yet this was contrary to what the Parliament promised and declared in the Propositions themselves; for they declared in the first Proposition, That no Man's Affection should be measured by the Proportion of his Offer, so that he expressed his good Will to the Service in any Proportion whatsoever.

Besides this, in the Beginning of *March* following, they made an Ordinance to levy weekly a great Sum of Money upon every County, City, Town, Place and Person of any Estate almost in *England*; which weekly Sum (as may appear by the Ordinance itself, printed and published in *March* 1642, by Order of both Houses) comes to almost 33,000 *l.* and consequently to above 1,700,000 *l.* for the Year. They had besides all this, the Profits of the King's Lands and Woods, and whatsoever was remaining unpaid of any Subsidy formerly granted him, and the Tonnage and Poundage usually received by the King; besides the Profit of the Sequestrations of great Persons, whom they pleased to vote Delinquents, and the Profits of the Bishops Lands, which they took to themselves a Year or a little more after.

*B.* Seeing then the Parliament had such Advantage of the King in Money, and Arms, and Multitude of Men, and had in their Hands the King's Fleet; I cannot imagine what Hope the King could have, either of Victory, (unless he resigned into their Hands the Sovereignty) or subsisting: For I cannot well believe he had any Advantage of them, either in Councillors, Conductors, or in the Resolutions of his Soldiers.

*A.* On the contrary, I think he had also some Disadvantage in that: For though he had as good Officers, at least, as any then served the Parliament, yet I doubt he had not so useful Counsel as was necessary; and for his Soldiers, though they were Men as stout as theirs, yet because their Valour was not sharpened so with Malice, as theirs was of the other Side, they fought not so keenly as their Enemies did: Amongst whom there were a great many *London* Apprentices, who for want of Experience in the War, would have been fearful enough of Death and Wounds approaching visibly in glistering Swords; but for want of Judgment, scarce thought of such Death as comes invisibly in a Bullet, and therefore were very hardly to be driven out of the Field.

*B.* But what Fault do you find in the King's Councillors, Lords, and other Persons of Quality and Experience?

*A.* Only that Fault, which was generally in the whole Nation, which was, that they thought the Government of *England* was not absolute, but a mixt Monarchy; and that if the King should clearly subdue this Parliament, that his Power would be what he pleased, and theirs as little as he pleased, which they counted Tyranny.

Tyranny. This Opinion, though it did not lessen their Endeavour to gain the Victory for the King in a Battle, when a Battle could not be avoided, yet it weakened their Endeavour to procure him an absolute Victory in the War. And for this Cause, notwithstanding that they saw that the Parliament was firmly resolv'd to take all Kingly Power whatsoever out of his Hands; yet their Counsel to the King was upon all Occasions, to offer Propositions to them of Treaty and Accommodation, and to make and publish Declarations, which any Man might easily have foreseen would be fruitless; and not only so, but also of great Disadvantage to those Actions by which the King was to recover his Crown, and preserve his Life: For it took off the Courage of the best and forwardest of his Soldiers, that looked for great Benefit by their Service out of the Estates of the Rebels, in case they should subdue them; but none at all if the Business should be ended by a Treaty.

*B.* And they had Reason: For a Civil War never ends by Treaty without the Sacrifice of those, who were on both Sides the sharpest. You know well enough how things pass'd at the Reconciliation of *Augustus* and *Antonius* in *Rome*: But I thought, that after they once began to levy Soldiers one against another, that they would not any more have return'd of either Side to Declarations, or other Paper War, which if it could have done any Good, would have done it long before this.

*A.* But seeing the Parliament continued writing, and set forth their Declarations to the People against the Lawfulness of the King's Commission of Array, and sent Petitions to the King, as fierce and rebellious as ever they had done before, demanding of him, That he would disband his Soldiers, and come up to the Parliament, and leave those whom the Parliament called Delinquents (which were none but the King's best Subjects) to their Mercy; and pass such Bills as they should advise him; would you not have the King set forth Declarations and Proclamations against the Illegality of their Ordinances; by which they levied Soldiers against him, and answer those insolent Petitions of theirs?

*B.* No; it had done him no Good before, and therefore was not likely to do him any afterwards: for the common People, whose Hands were to decide the Controversy, understood not the Reasons of either Party; and for those, that by Ambition were once set upon the Enterprize of changing the Government, they cared not much what was Reason and Justice in the Cause, but what Strength they might procure by reducing the Multitude with Remonstrances from the Parliament-House, or by Sermons in the Churches. And to their Petitions I would not have had any Answer made at all, more than this; that if they would disband their Army, and put themselves upon his Mercy, they should find him more gracious than they expected.

*A.* That had been a gallant Answer indeed, if it had proceeded from him after some extraordinary great Victory in Battle, or some extraordinary Assurance of a Victory at last in the whole War.

*B.* Why? What could have happened to him worse than at length he suffered, notwithstanding his gentle Answers, and all his reasonable Declarations?

*A.* Nothing; but who knew that?

*B.* Any Man might see, that he was never like to be restored to his Right without Victory; and such his Stoutness being known to the People, would have brought to his Assistance many more Hands than all the Arguments of Law, or Force of Eloquence couched in Declarations and other Writings, could have done by far: and I wonder what kind of Men they were that hindered the King from taking this Resolution?

*A.* You may know by the Declarations themselves, which are very long and full of Quotations of Records, and of Cases formerly reported; that the Penners of them were either Lawyers by Profession, or such Gentlemen as had the Ambition to be thought so. Besides, I told you before, that those which were then likeliest to have their Counsel asked in this Business, were averse to absolute Monarchy,

narchy, as also to absolute Democracy or Aristocracy; all which Governments they esteemed Tyranny, and were in love with Monarchy, which they used to praise by the Name of mixt Monarchy, though it were indeed nothing else but pure Anarchy. And those Men, whose Pens the King most used in these Controversies of Law and Politics, were such (if I have not been misinformed) as having been Members of this Parliament, had declaimed against Ship-money, and other extra-parliamentary Taxes, as much as any; but when they saw the Parliament grow higher in their Demands, than they thought they would have done, went over to the King's Party.

*B.* Who were those?

*A.* It is not necessary to name any Man, seeing I have undertaken only a short Narration of the Follies and other Faults of Men, during this Trouble; but not (by naming the Persons) to give you, or any Man else, Occasion to esteem them the less, now that the Faults on all Sides have been forgiven.

*B.* When the Business was brought to this Height by levying of Soldiers and seizing of the Navy and Arms, and other Provisions on both Sides, that no Man was so blind as not to see, they were in an Estate of War one against another; why did not the King, by Proclamation or Message, according to his undoubted Right, dissolve the Parliament, and thereby diminish in some part the Authority of their Levies, and of other their unjust Ordinances?

*A.* You have forgotten that I told you, that the King himself by a Bill that he passed, at the same time when he passed the Bill for the Execution of the Earl of *Strafford*, had given them Authority to hold the Parliament till they should, by Consent of both Houses, dissolve themselves. If therefore he had by any Proclamations, or Message to the Houses, dissolved them, they would, to their former Defamations of his Majesty's Actions, have added this, that he was a Breaker of his Word; and not only in Contempt of him have continued their Session, but also have made Advantage of it, to the Increase and strengthening of their own Party.

*B.* Would not the King's raising of an Army against them be interpreted, as a Purpose to dissolve them by Force? and was it not as great a Breach of Promise to scatter them by Force, as to dissolve them by Proclamation? Besides, I cannot conceive, that the passing of that Act was otherwise intended than conditionally; so long as they should not ordain any thing contrary to the Sovereign Right of the King; which Condition they had already by many of their Ordinances broken. And I think, that even by the Law of Equity, which is the unalterable Law of Nature, a Man that has the Sovereign Power, cannot, if he would, give away the Right of any thing which is necessary for him to retain for the good Government of his Subjects, unless he do it in express Words, saying, That he will have the Sovereign Power no longer. For the giving away that, which by Consequence only draws the Sovereignty along with it, is not, I think, a giving away of the Sovereignty; but an Error, such as works nothing but an Invalidity in the Grant itself. And such was the King's passing of this Bill for the continuing of the Parliament as long as the two Houses pleased. But now that the War was resolved on, on both Sides, what needed any more Dispute in Writing?

*A.* I know not what Need they had, but on both Sides they thought it needful to hinder one another, as much as they could, from levying of Soldiers; and therefore the King did set forth Declarations in Print to make the People know, that they ought not to obey the Officers of the new Militia, set up by the Ordinance of Parliament, and also to let them see the Legality of his own Commissions of Array. And the Parliament on their part did the like to justify to the People the said Ordinance, and to make the Commission of Array appear unlawful.

*B.* When the Parliament were levying of Soldiers, was it not lawful for the King to levy Soldiers to defend himself and his Right, though there had been no other Title for it, but his own Preservation, and that the Name of Commission of Array had never before been heard of?

*A.* For my Part (I think) there cannot be a better Title for War, than the Defence of a Man's own Right; but the People, at that time, thought nothing lawful for the King to do, for which there was not some Statute made by Parliament. For the Lawyers, I mean the Judges of the Courts at *Westminster*, and some few others, though but Advocates, yet of great Reputation for their Skill in the common Laws and Statutes of *England*, had infected most of the Gentry of *England* with their Maxims and Cases prejudged, which they call Precedents; and made them think so well of their own Knowledge in the Law, that they were very glad of this Occasion to shew it against the King, and thereby to gain a Reputation with the Parliament of being good Patriots, and wise Statesmen.

*B.* What was this Commission of Array?

*A.* King *William* the Conqueror had gotten into his Hands by Victory all the Land in *England*, of which he disposed some Part, as Forests and Chases, for his Recreation; and some Part to Lords and Gentlemen that had assisted him, or were to assist him in the Wars: upon which he laid a Charge of Service in his Wars, some with more Men, and some with less, according to the Lands he had given them, whereby, when the King sent Men unto them with Commission, to make use of their Service, they were obliged to appear with Arms, and to accompany the King to the Wars for a certain Time, at their own Charges; and such were the Commissions by which this King did then make his Levies.

*B.* Why then was it not legal?

*A.* No doubt but it was legal: but what did that amount to with Men that were already resolved to acknowledge for Law nothing that was against their Design of abolishing Monarchy, and placing a sovereign and absolute arbitrary Power in the House of Commons.

*B.* To destroy Monarchy, and set up the House of Commons, are two Businesses.

*A.* They found it so at last, but did not think it so then.

*B.* Let us now come to the Military Part.

*A.* I intended only the Story of their Injustice, Impudence and Hypocrisy; therefore for the proceeding of the War, I refer you to the History thereof written at large in *English*. I shall only make use of such a Thread as is necessary for the filling up of such Knavery and Folly also, as I shall observe in their several Actions.

From *York* the King went to *Hull*, where was his Magazine of Arms for the Northern Parts of *England*, to try if they would admit him. The Parliament had made Sir *John Hotham* Governor of the Town, who caused the Gates to be shut, and presenting himself upon the Walls, flatly denied him Entrance; for which the King caused him to be proclaimed a Traitor; and sent a Message to the Parliament to know if they owned the Action.

*B.* Upon what Grounds?

*A.* Their Pretence was this, that neither this, nor any other Town in *England* was otherwise the King's, than in trust for the People of *England*.

*B.* But what was that to the Parliament?

*A.* Yes, say they; for we are the Representatives of the People of *England*.

*B.* I cannot see the Force of this Argument. We represent the People, *ergo* all that the People has is ours. The Major of *Hull* did represent the King; is therefore all that the King had in *Hull* the Major's? The People of *England* may be represented with Limitations, as to deliver a Petition or the like: Does it follow, that they who deliver the Petition have Right to all the Towns in *England*? When began this Parliament to be a Representative of *England*? Was it not *November 3, 1640*? Who was it the Day before, that is *November 2*, that had a Right to keep the King out of *Hull*, and possess it for themselves? for there was then no Parliament. Whose was *Hull* then?

*A.* I think it was the King's, not only because it was called the King's Town upon *Hull*; but because the King himself did then and ever represent the Person of the People of *England*. If he did not, who then did, the Parliament having no Being?

*B.* They

*B.* They might perhaps say, the People had then no Representative.

*A.* Then there was no Commonwealth; and consequently all the Towns of *England* being the People's, you and I, and any Man else might have put in for his Share. You may see by this what weak People they were, that were carried into the Rebellion by such reasoning as the Parliament used, and how impudent they were that did put such Fallacies upon them:

*B.* Surely they were such as were esteemed the wisest Men in *England*, being upon that Account chosen to be of the Parliament.

*A.* And were they also esteemed the wisest Men of *England* that chose them?

*B.* I cannot tell that: for I know it is usual with the Freeholders in the Counties, and the Tradesmen in the Cities and Boroughs, to chuse, as near as they can, such as are most repugnant to the giving of Subsidies.

*A.* The King in the Beginning of *August*, after he had summoned *Hull*, and tried some of the Counties thereabout, what they would do for him, sets up his Standard at *Nottingham*; but there came not thither Men enough to make an Army sufficient to give Battle to the Earl of *Effex*. From thence he went to *Shrewsbury*, where he was quickly furnished; and appointing the Earl of *Lindsey* to be General, he resolved to march towards *London*. The Earl of *Effex* was now at *Worcester* with the Parliament's Army, making no Offer to stop him in his Passage; but as soon as he was gone by, marched close after him.

The King therefore, to avoid being inclosed between the Army of the Earl of *Effex* and the City of *London*, turned upon him, and gave him Battle at *Edgehill*; where though he got not an intire Victory, yet he had the better, if either had the better, and had certainly the Fruit of a Victory, which was to march on in his intended Way towards *London*; in which, the next Morning he took *Banbury* Castle, and from thence went to *Oxford*, and thence to *Brainford*, where he gave a great Defeat to three Regiments of the Parliament's Forces, and so returned to *Oxford*.

*B.* Why did not the King go on from *Brainford*?

*A.* The Parliament upon the first Notice of the King's marching from *Shrewsbury*, caused all the Train'd-bands, and the Auxiliaries of the City of *London*, (which was so frightened as to shut up all their Shops) to be drawn forth; so that there was a most compleat and numerous Army ready for the Earl of *Effex* that was crept into *London* just at the Time to head it; and this was it that made the King retire to *Oxford*. In the Beginning of *February* after, Prince *Rupert* took *Cirencester* from the Parliament with many Prisoners and many Arms: for it was newly made a Magazine. And thus stood the Business between the King's and the Parliament's greatest Forces. The Parliament in the mean Time caused a Line of Communication to be made about *London* and the Suburbs, of twelve Miles in Compass, and constituted a Committee for the Association, and the putting into a Posture of Defence of the Counties of *Effex*, *Cambri'ge*, *Suffolk*, and some others, and one of these Commissioners was *Oliver Cromwell*, from which Employment he came to his following Greatness.

*B.* What was done, during this Time, in other Parts of the Country?

*A.* In the West the Earl of *Stamford* had the Employment of putting in Execution the Ordinance of Parliament for the Militia; and Sir *Ralph Hopton* for the King executed the Commission of Array. Between these two was fought a Battle at *Liscard* in *Cornwall*, wherein Sir *Ralph Hopton* had the Victory, and presently took a Town called *Saltash* with many Arms, and much Ordnance, and many Prisoners. Sir *William Waller* in the mean time seized *Winchester* and *Chichester* for the Parliament.

In the North, for the Commission of Array my Lord of *Newcastle*, and for the Militia of the Parliament was my Lord *Fairfax*. My Lord of *Newcastle* took from the Parliament *Tadcaster*, in which were a great Part of the Parliament's Forces for that Country, and had made himself in a manner Master of all the North. About this time, that is to say, in *February*, the Queen landed at *Burlington*, and was conducted

conducted by my Lord of *Newcastle*, and the Marquis of *Montrose*, to *York*, and not long after to the King. Divers other little Advantages, besides those, the King's Party had of the Parliament's in the North.

There happened also between the Militia of the Parliament, and the Commission of Array in *Staffordshire*, under my Lord *Brook* for the Parliament, and my Lord of *Northampton* for the King, great Contention, wherein both these Commanders were slain; for my Lord *Brook* besieging *Litchfield* close, was killed with a Shot; notwithstanding which they gave not over the Siege till they were Masters of the Close; but presently after my Lord of *Northampton* besieged it again for the King; which to relieve, Sir *William Brereton* and Sir *John Gell* advanced towards *Litchfield*, and were met at *Hopton-Heath* by the Earl of *Northampton*, and routed; the Earl himself was slain; but his Forces, with Victory, returned to the Siege again, and shortly after seconded by Prince *Rupert*, who was then abroad in that Country, carried the Place. These were the chief Actions of this Year 1642, wherein the King's Party had not much the worse.

B. But the Parliament had now a better Army; insomuch, that if the Earl of *Essex* had immediately followed the King to *Oxford*, (not yet well fortified) he might, in all Likelihood, have taken it: For he could not want either Men, or Ammunition, whereof the City of *London* (which was wholly at the Parliament's Devotion) had store enough.

A. I cannot judge of that; but this is manifest, considering the Estate the King was in at his first marching from *York*, when he had neither Money, nor Men, nor Arms enough to put them in hope of Victory; that this Year (take it all together) was very prosperous.

B. But what great Folly or Wickedness do you observe in the Parliament's Actions for this first Year?

A. All that can be said against them in that Point, will be excused with the Pretext of War, and come under one Name of Rebellion; saving, that when they summoned any Town, it was always in the Name of King and Parliament, the King being in the contrary Army, and many Times beating them from the Siege. I do not see how the Right of War can justify such Impudence as that. But they pretended that the King was always virtually in the two Houses of Parliament, making a Distinction between his Person Natural and Politic, which made the Impudence the greater, besides the Folly of it: For this was but an University Quibble, such as Boys make use of in maintaining (in the Schools) such Tenets, as they cannot otherwise defend.

In the End of this Year they solicited also the *Scots* to enter *England* with an Army, to suppress the Power of the Earl of *Newcastle* in the North; which was a plain Confession, that the Parliament's Forces were at this Time inferior to the King's; and most Men thought, that if the Earl of *Newcastle* had then marched Southward, and joined his Forces with the King's, that most of the Members of Parliament would have fled out of *England*.

In the Beginning of 1643, the Parliament seeing the Earl of *Newcastle*'s Power in the North grown so formidable, sent to the *Scots* to hire them to an Invasion of *England*, and (to compliment them in the mean Time) made a Covenant amongst themselves, such as the *Scots* had before taken against Episcopacy, and demolished Crosses and Church-windows (such as had in them any Images of Saints) throughout all *England*. Also in the middle of the Year they made a solemn League with the Nation, which was called the Solemn League and Covenant.

B. Are not the *Scots* as properly to be called Foreigners as the *Irish*? Seeing then they persecuted the Earl of *Strafford* even to Death, for advising the King to make use of *Irish* Forces against the Parliament, with what Face could they call in a *Scotch* Army against the King?

A. The King's Party might easily here have discerned their Design to make themselves absolute Masters of the Kingdom, and to dethrone the King. Another great Impudence, or rather a bestial Incivility it was of theirs, that they voted the Queen a Traitor,

a Traitor, for helping the King with some Ammunition and *English* Forces from *Holland*.

*B.* Was it possible that all this could be done, and Men not see that Papers and Declarations must be useless; and that nothing could satisfy them but the deposing of the King, and setting up of themselves in his place?

*A.* Yes; very possible. For who was there of them, though knowing that the King had the Sovereign Power, that knew the essential Rights of Sovereignty? They dreamt of a mix'd Power of the King and the two Houses. That it was a divided Power, in which there could be no Peace, was above their Understanding. Therefore they were always urging the King to Declarations and Treaties, (for fear of subjecting themselves to the King in an absolute Obedience) which increased the Hope and Courage of the Rebels, but did the King little good: for the People either understand not, or will not trouble themselves with Controversies in Writing, but rather by his Compliance and Messages go away with an Opinion, that the Parliament was likely to have the Victory in the War. Besides, seeing the Penners and Contrivers of these Papers were formerly Members of the Parliament, and of another Mind, and now revolted from the Parliament, because they could not bear that Sway in the House, which they expected, Men were apt to think they believed not what they writ.

As for military Actions (to begin at the head Quarters) Prince *Rupert* took *Birmingham*, a Garrison of the Parliament's. In *July* after the King's Forces had a great Victory over the Parliament's near *Devizes* on *Roundway-Down*, where they took 2000 Prisoners, four Brass Pieces of Ordnance, twenty-eight Colours, and all their Baggage; and shortly after *Bristol* was surrender'd to Prince *Rupert* for the King: and the King himself marching into the West, took from the Parliament many other considerable Places.

But this good Fortune was not a little allay'd by his besieging of *Gloucester*, which after it was reduced to the last Gasps, was relieved by the Earl of *Essex*, whose Army was before greatly wasted, but now suddenly recruited with the Train'd-Bands and Apprentices of *London*.

*B.* It seems, not only by this, but also by many Examples in History, that there can hardly arise a long or dangerous Rebellion, that has not some such overgrown City, with an Army or two in its Belly, to foment it.

*A.* Nay more; those great capital Cities, when Rebellion is upon Pretence of Grievances, must needs be of the Rebel Party, because the Grievances are but Taxes, to which Citizens, that is, Merchants, whose Profession is their private Gain, are naturally mortal Enemies; their only Glory being to grow excessively rich by the Wisdom of buying and selling.

*B.* But they are said to be of all Callings the most beneficial to the Commonwealth, by setting the poorer sort of People on Work.

*A.* That is to say, by making poor People sell their Labour to them, at their own Prices; so that poor People, for the most part, might get a better Living by working in *Bridewell*, than by spinning, weaving, and other such Labour, as they can do; saving that by working slightly they may help themselves a little, to the Disgrace of our Manufacture. And as most commonly they are the first Encouragers of Rebellion, presuming of their Strength; so also are they, for the most part, the first to repent, deceived by them that command their Strength.

But to return to the War; though the King withdrew from *Gloucester*, yet it was not to fly from, but to fight with the Earl of *Essex*, which presently after he did at *Newbury*, where the Battle was bloody, and the King had not the worst, unless *Cirencester* be put into the Scale, which the Earl of *Essex* had in his Way a few Days before surprized.

But in the North and the West the King had much the better of the Parliament; for in the North, at the very Beginning of the Year, *March* 29th, the Earls of *Newcastle* and *Cumberland* defeated the Lord *Fairfax* (who commanded

in those Parts for the Parliament) at *Brambam-Moor*, which made the Parliament to hasten the Assistance of the *Scots*.

In *June* following, the Earl of *Newcastle* routed Sir *Thomas Fairfax*, Son to the Lord *Fairfax*, upon *Adderton-Heath*, and in Pursuit of them to *Bradford*, took and kill'd 2000 Men, and the next Day took the Town and 2000 Prisoners more, (Sir *Thomas* himself hardly escaping) with all their Arms and Ammunition; and besides this, made the Lord *Fairfax* quit *Halifax* and *Beverly*. Lastly, Prince *Rupert* relieved *Newark*, besieged by Sir *John Meldrun*, for the Parliament, with 7000 Men, whereof 1000 were slain; the rest upon Articles departed, leaving behind them their Arms, Bag and Baggage.

To ballance in part this Success, the Earl of *Manchester*, whose Lieutenant-General was *Oliver Cromwell*, got a Victory over the Royalists near *Horncastle*, of whom he slew 400, took 800 Prisoners, and 1000 Arms, and presently after took and plundered the City of *Lincoln*.

In the West, *May* 16th, Sir *Ralph Hopton*, at *Stratton* in *Devonshire*, had a Victory over the Parliamentarians, wherein he took 1700 Prisoners, 13 Brass Pieces of Ordnance, and all their Ammunition, which was 70 Barrels of Powder, and the Magazine of their other Provisions in the Town.

Again at *Landsdown*, between Sir *Ralph Hopton* and the Parliamentarians, under Sir *William Waller*, was fought a fierce Battle, wherein the Victory was not very clear on either side; saving that the Parliamentarians might seem to have the better, because presently after Sir *William Waller* followed Sir *Ralph Hopton* to *Devizes* in *Wiltshire*, though to his Cost; for there he was overthrown, as I have already told you.

After this the King in Person marched into the West, and took *Exeter*, *Dorchester*, *Barnstable*, and divers other Places; and had he not at his Return besieged *Gloucester*, and thereby given the Parliament Time for new Levies, 'twas thought by many he might have routed the House of Commons. But the End of this Year was more favourable to the Parliament; for in *January* the *Scots* entered *England*, and *March* the first crossed the *Tyne*, and whilst the Earl of *Newcastle* was marching to them, Sir *Thomas Fairfax* gathered together a considerable Party in *Yorkshire*, and the Earl of *Manchester* from *Lyn* advanced towards *York*; so that the Earl of *Newcastle* having two Armies of the Rebels behind him, and another before him, was forced to retreat to *York*, which those three Armies joining presently besieged; and these are all the considerable military Actions of the Year 1643.

In the same Year the Parliament caused to be made a new Great Seal. The Lord Keeper had carried the former Seal to *Oxford*. Hereupon the King sent a Messenger to the Judges at *Westminster*, to forbid them to make use of it. This Messenger was taken, and condemn'd at a Council of War, and hang'd for a Spy.

B. Is that the Law of War?

A. I know not: but it seems, when a Soldier comes into the Enemy's Quarters without Address, or Notice given to the chief Commander, that it is presumed he comes as a Spy. The same Year, when certain Gentlemen at *London* received a Commission of Array from the King, to levy Men for his Service in that City, being discovered, they were condemn'd, and some of them executed. This Case is not much unlike the former.

B. Was not the making of a new Great Seal a sufficient Proof that the War was raised, not to remove evil Councillors from the King, but to remove the King himself from the Government? What hope then could there be had in Messages and Treaties?

A. The Entrance of the *Scots* was a Thing unexpected to the King, who was made to believe, by continual Letters from his Commissioner in *Scotland*, Duke *Hamilton*, that the *Scots* never intended any Invasion. The Duke being then at *Oxford*, the King (assured that the *Scots* were now enter'd) sent him Prisoner to *Pendennis Castle* in *Cornwall*.

In the Beginning of the Year 1644, the Earl of *Newcastle* being (as I told you) besieged by the joint Forces of the *Scots*, the Earl of *Manchester*, and Sir *Thomas Fairfax*, the King sent Prince *Rupert* to relieve the Town, and as soon as he could to give the Enemy Battle. Prince *Rupert* passing through *Lancashire*, and by the Way having stormed that seditious Town of *Bolton*, and taken *Stockford* and *Liverpool*, came to *York* the 1st of *July*, and relieved it; the Enemy being risen thence to a Place call *Marston-Moor*, about four Miles off; and there was fought that unfortunate Battle, which lost the King in a Manner all the North. Prince *Rupert* returned by the Way he came, and the Earl of *Newcastle* to *York*, and thence with some of his Officers over the Sea to *Hamburg*.

The Honour of this Victory was attributed chiefly to *Oliver Cromwell*, the Earl of *Manchester's* Lieutenant-General. The Parliamentarians returned from the Field to the Siege of *York*, which not long after, upon honourable Articles was surrendered; not that they were favoured, but because the Parliament employed not much Time, nor many Men in Sieges.

B. This was a great and sudden Abatement of the King's Prosperity.

A. It was so: but Amends was made him for it within five or six Weeks after. For Sir *William Waller*, after the Loss of his Army in *Roundway-Down*, had another raised for him by the City of *London*; who for the Payment thereof imposed a weekly Tax of the Value of one Meal's Meat upon every Citizen. This Army, with that of the Earl of *Essex*, intended to besiege *Oxford*; which the King understanding, sent the Queen into the West, and marched himself towards *Worcester*. This made them to divide again, and the Earl to go into the West, and *Waller* to pursue the King. By this Means, as it fell out, both their Armies were defeated; for the King turned upon *Waller*, routed him at *Couprey-Bridge*, took his Train of Artillery and many Officers; and then presently followed the Earl of *Essex* into *Cornwall*, where he had him at such Advantage, that the Earl himself was fain to escape in a small Boat to *Plymouth*; his Horse broke thro' the King's Quarters by Night; but the Infantry were all forced to lay down their Arms, and upon Condition never more to bear Arms against the King, were permitted to depart.

In *October* following was fought a second and sharp Battle at *Newbury*: for this Infantry, making no Conscience of the Conditions made with the King, being now come towards *London*, as far as *Basingstoke*, had Arms put again into their Hands; to whom some of the Train'd-Bands being added, the Earl of *Essex* had suddenly so great an Army, that he attempted the King again at *Newbury*; and certainly had the better of the Day, but the Night parting them, had not a complete Victory. And it was observed here, that no part of the Earl's Army fought so keenly, as they who had laid down their Arms in *Cornwall*. These were the most important Fights in the Year 1644, and the King was yet (as both himself and others thought) in as good Condition as the Parliament, which despaired of Victory by the Commanders they then used.

Therefore they voted a new modelling of the Army, suspecting the Earl of *Essex*, though I think wrongfully, to be too much a Royalist; for not having done so much as they looked for in this second Battle at *Newbury*. The Earls of *Essex* and *Manchester* perceiving what they went about, voluntarily laid down their Commissions; and the House of Commons made an Ordinance, that no Member of either House should enjoy any Office, or Command Military or Civil; with which oblique Blow they shook off those that had hitherto served them too well; and yet out of this Ordinance they excepted *Oliver Cromwell*, in whose Conduct and Valour they had very great Confidence, (which they would not have done, if they had known him as well then as they did afterwards) and made him Lieutenant-General to Sir *Thomas Fairfax*, their new made General. In the Commission to the Earl of *Essex* there was a Clause for the Preservation of his Majesty's Person, which in this new Commission was left out; though the Parliament (as well as the General) were as yet Presbyterian.

B. It

B. It seems the Presbyterians also (in order to their Ends) would fain have had the King murdered.

A. For my part I doubt it not. For a rightful King living, an usurping Power can never be sufficiently secured.

In this same Year the Parliament put to Death Sir *John Hotham* and his Son, for tampering with the Earl of *Newcastle* about the Rendition of *Hull*; and Sir *Alexander Carew*, for endeavouring to deliver up *Plymouth*, where he was Governor for the Parliament; and the Archbishop of *Canterbury*, for nothing, but to please the *Scots*: for the general Article of going about to subvert the fundamental Laws of the Land, was no Accusation, but only foul Words. They then also voted down the Book of Common-Prayer, and ordered the Use of a Directory, which had been newly composed by an Assembly of Presbyterian Ministers. They were also then, with much ado, prevailed with for a Treaty with the King at *Uxbridge*, where they remitted nothing of their former Demands. The King had also at this Time a Parliament at *Oxford*, consisting of such discontented Members as had left the Houses at *Westminster*, but few of them had changed their old Principles, and therefore that Parliament was not much worth. Nay rather, because they endeavoured nothing but Messages and Treaties, that is to say, defeating of the Soldiers Hope of Benefit by the War, they were thought by most Men to do the King more Hurt than Good.

The Year 1645, was to the King very unfortunate; for by the Loss of one great Battle he lost all he had formerly gotten, and at length his Life.

The new-model'd Army, after Consultation whether they should lay Siege to *Oxford*, or march Westward to the Relief of *Taunton*, (then besieged by the Lord *Goring*, and defended by *Blake*, famous afterwards for his Actions at Sea) resolved for *Taunton*, leaving *Cromwell* to attend the Motions of the King, though not strong enough to hinder him. The King, upon this Advantage, drew his Forces and Artillery out of *Oxford*. This made the Parliament to call back their General *Fairfax*, and order him to besiege *Oxford*. The King, in the mean Time, relieved *Chester*, which was besieged by Sir *William Brereton*, and coming back took *Leicester* by Force; a Place of great Importance, and well provided of Artillery and Provision.

Upon this Success it was generally thought, that the King's Party was the stronger. The King himself thought so, and the Parliament in a manner confess'd the same, by commanding *Fairfax* to rise from the Siege, and endeavour to give the King Battle: For the Successes of the King, and the Divisions and Treacheries growing now amongst themselves, had driven them to rely upon the Fortune of one Day; in which at *Naseby* the King's Army was utterly overthrown, and no Hope left him to raise another. Therefore, after the Battle, he went up and down, doing the Parliament here and there some shrewd Turns, but never much increased his Number.

*Fairfax*, in the mean Time, first recovered *Leicester*, and then marching into the West subdued it all, except only a few Places; forcing, with much ado, my Lord *Hopton* (upon honourable Conditions) to disband his Army, and with the Prince of *Wales* to pass over to *Scilly*, whence, not long after, they went to *Paris*.

In *April* 1646, General *Fairfax* began to march back to *Oxford*. In the mean Time *Rainsborough*, who besieged *Woodstock*, had it surrendered. The King therefore, who was now also returned to *Oxford*, from whence *Woodstock* is but six Miles, not doubting, but that he should there by *Fairfax* be besieged, and having no Army to relieve him, resolved to get away disguis'd to the *Scotch* Army about *Newark*; and thither he came the fourth of *May*; and the *Scotch* Army being upon remove homewards, carried him with them to *Newcastle*, whither he came *May* the 13th.

B. Why did the King trust himself with the *Scots*? They were the first that rebell'd. They were Presbyterians, *i. e.* cruel; besides they were indigent, and consequently

consequently it might be suspected, would sell him to his Enemies for Money. And lastly, they were too weak to defend him, or keep him in their Country.

*A.* What could he have done better? For he had in the Winter before sent to the Parliament to get a Pass for the Duke of *Richmond* and others, to bring them Propositions of Peace: It was denied. He sent again; it was denied again. Then he desir'd he might come to them in Person: This also was denied. He sent again and again to the same Purpose; but instead of granting it, they made an Ordinance, That the Commanders of the Militia of *London*, in case the King should attempt to come within the Line of Communication, should raise what Force they thought fit to suppress Tumults, to apprehend such as came with him, and to secure (*i. e.* to imprison) his Person from Danger. If the King had adventured to come, and had been imprisoned; what could the Parliament have done with him? They had dethron'd him by their Votes; and therefore could have no Security, whilst he liv'd, though in Prison. It may be they would not have put him to Death by a High Court of Justice publickly, but secretly some other Way.

*B.* He should have attempted to get beyond Sea.

*A.* That had been from *Oxford* very difficult. Besides it was generally believ'd, that the *Scotch* Army had promised him, that not only his Majesty, but also his Friends that should come with him, should be in their Army safe; not only for their Persons, but also for their Honours and Consciences. 'Tis a pretty Trick, when the Army, and the particular Soldiers of the Army, are different Things, to make the Soldiers promise what the Army means not to perform.

*July* the 11<sup>th</sup> the Parliament sent their Propositions to the King at *Newcastle*; which Propositions they pretended to be the only Way to a settled and well-grounded Peace. They were brought by the Earl of *Pembroke*, the Earl of *Suffolk*, Sir *Walter Earle*, Sir *John Hippesty*, Mr. *Goodwin* and Mr. *Robinson*; whom the King asked if they had Power to treat? And when they said No; why they might not as well have been sent by a Trumpeter? The Propositions were the same dethroning ones, which they used to send, and therefore the King would not assent to them. Nor did the *Scots* swallow them at first, but made some Exceptions against them; only, it seems, to make the Parliament perceive, they meant not to put the King into their Hands *gratis*. And so at last the Bargain was made between them; and upon the Payment of 200000 *l.* the King was put into the Hands of the Commissioners, which the *English* Parliament sent down to receive him.

*B.* What a vile Complexion has this Action compounded, of feigned Religion and very Covetousness, Cowardice, Perjury and Treachery?

*A.* Now the War, that seemed to justify many unseemly Things, is ended; you will see almost nothing else in these Rebels, but Baseness and Falseness, besides their Folly.

By this time the Parliament had taken in all the rest of the King's Garrisons, whereof the last was *Pendennis* Castle, whither Duke *Hamilton* had been sent Prisoner by the King.

*B.* What was done during this Time in *Ireland* and *Scotland*?

*A.* In *Ireland* there had been a Peace made by order from his Majesty for a Time, which by Divisions amongst the *Irish* was ill kept; the Popish Party (the Pope's Nuncio being then there) took this to be the Time for delivering themselves from their Subjection to the *English*. Besides, the Time of the Peace was now expir'd.

*B.* How were they subject to the *English* more than the *English* to the *Irish*? They were subject to the King of *England*; but so also were the *English* to the King of *Ireland*.

*A.* This Distinction is somewhat too subtil for common Understandings. In *Scotland* the Marquis of *Montrossie* for the King, with a very few Men, and miraculous Victories, had over-run all *Scotland*, where many of his Forces (out of too much Security) were permitted to be absent for a while; of which the

Enemy having Intelligence, suddenly came upon them, and forced them to fly back into the Highlands to recruit; where he began to recover Strength, when he was commanded by the King (then in the Hands of the Scots at *Newcastle*) to disband; and he departed from *Scotland* by Sea.

In the End of the same Year 1646, the Parliament caused the King's Great Seal to be broken; also the King was brought to *Holmeby*, and there kept by the Parliament's Commissioners; and here was an End of that War, as to *England* and *Scotland*, but not to *Ireland*. About this Time also died the Earl of *Essex*, whom the Parliament had discarded.

B. Now that there was Peace in *England*, and the King in Prison, in whom was the Sovereign Power?

A. The Right was certainly in the King, but the Exercise was yet in nobody; but contended for, as in a Game at Cards, without fighting all the Years 1647 and 1648, between the Parliament and *Oliver Cromwell*, Lieutenant-General to Sir *Thomas Fairfax*.

You must know, that when King *Henry* the VIIIth abolished the Pope's Authority here, and took upon him to be the Head of the Church, the Bishops, as they could not resist him, so neither were they discontented with it. For whereas before, the Pope allowed not the Bishops to claim Jurisdiction in their Dioceses *Jure Divino*, that is, of Right immediately from God, but by the Gift and Authority of the Pope, now that the Pope was outed, they made no doubt but the Right was in themselves. After this the City of *Geneva*, and divers other Places beyond Sea, having revolted from the Papacy, set up Presbyteries for the Government of their several Churches; and divers *English* Scholars that went beyond Sea, during the time of *Queen Mary*, were much taken with this Government, and at their Return, in the Time of *Queen Elizabeth*, and ever since, have endeavoured, to the great Trouble of the Church and Nation, to set up that Government here, wherein they might domineer, and applaud their own Wit and Learning: and these took upon them, not only a divine Right, but also a divine Inspiration: and having been connived at and countenanced sometimes in their frequent Preaching, they introduced many strange and many pernicious Doctrines, out-doing the Reformation, as they pretended, both of *Luther* and *Calvin*, receding from the former Divinity or Church-Philosophy (for Religion is another Thing) as much as *Luther* and *Calvin* had receded from the Pope, and distracted their Auditors into a great Number of Sects, as Brownists, Anabaptists, Independents, Fifth-monarchy-men, Quakers, and divers others, all commonly called by the Name of Fanatics: insomuch as that there was not so dangerous an Enemy to the Presbyterians as this Brood of their own hatching.

These were *Cromwell's* best Cards, whereof he had a very great Number in the Army, and some in the House, whereof he himself was thought one, though he were nothing certain, but applying himself always to the Faction that was strongest, was of a Colour like it.

There were in the Army a great Number (if not the greatest Part) that aimed only at Rapine, and sharing the Lands and Goods of their Enemies; and these also, upon the Opinion they had of *Cromwell's* Valour and Conduct, thought they could not any way better arrive at their Ends, than by adhering to him. Lastly, in the Parliament itself, though not the major Part, yet a considerable Number were Fanatics; enough to put in Doubts, and cause Delay in the Resolutions of the House, and sometimes also by Advantage of a thin House, to carry a Vote in favour of *Cromwell*, as they did upon the 26th of *July*. For whereas on the fourth of *May* precedent, the Parliament had voted that the Militia of *London* should be in the Hands of a Committee of Citizens, whereof the Lord Mayor for the Time being should be one; shortly after, the Independents chancing to be the major, made an Ordinance, by which it was put into Hands more favourable to the Army.

The best Cards the Parliament had, were the City of *London*, and the Person of the King. The General, Sir *Thomas Fairfax*, was right Presbyterian, but in the

Hands of the Army, and the Army in the Hands of *Cromwell*, but which Party should prevail depended on the playing of the Game. *Cromwell* protested still Obedience and Fidelity to the Parliament, but meaning nothing less, bethought him, and resolved on a Way to excuse himself of all that he should do to the contrary upon the Army. Therefore he and his Son-in-law, Commissary-General *Ireton*, as good at contriving as himself, and at Speaking and Writing better, contrive how to mutiny the Army against the Parliament. To this End they spread a Whisper through the Army, that the Parliament, now they had the King, intended to disband them, to cheat them of their Arrears, and to send them into *Ireland* to be destroyed by the *Irish*. The Army being herewith enraged, were taught by *Ireton* to erect a Council among themselves, of two Soldiers out of every Troop, and every Company, to consult for the Good of the Army, and to assist at the Council of War, and to advise for the Peace and Safety of the Kingdom. These were called Adjutors, so that whatsoever *Cromwell* would have to be done, he needed nothing to make them do it, but secretly to put it into the Head of these Adjutors. The Effect of the first Consultation was, to take the King from *Holmeby*, and to bring him to the Army.

The General hereupon, by Letter to the Parliament, excuses himself, and *Cromwell*, and the Body of the Army, as ignorant of the Fact; and that the King came away willingly with those Soldiers that brought him: assuring them withall, that the whole Army intended nothing but Peace, nor opposed Presbytery, nor affected Independency, nor did hold any licentious Freedom in Religion.

*B.* 'Tis strange that Sir *Thomas Fairfax* could be so abused by *Cromwell*, as to believe this which he himself here writes.

*A.* I cannot believe that Cornet *Joyce* could go out of the Army with a thousand Soldiers to fetch the King, and neither the General, nor the Lieutenant-General, nor the Body of the Army, take Notice of it. And that the King went willingly, appears to be false, by a Message sent on Purpose from his Majesty to the Parliament.

*B.* Here is Perfidy upon Perfidy: first the Perfidy of the Parliament against the King, and then the Perfidy of the Army against the Parliament.

*A.* This was the first Trick *Cromwell* plaid, whereby he thought himself to have gotten so great an Advantage, that he said openly, That he had the Parliament in his Pocket (as indeed he had) and the City too: for upon the News of it they were, both the one and the other, in very great Disorder, and the more, because there came with it a Rumour, that the Army was marching up to *London*.

The King in the mean time, till his Residence was settled at *Hampton-Court*, was carried from Place to Place, not without some Ostentation; but with much more Liberty, and with more Respect shewn him by far, than when he was in the Hands of the Parliament's Commissioners; for his own Chaplains were allowed him, and his Children, and some Friends permitted to see him. Besides that, he was much complimented by *Cromwell*, who promised him, in a serious and seeming passionate manner, to restore him to his Right against the Parliament.

*B.* How was he sure he could do that?

*A.* He was not sure; but he was resolved to march up to the City and Parliament to set up the King again, (and be the second Man) unless in the Attempt he found better Hope, than yet he had, to make himself the first Man by dispossessing the King.

*B.* What Assistance against the Parliament and the City could *Cromwell* expect from the King.

*A.* By declaring directly for him, he might have had all the King's Party, which were many more now since his Misfortune, than ever they were before: for in the Parliament itself there were many that had discovered the Hypocrisy and private Aims of their Fellows. Many were converted to their Duty by their own natural Reason; and their Compassion for the King's Sufferings had begot generally an Indignation against the Parliament; so that if they had been, by the Protection of  
the

the present Army, brought together, and embodied, *Cromwell* might have done what he had pleased in the first place for the King, and in the second for himself: but it seems he meant first to try what he could do without the King, and if that proved enough, to rid his Hands of him.

*B.* What did the Parliament and City do to oppose the Army?

*A.* First, the Parliament sent to the General to re-deliver the King to their Commissioners. Instead of an Answer to this, the Army sent Articles to the Parliament, and with them a Charge against eleven of their Members; all of them active Presbyterians: of which Articles these are some. 1. That the House may be purged of those, who by the self-denying Ordinance ought not to be there. 2. That such as abused and endangered the Kingdom, might be disabled to do the like hereafter. 3. That a Day might be appointed to determine this Parliament. 4. That they would make an Accompt to the Kingdom of the vast Sums of Money they had received. 5. That the eleven Members might presently be suspended sitting in the House. These were the Articles that put them to their Trumps, and they answered none of them, but that of the Suspension of the eleven Members, which they said they could not do by Law, till the Particulars of the Charge were produced: but this was soon answered with their own Proceeding against the Archbishop of *Canterbury*, and the Earl of *Strafford*.

The Parliament being thus somewhat awed, and the King made somewhat confident; he undertakes the City, requiring the Parliament to put the Militia of *London* into other Hands.

*B.* What other Hands? I do not well understand you.

*A.* I told you that the Militia of *London* was, on the fourth of *May*, put into the Hands of the Lord-Mayor and other Citizens, and soon after put into the Hands of other Men more favourable to the Army; and now I am to tell you, that on *July* the 26th, the Violence of certain Apprentices and disbanded Soldiers forced the Parliament to resettle it as it was in the Citizens; and hereupon the two Speakers and divers of the Members ran away to the Army where they were invited, and contented to sit and vote in the Council of War in Nature of a Parliament; and out of these Citizens hands they would have the Militia taken away, and put again into those Hands, out of which it was taken the 26th of *July*.

*B.* What said the City to this?

*A.* The *Londoners* manned their Works, *viz.* the Line of Communication, raised an Army of valiant Men within the Line, chose good Officers, all being desirous to go out and fight, whensoever the City should give them Order, and in that Posture stood expecting the Enemy.

The Soldiers in the mean time enter into an Engagement to live and die with Sir *Thomas Fairfax*, and the Parliament, and the Army.

*B.* That is very fine. They imitate that which the Parliament did, when they first took up Arms against the King, stiling themselves the King and Parliament, maintaining that the King was always virtually in his Parliament: So the Army now making War against the Parliament, called themselves the Parliament and the Army: but they might with more Reason say, that the Parliament (since it was in *Cromwell's* Pocket) was virtually in the Army.

*A.* Withal they send out a Declaration of the Grounds of their March towards *London*; wherein they take upon them to be Judges of the Parliament, and of who are fit to be trusted with the Business of the Kingdom, giving them the Name, not of the Parliament, but of the Gentlemen at *Westminster*. For since the Violence they were under *July* the 26th, the Army denied them to be a lawful Parliament. At the same time they sent a Letter to the Mayor and Aldermen of *London*, reproaching them with those late Tumults, telling them they were Enemies to the Peace, treacherous to the Parliament, unable to defend either the Parliament or themselves, and demanded to have the City delivered into their Hands, to which Purpose they said they were now coming to them. The General also sent out his Warrants to the Counties adjacent, summoning their Trained Soldiers to join with them.

*B.* Were

B. Were the Trained Soldiers part of the General's Army ?

A. No, nor at all in pay, nor could be without an Order of Parliament. But what might an Army not do after it had mastered all the Laws of the Land? The Army being come to *Hounslow-Heath*, distant from *London* but ten Miles, the Court of Aldermen was called to consider what to do. The Captains and Soldiers of the City were willing and well provided to go forth and give them Battle: but a treacherous Officer, that had Charge of a Work on *Southwark* Side, had let in within the Line a small Party of the Enemy, who march'd as far as to the Gate of *London* Bridge, and then the Court of Aldermen (their Hearts failing them) submitted on these Conditions: To relinquish their Militia: To desert the eleven Members: To deliver up the Forts and Line of Communication, together with the Tower of *London*, and all Magazines and Arms therein, to the Army: To disband their Forces, and turn out all the Reformadoes, *i. e.* all *Effex's* old Soldiers: To draw off their Guards from the Parliament. All which was done, and the Army marched triumphantly through the principal Streets of the City.

B. 'Tis strange that the Mayor and Aldermen having such an Army, should so quickly yield. Might they not have resisted the Party of the Enemy, at the Bridge, with a Party of their own; and the rest of the Enemies with the rest of their own?

A. I cannot judge of that: but to me it would have been strange, if they had done otherwise: for I consider the most part of rich Subjects, that have made themselves so by Craft and Trade, as Men that never look upon any thing but their present Profit, and who to every thing not lying in that Way are in a manner blind, being amazed at the very Thought of plundering. If they had understood what Virtue there is to preserve their Wealth in Obedience to their lawful Sovereign, they would never have sided with the Parliament, and so we had had no need of arming. The Mayor and Aldermen therefore being assured by this Submission to save their Goods, and not sure of the same by resisting, seem to me to have taken the wisest Course. Nor was the Parliament less tame than the City; for presently, *August* the 6th, the General brought the fugitive Speakers and Members to the House with a strong Guard of Soldiers, and replaced the Speakers in their Chairs; and for this they gave the General Thanks, not only there in the House, but appointed also a Day for a holy Thanksgiving, and not long after made him *Generalissimo* of all the Forces of *England*, and Constable of the Tower: but in effect all this was the Advancement of *Cromwell*; for he was the Usufructuary, though the Property were in *Sir Thomas Fairfax*. For the Independents immediately cast down the whole Line of Communication, divided the Militia of *London*, *Westminster* and *Southwark*, which were before united; displaced such Governors of Towns and Forts as were not for their Turn, though placed there by Ordinance of Parliament, instead of whom they put in Men of their own Party. They also made the Parliament to declare null all that had passed in the Houses from *July* the 26th to *August* the 6th, and clapt in Prison some of the Lords, and some of the most eminent Citizens, whereof the Lord Mayor was one.

B. *Cromwell* had Power enough now to restore the King: Why did he not?

A. His main end was to set himself in his Place. The restoring of the King was but a Reserve against the Parliament, which being in his Pocket, he had no more Need of the King, who was now an Impediment to him. To keep him in the Army was a Trouble; To let him fall into the Hands of the Presbyterians had been a Stop to his Hopes; To murder him privately, (besides the Horror of the Act) now whilst he was no more than Lieutenant-General, would have made him odious without furthering his Design. There was nothing better for his Purpose, than to let him escape from *Hampton-Court*, (where he was too near the Parliament) whither he pleased beyond Sea; for though *Cromwell* had a great Party in the Parliament-House, whilst they saw not his Ambition to be their Master, yet they would have been his Enemies, as soon as that had appeared. To make the King attempt an Escape, some of those that had him in Custody, by *Cromwell's* Direction, told him that the Adjutors meant to murder him; and withal caused a Rumour of the

same to be generally spread, to the end it might that Way also come to the King's Ear, as it did.

The King therefore in a dark and rainy Night, (his Guards being retired, as it was thought on Purpose) left *Hampton-Court*, and went to the Sea-side about *Southampton*, where a Vessel had been bespoken to transport him, but failed; so that the King was forced to trust himself with Colonel *Hammond*, then Governor of the Isle of *Wight*: expecting perhaps some Kindness from him for Dr. *Hammond's* Sake, Brother to the Colonel, and his Majesty's much favoured Chaplain: but it proved otherwise; for the Colonel sent to his Masters of the Parliament to receive their Orders concerning him. This going into the Isle of *Wight* was not likely to be any Part of *Cromwell's* Design, who neither knew whither, nor which Way he would go, nor had *Hammond* known any more than other Men, if the Ship had come to the appointed Place in due Time.

B. If the King had escaped into *France*, might not the *French* have assisted him with Forces to recover his Kingdom, and so frustrated the Designs, both of *Cromwell*, and all the King's other Enemies?

A. Yes, much; just as they assisted his Son our present most gracious Sovereign, who two Years before fled thither out of *Cornwall*.

B. 'Tis methinks no great Policy in neighbouring Princes to favour so often as they do one another's Rebels, especially when they rebel against Monarchy itself. They should rather first make a League against Rebellion, and afterwards (if there be no Remedy) fight one against another. Nor will that serve the Turn amongst Christian Sovereigns, till preaching be better looked to, whereby the Interpretation of a Verse in the *Hebrew, Greek* or *Latin* Bible, is oftentimes the Cause of Civil War, and the deposing and assassinating of God's Anointed: and yet converse with those Divinity-Disputers as long as you will, you will hardly find one in a hundred discreet enough to be employed in any great Affair either of War or Peace. It is not the Right of the Sovereign, though granted to him by every Man's express Consent, that can enable him to do his Office; it is the Obedience of the Subject that must do that. For what Good is it to promise Allegiance, and then by and by to cry out, (as some Ministers did in the Pulpit) *To your Tents, O Israel!* Common People know nothing of Right or Wrong by their own Meditation; they must therefore be taught the Grounds of their Duty, and the Reasons why Calamities ever follow Disobedience to their lawful Sovereigns. But on the contrary, our Rebels were publicly taught Rebellion in the Pulpits; and that there was no Sin, but the doing of what the Preachers forbad, or the Omission of what they advised. But now the King was the Parliament's Prisoner, why did not the Presbyterians advance their own Interest by restoring him?

A. The Parliament, in which there were more Presbyterians yet than Independents, might have gotten what they would of the King, during his Life, if they had not by unconscionable and sottish Ambition obstructed the Way to their Ends. They sent him four Propositions to be signed and passed by him, as Acts of Parliament, telling him when these were granted, they would send Commissioners to treat with him of any other Articles.

The Propositions were these. First: That the Parliament should have the Militia, and the Power of levying Money to maintain it, for twenty Years; and after that Term, the Exercise thereof to return to the King, in case the Parliament think the Safety of the Kingdom concerned in it.

B. The first Article takes from the King the Militia, and consequently the whole Sovereignty for ever.

A. The second was: That the King should justify the Proceedings of the Parliament against himself; and declare void all Oaths and Declarations made by him against the Parliament.

B. This was to make him guilty of the War, and of all the Blood spilt therein.

A. The third was: To take away all Titles of Honour conferred by the King since the great Seal was carried to him in *May* 1642.

The fourth was: That the Parliament should adjourn themselves, when, and to what Place, and for what Time they pleased.

These Propositions the King refused to grant, as he had Reason; but sent others of his own, not much less advantageous to the Parliament, and desired a personal Treaty with the Parliament for the settling of the Peace of the Kingdom: But the Parliament denying them to be sufficient for that Purpose, voted, That there should be no more Addresses made to him, nor Messages received from him; but that they would settle the Kingdom without him. And this they voted partly upon the Speeches and Menaces of the Army-Faction then present in the House of Commons: whereof one advised these three Points.

1. To secure the King in some inland Castle with Guards. 2. To draw up Articles of Impeachment against him. 3. To lay him by, and settle the Kingdom without him.

Another said, That his denying of the four Bills was the denying Protection to his Subjects; and that therefore they might deny him Subjection: and added, that till the Parliament forsook the Army, the Army would never forsake the Parliament. This was threatening.

Last of all, *Cromwell* himself told them, It was now expected that the Parliament should govern and defend the Kingdom, and not any longer let the People expect their Safety from a Man, whose Heart God had hardened; nor let those that had so well defended the Parliament be left hereafter to the Rage of an irreconcilable Enemy, lest they seek their Safety some other way. This again was threatening; as also the laying his Hand upon his Sword, when he spake it.

And hereupon the Vote of Non-Addresses was made an Ordinance; which the House would afterwards have recalled, but was forced by *Cromwell* to keep their Word.

The *Scots* were displeas'd with it, partly because their Brethren the Presbyterians had lost a great deal of their Power in *England*, and partly also because they had sold the King into their Hands.

The King now published a passionate Complaint to his People of this hard Dealing with him, which made them pity him: but not yet rise in his Behalf.

B. Was not this, think you, the true Time for *Cromwell* to take Possession?

A. By no means: There were yet many Obstacles to be removed: He was not General of the Army: The Army was still for a Parliament: The City of *London* discontented about their Militia: The *Scots* expected with an Army to rescue the King: His Adjutors were Levellers, and against Monarchy, who though they had helped him to bring under the Parliament, yet like Dogs that are easily taught to fetch, and not easily taught to render, would not make him King. So that *Cromwell* had these Businessess following to overcome, before he could formally make himself a Sovereign Prince.

1. To be *Generalissimo*: 2. To remove the King: 3. To suppress all Insurrections here: 4. To oppose the *Scots*: And lastly, To dissolve the present Parliament. Mighty Businessess, which he could never promise himself to overcome; therefore I cannot believe he then thought to be King, but only by well serving the strongest Party, (which was always his main Polity) to proceed as far as that and Fortune would carry him.

B. The Parliament were certainly no less foolish than wicked in deserting thus the King, before they had the Army at a better Command than they had.

A. In the Beginning of 1648, the Parliament gave Commission to *Philip* Earl of *Pembroke* (then made Chancellor of *Oxford*, together with some of the Doctors there, as good Divines as he) to purge the University; by Virtue whereof they turned out all such as were not of their Faction, and all such as had approved the Use of the Common-Prayer-Book; as also divers scandalous Ministers and Scholars, (that is, such as customarily and without Need took the Name of God in their Mouths, or used to speak wantonly, or use the Company of lewd Women:) And for this last I cannot but commend them.

B. So

*B.* So shall not I; for it is just such another Piece of Piety, as to turn Men out of an Hospital because they are lame. Where can a Man probably learn Godliness, and how to correct his Vices, better than in the Universities erected for that Purpose?

*A.* It may be the Parliament thought otherwise: for I have often heard the Complaints of Parents, that their Children were debauched there to Drunkenness, Wantonness, Gaming, and other Vices consequent to these: nor is it a Wonder amongst so many Youths, if they did not corrupt one another in Despite of their Tutors, who oftentimes were little elder than themselves. And therefore I think the Parliament did not much reverence that Institution of Universities, as to the bringing up of young Men to Virtue, though many of them learned there to preach, and became thereby capable of Preferment and Maintenance; and some others were sent thither by their Parents, to save themselves the Trouble of governing them at home, during that Time wherein Children are least governable. Nor do I think the Parliament cared more for the Clergy than other Men did: but certainly an University is an excellent Servant to the Clergy; and the Clergy, if it be not carefully look'd to, (by their Dissentions in Doctrines, and by the Advantage to publish their Dissentions) is an excellent Means to divide a Kingdom into Factions.

*B.* But seeing there is no Place in this Part of the World, where Philosophy and other humane Sciences are not highly valued, where can they be learned better than in the Universities?

*A.* What other Sciences? Do not Divines comprehend all Civil and Moral Philosophy within their Divinity? And as for Natural Philosophy, is it not removed from *Oxford* and *Cambridge* to *Gresham-College* in *London*, and to be learned out of their Gazettes? But we are gone from our Subject.

*B.* No; we are indeed gone from the greater Businesses of the Kingdom; to which, if you please, let us return.

*A.* The first Infurrection, or rather Tumult, was that of the Apprentices, on the ninth of *April*; but this was not upon the King's Account, but arose from a customary Assembly of them for Recreation in *Moorfields*, whence some zealous Officers of the Trained Soldiers would needs drive them away by Force; but were themselves routed with Stones; and had their Ensign taken away by the Apprentices, which they carried about in the Streets, and frighted the Lord Mayor into his House, where they took a Gun called a Drake, and then they set Guards at some of the Gates, and all the rest of the Day childishly swaggered up and down: but the next Day the General himself marching into the City, quickly dispersed them. This was but a small Business, but enough to let them see that the Parliament was ill beloved of the People.

Next the *Welch* took Arms against them. There were three Colonels in *Wales*, *Langborne*, *Poyer*, and *Powel*, who had formerly done the Parliament good Service, but now were commanded to disband; which they refused to do; and the better to strengthen themselves, declared for the King, and were about 8000.

About the same Time, in *Wales* also, was another Infurrection headed by Sir *Nicholas Keymish*, and another under Sir *John Owen*; so that now all *Wales* was in Rebellion against the Parliament, and yet all these were overcome in a Month's Time by *Cromwell* and his Officers; but not without Store of Blood shed on both Sides.

*B.* I do not much pity the Loss of those Men that impute to the King that which they do upon their own Quarrel.

*A.* Presently after this, some of the People of *Surrey* sent a Petition to the Parliament, for a personal Treaty between the King and Parliament; but their Messengers were beaten home again by the Soldiers that quartered about *Westminster* and the *Mews*. And then the *Kentish* Men having a like Petition to deliver, and seeing how ill it was like to be received, threw it away, and took up Arms. They had many gallant Officers, and for General the Earl of *Norwich*, and increased daily by Apprentices and old disbanded Soldiers. Infomuch as the Parliament was  
glad

glad to restore the City their Militia, and to keep Guards upon the *Thames* Side : and then *Fairfax* marched towards the Enemy.

*B.* And then the *Londoners*, I think, might easily and suddenly have mastered, first the Parliament, and next *Fairfax* his 8000, and lastly *Cromwell's* Army ; or at least, have given the *Scotch* Army Opportunity to march unfoughten to *London*.

*A.* 'Tis true : but the City was never good at venturing ; nor were they or the *Scots* principled to have a King over them, but under them. *Fairfax* marching with his 8000 against the Royalists, routed a part of them at *Maidstone* ; another part were taken in other Places in *Kent* farther off ; and the Earl of *Norwich* with the rest, came to *Blackbeath*, and thence sent to the City to get a Passage through it, to join with those which were risen in *Essex* under Sir *Charles Lucas*, and Sir *George Lisle* ; which being denied, the greatest part of his *Kentish* Men deserted him. With the rest, not above 500, he crossed the *Thames* into the Isle of *Dogs*, and so to *Bow*, and thence to *Colchester*. *Fairfax* having notice of this, crossed the *Thames* at *Gravesend* ; and overtaking them, besieged them in *Colchester*. The Town had no Defence, but a Breast-work, and yet held out upon hope of the *Scotch* Army to relieve them, the Space of two Months. Upon the News of the Defeat of the *Scots*, they were forced to yield. The Earl of *Norwich* was sent Prisoner to *London*. Sir *Charles Lucas* and Sir *George Lisle*, two loyal and gallant Persons, were shot to death. There was also another little Insurrection, headed by the Earl of *Holland*, about *Kingston* ; but quickly suppressed, and he himself taken Prisoner.

*B.* How came the *Scots* to be so soon dispatched ?

*A.* Meerly, as it is said, for want of Conduct. Their Army was led by Duke *Hamilton*, who was then set at Liberty, when *Pendennis* Castle, where he was Prisoner, was taken by the Parliamentarians. He entered *England* with Horse and Foot 15000, to which came above 3000 *English* Royalists. Against these *Cromwell* marched out of *Wales* with Horse and Foot 11000 ; and near to *Preston* in *Lancashire*, in less than two Hours defeated them : And the Cause of it is said to be, that the *Scotch* Army was so order'd, as they could not all come to the Fight, nor relieve their Fellows. After the Defeat, they had no Way to fly, but farther into *England* ; so that in the Pursuit they were almost all taken, and lost all that an Army can lose ; for the few that got home, did not all bring home their Swords. Duke *Hamilton* was taken, and not long after sent to *London* : but *Cromwell* marched on to *Edinburgh*, and there by the Help of the Faction, which was contrary to *Hamilton's*, he made sure not to be hindered in his Designs ; the first whereof was to take away the King's Life by the Hand of the Parliament.

Whilst these Things passed in the North, the Parliament (*Cromwell* being away) came to itself, and recalling their Vote of Non-addresses, sent to the King new Propositions, somewhat, but not much easier than formerly ; and upon the King's Answer to them, they sent Commissioners to treat with him, at *Newport* in the *Isle of Wight*, where they so long dodged with him about Trifles, that *Cromwell* was come to *London*, before they had done, to the King's Destruction. For the Army was now wholly at the Devotion of *Cromwell*, who set the Adjutors on Work again to make a Remonstrance to the House of Commons, wherein they require ; 1. That the King be brought to Justice. 2. That the Prince and Duke of *York* be summoned to appear at a Day appointed, and proceeded with according as they should give Satisfaction. 3. That the Parliament settle the Peace and future Government, and set a reasonable Period to their own Sitting, and make certain future Parliaments annual, or biennial. 4. That a competent Number of the King's chief Instruments be executed. And this to be done, both by the House of Commons, and by a general Agreement of the People testified by their Subscriptions. Nor did they stay for an Answer, but presently set a Guard of Soldiers at the Parliament-house-door, and other Soldiers in *Westminster-hall*, suffering none to go into the House, but such as would serve their Turns. All others were frightened away, or made Prisoners, and some upon divers Quarrels suspended. Above ninety of

them, because they had refused to vote against the *Scots*; and others, because they had voted against the Vote of Non-addresses; and the rest were an House for *Cromwell*. The Fanatics also in the City, being countenanced by the Army, pack a new Common Council, whereof any forty was to be above the Mayor; and their first Work was to frame a Petition for Justice against the King, which *Tichborne*, the Mayor (involving the City in the Regicide) delivered to the Parliament.

At the same Time, with the like Violence, they took the King from *Newport* in the *Isle of Wight*, to *Hurst* Castle, till Things were ready for his Trial. The Parliament in the mean time, to avoid Perjury, by an Ordinance declared void the Oaths of Supremacy and Allegiance, and presently after made another to bring the King to his Trial.

*B.* This is a Piece of Law that I understood not before, that when many Men swear singly, they may, when they are assembled (if they please) absolve themselves.

*A.* The Ordinance being drawn up was brought into the House, where after three several Readings, it was voted; That the Lords and Commons of *England*, assembled in Parliament, do declare; That by the fundamental Laws of the Realm, it is Treason in the King of *England* to levy War against the Parliament. And this Vote was sent up to the Lords; and their denying their Consent, the Commons in Anger made another Vote; That all Members of Committees should proceed and act in any Ordinance, whether the Lords concurred or no; and that the People, under God, are the Original of all just Power; and that the House of Commons have the supreme Power of the Nation; and that whatsoever the House of Commons enacteth is Law. All this passed *nemine contradicente*.

*B.* These Propositions fight, not only against a King of *England*, but against all the Kings of the World. It were good they thought on it: but yet, I believe, under God, the Original of all Laws was in the People.

*A.* But the People, for them and their Heirs, by Consent and Oaths, have long ago put the supreme Power of the Nation into the Hands of their Kings, for them and their Heirs; and consequently into the Hands of this King, their known and lawful Heir.

*B.* But does not the Parliament represent the People?

*A.* Yes, to some Purposes; as to put up Petitions to the King, when they have Leave, and are grieved; but not to make a Grievance of the King's Power. Besides, the Parliament never represents the People, but when the King calls them; nor is it to be imagined that he calls a Parliament to depose himself. Put the Case every County and Borough had given this Parliament for a Benevolence, a Sum of Money; and that every County, meeting in their County-court, or elsewhere, and every Borough in their Town-hall, should have chosen certain Men to carry their several Sums respectively to the Parliament. Had not these Men represented the whole Nation?

*B.* Yes, no Doubt.

*A.* Do you think the Parliament would have thought it reasonable to be called to Account by this Representative?

*B.* No sure; and yet I must confess the Case is the same.

*A.* This Ordinance contained, first, a Summary of the Charge against the King, in Substance this; That not content with the Encroachments of his Predecessors upon the Freedom of the People, he had designed to set up a Tyrannical Government, and to that End had raised and maintained in the Land a Civil War against the Parliament, whereby the Country hath been miserably wasted, the public Treasure exhausted, thousands of People murdered, and infinite other Mischiefs committed.

Secondly, A Constitution passed of a High Court of Justice, that is, of a certain Number of Commissioners, of whom any twenty had Power to try the King, and to proceed to Sentence according to the Merit of the Case, and see it speedily executed. The Commissioners met on *Saturday Jan. 20*, in *Westminster-hall*, and

the King was brought before them; where sitting in a Chair, he heard the Charge read, but denied to plead to it either Guilty or not Guilty, till he should know by what lawful Authority he was brought thither. The President told him; That the Parliament affirmed their own Authority, and the King persevered in his Refusal to plead; though many Words passed between him and the President, yet this was the Substance of it all.

On *Monday, Jan. 22*, the Court met again, and the Solicitor moved, that if the King persisted in denying the Authority of the Court, the Charge might be taken *pro confesso*: but the King still denied their Authority.

They met again *January 23*, and then the Solicitor moved the Court for Judgment; whereupon the King was required to give his final Answer, which was again a Denial of their Authority.

Lastly, They met again *January 27*, where the King desir'd to be heard before the Lords and Commons in the Painted Chamber, and promising after that to abide the Judgment of the Court. The Commissioners retir'd for half an Hour to consider of it, and then returning, caused the King to be brought again to the Bar, and told him, that what he proposed was but another Denial of the Court's Jurisdiction; and that if he had no more to say, they would proceed. Then the King answering, that he had no more to say; the President began a long Speech in Justification of the Parliament's Proceedings, producing the Examples of many Kings killed or deposed by wicked Parliaments Ancient and Modern, in *England, Scotland*, and other Parts of the World: All which he endeavoured to justify from this only Principle; That the People have the Supreme Power, and the Parliament is the People. This Speech ended, the Sentence of Death was read; and the same upon *Tuesday* after, *January 30*, executed at the Gate of his own Palace of *Whitehall*. He that can delight in reading how villainously he was used by the Soldiers between the Sentence and Execution, may go to the Chronicle itself; in which he shall see what Courage, Patience, Wisdom and Goodness was in this Prince, whom, in their Charge, the Members of that wicked Parliament stiled Tyrant, Traitor and Murderer.

The King being dead, the same Day they made an Act of Parliament, That whereas several Pretences might be made to the Crown, &c. It is Enacted by this present Parliament, and by Authority of the same; That no Person presume to declare, proclaim or publish, or any Way promote *Charles Stuart*, Son of *Charles* late King of *England*, commonly called Prince of *Wales*, or any other Person, to be King of *England* or *Ireland*, &c.

B. Seeing the King was dead, and his Successor barred; by what declar'd Authority was the Peace maintain'd?

A. They had in their Anger against the Lords formerly declar'd, the Supreme Power of the Nation to be in the House of Commons; and now on *February* the 5<sup>th</sup> they vote the House of Lords to be useless and dangerous. And thus the Kingdom is turned into a Democracy, or rather an Oligarchy: For presently they made an Act; That none of those Members, who were secluded for opposing the Vote of Non-addresses, should ever be re-admitted. And these were commonly called the secluded Members, and the rest were by some stiled a Parliament, and by others the Rump.

I think you need not now have a Catalogue, either of the Vices, or of the Follies of the greatest Part of them that composed the Long Parliament, than which greater cannot be in the World. What greater Vices than Irreligion, Hypocrisy, Avarice and Cruelty; which have appear'd so eminently in the Actions of Presbyterian Members, and Presbyterian Ministers? What greater Crimes than Blaspheming and Killing God's Anointed? which was done by the Hands of the Independents; but by the Folly and first Treason of the Presbyterians, who betrayed and sold him to his Murderers. Nor was it a little Folly in the Lords, not to see, that by the taking away of the King's Power, they lost withal their own Privileges; or to think themselves either for Number or Judgment any way a considerable

siderable Assistance to the House of Commons. And for those Men who had Skill in the Laws, it was no great Sign of Understanding, not to perceive that the Laws of the Land were made by the King, to oblige his Subjects to Peace and Justice, and not to oblige himself that made them. And lastly and generally, all Men are Fools which pull down any thing which does them good, before they set up something better in its Place. He that would set up Democracy with an Army, should have an Army to maintain it; but these Men did it, when those Men had the Army, that were resolv'd to pull it down. To these Follies I might add the Folly of those fine Men, which out of their reading of *Tully*, *Seneca*, or other Antimonarchics think themselves sufficient Politicians, and shew their Discontents, when they are not called to the Management of the State, and turn from one Side to another upon every Neglect they fancy from the King, or his Enemies.

## B E H E M O T H.

### P A R T IV.

**A.** **Y**OU have seen the Rump in Possession (as they believ'd) of the Supreme Power over the two Nations of *England* and *Ireland*, and the Army their Servant, though *Cromwell* thought otherwise, serving them diligently for the Advancement of his own Purposes. I am now therefore to shew you their Proceedings.

**B.** Tell me first, how this kind of Government, under the Rump or Relic of a House of Commons, is to be called?

**A.** 'Tis doubtless an Oligarchy; for the Supreme Authority must needs be in one Man, or in more. If in one, it is Monarchy: If the Authority were in more than one; it was in all, or in fewer than all. When in all, it is Democracy; for every Man may enter into the Assembly, which makes the Sovereign Court; which they could not do here. It is therefore manifest, that the Authority was in a few, and consequently the State was an Oligarchy.

**B.** Is it not impossible for a People to be well govern'd, that are to obey more Masters than one?

**A.** Both the Rump, and all other Sovereign Assemblies, if they have but one Voice, though they be many Men, yet are they but one Person: For contrary Commands cannot consist in one and the same Voice, which is the Voice of the greatest Part, and therefore they might govern well enough, if they had Honesty and Wit enough.

The first Act of the Rump was the Exclusion of those Members of the House of Commons, which had been formerly kept out by Violence, for the procuring of an Ordinance for the King's Tryal: For these Men had appear'd against the Ordinance of Non-addresses, and therefore to be excluded, because they might else be an Impediment to their future Designs.

**B.** Was it not rather, because in the Authority of few, they thought the fewer the better, both in respect of their Shares, and also of a nearer approach in every one of them to the Dignity of a King?

**A.** Yes certainly, that was their principal End.

*B.* When

B. When these were put out; why did not the Counties and Boroughs chuse others in their Places?

A. They could not do that without Order from the House. After this they constituted a Council of forty Persons, which they termed a Council of State, whose Office was to execute what the Rump should command.

B. When there was neither King, nor House of Lords, they could not call themselves a Parliament; for a Parliament is a Meeting of the King, Lords and Commons, to confer together about the Business of the Commonwealth. With whom did the Rump confer?

A. Men may give to their Assembly what Name they please; what Signification soever such Name might formerly have had; and the Rump took the Name of Parliament as most suitable to their Purpose; and such a Name as being venerable amongst the People for many hundred Years, had countenanced and sweetned Subsidies and other Levies of Money, otherwise very unpleasant to the Subject. They took also afterwards another Name, which was *Custodes Libertatis Angliæ*, which Titles they used only in their Writs issuing out of the Courts of Justice.

B. I do not see how a Subject; that is tied to the Laws can have more Liberty in one form of Government than another.

A. Howsoever to the People that understand by Liberty nothing but leave to do what they list, it was a Title not ingrateful.

Their next Work was to set forth a public Declaration; That they were fully resolved to maintain the fundamental Laws of the Nation, as to the Preservation of the Lives, Liberties and Proprieties of the People.

B. What did they mean by the fundamental Laws of the Nation?

A. Nothing but to abuse the People: for the only fundamental Law in every Commonwealth is, To obey the Laws from time to time, which he shall make, to whom the People have given the supreme Power. How likely then are they to uphold the fundamental Laws, that had murdered him, who was by themselves so often acknowledged for their lawful Sovereign? Besides, at the same time that this Declaration came forth, they were erecting that High Court of Justice, which took away the Lives of Duke *Hamilton*, the Earl of *Holland*, and the Lord *Capel*. Whatsoever they meant by a fundamental Law, the erecting of this Court was a Breach of it, as being warranted by no former Law or Example in *England*.

At the same time also they levied Taxes by Soldiers, and to Soldiers permitted Free-Quarter, and did many other Actions, which if the King had done, they would have said had been done against the Liberty and Propriety of the Subject.

B. What silly Things are the common Sort of People, to be cozened as they were so grossly?

A. What Sort of People, as to this Matter, are not of the common Sort? The craftiest Knaves of all the Rump were no wiser than the rest whom they cozened: for the most of them did believe, that the same Things which they imposed upon the Generality, were just and reasonable; and especially the great Haranguers, and such as pretended to Learning: for who can be a good Subject in a Monarchy, whose Principles are taken from the Enemies of Monarchy, such as were *Cicero*, *Seneca*, *Cato*, and other Politicians of *Rome*, and *Aristotle* of *Athens*, who seldom spake of Kings, but as of Wolves and other ravenous Beasts? You may perhaps think a Man has need of nothing else to know the Duty he owes to his Governor, and what Right he has to order him, but a good natural Wit: but it is otherwise; for it is a Science, and built upon sure and clear Principles, and to be learned by deep and careful Study, or from Masters that have deeply studied it; and who was there in the Parliament, or in the Nation, that could find out those evident Principles, and derive from them the necessary Rules of Justice, and the necessary Connection of Justice and Peace? The People have one Day in seven the Leisure to hear Instruction, and there are Ministers appointed to teach them their Duty: but how have those Ministers performed their Office? A great part of them, namely, the Presby-

terian Ministers throughout the whole War, instigated the People against the King; so did also Independents, and other Fanatic Ministers. The rest, contented with their Livings, preached in their Parishes Points of Controversy, to Religion impertinent; but to the Breach of Charity among themselves, very effectual: or else eloquent Things, which the People either understood not, or thought themselves not concerned in. But this Sort of Preachers, as they did little Good, so they did little Hurt. The Mischief proceeded wholly from the Presbyterian Preachers, who by a long practised Histrionic Faculty preached up the Rebellion powerfully.

B. To what End?

A. To the End that the State becoming popular, the Church might be so too, and governed by an Assembly, and by Consequence, (as they thought) seeing Politics are subservient to Religion, they might govern, and thereby satisfy, not only their covetous Humour with Riches, but also their Malice with Power to undo all Men that admired not their Wisdom. Your calling the People silly Things, obliged me by this Digression to shew you, that it is not want of Wit, but want of the Science of Justice that brought them into these Troubles. Persuade, if you can, that Man that has made his Fortune, or made it greater, or an eloquent Orator, or a ravishing Poet, or a subtile Lawyer, or but a good Hunter, or a cunning Gamester, that he has not a good Wit; and yet there were of all these a great many so silly as to be deceived by the Rump, and Members of the same Rump. They wanted not Wit, but the Knowledge of the Causes and Grounds upon which one Person has a Right to govern, and the rest an Obligation to obey, which Grounds are necessary to be taught the People, who without them cannot live long in Peace amongst themselves.

B. Let us return, if you please, to the Proceedings of the Rump.

A. In the rest of this Year they voted a new Stamp for the Coin of this Nation. They considered also of Agents to be sent to foreign States; and having lately received Applause from the Army for their Work done by the High Court of Justice, and Encouragement to extend the same farther, they perfected the said High Court of Justice, in which were tried Duke *Hamilton*, the Earl of *Holland*, Lord *Capel*, the Earl of *Norwich*, and Sir *John Owen*, whereof, as I mentioned before, the three first were beheaded. This affrighted divers of the King's Party out of the Land: for not only they, but all that had borne Arms for the King were at that time in very great Danger of their Lives. For it was put to the Question by the Army at a Council of War, whether they should be all massacred or no, when the Noes carried it, but by two Voices. Lastly, *March* the 24th, they put the Mayor of *London* out of his Office, fined him 2000 *l.* disfranchised him, and condemned him to two Months Imprisonment in the Tower, for refusing to proclaim the Act for abolishing the Kingly Power. And thus ended the Year 1648, and the monthly Fast; God having granted that which they fasted for, the Death of the King, and the Possession of his Inheritance. By these their Proceedings they had already lost the Hearts of the Generality of the People, and had nothing to trust to but the Army, which was not in their Power, but in *Cromwell's*, who never failed, when there was Occasion, to put them upon all Exploits that might make them odious to the People, in order to his future dissolving them, whensoever it should conduce to his Ends.

In the Beginning of 1649, the *Scots*, discontented with the Proceedings of the Rump against the late King, began to levy Soldiers, in order to a new Invasion of *England*. The *Irish* Rebels, for want of timely Resistance from *England*, were grown terrible; and the *English* Army at home infected by the Adjutors, were casting how to share the Land amongst the Godly, meaning themselves; and such others as they pleased, who were therefore called Levellers. Also the Rump for the present were not very well provided of Money, and therefore the first thing they did was, the laying of a Tax upon the People of 90000 *l.* a Month, for the Maintenance of the Army.

B. Was it not one of their Quarrels with the King, that he had levied Money without the Consent of the People in Parliament?

A. You

*A.* You may see by this what Reason the Rump had to call itself a Parliament ; for the Taxes imposed by Parliament, were always understood to be by the People's Consent, and consequently legal.

To appease the *Scots*, they sent Messengers with flattering Letters to keep them from engaging for the present King ; but in vain ; for they would hear nothing from a House of Commons (as they called it) at *Westminster*, without a King and Lords. But they sent Commissioners to the King, to let him know what they were doing for him : for they were resolved to raise an Army of 17000 Foot and 6000 Horse, for themselves.

To relieve *Ireland*, the Rump had resolved to send eleven Regiments thither out of the Army in *England*. This happened well for *Cromwell* : for the levelling Soldiers, which were in every Regiment many, and in some the major Part, finding that instead of dividing the Land at home, they were to venture their Lives in *Ireland*, flatly denied to go ; and one Regiment having cashiered their Colonel about *Salisbury*, was marching to join with three Regiments more of the same Resolution ; but both the General and *Cromwell* falling upon them at *Burford*, utterly defeated them, and soon after reduced the whole Army to their Obedience. And thus another of the Impediments to *Cromwell's* Advancement was soon removed. This done they came to *Oxford*, and thence to *London* : and at *Oxford*, both the General and *Cromwell* were made Doctors of the Civil Law ; and at *London* feasted and presented by the City.

*B.* Were they not first made Masters, and then Doctors ?

*A.* They had made themselves already Masters both of the Laws and Parliament. The Army being now obedient, the Rump sent over those eleven Regiments into *Ireland* under the Command of Dr. *Cromwell*, intituled Governor of that Kingdom, the Lord *Fairfax* being still General of all the Forces, both here and there.

The Marquis (now Duke) of *Ormond* was the King's Lieutenant of *Ireland*, and the Rebels had made a Confederacy amongst themselves, and these Confederates had made a kind of League with the Lieutenant, wherein they agreed upon Liberty given them in the Exercise of their Religion, to be faithful to, and assist the King. To these also were joined some Forces raised by the Earls of *Castlehaven*, and *Clanrickard*, and my Lord *Inchiquin* ; so that they were the greatest united Strength in the Island : but there were amongst them a great many other Papists, that would by no means subject themselves to Protestants ; and these were called the Nuncio's Party, as the other were called the Confederate Party. These Parties not agreeing, and the confederate Party having broken their Articles, the Lord Lieutenant seeing them ready to besiege him in *Dublin*, and not able to defend it, did, to preserve the Place for the Protestants, surrender it to the Parliament of *England*, and came over to the King, at that Time when he was carried from place to place by the Army. From *England* he went over to the Prince, now King, residing then at *Paris*.

But the Confederates affrighted with the News that the Rump was sending over an Army thither, desired the Prince by Letters to send back my Lord of *Ormond*, engaging themselves to submit absolutely to the King's Authority, and to obey my Lord of *Ormond* as his Lieutenant. And hereupon he was sent back ; this was about a Year before the going over of *Cromwell*.

In which Time, by the Dissentions in *Ireland*, between the Confederate Party and the Nuncio's Party, and Discontents about Command, this, otherwise sufficient Power, effected nothing, and was at last defeated, *August* 2, by a Sally out of *Dublin*, which they were besieging. Within a few Days after arrived *Cromwell*, who with extraordinary Diligence, and horrid Executions, in less than a Twelve-month that he staid there, subdued in a manner the whole Nation, having killed or exterminated a great part of them, and leaving his Son-in-Law *Ireton* to subdue the rest. But *Ireton* died there (before the Business was quite done) of the Plague. This was one Step more towards *Cromwell's* Exaltation to the Throne.

*B.* What

*B.* What a miserable Condition was *Ireland* reduced to by the Learning of the *Roman*, as well as *England* was by the Learning of the Presbyterian Clergy.

*A.* In the latter End of the preceding Year, the King was come from *Paris* to the *Hague*: and shortly after came thither from the Rump their Agent *Doristlaus* Doctor of the Civil Law, who had been employ'd in the drawing up of the Charge against the late King: but the first Night he came, as he was at Supper, a Company of Cavaliers, near a Dozen, enter'd his Chamber, kill'd him, and got away. Not long after also their Agent at *Madrid*, one *Ascham*, one that had written in Defence of his Masters, was kill'd in the same manner. About this Time came out two Books, one written by *Salmasius* a Presbyterian, against the Murder of the King, another written by *Milton*, an *English* Independent, in Answer to it.

*B.* I have seen them both. They are very good *Latin* both, and hardly to be judged which is better, and both very ill reasoning, hardly to be judged which is worse; like two Declamations *pro* and *con*, made for Exercise only in a Rhetoric School by one and the same Man. So like is a Presbyterian to an Independent.

*A.* In this Year the Rump did not much at home; save that in the Beginning they made *England* a Free State by an Act which runs thus: Be it enacted and declared by this present Parliament, and by the Authority thereof, That the People of *England*, and all the Dominions and Territories thereunto belonging, are, and shall be, and are hereby constituted, made, and declared, a Commonwealth and Free State, &c.

*B.* What did they mean by a Free State and Commonwealth? Were the People no longer to be subject to Laws? They could not mean that: for the Parliament meant to govern them by their own Laws, and punish such as broke them. Did they mean that *England* should not be subject to any foreign Kingdom or Commonwealth? That needed not be enacted, seeing there was no King nor People pretended to be their Masters. What did they mean then?

*A.* They meant that neither this King, nor any King, nor any single Person, but only that they themselves would be the People's Masters, and would have set it down in those plain Words, if the People could have been cozened with Words intelligible, as easily as with Words not intelligible.

After this they gave one another Money and Estates out of the Lands and Goods of the loyal Party. They enacted also an Engagement to be taken by every Man, in these Words: *You shall promise to be true and faithful to the Commonwealth of England, as it is now established, without King, or House of Lords.*

They banished also from within twenty Miles of *London* all the royal Party, forbidding also every one of them to depart more than five Miles from his Dwelling-House.

*B.* They meant perhaps to have them ready, if need were, for a Massacre. But what did the *Scots* in this Time?

*A.* They were considering of the Officers of the Army, which they were levying for the King, how they might exclude from Command all such as had loyally served his Father, and all Independents, and all such as commanded in Duke *Hamilton's* Army; and these were the main Things that passed this Year.

The Marquis of *Montrose*, that in the Year 1645 had, with a few Men, and in little Time, done Things almost incredible against the late King's Enemies in *Scotland*, landed now again in the Beginning of the Year 1650, in the North of *Scotland*, with Commission from the present King, hoping to do him as good Service, as he had formerly done his Father: but the Case was altered; for the *Scotch* Forces were then in *England* in the Service of the Parliament; whereas now they were in *Scotland*, and many more (for their intended Invasion) newly raised. Besides the Soldiers which the Marquis brought over were few, and Foreigners, nor did the *Higlanders* come in to him as he expected; insomuch as he was soon defeated,

defeated, and shortly after taken, and (with more spiteful Usage than Revenge required) executed by the Covenanters at *Edinburgh*, *May 2*.

*B.* What Good could the King expect from joining with these Men, who during the Treaty, discovered so much Malice to him in one of his best Servants?

*A.* No Doubt (their Churchmen being then prevalent) they would have done as much to this King, as the *English* Parliament had done to his Father, if they could have gotten by it that which they foolishly aspired to, the Government of the Nation. I do not believe that the Independents were worse than the Presbyterians: both the one and the other were resolved to destroy whatsoever should stand in the Way to their Ambition: but Necessity made the King pass over both this and many other Indignities from them, rather than suffer the Pursuit of his Right in *England* to cool, and be little better than extinguished.

*B.* Indeed I believe a Kingdom, if suffered to become an old Debt, will hardly ever be recover'd. Besides, the King was sure, wheresoever the Victory lighted, he could lose nothing in the War but Enemies.

*A.* About the Time of *Montross*'s Death, which was in *May*, *Cromwell* was yet in *Ireland*, and his work unfinished: but finding, or by his Friends advertised, that his Presence in the Expedition now preparing against the *Scots*, would be necessary to his Design, sent to the Rump to know their Pleasure concerning his Return: but for all that, he knew, or thought it was not necessary to stay for their Answer, but came away, and arrived at *London* the sixth of *June* following, and was welcomed by the Rump. Now had General *Fairfax* (who was truly what he pretended to be, a Presbyterian) been so catechised by the Presbyterian Ministers here, that he refused to fight against the Brethren in *Scotland*; nor did the Rump, nor *Cromwell*, go about to rectify his Conscience in that Point; and thus *Fairfax* laying down his Commission, *Cromwell* was now made General of all the Forces in *England* and *Ireland*; which was another Step to the Sovereign Power.

*B.* Where was the King?

*A.* In *Scotland*, newly come over. He landed in the North, and was honourably conducted to *Edinburgh*, though all things were not yet well agreed on between the *Scots* and him: for though he had yielded to as hard Conditions, as the late King had yielded to in the *Isle of Wight*, yet they had still somewhat to add, till the King enduring no more, departed from them towards the North again. But they sent Messengers after him to pray him to return, but they furnished these Messengers with Strength enough to bring him back if he should have refused. In fine, they agreed; but would not suffer either the King, or any Royalist, to have Command in the Army.

*B.* The Sum of all is, the King was there a Prisoner.

*A.* *Cromwell* from *Berwick* sends a Declaration to the *Scots*, telling them he had no Quarrel against the People of *Scotland*; but against the malignant Party, that had brought in the King, to the Disturbance of the Peace between the two Nations; and that he was willing, either by Conference to give and receive Satisfaction, or to decide the Justice of the Cause by Battle. To which the *Scots* answering, declare; That they will not prosecute the King's Interest before, and without his Acknowledgment of the Sins of his House, and his former Ways, and Satisfaction given to God's People in both Kingdoms. Judge by this, whether the present King were not in as bad a Condition here, as his Father was in the Hands of the Presbyterians of *England*.

*B.* Presbyterians are every where the same: they would fain be absolute Governors of all they converse with, and have nothing to plead for it, but that where they reign 'tis God that reigns, and no where else: but I observe one strange Demand, that the King should acknowledge the Sins of his House; for I thought it had been certainly held by all Divines, that no Man was bound to acknowledge any Man's Sins, but his own.

*A.* The King having yielded to all that the Church required, the *Scots* proceeded in their intended War. *Cromwell* marched on to *Edinburgh*, provoking them all

he could to Battle ; which they declining, and Provisions growing scarce in the *English* Army, *Cromwell* retir'd to *Dunbar*, despairing of Success ; and intending by Sea or Land to get back into *England*. And such was the Condition, which this General *Cromwell* (so much magnified for Conduct) had brought his Army to ; that all his Glories had ended in Shame and Punishment, if Fortune, and the Faults of his Enemies, had not relieved him. For as he retir'd, the *Scots* followed him close all the Way, till within a Mile of *Dunbar*. There is a Ridge of Hills, that from beyond *Edinburgh* crosses the Highway between *Dunbar* and *Berwick*, at a Village called *Copperspeith*, where the Passage is so difficult, that had the *Scots* sent timely thither a very few Men to guard it, the *English* could never have gotten home. For the *Scots* kept the Hills, and needed not have fought but upon great Advantage, and were almost two to one. *Cromwell's* Army was at the Foot of those Hills on the North side ; and there was a great Ditch or Channel of a Torrent between the Hills and it ; so that he could never have got home by Land, nor without utter Ruin of the Army attempted to ship it ; nor have stayed where he was for want of Provisions. Now *Cromwell* knowing the Pass was free, and commanding a good Party of Horse and Foot to possess it ; it was necessary for the *Scots* to let them go, whom they bragged they had impounded, or else to fight ; and therefore with the best of their Horse they charged the *English*, and made them at first to shrink a little : but the *English* Foot coming on, the *Scots* were put to Flight ; and the Flight of the Horse hindered the Foot from engaging, who therefore fled, as did also the rest of their Horse. Thus the Folly of the *Scottish* Commanders brought all their Odds to an even Lay, between two small and equal Parties ; wherein Fortune gave the Victory to the *English*, who were not many more in Number than those that were killed and taken Prisoners of the *Scots*, who lost their Cannon, Bag and Baggage, with 10000 Arms, and almost their whole Army. The rest were got together by *Lesly* to *Sterling*.

B. This Victory happened well for the King ; for had the *Scots* been Victors, the Presbyterians both here and there would have domineered again, and the King been in the same Condition his Father was in at *Newcastle*, in the Hands of the *Scottish* Army. For in the Pursuit of this Victory, the *English* at last brought the *Scots* to a pretty good Habit of Obedience for the King, whensoever he should recover his Right.

A. In Pursuit of this Victory the *English* marched to *Edinburgh*, (quitted by the *Scots*) fortified *Leith*, and took in all the Strength and Castles they thought fit, on this Side the *Firth*, which now was become the Bound betwixt the two Nations : and the *Scotch* Ecclesiastics began to know themselves better, and resolved in their new Army, which they meant to raise, to admit some of the Royalists into Command. *Cromwell* from *Edinburgh* marched towards *Sterling*, to provoke the Enemy to fight ; but finding Danger in it, returned to *Edinburgh*, and besieged the Castle. In the mean time he sent a Party into the West of *Scotland* to suppress *Straughan* and *Kerr*, two great Presbyterians, that were there levying of Forces for their new Army. And in the same Time the *Scots* crowned the King at *Schone*.

The rest of this Year was spent in *Scotland*, on *Cromwell's* part, in taking of *Edinburgh* Castle, and in Attempts to pass the *Firth*, or any other Ways to get over to the *Scottish* Forces ; and on the *Scots* part, in hastening their Levies for the North.

B. What did the Rump at Home during this Time ?

A. They voted Liberty of Conscience to the Sectaries ; they pluckt out the Sting of the Presbytery, which consisted in a severe imposing of odd Opinions upon the People, impertinent to Religion, but conducing to the Advancement of the Power of the Presbyterian Ministers. Also they levied more Soldiers, and gave the Command of them to *Harrison*, now made Major-General, a Fifth-monarchy-man ; and of these Soldiers two Regiments of Horse and one of Foot were raised by the Fifth-monarchy-men, and other Sectaries, in Thankfulness for this their Liberty from the Presbyterian Tyranny. Also they pulled down the late King's

Statue in the Exchange; and in the Nich where it stood, caused to be written these Words, *Exit Tyrannus Regum ultimus, &c.*

B. What Good did that do them, and why did they not pull down the Statues of all the rest of the Kings?

A. What Account can be given of Actions that proceeded not from Reason, but Spight, and such like Passions? Besides this, they received Ambassadors from *Portugal* and from *Spain*, acknowledging their Power. And in the very End of the Year they prepared Ambassadors to the *Netherlands*, to offer them Friendship. All they did besides was persecuting and executing of Royalists.

In the Beginning of the Year 1651, General *Dean* arrived in *Scotland*; and on the 11th of *April* the *Scottish* Parliament assembled, and made certain Acts, in order to a better uniting of themselves, and better Obedience to the King, who was now at *Sterling* with the *Scottish* Forces he had, expecting more now in levying. *Cromwell* from *Edinburgh* went divers times towards *Sterling*, to provoke the *Scots* to fight. There was no Ford there to pass over his Men; at last Boats being come from *London* and *Newcastle*, Colonel *Overton* (though it were long first, for it was now *July*) transported 1400 Foot of his own, besides another Regiment of Foot, and four Troops of Horse, and intrenched himself at *North-ferry* on the other side; and before any Help could come from *Sterling*, Major-General *Lambert* also was got over with as many more. By this Time Sir *John Browne* was come to oppose them with 4500 Men, whom the *English* there defeated, killing about 2000, and taking Prisoners 1600. This done, and as much more of the Army transported as was thought fit, *Cromwell* comes before St. *Johnston's* (from whence the *Scottish* Parliament, upon the News of his passing the *Firth*, was removed to *Dundee*) and summons it; and the same Day had News brought him that the King was marching from *Sterling* towards *England*, which was true; but notwithstanding the King was three Days March before him, he resolved to have the Town before he followed him; and accordingly had it the next Day by Surrender.

B. What Hopes had the King in coming into *England*, having before and behind him none, at least none armed, but his Enemies?

A. Yes; there was before him the City of *London*, which generally hated the Rump: and might easily be reckoned for 20000 well armed Soldiers; and most Men believed they would take his Part, had he come near the City.

B. What Probability was there of that? Do you think the Rump was not sure of the Service of the Mayor, and those that had Command of the City Militia? And if they had been really the King's Friends, what Need had they to stay for his coming up to *London*? They might have seized the Rump, if they had pleased, which had no Possibility of defending themselves; at least they might have turned them out of the House.

A. This they did not; but on the contrary permitted the Recruiting of *Cromwell's* Army, and the raising of Men to keep the Country from coming in to the King. The King began his March from *Sterling* the last of *July*, and *August* the 22d came to *Worcester* by the Way of *Carlisle*, with a weary Army of about 13000, whom *Cromwell* followed, and joining with the new Levies, environ'd *Worcester* with 40000, and on the 3d of *September* utterly defeated the King's Army. Here Duke *Hamilton*, Brother of him that was beheaded, was slain.

B. What became of the King?

A. Night coming on, before the City was quite taken, he left it, it being dark, and none of the Enemies Horse within the Town to follow him, the plundering Foot having kept the Gates shut, lest the Horse should enter and have a Share of the Booty. The King before Morning got into *Warwickshire*, twenty-five Miles from *Worcester*, and there lay disguised a while, and afterwards went up and down in great Danger of being discovered, till at last he got over into *France* from *Brightemsted* in *Suffex*.

B. When *Cromwell* was gone, what was farther done in *Scotland*?

A. Lieutenant-

*A.* Lieutenant-General *Monk*, whom *Cromwell* left there with 7000, took *Sterling*, *August* 14th, by Surrender, and *Dundee* the third of *September*, by Storm, because it resisted; this the Soldiers plundered, and had good Booty, because the *Scots* for Safety had sent thither their most precious Goods from *Edinburgh* and *St. Johnston*. He took likewise by Surrender *Aberdeen*, and (the Place where the *Scottish* Ministers first learned to play the Fools) *St. Andrew's*. Also in the *Highlands* Colonel *Alured* took a Knot of Lords and Gentlemen, viz. four Earls, and four Lords, and above twenty Knights and Gentlemen, whom he sent Prisoners into *England*. So that there was nothing more to be feared from *Scotland*; all the Trouble of the Rump, being to resolve what they should do with it. At last they resolved to unite and incorporate it into one Commonwealth with *England* and *Ireland*. And to that End sent thither *St. Johns*, *Vane*, and other Commissioners, to offer them this Union by public Declaration, and to warn them to chuse their Deputies of Shires, and Burgeses of Towns, and send them to *Westminster*.

*B.* This was a very great Favour.

*A.* I think so: and yet it was by many of the *Scots*, especially by the Ministers and other Presbyterians, refused. The Ministers had given Way to the levying of Money for the Payment of the *English* Soldiers; but to comply with the Declaration of the *English* Commissioners they absolutely forbid.

*B.* Methinks this contributing to the Pay of their Conquerors was some Mark of Servitude; whereas entering into the Union made them free, and gave them equal Privilege with the *English*.

*A.* The Cause why they refused the Union, render'd by the Presbyterians themselves, was this, That it drew with it a Subordination of the Church to the Civil State in the Things of Christ.

*B.* This is a downright Declaration to all Kings and Commonwealths in general, that a Presbyterian Minister will be a true Subject to none of them in the Things of Christ, which Things what they are, they will be Judges themselves. What have we then gotten by our Deliverance from the Pope's Tyranny, if these petty Men succeed in the Place of it, that have nothing in them that can be beneficial to the Public, except their Silence? For their Learning, it amounts to no more than an imperfect Knowledge of *Greek* and *Latin*, and an acquired Readiness in the Scripture Language, with a Gesture and Tone suitable thereunto; but of Justice and Charity (the Manners of Religion) they have neither Knowledge nor Practice, as is manifest by the Stories I have already told you: Nor do they distinguish between the Godly and the Ungodly, but by Conformity of Design in Men of Judgment, or by Repetition of their Sermons in the common Sort of People.

*A.* But this Sullenness of the *Scots* was to no Purpose: for they at *Westminster* enacted the Union of the two Nations, and the Abolition of Monarchy in *Scotland*, and ordained Punishment for those that would transgress that Act.

*B.* What other Business did the Rump this Year?

*A.* They sent *St. Johns* and *Strickland* Ambassadors to the *Hague*, to offer League to the United Provinces, who had Audience March the third. *St. Johns* in a Speech shewed those States, what Advantages they might have by this League in their Trade and Navigations, by the Use of the *English* Ports and Harbours. The *Dutch*, though they shewed no great Forwardness in the Business, yet appointed Commissioners to treat with them about it. But the People were generally against it, calling the Ambassadors and their Followers (as they were) Traitors and Murderers, and made such Tumults about their House, that their Followers durst not go abroad till the States had quieted them. The Rump advertised hereof, presently recall'd them. The Compliment which *St. Johns* gave to the Commissioners, at their taking Leave, is worth your hearing. You have, said he, an Eye upon the Event of the Affairs of *Scotland*, and therefore do refuse the Friendship we have offered. Now I can assure you, many in the Parliament were of Opinion, that we should not have sent any

any Ambassadors to you, till we had superated those Matters between them and that King, and then expected your Ambassadors to us. I now perceive our Error, and that those Gentlemen were in the right. In a short Time you shall see that Business ended; and then you will come and seek what we have freely offered, when it shall perplex you that you have refused our Proffer.

B. St. Johns was not sure that the *Scottish* Business would end as it did. For though the *Scots* were beaten at *Dunbar*, he could not be sure of the Event of their entering *England*, which happened afterward.

A. But he guess'd well: for within a Month after the Battle at *Worcester* an Act passed, forbidding the importing of Merchandise in other than *English* Ships. The *English* also molested their Fishing upon our Coast. They also many times searched their Ships, (upon Occasion of our War with *France*) and made some of them Prize. And then the *Dutch* sent their Ambassadors hither, to desire what they before refused; but partly also to inform themselves what Naval Forces the *English* had ready, and how the People here were contented with the Government.

B. How sped they?

A. The Rump shewed now as little Desire of Agreement as the *Dutch* did then; standing upon Terms never likely to be granted. First; for the Fishing on the *English* Coast, that they should not have it without paying for it. Secondly, that the *English* should have free Trade from *Middleburgh* to *Antwerp*, as they had before their Rebellion against the King of *Spain*. Thirdly, they demanded Amends for the old (but never to be forgotten) Business of *Amboyna*: So that the War was already certain, though the Season kept them from Action till the Spring following. The true Quarrel on the *English* part was, that their proffer'd Friendship was scorned, and their Ambassadors affronted: On the *Dutch* part was, their Greediness to engross all Traffic, and a false Estimate of our and their own Strength.

Whilst these Things were doing, the Relics of the War, both in *Ireland* and *Scotland*, were not neglected, though those Nations were not fully pacified till two Years after. The Persecution also of Royalists still continued, amongst whom was beheaded one Mr. *Love*, for holding Correspondence with the King.

B. I had thought a Presbyterian Minister, whilst he was such, could not be a Royalist, because they think their Assembly have the supreme Power in the Things of Christ; and by consequence they are in *England* (by a Statute) Traitors.

A. You may think so still: for though I called Mr. *Love* a Royalist, I meant it only for that one Act, for which he was condemn'd. It was he, who during the Treaty at *Uxbridge*, preaching before the Commissioners there, said, it was as possible for Heaven and Hell, as for the King and Parliament to agree. Both he and the rest of the Presbyterians are and were Enemies to the King's Enemies, *Cromwell* and his Fanatics, for their own, not for the King's Sake. Their Loyalty was like that of Sir *John Hotham's*, that kept the King out of *Hull*, and afterwards would have betray'd the same to the Marquis of *Newcastle*. These Presbyterians therefore cannot be rightly called Loyal, but rather doubly perfidious, unless you think, that as two Negatives make an Affirmative, so two Treasons make Loyalty.

This Year also were reduced to the Obedience of the Rump, the Islands of *Scilly* and *Man*, and the *Barbadoes*, and *St. Christophers*. One Thing fell out that they liked not, which was, that *Cromwell* gave them Warning to determine their Sitting, according to the Bill for Triennial Parliaments.

B. That I think indeed was harsh.

A. In the Year 1652, May the 14th, began the *Dutch* War in this manner: Three *Dutch* Men of War, with divers Merchants from the *Streights*, being discovered by one Captain *Young*, who commanded some *English* Frigates, the said *Young* sent to their Admiral to bid him strike his Flag, (a Thing usually done in Acknowledgment of the *English* Dominion in the narrow Seas) which accordingly he did. Then came up the Vice-Admiral, and being called to as the other was, to take down his Flag; he answered plainly, he would not: but after the Exchange

of four or five Broadfides, and Mischiefe done, on either Part, he took it down : but Captain *Young* demanded also, either the Vice-Admiral himself, or his Ship, to make good the Damage already sustained : To which the Vice-Admiral answer'd, that he had taken in his Flag, but would defend himself and his Ship. Whereupon Captain *Young* consulted with the Captains of his other Ships, lest the Beginning of the War, in this Time of Treaty, should be charged upon himself, and Night also coming on, thought fit to proceed no farther.

*B.* The War certainly began at this Time ; but who began it ?

*A.* The Dominion of the Seas belonging to the *English*, there can be no question but the *Dutch* began it : and that the said Dominion belonged to the *English*, it was confessed at first by the Admiral himself peaceably, and at last by the Vice-Admiral taking in their Flags.

About a Fortnight after, there happened another Fight upon the like Occasion. *Van Tromp* with forty-two Men of War came to the Back of the *Goodwin-Sands*, (Major *Bourne* being then with a few of the Parliament's Ships in the *Downs*, and *Blake* with the rest farther Westward) and sent two Captains of his to *Bourne*, to excuse his coming thither. To whom *Bourne* returned this Answer ; That the Message was civil, but that it might appear real he ought to depart. So *Tromp* departed, meaning, now *Bourne* was satisfied, to sail towards *Blake*, and he did so ; but so did also *Bourne*, for fear of the worst. When *Tromp* and *Blake* were near one another, *Blake* made a Shot over *Tromp's* Ship, as a Warning to him to take in his Flag. This he did thrice, and then *Tromp* gave him a Broadside, and so began the Fight, at the Beginning whereof *Bourne* came in, and lasted from two o'Clock till Night, the *English* having the better, and the Flag, as before, making the Quarrel.

*B.* What needs there, when both Nations were heartily resolved to fight, to stand so much upon this Compliment of who should begin ? for as to the gaining of Friends and Confederates thereby, I think it was in vain ; seeing Princes and States in such Occasions look not much upon the Justice of their Neighbours, but upon their own Concernment in the Event.

*A.* It is commonly so ; but in this Case the *Dutch* knowing the Dominion of the narrow Seas to be a gallant Title, and envied by all the Nations that reach the Shore, and consequently that they were likely to oppose it, did wisely enough in making this Point the State of the Quarrel. After this Fight, the *Dutch* Ambassadors residing in *England*, sent a Paper to the Council of State, wherein they stiled this last Encounter a rash Action, and affirmed it was done without the Knowledge, and against the Will, of their Lords the States General, and desired them that nothing might be done upon it in Heat, which might become irreparable. The Parliament thereupon voted ; 1. That the States-General should pay the Charges they were at, and for the Damages they sustained upon this Occasion. 2. That this being paid, there should be a Cessation of all Acts of Hostility, and a mutual Restitution of all Ships and Goods taken. 3. And both these agreed to, that there should be made a League between the two Commonwealths. These Votes were sent to the *Dutch* Ambassadors in answer of the said Paper ; but with a Preamble, setting forth the former Kindnesses of *England* to the *Netherlands*, and taking Notice of their new Fleet of 150 Men of War, without any other apparent Design than the Destruction of the *English* Fleet.

*B.* What Answer made the *Dutch* to this ?

*A.* None. *Tromp* sailed presently into *Zealand*, and *Blake* with seventy Men of War to the *Orkney* Islands, to seize their Busses, and to wait for five *Dutch* Ships from the *East-Indies*. And Sir *George Ascue*, newly returned from *Barbadoes*, came into the *Downs* with fifteen Men of War, where he was commanded to stay for a Recruit out of the *Thames*.

*Tromp* being recruited now to 120 Sail, made account to get in between Sir *George Ascue* and the Mouth of the River, but was hindered so long by contrary Winds, that the Merchants calling for his Convoy, he could stay no longer, and

fo he went back into *Holland*, and thence to *Orkney*, where he met with the said five *East-India* Ships, and sent them Home. And then he endeavoured to engage with *Blake*, but a sudden Storm forced him to Sea, and so dissipated his Fleet, that only forty-two came home in Body, the rest singly, as well as they could. *Blake* also came home, but went first to the Coast of *Holland* with nine hundred Prisoners, and six Men of War taken, which were Part of twelve which he found and took guarding their Busses. This was the first Bout after the War declared.

In *August* following there happened a Fight between *De Ruyter* the Admiral of *Zealand*, with fifty Men of War, and Sir *George Ascue*, near *Plymouth*, with forty, wherein Sir *George* had the better, and might have got an entire Victory, had the whole Fleet engaged. Whatsoever was the Matter, the Rump (though they rewarded him) never employed him after his Return, in their Service at Sea: But voted, for the Year to come, three Generals, *Blake* that was one already, and *Dean*, and *Monk*.

About this Time the Arch-Duke *Leopold* besieging *Dunkirk*, and the *French* sending a Fleet to relieve it, General *Blake* lighting on the *French* at *Calais*, and taking seven of their Ships, was Cause of the Town's Surrender.

In *September* they fought again, *De Wit* and *Ruyter* commanding the *Dutch*, and *Blake* the *English*, and the *Dutch* were again worsted.

Again in the end of *November* *Van Tromp* with eighty Men of War, shewed himself at the back of *Goodwin Sands*; where *Blake*, though he had with him but forty, adventured to fight with him, and had much the worst, and (Night parting the Fray) retir'd into the River of *Thames*; whilst *Van Tromp* keeping the Sea, took some inconsiderable Vessels from the *English*, and thereupon (as it was said) with a childish Vanity, hung out a Broom from the Main-top-mast, signifying he meant to sweep the Seas of all *English* Shipping.

After this, in *February*, the *Dutch* with *Van Tromp* were encountered by the *English* under *Blake* and *Dean*, near *Portsmouth*, and had the worst. And these were all the Encounters between them in this Year, in the narrow Seas. They fought also once at *Leghorn*, where the *Dutch* had the better.

B. I see no great odds yet on either Side, if there were any the *English* had it.

A. Nor did either of them e'er the more incline to Peace. For the *Hollanders*, after they had sent Ambassadors into *Denmark*, *Sweden*, *Poland*, and the *Hans-Towns*, (whence Tar and Cordage are usually had) to signify the Declaration of the War, and to get them to their Party, recalled their Ambassadors from *England*; and the Rump, without Delay, gave them their parting Audience; without abating a Syllable of their former severe Propositions. And presently, to maintain the War for the next Year, laid a Tax upon the People of 120000 *l.* per *Mensem*.

B. What was done in the mean time at Home?

A. *Cromwell* was now quarrelling with (the last and greatest Obstacle to his Design) the Rump. And to that End there came out daily from the Army Petitions, Adresses, Remonstrances, and other such Papers: Some of them urging the Rump to dissolve themselves, and make Way for another Parliament. To which the Rump unwilling to yield, and not daring to refuse, determined for the End of their sitting the Fifth of *November* 1654. But *Cromwell* meant not to stay so long. In the mean Time the Army in *Ireland* was taking Submissions, and granting Transportations of the *Irish*, and condemning whom they pleas'd in a High Court of Justice erected there for that Purpose. Amongst those that were executed was hang'd Sir *Phelim Oneale*, who first began the Rebellion.

In *Scotland* the *English* built some Citadels for the bridling of that stubborn Nation: And thus ended the Year 1652.

B. Come we then to the Year 1653.

A. *Cromwell*

*A.* *Cromwell* wanted now but one Step to the End of his Ambition, and that was to set his Foot upon the Neck of this Long Parliament, which he did the 23<sup>d</sup> of *April*, this present Year 1653, a Time very seasonable. For though the *Dutch* were not mastered, they were much weakened; and what with Prizes from the Enemy, and squeezing the Royal Party, the Treasury was pretty full, and the Tax of 120000 *l.* a Month began to come in; all which was his own in right of the Army.

Therefore without more ado, attended by the Major-Generals *Lambert* and *Harrison*, and some other Officers, and as many Soldiers as he thought fit, he went to the Parliament House, and dissolved them, turned them out, and locked up the Doors. And for this Action he was more applauded by the People, than for any of his Victories in the War, and the Parliament Men as much scorned and derided.

*B.* Now that there was no Parliament, who had the supreme Power?

*A.* If by Power you mean the Right to govern, nobody had it: if you mean the supreme Strength, it was clearly in *Cromwell*, who was obeyed as General of all the Forces in *England*, *Scotland*, and *Ireland*.

*B.* Did he pretend that for Title?

*A.* No: but presently after he invented a Title, which was this; That he was necessitated for the Defence of the Cause, for which at first the Parliament had taken up Arms, (that is to say, rebelled) to have Recourse to extraordinary Actions. You know the Pretence of the Long Parliament's Rebellion was *Salus Populi*, The Safety of the Nation against a dangerous Conspiracy of Papists, and a malignant Party at home, and that every Man is bound, as far as his Power extends, to procure the Safety of the whole Nation: (which none but the Army were able to do; and the Parliament had hitherto neglected) was it not then the General's Duty to do it? Had he not therefore Right? For that Law of *Salus Populi* is directed only to those that have Power enough to defend the People; that is, to them that have the supreme Power.

*B.* Yes certainly, he had as good a Title as the Long Parliament, but the Long Parliament did represent the People; and it seems to me, that the sovereign Power is essentially annexed to the Representative of the People.

*A.* Yes, if he that makes a Representative, that is, (in the present Case) the King, do call them together to receive the sovereign Power, and he divest himself thereof; otherwise not. Nor was ever the Lower House of Parliament the Representative of the whole Nation, but of the Commons only; nor had that House the Power to oblige, by their Acts, or Ordinances, any Lord, or any Priest.

*B.* Did *Cromwell* come in upon the only Title of *Salus Populi*?

*A.* This is a Title that very few Men understand. His way was to get the supreme Power conferred upon him by Parliament. Therefore he called a Parliament, and gave it the supreme Power, to the end that they should give it to him again. Was not this witty? First therefore, he published a Declaration of the Causes why he dissolved the Parliament. The Sum whereof was, that instead of endeavouring to promote the Good of God's People, they endeavoured (by a Bill then ready to pass) to recruit the House, and perpetuate their own Power. Next he constituted a Council of State of his own Creatures, to be the supreme Authority of *England*; but no longer than till the next Parliament should be called, and met. Thirdly, he summoned 142 Persons, such as he himself, or his trusty Officers, made Choice of: the greatest part of whom were instructed what to do, obscure Persons, and most of them Fanatics, though stiled by *Cromwell* Men of approved Fidelity and Honesty. To these the Council of State surrendered the supreme Authority, and not long after these Men surrendered it to *Cromwell*. *July* the 4<sup>th</sup> this Parliament met, and chose for their Speaker one Mr. *Rous*, and called themselves from that Time forward the Parliament of *England*: but *Cromwell*, for the more Surety, constituted also a Council of State, not of such petty Fellows as most of these were, but of himself, and his principal Officers. These did all the Business both public and private, making Ordinances, and giving Audience to Foreign Ambassadors. But  
he

he had now more Enemies than before. *Harrison*, who was the Head of the Fifth-monarchy-men, laying down his Commission, did nothing but animate his Party against him ; for which afterwards he was imprisoned. This little Parliament in the mean time were making of Acts so ridiculous, and displeasing to the People, that it was thought he chose them on Purpose to bring all ruling Parliaments into Contempt, and Monarchy again into Credit.

*B.* What Acts were these ?

*A.* One of them was, That all Marriages should be made by a Justice of Peace, and the Banns asked three several Days in the next Market : None were forbidden to be married by a Minister, but without a Justice of Peace the Marriage was to be void : So that divers wary Couples (to be sure of one another, howsoever they might repent it afterwards) were married both ways. Also they abrogated the Engagement, whereby no Man was admitted to sue in any Court of Law, that had not taken it, that is, that had not acknowledged the late Rump.

*B.* Neither of these did any Hurt to *Cromwell*.

*A.* They were also in hand with an Act to cancel all the present Laws and Law-Books, and to make a new Code more suitable to the Humour of the Fifth-monarchy-men ; of whom there were many in this Parliament. Their Tenet being, that there ought none to be Sovereign, but King *Jesus*, nor any to govern under him, but the Saints. But their Authority ended before this Act passed.

*B.* What was this to *Cromwell* ?

*A.* Nothing yet. But they were likewise upon an Act, now almost ready for the Question : That Parliaments henceforward, one upon the End of another, should be perpetual.

*B.* I understand not this, unless Parliaments can beget one another like Animals, or like the Phœnix.

*A.* Why not like the Phœnix ? Cannot a Parliament at the Day of their Expiration send out Writs for a new one ?

*B.* Do you think they would not rather summon themselves anew, and to save the Labour of coming again to *Westminster*, sit still where they were ? Or if they summon the Country to make new Elections, and then dissolve themselves, by what Authority shall the People meet in their Country Courts, there being no supreme Authority standing ?

*A.* All they did was absurd, though they knew not that ; no nor this, whose Design was upon the Sovereignty, the Contriver of this Act, it seems, perceived not, but *Cromwell's* Party in the House saw it well enough. And therefore, as soon as it was laid, there stood up one of the Members, and made a Motion, that since the Commonwealth was like to receive little Benefit by their sitting, they should dissolve themselves. *Harrison*, and they of his Sect, were troubled hereat, and made Speeches against it : but *Cromwell's* Party, of whom the Speaker was one, left the House, and with the Mace before them went to *Whitehall*, and surrender'd their Power to *Cromwell* that had given it them. And so he got the Sovereignty by an Act of Parliament, and within four Days after, *viz.* *December* the 16th, was installed Protector of the three Nations, and took his Oath to observe certain Rules of governing, ingrossed in Parchment, and read before him : The Writing was called the Instrument.

*B.* What were the Rules he swore to ?

*A.* One was to call a Parliament every third Year, of which the first was to begin *September* the 3d following.

*B.* I believe he was a little superstitious in the Choice of *September* the 3d, because it was lucky to him in 1650, and 1651, at *Dunbar*, and *Worcester* ; but he knew not how lucky the same would be to the whole Nation in 1658, at *Whitehall*.

*A.* Another was, That no Parliament should be dissolved, till it had sitten five Months ; and those Bills that they presented to him, should be passed by him within twenty Days, or else they should pass without him.

A third, That he should have a Council of State of not above twenty-one, nor under thirteen; and that upon the Protector's Death this Council should meet, and before they parted chuse a new Protector. There were many more besides, but not necessary to be inserted.

B. How went on the War against the *Dutch*?

A. The Generals for the *English* were *Blake*, and *Dean*, and *Monk*; and *Van Tromp* for the *Dutch*; between whom was a Battle fought the second of *June*, (which was a Month before the beginning of this little Parliament) wherein the *English* had the Victory, and drove the Enemies into their Harbours, but with the Loss of General *Dean*, slain by a Cannon-shot. This Victory was great enough to make the *Dutch* send over Ambassadors into *England* in order to a Treaty; but in the mean time they prepared and put to Sea another Fleet, which likewise, in the End of *July*, was defeated by General *Monk*, who got now a greater Victory than before: and this made the *Dutch* descend so far as to buy their Peace with the Payment of the Charge of the War, and with the Acknowledgment, amongst other Articles, that the *English* had the Right of the Flag. This Peace was concluded in *March*, being the End of this Year: but not proclaimed till *April*; the Money, it seems, being not paid till then.

The *Dutch* War being now ended, the Protector sent his youngest Son *Henry* into *Ireland*, whom also some time after he made Lieutenant there; and sent *Monk* Lieutenant-General into *Scotland*, to keep those Nations in Obedience. Nothing else worth remembring was done this Year at home; saving the Discovery of a Plot of Royalists (as was said) upon the Life of the Protector; who all this while had Intelligence of the King's Designs from a Traitor in his Court, who afterwards was taken in the Manner and killed.

B. How came he into so much Trust with the King?

A. He was the Son of a Colonel that was slain in the Wars on the late King's Side. Besides, he pretended Employment from the King's loyal and loving Subjects here, to convey to his Majesty Money, as they from Time to Time should send him; and to make this credible, *Cromwell* himself caused Money to be sent to him.

The following Year 1654, had nothing of War, but was spent in Civil Ordinances, in appointing of Judges, preventing of Plots, (for Usurpers are jealous) and in executing the King's Friends, and selling their Lands. The third of *September*, according to the Instrument, the Parliament met, in which there was no House of Lords; and the House of Commons was made, as formerly, of Knights and Burgeses; but not as formerly, of two Burgeses for a Borough, and two Knights for a County: for Boroughs for the most part had but one Burgeses, and some Counties six or seven Knights: Besides, there were twenty Members for *Scotland*, and as many for *Ireland*. So that now *Cromwell* had nothing else to do, but to shew his Art of Government upon six Coach-Horses newly presented him, which being as rebellious as himself, threw him out of the Coach-box, and almost killed him.

B. This Parliament which had seen how *Cromwell* had handled the two former, the Long one and the Short one, had surely learn'd the Wit to behave themselves better to him, than those had done.

A. Yes, especially now that *Cromwell*, in his Speech at their first Meeting, had expressly forbidden them to meddle, either with the Government by a single Person and Parliament, or with the Militia, or with perpetuating of Parliaments, or taking away Liberty of Conscience: and told them also, that every Member of the House, before they sat, must take a Recognition of his Power in divers Points. Whereupon of above 400 there appeared not above 200 at first; though afterwards, some relenting, there sat about 300. Again, just at their sitting down, he published some Ordinances of his own, bearing Date before their Meeting; that they might see he took his own Acts to be as valid as theirs. But all this could not make them know themselves. They proceeded to the Debate of every Article of the Recognition.

B. They

B. They should have debated that before they had taken it.

A. But then they had never been suffered to sit.

*Cromwell* being informed of their stubborn Proceedings, and out of Hope of any Supply from them, dissolved them.

All that passed besides in this Year was the Exercise of the High Court of Justice upon some Royalists for Plots.

In the Year 1655, the *English*, to the Number of near 10000, landed in *Hispaniola* in hope of the Plunder of the Gold and Silver, whereof they thought there was great abundance in the Town of *Santo Domingo*; but were well beaten by a few *Spaniards*; and with the loss of near 1000 Men, went off to *Jamaica* and possessed it.

This Year also the Royal Party made another Attempt in the West; and proclaimed there King *Charles* the Second: but few joining with them, and some falling off, they were soon suppressed, and many of the principal Persons executed.

B. In these many Insurrections the Royalists, though they meant well, yet they did but Disservice to the King by their Impatience. What Hope had they to prevail against so great an Army as the Protector had ready; What Cause was there to despair of seeing the King's Business done better by the Dissention and Ambition of the great Commanders in that Army; whereof many had the Favour to be as well esteemed amongst them as *Cromwell* himself?

A. That was somewhat uncertain. The Protector being frustrated of his hope of Money at *Santo Domingo*, resolved to take from the Royalists the Tenth part yearly of their Estates. And to this End chiefly he divided *England* into eleven Major-Generalships, with Commission to every Major-General to make a Roll of the Names of all suspected Persons of the King's Party, and to receive the Tenth part of their Estates within his Precinct; as also to take Caution from them not to act against the State; and to reveal all Plots that should come to their Knowledge, and to make them engage the like for their Servants. They had Commission also to forbid Horse-races and Concourse of People, and to receive and account for this Decimation.

B. By this the Usurper might easily inform himself of the Value of all the Estates in *England*, and of the Behaviour and Affection of every Person of Quality; which has heretofore been taken for very great Tyranny.

A. The Year 1656, was a Parliament Year by the Instrument. Between the Beginning of this Year, and the Day of the Parliament's sitting, which was *September* the 17th, these Major-Generals resided in several Provinces, behaving themselves most tyrannically. Amongst other of their Tyrannies was the awing of Elections, and making themselves, and whom they pleased, to be returned Members for the Parliament, which was also thought a part of *Cromwell's* Design in their Constitution: for he had need of a giving Parliament, having lately upon a Peace made with the *French*, drawn upon himself a War with *Spain*.

This Year it was that Captain *Stainer* set upon the *Spanish* Plate-fleet, being eight in Number, near *Cadiz*, whereof he sunk two and took two, there being in one of them Two Millions of Pieces of Eight, which amounts to 400000 *l.* Sterling.

This Year also it was that *James Naylor* appeared at *Bristol*, and would be taken for Jesus Christ. He wore his Beard forked, and his Hair composed to the Likeness of that in the *Volto Santo*; and being questioned, would sometime answer, *Thou sayest it*. He had also his Disciples, that would go by his Horse side, to the Mid-leg in Dirt. Being sent for by the Parliament, he was sentenced to stand on the Pillory, to have his Tongue bored through, and to be marked in the Fore-head with the Letter *B.* for Blasphemy, and to remain in *Bridewell*. *Lambert*, a great Favourite of the Army, endeavoured to save him, partly because he had been his Soldier, and partly to curry Favour with the Secretaries of the Army; for he was now no more in the Protector's Favour, but meditating how he might succeed him in his Power.

About two Years before this, there appeared in *Cornwall* a Prophetess, much famed for her Dreams and Visions, and hearkened to by many, whereof some were

were eminent Officers ; but ſhe and ſome of her Accomplices being imprifoned, we heard no more of her.

*B.* I have heard of another, one *Lilly*, that propheſied all the time of the Long Parliament. What did they do to him ?

*A.* His Prophecies were of another kind ; he was a Writer of Almanacks, and a Pretender to a pretended Art of Judicial Aſtrology ; a mere Cozener to get Maintenance from a Multitude of ignorant People, and no doubt had been called in queſtion, if his Prophecies had been any way diſadvantageous to that Parliament.

*B.* I underſtand not how the Dreams and Prognofications of Madmen (for ſuch I take to be all thoſe that foretell future Contingencies) can be of any great Diſadvantage to the Commonwealth.

*A.* Yes, yes : Know, there is nothing that renders human Counſels difficult, but the Uncertainty of future Time, nor that ſo well directs Men in their Deliberations, as the Foreſight of the Sequels of their Actions ; Prophecy being many times the principal Cauſe of the Event foretold. If upon ſome Prediction the People ſhould have been made confident, that *Oliver Cromwell* and his Army ſhould be upon a Day to come utterly defeated ; would not every one have endeavoured to aſſiſt, and to deſerve well of the Party that ſhould give him that Deſeat ? Upon this Account it was, that Fortune-tellers and Aſtrologers were ſo often baniſhed out of *Rome*.

The laſt memorable Thing of this Year was a Motion made by a Member of the Houſe, an Alderman of *London*, that the Protector might be petitioned and adviſed by the Houſe, to leave the Title of Protector, and take upon him that of King.

*B.* That was indeed a bold Motion, and which would, if proſperous, have put an End to many Men's Ambition, and to the Licentiousneſs of the whole Army. I think the Motion was made on purpoſe to ruin both the Protector himſelf, and his ambitious Officers.

*A.* It may be ſo. In the Year 1657, the firſt Thing the Parliament did was the drawing up of this Petition to the Protector, to take upon him the Government of the three Nations, with the Title of *King*. As of other Parliaments, ſo of this, the greateſt part had been either kept out of the Houſe by Force, or elſe themſelves had forborn to ſit, and became guilty of ſetting up this *King Oliver*. But thoſe few that fate preſented their Petition to the Protector, *April* the ninth, in the Banqueting-Houſe at *Whitehall*, where *Sir Thomas Widdrington* the Speaker uſed the firſt Arguments, and the Protector deſired ſome Time to ſeek God, the Buſineſs being weighty. The next Day they ſent a Committee to him to receive his Answer ; which Answer being not very clear, they preſſed him again for a Reſolution : to which he made Answer in a long Speech, that ended in a peremptory Refuſal : and ſo retaining ſtill the Title of Protector, he took upon him the Government according to certain Articles contain'd in the ſaid Petition.

*B.* What made him reſuſe the Title of King ?

*A.* Becauſe he durſt not take it at that Time ; the Army, being addiſted to their great Officers, and amongſt their great Officers many hoping to ſucceed him, and the Succeſſion having been promiſed to Major-General *Lambert*, would have mutiny'd againſt him. He was therefore forced to ſtay for a more propitious Conjunction.

*B.* What were thoſe Articles ?

*A.* The moſt important of them were, firſt, That he would exerciſe the Office of Chief Magiſtrate of *England*, *Scotland*, and *Ireland*, under the Title of Protector, and govern the ſame according to the ſaid Petition and Advice : and that he would in his Life-time name his Succeſſor.

*B.* I believe the *Scots*, when they firſt rebell'd, never thought of being governed abſolutely as they were by *Oliver Cromwell*.

*A.* Secondly, That he ſhould call a Parliament every three Years at fartheſt. Thirdly, That thoſe Perſons which were legally choſen Members, ſhould not be ſecluded

cluded without Consent of the House. (In allowing this Clause the Protector observed not, that the secluded Members of the same Parliament are thereby readmitted.) Fourthly, The Members were qualify'd. Fifthly, The Power of the other House was defin'd. Sixthly, That no Law should be made but by Act of Parliament. Seventhly, That a constant yearly Revenue of a Million of Pounds should be settled for the Maintenance of the Army and Navy; and 300,000 *l.* for the Support of the Government, besides other temporary Supplies, as the House of Commons should think fit. Eighthly, That all the Officers of State should be chosen by the Parliament. Ninthly, That the Protector should encourage the Ministry. Lastly, That he should cause a Profession of Religion to be agreed on, and published. There are divers others of less Importance.

Having signed the Articles, he was presently, with great Ceremony, installed anew.

*B.* What needed that, seeing he was still but Protector?

*A.* But the Articles of this Petition were not all the same with those of his former Instrument. For now there was to be another House; and whereas before his Council was to name his Successor, he had Power now to do it himself; so that he was an absolute Monarch, and might leave the Succession to his Son, if he would, and successively, or transfer it to whom he pleased.

The Ceremony being ended, the Parliament adjourned to the 20<sup>th</sup> of *January* following; and then the other House also sat with their Fellows.

The House of Commons being now full, took little notice of the other House; wherein there were not, of sixty Persons, above nine Lords, but fell a questioning all that their Fellows had done, during the Time of their Seclusion, whence had followed the Avoidance of the Power newly placed in the Protector. Therefore going to the House, he made a Speech to them, ending in these Words; *By the Living God I must, and do dissolve you.*

In this Year the *English* gave the *Spaniard* another great Blow at *Santa Cruz*, not much less than that they had given him the Year before at *Cadix*.

About the Time of the Dissolution of this Parliament, the Royalists had another Design against the Protector, which was, to make an Insurrection in *England*, the King being in *Flanders*, ready to second them with an Army thence. But this was also discovered by Treachery, and came to nothing, but the Ruin of those that were engaged in it; whereof many, in the Beginning of the next Year, were by a High Court of Justice imprison'd, and some executed.

This Year also was Major-General *Lambert* put out of all Employment, a Man second to none but *Oliver* in the Favour of the Army; but because he expected by that Favour, or by Promise from the Protector, to be his Successor in the supreme Power, it would have been dangerous to let him have Command in the Army; the Protector having design'd for his Successor his eldest Son *Richard*.

In the Year 1658, *September* the third, the Protector died at *Whitehall*; having, ever since his last Establishment, been perplexed with Fear of being kill'd by some desperate Attempt of the Royalists.

Being importun'd in his Sickness by his Privy-Council to name his Successor, he nam'd his Son *Richard*, who encouraged thereunto, not by his own Ambition, but by *Fleetwood*, *Desborough*, *Thurloe*, and other of his Council, was content to take it upon him; and presently Addresses were made to him from the Armies in *England*, *Scotland*, and *Ireland*. His first Business was the chargeable and splendid Funeral of his Father.

Thus was *Richard Cromwell* seated in the Imperial Throne of *England*, *Scotland*, and *Ireland*, Successor to his Father, lifted up to it by the Officers of the Army then in Town, and congratulated by all the Parts of the Army throughout the three Nations; scarce any Garrison omitting their particular Addresses to him.

*B.* Seeing the Army approved of him, how came he so soon cast off?

*A.* The Army was inconstant, he himself irresolute, and without any military Glory. And though the two principal Officers had a near Relation to him, yet neither of them, but *Lambert*, was the great Favourite of the Army; and by

courting *Fleetwood* to take upon him the Protectorship, and by tampering with the Soldiers, he had gotten again to be a Colonel. He and the rest of the Officers had a Council at *Wallingford-house*, (where *Fleetwood* dwelt) for the dispossessing of *Richard*, though they had not yet considered how the Nations should be govern'd afterwards; for from the Beginning of the Rebellion the Method of Ambition was constantly this; first to destroy, and then to consider what they should set up.

*B.* Could not the Protector, who kept his Court at *Whitehall*, discover what the Business of the Officers was at *Wallingford-house* so near him?

*A.* Yes; he was by divers of his Friends inform'd of it, and counsell'd by some of them, who would have done it, to kill the Chief of them; but he had not Courage enough to give them such a Commission. He took therefore the Counsel of some milder Persons, which was to call a Parliament. Whereupon Writs were presently sent to those that were in the last Parliament of the other House, and other Writs to the Sheriffs for the Election of Knights and Burgesses, to assemble on the 27th of *January* following. Elections were made according to the ancient Manner; and a House of Commons now of the right *English* Temper, and about 400 in Number, including twenty for *Scotland*, and as many for *Ireland*, being met, they take themselves, without the Protector and other House, to be a Parliament, and to have the supreme Power of the three Nations.

For the first Business, they intended the Power of that other House: but because the Protector had recommended to them, for their first Business, an Act (already drawn up) for the Recognition of his Protectoral Power, they began with that; and voted, (after a Fortnight's Deliberation) that an Act should be made, whereof this Act of Recognition should be part, and that another part should be for the bounding of the Protector's Power, and for the securing the Privileges of Parliament, and Liberties of the Subject; and that all should pass together.

*B.* Why did these Men obey the Protector at first, in meeting upon his only Summons? Was not that as full a Recognition of his Power as was needful? Why by this Example did they teach the People that he was to be obeyed, and then by putting Laws upon him, teach them the contrary? Was it not the Protector that made the Parliament? Why did they not acknowledge their Maker?

*A.* I believe it is the Desire of most Men to bear Rule, but few of them know what Title one has to it more than another, besides the Right of the Sword.

*B.* If they acknowledged the Right of the Sword, they were neither just, nor wise to oppose the present Government, set up and approved by all the Forces of the three Kingdoms. The Principles of this House of Commons were, no doubt, the very same with theirs that began the Rebellion; and would, if they could have raised a sufficient Army, have done the same against the Protector; and the General of their Army would, in like manner, have reduced them to a Rump: for they that keep an Army, and cannot master it, must be subject to it as much as he that keeps a Lion in his House. The Temper of all the Parliaments since the time of *Queen Elizabeth*, has been the same with the Temper of this Parliament, and shall always be such, as long as Presbyterians and Men of democratical Principles have the like Influence upon the Elections.

*A.* After they resolved concerning the other House; that during this Parliament they would transact with it, but without intrenching upon the Right of the Peers, to have Writs sent to them in all future Parliaments. These Votes being passed, they proceed to another, wherein they assume to themselves the Power of the Militia. Also to shew their supreme Power, they delivered out of Prison some of those that had been (they said) illegally committed by the former Protector. Other Points concerning Civil Rights, and concerning Religion, very pleasing to the People, were now also under their Consideration. So that in the end of this Year the Protector was no less jealous of the Parliament than of the Council of Officers at *Wallingford-house*.

*B.* Thus it is when ignorant Men will undertake Reformation. Here are three Parties, the Protector, the Parliament, and the Army. The Protector against the  
Parliament

Parliament and Army, the Parliament against the Army and Protector, and the Army against the Protector and Parliament.

*A.* In the beginning of 1659, the Parliament passed divers other Acts; one was to forbid the Meetings in Council of the Army-Officers without Order from the Protector, and both Houses. Another, That no Man shall have any Command or Trust in the Army, who did not first under his Hand engage himself never to interrupt any of the Members, but that they might freely meet and debate in the House. And to please the Soldiers, they voted to take presently into their Consideration the Means of paying them their Arrears. But whilst they were considering this, the Protector (according to the first of those Acts) forbade the meeting of Officers at *Wallingford-house*. This made the Government, which by the Disagreement of the Protector and Army was already loose, to fall to Pieces. For the Officers from *Wallingford-house*, with Soldiers enough, came over to *Whitehall*, and brought with them a Commission ready drawn (giving Power to *Desborough* to dissolve the Parliament) for the Protector to sign; which also, his Heart and his Party failing him, he signed. The Parliament nevertheless continued sitting, but at the end of the Week, the House adjourned till the *Monday* after, being *April* the 25th. At their coming on *Monday* Morning, they found the Door of the House shut up, and the Passages to it filled with Soldiers, who plainly told them they must sit no longer. *Richard's* Authority, and Business in Town, being thus at an End, he retired into the Country, where within a few Days (upon Promise of the Payment of his Debts, which his Father's Funeral had made great) he signed a Resignation of his Protectorship.

*B.* To whom?

*A.* To nobody. But after ten Days Cessation of the Sovereign Power, some of the Rumpers that were in Town, together with the old Speaker Mr. *William Lenthall*, resolved amongst themselves, and with *Lambert*, *Hasslerig*, and other Officers, who were also Rumpers; in all forty-two, to go into the House; which they did, and were by the Army declared to be the Parliament.

There were also in *Westminster-hall* at that time; about their private Business, some few of those whom the Army had secluded in 1648, and were called the Secluded Members. These knowing themselves to have been elected by the same Authority, and to have the same Right to sit; attempted to get into the House; but were kept out by the Soldiers. The first Vote of the Rump re-seated was; That such Persons as, heretofore Members of this Parliament, have not sitten in this Parliament since the Year 1648, shall not sit in this House, till farther Order of the Parliament; and thus the Rump recovered their Authority *May* the 7th, 1659, which they lost in *April* 1653.

*B.* Seeing there have been so many Shiftings of the supreme Authority, I pray you, for Memory's sake, repeat them briefly in Times and Order.

*A.* First; From 1640 to 1648, when the King was murdered, the Sovereignty was disputed between King *Charles* the First and the Presbyterian Parliament. Secondly, From 1648, to 1653, the Power was in that part of the Parliament which voted the Trial of the King, and declared themselves, without King or House of Lords; to have the supreme Authority of *England* and *Ireland*. For there were in the Long Parliament two Factions, the Presbyterian and Independent; the former whereof sought only the Subjection of the King, not his Destruction directly; the latter sought directly his Destruction, and this Part is it which was called the Rump. Thirdly, From *April* the 20th to *July* the 4th, the supreme Power was in the Hands of a Council of State constituted by *Cromwell*. Fourthly, From *July* the 4th, to *December* the 12th of the same Year, it was in the Hands of Men called unto it by *Cromwell*, whom he termed Men of Fidelity and Integrity, and made them a Parliament, which was called, in contempt of one of the Members, *Barebone's* Parliament. Fifthly, From *December* the 12th 1653, to *September* the 3d 1658, it was in the Hands of *Oliver Cromwell*, with the Title of Protector. Sixthly, from *September* the 3d 1658, to *April* the 25th 1659,

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*Richard Cromwell* had it as Successor to his Father. Seventhly, From *April* the 25th 1659, to *May* the 7th of the same Year, it was no where. Eighthly, From *May* the 7th 1659, the Rump which was turned out of Doors in 1653, recovered it again, and shall lose it again to a Committee of Safety, and again recover it, and again lose it to the right Owner.

B. By whom, and by what Art, came the Rump to be turned out the second time ?

A. One would think them safe enough ; the Army in *Scotland*, which when it was in *London*, had helped *Oliver* to put down the Rump, submitted now, begg'd Pardon, and promised Obedience. The Soldiers in Town had their Pay mended, and the Commanders every where took the old Engagement, whereby they had acknowledged their Authority heretofore. They also received their Commissions in the House itself from the Speaker, who was *Generalissimo*. *Fleetwood* was made Lieutenant General with such, and so many Limitations, as were thought necessary by the Rump, that remembered how they had been served by the General *Oliver*. Also *Henry Cromwell*, Lord Lieutenant of *Ireland*, having resigned his Commission by Command, returned into *England*.

But *Lambert*, to whom (as was said) *Oliver* had promised the Succession, and who as well as the Rump knew the Way to the Protectorship, by *Oliver's* own Foot-steps, was resolved to proceed in it, upon the first Opportunity, which presented itself presently after.

Besides some Plots of Royalists, whom after the old Fashion they again persecuted, there was an Insurrection made against them by Presbyterians in *Cheshire*, headed by Sir *George Booth*, one of the secluded Members ; they were in Number about 3000, and their Pretence was a free Parliament. There was a great Talk of another Rising, or Endeavour to rise, in *Devonshire* and *Cornwall*, at the same Time. To suppress Sir *George Booth*, the Rump sent down more than a sufficient Army under *Lambert*, which quickly defeated the *Cheshire* Party, and recovered *Chester*, *Liverpool*, and all the other Places they had seized. Divers also of their Commanders, in and after the Battle, were taken Prisoners, whereof Sir *George Booth* himself was one.

This Exploit done, *Lambert* before his Return caressed his Soldiers with an Entertainment at his own House in *Yorkshire*, and got their Consent to a Petition to be made to the House, that a General might be set up in the Army, as being unfit that the Army should be judged by any Power extrinsic to itself.

B. I do not see that Unfitness.

A. Nor I. But it was (as I have heard) an Axiom of Sir *Henry Vane's* : but it so much displeas'd the Rump, that they voted, That the having of more Generals in the Army than were already settled, was unnecessary, burthensome, and dangerous to the Commonwealth.

B. This was not *Oliver's* Method : for though this *Cheshire* Victory had been as glorious as that of *Oliver* at *Dunbar*, yet it was not the Victory that made *Oliver* General, but the Resignation of *Fairfax*, and the Proffer of it to *Cromwell* by the Parliament.

A. But *Lambert* thought so well of himself, as to expect it : therefore, at his return to *London*, he and other Officers assembling at *Wallingford-house*, drew their Petition into Form, and called it a Representation, wherein the chief Point was to have a General ; but many other of less Importance were added ; and this they represented to the House *October* the 4th by Major-General *Desborough* : and this so far forth awed them, as to teach them so much good Manners as to promise to take it presently into Debate. Which they did ; and *October* the 12th, having recovered their Spirits, voted ; That the Commissions of *Lambert*, *Desborough*, and others of the Council at *Wallingford-house*, should be void. Item, That the Army should be governed by a Commission to *Fleetwood*, *Monk*, *Haslerig*, *Walton*, *Morley*, and *Overton*, till *February* the 12th following. And to make this good against the Force they expected from *Lambert*, they ordered *Haslerig* and *Morley* to issue War-

rants

rants to such Officers as they could trust, to bring their Soldiers next Morning into *Westminster*, which was done somewhat too late; for *Lambert* had first brought his Soldiers thither, and beset the House, and turned back the Speaker, which was then coming to it: but *Hasslerig's* Forces marching about *St. James's* Park-wall, came into *St. Margaret's* Church-yard; and so both Parties looked all Day one upon another like Enemies, but offered not to fight, whereby the Rump was put out of Possession of the House; and the Officers continued their Meeting, as before, at *Wallingford-house*.

There they chose from among themselves, with some few of the City, a Committee, which they called a Committee of Safety; whereof the Chief were *Lambert* and *Vane*, who with the Advice of a General Council of Officers, had Power to call Delinquents to Trial; to suppress Rebellions; to treat with foreign States, &c. You see now the Rump cut off, and the supreme Power, which is charged with *Salus Populi*, transferred to a Council of Officers. And yet *Lambert* hopes for it in the End. But one of their Limitations was; That they should within six Weeks present to the Army a new Model of the Government; if they had done so, do you think they would have preferred *Lambert*, or any other, to the supreme Authority therein, rather than themselves?

B. I think not. When the Rump had put into Commission (amongst a few others) for the Government of the Army, that is to say, for the Government of the three Nations, General *Monk*, already Commander in Chief of the Army in *Scotland*, and that had done much greater Things in this War, than *Lambert*; how durst they leave him out of this Committee of Safety? or how could *Lambert* think that General *Monk* would forgive it, and not endeavour to fasten the Rump again?

A. They thought not of him; his Gallantry had been shewn on remote Stages, *Ireland* and *Scotland*. His Ambition had not appeared here in their Contentions for the Government, but he had complied both with *Richard* and the Rump. After General *Monk* had signified by Letter his Dislike of the Proceedings of *Lambert* and his Fellows, they were much surpris'd, and began to think him more considerable than they had done; but it was too late.

B. Why? His Army was too small for so great an Enterprize.

A. The General knew very well his own, and their Forces; both what they were then, and how they might be augmented, and what generally City and Country wish'd for, which was the Restitution of the King: which to bring about there needed no more, but to come with his Army, though not very great, to *London*: to the doing whereof there was no Obstacle but the Army with *Lambert*. What could he do in this Case? If he had declared presently for the King, or for a Free-Parliament, all the Armies in *England* would have joined against him, and assuming the Title of a Parliament would have furnished themselves with Money.

General *Monk*, after he had thus quarrell'd by his Letter with the Council-Officers, secured first those Officers of his own Army, which were Anabaptists, and therefore not to be trusted, and put others into their Places; then drawing his Forces together, march'd to *Berwick*. Being there, he indicted a Convention of the *Scots*, of whom he desired that they would take Order for the Security of that Nation in his Absence, and raise some Maintenance for his Army in their March. The Convention promis'd for the Security of the Nation their best Endeavour, and rais'd him a Sum of Money, not great, but enough for his Purpose, excusing themselves upon their present Wants. On the other Side, the Committee of Safety, with the greatest and best part of their Army, sent *Lambert* to oppose him; but at the same time by divers Messages and Mediators, urg'd him to a Treaty; which he consented to, and sent three Officers to *London*, to treat with as many of theirs. These six suddenly concluded, without Power from the General, upon these Articles; That the King be excluded; a free State settled; the Ministry and Universities encouraged, with divers others. Which the General liked not, and imprisoned

soned one of his Commissioners for exceeding his Commission. Whereupon another Treaty was agreed on of five to five. But whilst these Treaties were in hand, *Haslerig*, a Member of the Rump, seized on *Portsmouth*, and the Soldiers sent by the Committee of Safety to reduce it, instead of that, enter'd into the Town, and joined with *Haslerig*. Secondly, the City renewed their Tumults for a Free-Parliament. Thirdly, the Lord *Fairfax*, a Member also of the Rump, and greatly favour'd in *Yorkshire*, was raising Forces there behind *Lambert*, who being now between two Armies, his Enemies, would gladly have fought with the General. Fourthly, there came News that *Devonshire* and *Cornwall* were lifting of Soldiers. Lastly, *Lambert's* Army wanting Money, and sure they should not be furnished from the Council of Officers, which had neither Authority, nor Strength to levy Money, grew disquieted, and (for their free Quarter) were odious to the Northern Countries.

*B.* I wonder why the *Scots* were so ready to furnish General *Monk* with Money; for they were no Friends to the Rump?

*A.* I know not; but I believe the *Scots* would have parted with a greater Sum, rather than the *English* should not have gone together by the Ears amongst themselves. The Council of Officers being now beset with so many Enemies, produced speedily their Model of Government, which was to have a Free-Parliament, which should meet *December* the 15th; but with such Qualifications of no King, no House of Lords, as made the City more angry than before. To send Soldiers into the West, to suppress those that were rising there, they durst not, for Fear of the City; nor could they raise any other for want of Money. There remained nothing but to break, and quitting *Wallingford-house*, to shift for themselves.

This coming to the Knowledge of their Army in the North, they deserted *Lambert*; and the Rump, the 26th of *December*, repossessed the House.

*B.* Seeing the Rump was now re-seated, the Business pretended by General *Monk* for his marching to *London* was at an end.

*A.* The Rump, though seated, was not well settled, but (in the midst of so many Tumults for a Free-Parliament) had as much need of the General's coming up now, as before. He therefore sent them word, that because he thought them not yet secure enough, he would come up to *London* with his Army; which they not only accepted, but also intreated him to do, and voted him for his Services 1000 *l.* a Year.

The General marching towards *London*, the Country every where petition'd him for a Free-Parliament. The Rump, to make Room in *London* for his Army, dislodged their own. The General for all that, had not let fall a Word in all this Time, that could be taken for a Declaration of his final Design.

*B.* How did the Rump revenge themselves on *Lambert*?

*A.* They never troubled him; nor do I know any Cause of so gentle dealing with him: but certainly *Lambert* was the ablest of any Officer they had to do them Service, when they should have Means, and need to employ him. After the General was come to *London*, the Rump sent to the City for their Part of a Tax of 100,000 *l.* a Month, for six Months, according to an Act which the Rump had made formerly, before their Disseizin by a Committee of Safety. But the City, who were adverse to the Rump, and keen upon a Free-Parliament, could not be brought to give their Money to their Enemies, and to Purposes repugnant to their own. Hereupon the Rump sent Order to the General to break down the City Gates and their Portcullices, and to imprison certain obstinate Citizens. This he performed, and it was the last Service he did them.

About this Time the Commission, by which General *Monk*, with others, had the Government of the Army put into their Hands by the Rump, before the Usurpation of the Council of Officers, came to expire, which the present Rump renewed.

*B.* He

*B.* He was thereby the sixth Part of the General of the whole Forces of the Commonwealth. If I had been as the Rump, he should have been sole General. In such Cases as this, there cannot be a greater Vice than pinching. Ambition should be liberal.

*A.* After the pulling down of the City Gates, the General sent a Letter to the Rump, to let them know that that Service was much against his Nature, and to put them in mind how well the City had served the Parliament throughout the whole War.

*B.* Yes: But for the City the Parliament could never have made the War, nor the Rump ever have murdered the King.

*A.* The Rump considered not the Merit of the City, nor the good Nature of the General. They were busy. They were giving out Commissions; making of Acts for Abjuration of the King and his Line, and for the old Engagement and conferring with the City to get Money. The General also desired to hear Conference between some of the Rump, and some of the secluded Members, concerning the Justice of their Seclusion, and of the Hurt that could follow from their Re-admission. And it was granted, after long Conference, the General finding the Rump's Pretences unreasonable and ambitious, declared himself, with the City, for a Free-Parliament, and came to *Westminster* with the secluded Members, (whom he had appointed to meet and stay for him at *Whitehall*) and replaced them in the House amongst the Rumpers; so that now the same Cattle that were in the House of Commons in 1640, (except those that were dead, and those that went from them to the late King at *Oxford*) are all there again.

*B.* But this (methinks) was no good Service to the King, unless they had learnt better Principles.

*A.* They had learnt nothing. The major Part was now again Presbyterian. 'Tis true they were so grateful to General *Monk*, as to make him General of all the Forces in the three Nations. They did well also to make void the Engagement; but it was because those Acts were made to the Prejudice of their Party; but recalled none of their own rebellious Ordinances, nor did any thing in order to the Good of the present King: but on the contrary they declared by a Vote, that the late King began the War against his two Houses.

*B.* The two Houses considered as two Persons, were they not two of the King's Subjects? If a King raise an Army against his Subject, is it lawful for that Subject to resist with Force, when (as in this Case) he might have had Peace upon his Submission?

*A.* They knew they had acted vilely and sottishly; but because they had always pretended to greater than ordinary Wisdom and Godliness, they were loth to confess it. The Presbyterians now saw their Time to make a Confession of their Faith, and presented it to the House of Commons, to shew they had not changed their Principles, which (after six Readings in the House) was voted to be printed, and once a Year to be read publicly in every Church.

*B.* I say again, this re-establishing of the Long Parliament was no good Service to the King.

*A.* Have a little Patience. They were re-established with two Conditions. One to determine their sitting before the End of *March*; another to send out Writs before their rising for new Elections.

*B.* That qualifies.

*A.* That brought in the King: for few of this Long Parliament (the Country having felt the Smart of their former Service) could get themselves chosen again. This New Parliament began to sit *April 25th 1660*. How soon these called in the King; with what Joy and Triumph he was received; how earnestly his Majesty pressed the Parliament for the Act of Oblivion, and how few were excepted out of it; you know as well as I.

*B.* But

*B.* But I have not yet observed in the Presbyterians any Oblivion of their former Principles. We are but returned to the State we were in at the Beginning of the Sedition.

*A.* Not so : for before that Time, though the Kings of *England* had the Right of the Militia in virtue of the Sovereignty, and without Dispute, and without any particular Act of Parliament directly to that Purpose ; yet now, after this bloody Dispute, the next (which is the present) Parliament in proper and exprefs Terms hath declared the same to be the Right of the King only, without either of his Houses of Parliament ; which Act is more instructive to the People, than any Arguments drawn from the Title of Sovereign, and consequently fitter to disarm the Ambition of all seditious Haranguers for the Time to come.

*B.* I pray God it prove so. Howsoever, I must confess, that this Parliament has done all that a Parliament can do for the Security of our Peace : which I think also would be enough, if Preachers would take Heed of instilling evil Principles into their Auditory. I have seen in this Revolution a circular Motion of the sovereign Power through two Usurpers, from the late King to this his Son : for (leaving out the Power of the Council of Officers, which was but temporary, and no otherwise owned by them, but in Trust) it moved from King *Charles* the First to the Long Parliament, from thence to the Rump, from the Rump to *Oliver Cromwell*, and then back again from *Richard Cromwell* to the Rump, thence to the Long Parliament, and thence to King *Charles* the Second, where long may it remain.

*A.* Amen. And may he have as often as there shall be Need such a General.

*B.* You have told me little of the General till now in the End : but truly, I think, the bringing of his little Army intirely out of *Scotland*, up to *London*, was the greatest Stratagem that is extant in History.

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A  
D I A L O G U E  
Between a  
P H I L O S O P H E R and a S T U D E N T,  
O F T H E  
C O M M O N L A W S of E N G L A N D.

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*Of the* L A W of R E A S O N.

*Law.* **W**HAT makes you say, that the Study of the Law is less rational than the Study of the Mathematics?

*Pb.* I say not that, for all Study is rational, or nothing worth; but I say, that the great Masters of the *Mathematics* do not so often err as the great Professors of the Law.

*Law.* If you had applied your Reason to the Law, perhaps you would have been of another Mind.

*Pb.* In whatsoever Study, I examine whether my Inference be rational, and have looked over the Titles of the Statutes from *Magna Charta* downward to this present Time. I left not one unread, which I thought might concern myself, which was enough for me that meant not to plead for any but myself. But I did not much examine which of them was more, or less rational; because I read them not to dispute, but to obey them, and saw in all of them sufficient Reason for my Obedience, and that the same Reason, though the Statutes themselves were changed, remained constant. I have also diligently read over *Littleton's* Book of *Tenures*, with the Commentaries thereupon of the renowned Lawyer Sir *Edward Coke*, in which I confess I found great Subtilty, not of the Law, but of Inference from Law, and especially from the Law of human Nature, which is the Law of Reason: and I confess that it is Truth which he says in the Epilogue to his Book; that by Arguments and Reason in the Law, a Man shall sooner come to the Certainty and Knowledge of the Law: and I agree with Sir *Edward Coke*, who upon that Text farther says, That Reason is the Soul of the Law; and upon Sect. 138. *Nihil quod est Rationi contrarium est licitum*; that is to say, nothing is Law that is against Reason: and that Reason is the Life of the Law, nay, the Common Law itself is nothing else but Reason. And upon Sect. 21. *Æquitas est perfecta quædam Ratio, quæ Jus scriptum interpretatur & emendat, nullâ scripturâ comprehensa, sed solum in vera Ratione consistens. i. e.* Equity is a certain perfect Reason that interpreteth and amendeth the Law written, itself being unwritten, and consisting in nothing else but right Reason. When I consider this, and find it to be true, and so evident as not to be denied by any Man of right Sense, I find my own Reason

at a stand; for it frustrates all the Laws in the World: for upon this Ground any Man, of any Law whatsoever, may say it is against Reason, and thereupon make a Pretence for his Disobedience. I pray you clear this Passage, that we may proceed.

*La.* I clear it thus, out of Sir *Edward Coke*, 1 *Inst. Sect.* 138. that this is to be understood of an artificial Perfection of Reason gotten by long Study, Observation and Experience, and not of every Man's natural Reason; for *nemo nascitur Artifex*. This legal Reason, is *summa Ratio*; and therefore if all the Reason that is dispersed into so many several Heads were united into one, yet could he not make such a Law as the Law of *England* is, because by so many Successions of Ages it hath been fined and refined by an infinite Number of grave and learned Men.

*Pb.* This does not clear the Place, as being partly obscure, and partly untrue; that the Reason, which is the Life of the Law, should be not natural, but artificial, I cannot conceive. I understand well enough, that the Knowledge of the Law is gotten by much Study, as all other Sciences are, which when they are studied and obtained, it is still done by natural, and not by artificial Reason. I grant you that the Knowledge of the Law is an Art, but not that any Art of one Man, or of many, how wise soever they be, or the Work of one or more Artificers, how perfect soever it be, is Law. It is not Wisdom, but Authority, that makes a Law. Obscure also are the Words, Legal Reason; there is no Reason in earthly Creatures, but human Reason; but I suppose that he means, that the Reason of a Judge, or of all the Judges together, (without the King) is that *Summa Ratio*, and the very Law, which I deny; because none can make a Law but he that hath the legislative Power. That the Law hath been fined by grave and learned Men, meaning the Professors of the Law, is manifestly untrue; for all the Laws of *England* have been made by the Kings of *England*, consulting with the Nobility and Commons in Parliament, of which not one of twenty was a learned Lawyer.

*La.* You speak of the Statute Law, and I speak of the Common Law.

*Pb.* I speak generally of Law.

*La.* Thus far I agree with you, that Statute Law taken away, there would not be left, either here, or any where, any Law at all that would conduce to the Peace of a Nation; yet Equity and Reason, Laws divine and eternal, which oblige all Men at all Times, and in all Places, would still remain, but be obeyed by few: and though the Breach of them be not punished in this World, yet they will be punished sufficiently in the World to come. Sir *Edward Coke*, for drawing to the Men of his own Profession as much Authority as lawfully he might, is not to be reprehended; but to the Gravity and Learning of the Judges, they ought to have added, in the making of Laws, the Authority of the King, which hath the Sovereignty: for of these Laws of Reason, every Subject that is in his Wits, is bound to take notice at his Peril, because Reason is part of his Nature, which he continually carries about with him, and may read it, if he will.

*Pb.* 'Tis very true; and upon this Ground, if I pretend, within a Month or two, to make myself able to perform the Office of a Judge, you are not to think it Arrogance; for you are to allow to me, as well as to other Men, my Pretence to Reason, which is the Common Law; (remember this, that I may not need again to put you in mind, that Reason is the Common Law) and for Statute Law, seeing it is printed, and that there be Indexes to point me to every Matter contained in them, I think a Man may profit in them very much in two Months.

*La.* But you will be but an ill Pleader.

*Pb.* A Pleader commonly thinks he ought to say all he can for the Benefit of his Client, and therefore has need of a Faculty to wrest the Sense of Words from their true Meaning; and the Faculty of Rhetoric to seduce the Jury, and sometimes the Judge also; and many other Arts, which I neither have, nor intend to study.

*La.* But let the Judge, how good soever he thinks his Reasoning, take heed that he depart not too much from the Letter of the Statute: for it is not without Danger.

*Pb.* He

*Pb.* He may without Danger recede from the Letter, if he do not from the Meaning and Sense of the Law, which may be by a learned Man, (such as Judges commonly are) easily found out by the Preamble, the Time when it was made, and the Incommodities for which it was made: but I pray tell me, to what End were Statute Laws ordained, seeing the Law of Reason ought to be apply'd to every Controversy that can arise?

*La.* You are not ignorant of the Force of an irregular Appetite to Riches, to Power, and to sensual Pleasures, how it masters the strongest Reason, and is the Root of Disobedience, Slaughter, Fraud, Hypocrisy, and all manner of evil Habits; and that the Laws of Man, though they can punish the Fruits of them, which are evil Actions, yet they cannot pluck up the Roots that are in the Heart. How can a Man be indicted of Avarice, Envy, Hypocrisy, or other vicious Habit, till it be declared by some Action, which a Witness may take notice of; the Root remaining, new Fruit will come forth till you be weary of punishing, and at last destroy all Power that shall oppose it.

*Pb.* What Hope then is there of a constant Peace in any Nation, or between one Nation and another?

*La.* You are not to expect such a Peace between two Nations; because there is no common Power in this World to punish their Injustice: mutual Fear may keep them quiet for a Time, but upon every visible Advantage they will invade one another, and the most visible Advantage is then, when the one Nation is obedient to their King, and the other not; but Peace at home may then be expected durable, when the common People shall be made to see the Benefit they shall receive by their Obedience and Adhesion to their own Sovereign, and the Harm they must suffer by taking part with them, who by Promises of Reformation, or Change of Government, deceive them. And this is properly to be done by Divines, and from Arguments not only from Reason, but also from the holy Scripture.

*Pb.* This that you say is true, but not very much to that I aim at by your Conversation, which is to inform myself concerning the Laws of *England*: therefore I ask you again, what is the End of Statute Laws?

### Of Sovereign Power.

*La.* I Say then that the Scope of all human Law is Peace, and Justice in every Nation amongst themselves, and Defence against foreign Enemies.

*Pb.* But what is Justice?

*La.* Justice is giving to every Man his own.

*Pb.* The Definition is good, and yet 'tis *Aristotle's*; what is the Definition agreed upon as a Principle in the Science of the Common Law?

*La.* The same with that of *Aristotle*.

*Pb.* See, you Lawyers, how much you are beholden to a Philosopher; and 'tis but Reason, for the more general and noble Science, and Law of all the World, is true Philosophy, of which the Common Law of *England* is a very little part.

*La.* 'Tis so, if you mean by Philosophy nothing but the Study of Reason, as I think you do.

*Pb.* When you say that Justice gives to every Man his own, what mean you by his own? How can that be given me which is my own already? or, if it be not my own, how can Justice make it mine?

*La.* Without Law every thing is in such sort every Man's, as he may take, possess, and enjoy, without Wrong to any Man, every thing, Lands, Beasts, Fruits, and even the Bodies of other Men, if his Reason tell him he cannot otherwise live securely: for the Dictates of Reason are little worth, if they tended not to the Preservation and Improvement of Men's Lives. Seeing then without human Law all Things would be common, and this Community a Cause of Inroad, Envy, Slaughter, and continual War of one upon another, the same Law of Reason dictates to Mankind (for their own Preservation) a Distribution of Lands and  
Goods,

Goods, that each Man may know what is proper to him, so as none other might pretend a Right thereunto, to disturb him in the Use of the same. This Distribution is Justice, and this properly is the same which we say is one's own : by which you may see the great Necessity there was of Statute Laws, for Preservation of all Mankind. It is also a Dictate of the Law of Reason, that Statute Laws are a necessary Means of the Safety and well-being of Man in the present World, and are to be obeyed by all Subjects, as the Law of Reason ought to be obeyed, both by King and Subjects, because it is the Law of God.

*Pb.* All this is very rational ; but how can any Laws secure one Man from another ? When the greatest part of Men are so unreasonable, and so partial to themselves as they are, and the Laws of themselves are but a dead Letter, which of itself is not able to compel a Man to do otherwise than himself pleaseth, nor punish, or hurt him when he hath done a Mischief.

*La.* By the Laws, I mean, Laws living and armed : for you must suppose, that a Nation that is subdued by War to an absolute Submission to a Conqueror, it may by the same Arm that compelled it to Submission, be compelled to obey his Laws. Also if a Nation chuse a Man, or an Assembly of Men, to govern them by Laws, it must furnish him also with armed Men and Money, and all Things necessary to his Office, or else his Laws will be of no Force, and the Nation remains, as before it was, in Confusion. 'Tis not therefore the Word of the Law, but the Power of a Man that has the Strength of a Nation, and makes the Laws effectual. It was not *Solon* that made the *Athenian* Laws (though he devised them) but the supreme Court of the People ; nor, the Lawyers of *Rome* that made the Imperial Law in *Justinian's* Time, but *Justinian* himself.

*Pb.* We agree then in this, that in *England* it is the King that makes the Laws, whosoever pens them ; and in this, that the King cannot make his Laws effectual, nor defend his People against their Enemies, without a Power to levy Soldiers, and consequently that he may lawfully, as oft as he shall really think it necessary to raise an Army, (which in some Occasions be very great) I say, raise it, and Money to maintain it. I doubt not but you will allow this to be according to the Law (at least) of Reason.

*La.* For my part I allow it. But you have heard how, in, and before the late Troubles, the People were of another Mind. Shall the King, said they, take from us what he pleases, upon Pretence of a Necessity whereof he makes himself the Judge ? What worse Condition can we be in from an Enemy ! What can they take from us more than what they list ?

*Pb.* The People reason ill ; they do not know in what Condition we were in the Time of the Conqueror, when it was a Shame to be an *Englishman* ; who if he grumbled at the base Offices he was put to by his *Norman* Masters, received no other Answer but this, Thou art but an *Englishman* ; nor can the People, nor any Man that humours them in their Disobedience, produce any Example of a King that ever raised any excessive Sums, either by himself, or by the Consent of his Parliament, but when they had great need thereof ; nor can shew any Reason that might move any of them so to do. The greatest Complaint by them made against the Unthriftiness of their Kings was for the enriching now and then a Favourite, which to the Wealth of the Kingdom was inconsiderable, and the Complaint but Envy. But in this Point of raising Soldiers, what is I pray you the Statute Law ?

*La.* The last Statute concerning it, is 13 *Car. 2. c. 6.* by which the supreme Government, Command, and Disposing of the Militia of *England* is delivered to be, and always to have been the ancient Right of the Kings of *England* : But there is also in the same Act a Proviso, that this shall not be construed for a Declaration, that the King may transport his Subjects, or compel them to march out of the Kingdom, nor is it on the contrary declared to be unlawful.

*Pb.* Why is not that also determined ?

*La.* I can imagine Cause enough for it, though I may be deceived. We love to have our King amongst us, and not to be governed by Deputies, either of our own,

or

or other Nation : But this I verily believe, that if a foreign Enemy should either invade us, or put himself into a Readiness to invade either *England, Ireland, or Scotland* (no Parliament then sitting) and the King send *English* Soldiers thither, the Parliament would give him Thanks for it. The Subjects of those Kings who affect the Glory, and imitate the Actions of *Alexander* the Great, have not always the most comfortable Lives ; nor do such Kings usually very long enjoy their Conquests. They march to and fro perpetually, as upon a Plank sustained only in the midst, and when one end rises, down goes the other.

*Pb.* 'Tis well. But where Soldiers (in the Judgment of the King's Conscience) are indeed necessary, as in an Insurrection, or Rebellion at home ; how shall the Kingdom be preserved without a considerable Army ready, and in Pay ? How shall Money be raised for this Army, especially when the want of public Treasure inviteth neighbouring Kings to incroach, and unruly Subjects to rebel ?

*La.* I cannot tell. It is matter of Policy, not of Law ; but I know, that there be Statutes express, whereby the King hath obliged himself never to levy Money upon his Subjects without the Consent of his Parliament. One of which Statutes is, 25 *Ed. 1. c. 6.* In these Words, *We have granted for us and our Heirs, as well to Archbishops, Bishops, Abbots, and other Folk of the holy Church, as also Earls, Barons, and to all the Commonalty of the Land, that for no Business from henceforth, we shall take such Aids, Taxes, or Prizes, but by the common Consent of the Realm.* There is another Statute of *Ed. 1.* in these Words, *No Taxes or Aid shall be taken or levied by us or our Heirs in our Realm, without the Good-will and Assent of the Archbishops, Bishops, Earls, Barons, Knights, Burgessees, and other Freemen of the Land ;* which Statutes have been since that Time confirmed by divers other Kings, and lastly by the King that now reigneth.

*Pb.* All this I know, and am not satisfied. I am one of the common People, and one of that almost infinite Number of Men, for whose Welfare Kings and other Sovereigns were by God ordained : For God made Kings for the People, and not People for Kings. How shall I be defended from the domineering of proud and insolent Strangers that speak another Language, that scorn us, that seek to make us Slaves ? Or how shall I avoid the Destruction that may arise from the Cruelty of Factions in a Civil War, unless the King, to whom alone, you say, belongeth the Right of levying, and disposing of the Militia, by which only it can be prevented, have ready Money upon all Occasions, to arm and pay as many Soldiers, as for the present Defence, or the Peace of the People, shall be necessary ? Shall not I, and you, and every Man be undone ? Tell me not of a Parliament when there is no Parliament sitting, or perhaps none in being, which may often happen ; and when there is a Parliament, if the speaking and leading Men should have a Design to put down Monarchy, as they had in the Parliament which began to sit *Nov. 3, 1640,* shall the King, who is to answer to God Almighty for the Safety of the People, and to that end is intrusted with the Power to levy and dispose of the Soldiery, be disabled to perform his Office by virtue of these Acts of Parliament which you have cited ? If this be Reason, 'tis Reason also that the People be abandoned, or left at Liberty to kill one another, even to the last Man ; if it be not Reason, then you have granted it is not Law.

*La.* 'Tis true, if you mean *Recta Ratio* ; but *Recta Ratio*, which I grant to be Law, as *Sir Edw. Coke* says, 1 *Inst. Sect. 138.* is an artificial Perfection of Reason gotten by long Study, Observation, and Experience, and not every Man's natural Reason ; for *Nemo nascitur Artifex.* This legal Reason is *Summa Ratio* ; and therefore, if all the Reason that is dispersed into so many several Heads were united into one, yet could he not make such a Law as the Law of *England* is, because by many Successions of Ages it hath been fined and refined, by an infinite Number of grave and learned Men. And this is it he calls the Common Law.

*Pb.* Do you think this to be good Doctrine ? Though it be true, that no Man is born with the Use of Reason, yet all Men may grow up to it as well as Lawyers ; and when they have applied their Reason to the Laws (which were Laws

before they studied them, or else it was not Law they studied) may be as fit for, and capable of Judicature as Sir *Edward Coke* himself, who, whether he had more or less Use of Reason, was not thereby a Judge, but because the King made him so: And whereas he says, that a Man who should have as much Reason as is dispersed in so many several Heads, could not make such a Law as this Law of *England* is; if one should ask him who made the Law of *England*, would he say a Succession of *English* Lawyers or Judges made it, or rather a Succession of Kings; and that upon their own Reason, either solely, or with the Advice of the Lords and Commons in Parliament, without the Judges, or other Professors of the Law? You see therefore, that the King's Reason, be it more or less, is that *Anima Legis*, that *Summa Lex*, whereof Sir *Edward Coke* speaketh, and not the Reason, Learning, or Wisdom of the Judges; but you may see, that quite through his Institutes of Law, he often takes Occasion to magnify the Learning of the Lawyers, whom he perpetually termeth the Sages of the Parliament, or of the King's Council: therefore, unless you say otherwise, I say that the King's Reason, when it is publicly upon Advice and Deliberation declared, is that *Anima Legis* and that *Summa Ratio*, and that Equity which all agree to be the Law of Reason, is all that is or ever was Law in *England*, since it became Christian, besides the Bible.

*La.* Are not the Canons of the Church part of the Law of *England*, as also the Imperial Law used in the Admiralty, and the Customs of particular Places, and the Bye-laws of Corporations, and Courts of Judicature.

*Pb.* Why not? for they were all constituted by the Kings of *England*; and though the Civil Law used in the Admiralty were at first the Statutes of the *Roman* Empire, yet because they are in Force by no other Authority than that of the King, they are now the King's Laws, and the King's Statutes. The same we may say of the Canons; such of them as we have retained, made by the Church of *Rome*, have been no Law, nor of any Force in *England*, since the beginning of Queen *Elizabeth's* Reign, but by Virtue of the great Seal of *England*.

*La.* In the said Statutes that restrain the levying of Money without Consent of Parliament, is there any thing you can take Exceptions to?

*Pb.* No, I am satisfied that the Kings that grant such Liberties are bound to make them good, so far as it may be done without Sin: but if a King find that by such a Grant he be disabled to protect his Subjects if he maintain his Grant, he sins; and therefore may, and ought to take no Notice of the said Grant: for such Grants as by Error, or false Suggestion, are gotten from him, are, as the Lawyers do confess, void and of no Effect, and ought to be recalled. Also the King (as is on all hands confessed) hath the Charge lying upon him to protect his People against foreign Enemies, and to keep the Peace betwixt them within the Kingdom; if he do not his utmost Endeavour to discharge himself thereof, he committeth a Sin, which neither King, nor Parliament can lawfully commit.

*La.* No Man, I think, will deny this: for if levying of Money be necessary, it is a Sin in the Parliament to refuse; if unnecessary, it is a Sin both in King and Parliament to levy: but for all that, it may be, and I think it is a Sin in any one that hath the sovereign Power, be he one Man, or one Assembly, being intrusted with the Safety of a whole Nation, if rashly, and relying upon his own natural Sufficiency, he make War or Peace without consulting with such, as by their Experience and Employment abroad, and Intelligence by Letters, or other Means, have gotten the Knowledge in some Measure of the Strength, Advantages, and Designs of the Enemy, and the Manner and Degree of the Danger that may from thence arise. In like manner, in Case of Rebellion at Home, if he consult not with Men of military Condition; which if he do, then I think he may lawfully proceed to subdue all such Enemies and Rebels; and that the Soldiers ought to go on, without inquiring whether they be within the Country or without: for who shall suppress Rebellion, but he that hath Right to levy, command, and dispose of the Militia? The last long Parliament denied this; but why? because by the major part of their Votes the Rebellion was raised with Design to put down Monarchy, and to that End maintained.

*Pb.*

*Pb.* Nor do I hereby lay any Asperſion upon ſuch Grants of the King and his Anceſtors. Thoſe Statutes are in themſelves very good for the King and People, as creating ſome kind of Difficulty, or ſuch Kings for the Glory of Conqueſt might ſpend one part of their Subjects Lives and Eſtates in moleſting other Nations, and leave the reſt to deſtroy themſelves at home by Factions. That which I here find Fault with, is the wreſting of thoſe, and other ſuch Statutes, to a binding of our Kings from the Uſe of their Armies in the neceſſary Defence of themſelves and their People. The late long Parliament that in 1648 murdered their King (a King that fought no greater Glory upon Earth, but to be indulgent to his People, and a pious Defender of the Church of *England*) no ſooner took upon them the Sovereign Power, than they levied Money upon the People at their own Diſcretion. Did any of their Subjects diſpute their Power? Did they not ſend Soldiers over the Sea to ſubdue *Ireland*, and others to fight againſt the *Dutch* at Sea? Or made they any Doubt but to be obeyed in all that they commanded; as a Right abſolutely due to the ſovereign Power in whomſoever it reſides? I ſay not this as allowing their Actions, but as a Teſtimony from the Mouths of thoſe very Men that denied the ſame Power to him, whom they acknowledged to have been their Sovereign immediately before; which is a ſufficient Proof, that the People of *England* never doubted of the King's Right to levy Money for the Maintenance of his Armies, till they were abuſed in it by ſeditious Teachers, and other prating Men, on Purpoſe to turn the State and Church into popular Government, where the moſt ignorant and boldeſt Talkers do commonly obtain the beſt Preferments. Again, when their new Republic returned into Monarchy by *Oliver*; who durſt deny him Money upon any Pretence of *Magna Charta*; or of theſe other Acts of Parliament which you have cited? You may therefore think it good Law, for all your Books; that the King of *England* may at all times, that he thinks in his Conſcience it will be neceſſary for the Defence of his People, levy as many Soldiers and as much Money as he pleaſes, and that himſelf is Judge of the Neceſſity.

*La.* Is there nobody hearkening at the Door?

*Pb.* What are you afraid of?

*La.* I mean to ſay the ſame that you ſay: but there be very many yet, that hold their former Principles, whom neither the Calamities of the Civil Wars, nor their former Pardons, have thoroughly cured of their Madneſs.

*Pb.* The common People never take notice of what they hear of this Nature, but when they are ſet on by ſuch as they think wiſe; that is, by ſome ſorts of Preachers, or ſome that ſeem to be learned in the Laws, and withal ſpeak Evil of the Governors. But what if the King, upon the Sight or Apprehenſion of any great Danger to his People, as when their Neighbours are borne down with the Current of a conquering Enemy, ſhould think his own People might be involved in the ſame Miſery, may he not levy, pay, and tranſport Soldiers to help thoſe weak Neighbours by way of Prevention, to ſave his own People and himſelf from Servitude? Is that a Sin?

*La.* Firſt, If the War upon our Neighbour be juſt, it may be queſtioned whether it be Equity or not to aſſiſt them againſt the Right.

*Pb.* For my part I make no Queſtion of that at all, unleſs the Invader will and can put me in Security, that neither he nor his Succeſſors ſhall make any Advantage of the Conqueſt of my Neighbour; to do the ſame to me in time to come; but there is no common Power to bind them to the Peace.

*La.* Secondly, When ſuch a thing ſhall happen, the Parliament will not reſuſe to contribute freely to the Safety of themſelves, and the whole Nation.

*Pb.* It may be ſo, and it may be not: For if a Parliament then ſit not, it muſt be called; that requires ſix Weeks Time; debating and collecting what is given requires as much; and in this Time the Opportunity perhaps is loſt. Beſides, how many wretched Souls have we heard to ſay in the late Troubles, What Matter is it who gets the Victory? We can pay but what they pleaſe to demand, and ſo much we pay now. And thus they will murmur, as they have ever done, who-

soever shall reign over them, as long as their Covetousness and Ignorance hold together, which will be till Doomsday, if better Order be not taken for their Instruction in their Duty, both from Reason and Religion.

*La.* For all this I find it somewhat hard, that a King should have Right to take from his Subjects, upon the Pretence of Necessity, what he pleaseth.

*Pb.* I know what it is that troubles your Conscience in this Point. All Men are troubled at the crossing of their Wishes; but it is our own Fault. First, we wish Impossibilities; we would have our Security against all the World, upon Right of Property, without paying for it: this is impossible. We may as well expect that Fish and Fowl should boil, roast, and dish themselves, and come to the Table; and that Grapes should squeeze themselves into our Mouths, and have all other the Contentments and Ease which some pleasant Men have related of the Land of *Cocquany*. Secondly, there is no Nation in the World where he, or they that have the Sovereignty, do not take what Money they please, for the Defence of those respective Nations, when they think it necessary for their Safety. The late long Parliament deny'd this; but why? because there was a Design amongst them to depose the King. Thirdly, there is no Example of any King of *England*, that I have read of, that ever pretended any such Necessity, for levying of Money against his Conscience. The greatest Sums that ever were levy'd (comparing the Value of Money, as it was at that Time, with what it is now) were levied by King *Edward III.* and King *Henry V.* Kings of whom we glory now, and think their Actions great Ornaments to the *English* History. Lastly, as to the enriching of now and then a Favourite, it is neither sensible to the Kingdom, nor is any Treasure thereby convey'd out of the Realm, but so spent as it falls down again upon the common People. To think that our Condition, being human, should be subject to no Incommodity, were injuriously to quarrel with God Almighty for our own Faults; for he hath done his Part in annexing our own Industry and Obedience.

*La.* I know not what to say.

*Pb.* If you allow this that I have said, then, say that the People never were, shall be, or ought to be free from being taxed at the Will of one or other; being hindered, that if Civil War come, they must levy all they have, and that dearly, from the one, or from the other, or from both Sides. Say, that adhering to the King, their Victory is an End of their Trouble; that adhering to his Enemies, there is no End; for the War will continue by a perpetual Subdivision, and when it ends, they will be in the same Estate they were before. That they are often abused by Men who to them seem wise, when their Wisdom is nothing else but Envy to those that are in Grace, and in profitable Employments, and that those Men do but abuse the common People to their own Ends, that set up a private Man's Propriety against the public Safety. But say withal, that the King is subject to the Laws of God, both written and unwritten, and to no other; and so was *William the Conqueror*, whose Right is all descended to our present King.

*La.* As to the Law of Reason, which is Equity, 'tis sure enough there is but one Legislator, which is God.

*Pb.* It followeth then that which you call the Common Law, distinct from Statute Law, is nothing else but the Law of God.

*La.* In some Sense it is, but it is not Gospel, but Natural Reason, and Natural Equity.

*Pb.* Would you have every Man to every other Man alledge for Law his own particular Reason? There is not amongst Men an universal Reason agreed upon in any Nation, besides the Reason of him that hath the Sovereign Power; yet though his Reason be but the Reason of one Man, yet it is set up to supply the Place of that universal Reason, which is expounded to us by our Saviour in the Gospel; and consequently our King is to us the Legislator, both of Statute Law and of Common Law.

*La.* Yes,

*La.* Yes, I know that the Laws Spiritual, which have been Law in this Kingdom since the abolishing of Popery, are the King's Laws, and those also that were made before; for the Canons of the Church of *Rome* were no Laws, neither here nor any where else without the Pope's temporal Dominions, farther than Kings and States in their several Dominions respectively did make them so.

*Pb.* I grant that: But you must grant also, that those spiritual Laws were made by Legislators of the spiritual Law; and yet not all Kings and States make Laws by Consent of the Lords and Commons; but our King here is so far bound to their Assents, as he shall judge conducing to the Good and Safety of his People: For Example, if the Lords and Commons should advise him to restore those Laws Spiritual, which in Queen *Mary's* Time were in Force, I think the King were by the Law of Reason obliged, without the Help of any other Law of God, to neglect such Advice.

*La.* I grant you that the King is sole Legislator, but with this Restriction, that if he will not consult with the Lords of Parliament, and hear the Complaints and Informations of the Commons, that are best acquainted with their own Wants, he sinneth against God, though he cannot be compell'd to any thing by his Subjects, by Arms and Force.

*Pb.* We are agreed upon that already; since therefore the King is sole Legislator, I think it also Reason he should be sole supreme Judge.

*La.* There is no Doubt of that; for otherwise there would be no Congruity of Judgments with the Laws. I grant also that he is the supreme Judge over all Persons, and in all Causes, Civil and Ecclesiastical, within his own Dominions, not only by Act of Parliament at this Time, but that he has ever been so by the Common Law: For the Judges of both the Benches have their Offices by the King's Letters Patents; and so (as to Judicature) have the Bishops. Also the Lord Chancellor hath his Office by receiving from the King the Great Seal of *England*; and to say all at once, there is no Magistrate or Commissioner for public Business, neither of Judicature, nor Execution in State or Church, in Peace or War, but he is made so by Authority from the King.

The King is the supreme Judge.

*Pb.* 'Tis true: But perhaps you may think otherwise, when you read such Acts of Parliament, as say, that the King shall have Power and Authority to do this or that, by Virtue of that Act, as *Eliz. c. 1.* That your Highness, your Heirs and Successors, Kings or Queens of this Realm, shall have full Power and Authority, by Virtue of this Act, by Letters Patents under the Great Seal of *England*, to assign, &c. Was it not this Parliament that gave this Authority to the Queen?

*La.* No; for the Statute in this Clause is no more than (as Sir *Edward Coke* useth to speak) an Affirmance of the Common Law; for she being Head of the Church of *England*, might make Commissioners for the deciding of Matters Ecclesiastical, as freely as if she had been Pope; who did, you know, pretend his Right from the Law of God.

*Pb.* We have hitherto spoken of Laws, without considering any thing of the Nature and Essence of a Law; and now unless we define the word Law, we can go no farther without Ambiguity and Fallacy, which will be but Loss of Time; whereas, on the contrary, the Agreement upon our Words will enlighten all we have to say hereafter.

*La.* I do not remember the Definition of Law in any Statute.

*Pb.* I think so: For the Statutes were made by Authority, and not drawn from any other Principles than the Care of the Safety of the People. Statutes are not Philosophy, as is the Common Law and other disputable Arts, but are Commands or Prohibitions, which ought to be obey'd, because assented to by Submission made to the Conqueror here in *England*, and to whosoever had the Sovereign Power in other Commonwealths; so that the positive Laws of all Places are Statutes. The Definition of Law was therefore unnecessary for the Makers of Statutes, though very necessary to them, whose Work it is to teach the Sense of the Law.

*La.* There is an accurate Definition of a Law in *Brañton*, cited by Sir *Ed. Coke*, *Lex est sanctio justa, jubens honesta, & prohibens contraria.*

*Pb.* That is to say, Law is a just Statute, commanding those Things which are honest, and forbidding the contrary. From whence it followeth, that in all Cases it must be the Honesty or Dishonesty that makes the Command a Law, whereas you know that but for the Law we could not (as saith *St. Paul*) have known what is Sin; therefore this Definition is no Ground at all for any farther Discourse of Law. Besides, you know the Rule of Honest and Dishonest refers to Honour, and that it is Justice only, and Injustice, that the Law respecteth. But that which I most except against in this Definition, is, that it supposes that a Statute made by the Sovereign Power of a Nation may be unjust. There may indeed in a Statute Law, made by Men, be found Iniquity, but not Injustice.

*La.* This is somewhat subtil; I pray deal plainly; what is the Difference between Injustice and Iniquity?

*Pb.* I pray you tell me first, what is the Difference between a Court of Justice, and a Court of Equity?

*La.* A Court of Justice is that which hath Cognizance of such Causes as are to be ended by the positive Laws of the Land; and a Court of Equity is that, to which belong such Causes as are to be determined by Equity; that is to say, by the Law of Reason.

*Pb.* You see then that the Difference between Injustice and Iniquity is this; that Injustice is the Transgression of a Statute-Law, and Iniquity the Transgression of the Law of Reason, and that the Judges of that Law are Courts of Justice, because the Breach of the Statute-Law is Iniquity, and Injustice also. But perhaps you mean by Common Law, not the Law itself, but the Manner of proceeding in the Law (as to Matter of Fact) by twelve Men, Freeholders, though those twelve Men are no Court of Equity, nor of Justice, because they determine not what is just or unjust, but only whether it be done or not done; and their Judgment is nothing else but a Confirmation of that which is properly the Judgment of the Witnesses; for to speak exactly, there cannot possibly be any Judge of Fact besides the Witnesses.

*La.* How would you have a Law defined?

*Pb.* Thus; A Law is the Command of him, or them that have the Sovereign Power, given to those that be his or their Subjects, declaring publicly and plainly what every of them may do, and what they must forbear to do.

*La.* Seeing all Judges in all Courts ought to judge according to Equity, which is the Law of Reason, a distinct Court of Equity seemeth to me to be unnecessary, and but a Burthen to the People, since Common Law and Equity are the same Law.

*Pb.* It were so indeed, if Judges could not err; but since they may err, and that the King is not bound to any other Law but that of Equity, it belongs to him alone to give Remedy to them, that by the Ignorance or Corruption of a Judge shall suffer Damage.

*La.* By your Definition of a Law, the King's Proclamation under the Great Seal of *England* is a Law; for it is a Command, and public, and of the Sovereign to his Subjects.

*Pb.* Why not, if he think it necessary for the Good of his Subjects? For this is a Maxim at the Common Law alledged by Sir *Edward Coke* himself, *1 Inst.* 306. *Quando Lex aliquid concedit, concedere videtur & id per quod devenitur ad illud.* And you know out of the same Author, that divers Kings of *England* have often, to the Petitions in Parliament which they granted, annexed such Exceptions as these, unless there be Necessity; saving our Regality; which I think should be always understood, though they be not expressed; and are understood so by Common Lawyers, who agree that the King may recall any Grant wherein he was deceived.

*La.* Again, whereas you make it of the Essence of a Law to be publicly and plainly declared to the People, I see no Necessity for that. Are not all Subjects bound

bound to take Notice of all Acts of Parliament, when no Act can pass without their Consent?

*Pb.* If you had said that no Act could pass without their Knowledge, then indeed they had been bound to take Notice of them; but none can have Knowledge of them but the Members of the Houses of Parliament, therefore the rest of the People are excused; or else the Knights of the Shires should be bound to furnish People with a sufficient Number of Copies (at the People's Charge) of the Acts of Parliament at their Return into the Country; that every Man may resort to them, and by themselves or Friends, take Notice of what they are obliged to; for otherwise it were impossible they should be obeyed: and that no Man is bound to do a thing impossible, is one of Sir *Edward Coke's* Maxims at the Common Law. I know that most of the Statutes are printed, but it does not appear that every Man is bound to buy the Book of Statutes, nor to search at *Westminster* or at the *Tower*, nor to understand the Language wherein they are for the most part written.

*La.* I grant it proceeds from their own Faults; but no Man can be excused by the Ignorance of the Law of Reason; that is to say, by Ignorance of the Common Law, except Children, Madmen, and Idiots: but you exact such a Notion of the Common Law, as is almost impossible. Is it not enough that they in all Places have a sufficient Number of the Penal Statutes?

*Pb.* Yes, if they have those Penal Statutes near them; but what Reason can you give me why there should not be as many Copies abroad of the Statutes, as there be of the Bible?

*La.* I think it were well that every Man that can read had a Statute Book; for certainly no Knowledge of those Laws, by which Mens Lives and Fortunes can be brought into Danger, can be too much. I find a great Fault in your Definition of Law; which is, that every Law either forbiddeth or commandeth something. 'Tis true, that the Moral Law is always a Command or a Prohibition, or at least implieth it; but in the *Levitical* Law, where it is said, that he that stealeth a Sheep shall restore four-fold; what Command or Prohibition lieth in these Words?

*Pb.* Such Sentences as that are not in themselves general, but Judgments; nevertheless there is in those Words implied a Commandment to the Judge, to cause to be made a four-fold Restitution.

*La.* That's right.

*Pb.* Now define what Justice is, and what Actions and Men are to be called Just.

*La.* Justice is the constant Will of giving to every Man his own; that is to say, of giving to every Man that which is his Right, in such manner as to exclude the Right of all Men else to the same thing. A just Action is that which is not against the Law. A just Man is he that hath a constant Will to live justly; if you require more, I doubt there will no Man living be comprehended within the Definition.

*Pb.* Seeing then that a just Action, according to your Definition, is that which is not against the Law; it is manifest that before there was a Law, there could be no Injustice, and therefore Laws are in their Nature antecedent to Justice and Injustice, and you cannot deny but there must be Law-makers, before there were any Laws, and consequently before there was any Justice; I speak of human Justice; and that Law-makers were before that which you call Own, or Property of Goods, or Lands distinguished by *Meum, Tuum, Alienum*.

*La.* That must be granted; for without Statute-Laws, all Men have Right to all things; and we have had Experience when our Laws were silenced by Civil War, there was not a Man, that of any Goods could say assuredly they were his own.

*Pb.* You see then that no private Man can claim a Propriety in any Lands, or other Goods, from any Title, from any Man, but the King, or them that have the Sovereign Power; because it is in Virtue of the Sovereignty, that every Man may not enter into, and possess what he pleaseth; and consequently to deny the Sovereign any thing necessary to the sustaining of his sovereign Power, is to destroy the  
Propriety

Propriety he pretends to. The next Thing I will ask you is, how you distinguish between Law and Right, or *Lex* and *Jus*?

*La.* Sir *Edward Coke* in divers Places makes *Lex* and *Jus* to be the same, and so *Lex Communis*, and *Jus Communis* to be all one; nor do I find that he does in any Place distinguish them.

*Pb.* Then will I distinguish them, and make you judge whether my Distinction be not necessary to be known by every Author of the Common Law: for Law obligeth me to do, or forbear the doing of something; and therefore it lies upon me an Obligation; but my Right is a Liberty left me by the Law to do any thing which the Law forbids me not, and to leave undone any thing which the Law commands me not. Did Sir *Edward Coke* see no Difference between being bound and being free?

*La.* I know not what he saw, but he has not mention'd it; and though a Man may dispense with his own Liberty, he cannot do so with the Law.

*Pb.* But what are you better for your Right, if a rebellious Company at home, or an Enemy from abroad, take away the Goods, or dispossess you of the Lands you have a Right to? Can you be defended, or repair'd, but by the Strength and Authority of the King? What Reason therefore can be given by a Man that endeavours to preserve his Propriety, why he should deny, or malignly contribute to the Strength that should defend him, or repair him? Let us see now what your Books say to this Point, and other Points of the Right of Sovereignty. *Braeton*, the most authentic Author of the Common Law, fol. 55. saith thus: *Ipsè Dominus Rex habet omnia Jura in manu suâ; est Dei Vicarius; habet ea quæ sunt Pacis; habet etiam coercionem ut Delinquentes puniat; habet in potestate suâ Leges; nihil enim prodest Jura condere, nisi sit qui Jura tueatur*: That is to say, Our Lord the King hath all Right in his own Hands; is God's Vicar; he has all that concerns the Peace; he has the Power to punish Delinquents; all the Laws are in his Power; to make Laws is to no Purpose, unless there be somebody to make them obey'd. If *Braeton's* Law be Reason, as I and you think it is, what temporal Power is there which the King hath not? Seeing that at this Day all the Power spiritual which *Braeton* allows the Pope, is restored to the Crown; what is there that the King cannot do, excepting Sin against the Law of God? The same *Braeton*, lib. 21. c. 8. saith thus: *Si autem a Rege petitur (cum Breve non curret contra ipsum) locus erit supplicationi, quod factum suum corrigat, & emendet; quod quidem si non fecerit, satis sufficit ad pœnam, quod Dominum expectet Ultorem; nemo quidem de factis ejus præsumat disputare, multo fortius contra factum ejus venire*: That is to say, If any thing be demanded of the King (seeing a Writ lieth not against him) he is put to his Petition, praying him to correct and amend his own Fact; which if he will not do, it is a sufficient Penalty for him, that he is to expect a Punishment from the Lord; no Man may presume to dispute of what he does, much less to resist him. You see by this, that this Doctrine concerning the Rights of Sovereignty so much cry'd down by the long Parliament, is the ancient Common Law; and that the only Bridle of the Kings of *England*, ought to be the Fear of God. And again *Braeton*, c. 24. of the second Book, says, That the Rights of the Crown cannot be granted away: *Ea vero quæ Jurisdictionis & Pacis, & ea quæ sunt Justitiæ & Paci annexa, ad nullum pertinent, nisi ad Coronam & Dignitatem Regiam, nec a Corona separari possunt, nec a privata persona possideri*: That is to say, Those Things which belong to Jurisdiction and Peace, and those Things that are annexed to Justice and Peace, appertain to none but to the Crown and Dignity of the King, nor can be separated from the Crown, nor be possess'd by a private Person. Again you'll find in *Fleta* (a Law Book written in the Time of *Edward II.*) That Liberties, though granted by the King, if they tend to the Hindrance of Justice, or Subversion of the Regal Power, were not to be used, nor allowed: For in that Book, c. 20. concerning Articles of the Crown, which the Justices itinerant are to enquire of, the 54th Article is this, You shall enquire *de Libertatibus concessis quæ impediunt Communem*

*Communem Justitiam, & Regiam Potestatem subvertunt.* Now what is a greater Hindrance to Common Justice, or a greater Subversion of the Regal Power, than a Liberty in Subjects to hinder the King from raising Money necessary to suppress, or prevent Rebellions, which doth destroy Justice, and subvert the Power of the Sovereignty? Moreover, when a Charter is granted by a King in these Words: *Dedita & coram pro me & Hæredibus meis*; the Grantor, by the Common Law, (as Sir *Edward Coke* says in his Commentaries on *Littleton*) is to warrant his Gift; and I think it Reason, especially if the Gift be upon Consideration of a Price paid. Suppose a foreign State should lay Claim to this Kingdom ('tis no Matter as to the Question I am putting, whether the Claim be unjust) how would you have the King to warrant to every Freeholder in *England* the Lands they hold of him by such a Charter? If he cannot levy Money, their Estates are lost, and so is the King's Estate; and if the King's Estate be gone, how can he repair the Value due upon the Warranty? I know that the King's Charters are not so merely Grants, as that they are not also Laws; but they are such Laws as speak not to all the King's Subjects in general, but only to his Officers; implicitly forbidding them to judge or execute any thing contrary to the said Grants. There be many Men that are able Judges of what is right Reason, and what not; when any of these shall know that a Man has no Superior nor Peer in the Kingdom, he will hardly be persuaded he can be bound by any Law of the Kingdom; or that he who is subject to none but God, can make a Law upon himself, which he cannot as easily abrogate, as he made it. The main Argument, and that which so much taketh with the Throng of People, proceedeth from a needless Fear, put into their Minds by such Men as mean to make use of their Hands to their own Ends; for if, say they, the King may (notwithstanding the Law) do what he please, and hath nothing to restrain him but the Fear of Punishment in the World to come, then (in case there come a King that fears no such Punishment) he may take away from us, not only our Lands, Goods, and Liberties, but our Lives also if he will: And they say true; but they have no Reason to think he will, unless it be for his own Profit, which cannot be; for he loves his own Power; and what becomes of his Power when his Subjects are destroy'd or weakened, by whose Multitude and Strength he enjoys his Power, and every one of his Subjects his Fortune? And lastly, whereas they sometimes say the King is bound, not only to cause his Laws to be observed, but also to observe them himself; I think the King causing them to be observed, is the same Thing as observing them himself: For I never heard it taken for good Law, that the King may be indicted, or appealed, or served with a Writ, till the long Parliament practised the contrary upon the good King *Charles*, for which divers of them were executed, and the rest by our present King pardoned.

*La.* Pardoned by the King and Parliament.

*Pb.* By the King in Parliament, if you will, but not by the King and Parliament: you cannot deny, but that the pardoning of Injury, to the Person that is injured, Treason, and other Offences against the Peace, and against the Right of the Sovereign, are Injuries done to the King; and therefore whosoever is pardoned any such Offence, ought to acknowledge he owes his Pardon to the King alone: But as to such Murders, Felonies, and other Injuries as are done to any Subject, how mean soever, I think it great Reason that the Parties endamaged ought to have Satisfaction before such Pardon be allow'd. And in the Death of a Man, where Restitution of Life is impossible, what can any Friend, Heir, or other Party that may appeal, require more than reasonable Satisfaction some other way? Perhaps he will be content with nothing but Life for Life; but that is Revenge, and belongs to God, and under God to the King, and none else; therefore if there be reasonable Satisfaction tender'd, the King, without Sin, I think, may pardon him. I am sure, if the pardoning him be a Sin, that neither King, nor Parliament, nor any earthly Power, can do it.

*La.* You see by this your own Argument, that the Act of *Oblivion*, without a Parliament, could not have pass'd; because, not only the King, but also most of the Lords, and abundance of common People, had received Injuries; which not being pardonable, but by their own Assent, it was absolutely necessary that it should be done in Parliament, and by the Assent of the Lords and Commons.

*Pb.* I grant it; but I pray you tell me now what is the Difference between a general Pardon, and an Act of *Oblivion*?

*La.* The word Act of *Oblivion* was never in our Books before; but I believe it is in yours.

*Pb.* In the State of *Athens* long ago, for the abolishing of the Civil War, there was an Act agreed on; that from that Time forward, no Man should be molested for any thing (before that Act done) whatsoever without Exception, which Act the Makers of it called an Act of *Oblivion*; not that all Injuries should be forgotten (for then we could never have had the Story) but that they should not rise up in Judgment against any Man. And in imitation of this Act, the like was propounded (though it took no Effect) upon the Death of *Julius Cæsar*, in the Senate of *Rome*. By such an Act you may easily conceive that all Accusations for Offences past were absolutely dead, and buried, and yet we have no great Reason to think, that the objecting one to another of the Injuries pardoned, was any Violation of those Acts, except the same were so expressed in the Act itself.

*La.* It seems then that the Act of *Oblivion* was here no more, nor of other nature, than a general Pardon.

### Of C O U R T S.

*Pb.* SINCE you acknowledge that in all Controversies, the Judicature originally belongeth to the King, and seeing that no Man is able in his own Person to execute an Office of so much Business; what Order is taken for deciding of so many, and so various Controversies?

*La.* There be divers sorts of Controversies, some of which are concerning Mens Titles to Lands and Goods; and some Goods are corporeal, as Lands, Money, Cattle, Corn, and the like, which may be handled, or seen; and some incorporeal, as Privileges, Liberties, Dignities, Offices, and many other good Things, mere Creatures of the Law, and cannot be handled or seen: And both of these Kinds are concerning *Meum* and *Tuum*. Others there are concerning Crimes punishable divers Ways; and amongst some of these, part of the Punishment is some Fine or Forfeiture to the King, and then it is called a Plea of the Crown, in case the King sue the Party, otherwise it is but a private Plea, which they call an Appeal: And though upon Judgment in an Appeal the King shall have his Forfeiture; yet it cannot be called a Plea of the Crown, but when the Crown pleadeth for it. There be also other Controversies concerning the Government of the Church, in order to Religion, and virtuous Life. The Offences both against the Crown, and against the Laws of the Church, are Crimes; but the Offences of one Subject against another, if they be not against the Crown, the King pretendeth nothing in those Pleas, but the Reparation of his Subjects injur'd.

*Pb.* A Crime is an Offence of any kind whatsoever, for which a Penalty is ordain'd by the Law of the Land: But you must understand that Damages awarded to the Party injur'd, has nothing common with the nature of a Penalty, but is meerly a Restitution, or Satisfaction due to the Party griev'd by the Law of Reason, and consequently is no more a Punishment than is the paying of a Debt.

*La.* It seems by this Definition of a Crime, you make no Difference between a Crime and a Sin.

*Pb.* All Crimes are indeed Sins, but not all Sins Crimes. A Sin may be in the Thought or secret Purpose of a Man, of which neither a Judge, nor a Witness, nor any Man can take Notice; but a Crime is such a Sin as consists in an Action against the Law, of which Action he can be accused, and tried by a Judge, and be convicted, or cleared by Witnesses. Farther; that which is no Sin in itself, but indifferent, may be made Sin by a positive Law: As when the Statute was in force, that no Man should wear Silk in his Hat; after the Statute, such wearing of Silk was a Sin, which was not so before. Nay, sometimes an Action that's good in itself, by the Statute Law may be made a Sin; as if a Statute should be made to forbid the giving of Alms to a strong sturdy Beggar; such Alms after that Law would be a Sin, but not before: for then it was Charity, the Object whereof is not the Strength, or other Quality of the poor Man, but his Poverty. Again, he that should have said in Queen *Mary's* Time, that the *Pope* had no Authority in *England*, should have been burnt at a Stake; but for saying the same in the Time of Queen *Elizabeth*, should have been commended. You see by this, that many Things are made Crimes, and no Crimes, which are not so in their own Nature, but by Diversity of Law, made upon Diversity of Opinion, or of Interest by them which have Authority: And yet those Things, whether good or evil, will pass so with the Vulgar (if they hear them often with odious Terms recited) for heinous Crimes in themselves; as many of those Opinions, which are in themselves pious, and lawful, were heretofore by the *Pope's* Interest therein called detestable Heresy. Again; some Controversies are of things done upon the Sea, others of things done upon the Land. There need be many Courts to the deciding of so many kinds of Controversies. What order is there taken for their Distribution?

*La.* There be an extraordinary great Number of Courts in *England*; First; there be the King's Courts both for Law and Equity in matters Temporal, which are the Chancery, the King's Bench, the Court of Common Pleas, and for the King's Revenue the Court of the Exchequer; and there be Subjects Courts by Privilege, as the Courts in *London*, and other privileg'd Places. And there be other Courts of Subjects, as the Court of Landlords, called the Court of Barons, and the Courts of Sheriffs. Also the Spiritual Courts are the King's Courts at this Day, though heretofore they were the *Pope's* Courts. And in the King's Courts, some have their Judicature by Office, and some by Commission, and some Authority to hear, and determine, and some only to enquire and to certify into other Courts. Now for the Distribution of what Pleas every Court may hold, it is commonly held, that all the Pleas of the Crown, and all Offences contrary to the Peace, are to be holden in the King's Bench, or by Commissioners; for *Braeton* saith, *Sciendum est, quod si Actiones sunt Criminales, in Curia Domini Regis debent determinari; cum sit ibi poena Corporalis infligenda, & hoc coram ipso Rege, si tangat personam suam, sicut Crimen Laesae Majestatis, vel coram Justiciariis ad hoc specialiter assignatis*: That is to say; That if the Plea be criminal, it ought to be determined in the Court of our Lord the King, because there they have Power to inflict corporal Punishment; and if the Crime be against his Person, as the Crime of Treason, it ought to be determin'd before the King himself; or if it be against a private Person, it ought to be determin'd by Justices assigned; that is to say, before Commissioners. It seems by this, that heretofore Kings did hear and determine Pleas of Treason against themselves, by their own Persons; but it has been otherwise long a Time, and is now: For it is now the Office of the Lord Steward of *England* in the Trial of a Peer, to hold that Plea by a Commission especially for the same. In Causes concerning *Meum* and *Tuum*, the King may sue, either in the King's Bench, or in the Court of Common Pleas, as it appears by *Fitzberbert* in his *Natura Brevium*, at the Writ of *Escheat*.

*Pb.* A King perhaps will not fit to determine Causes of Treason against his Person, lest he should seem to make himself Judge in his own Cause; but that it shall

shall be judged by Judges of his own making, can never be avoided, which is all one as if he were Judge himself.

*La.* To the King's Bench also (I think) belongeth the hearing, and determining all manner of Breaches of the Peace whatsoever, saving always to the King that he may do the same, when he pleaseth, by Commissioners. In the Time of *Henry III.* and *Edward I.* (when *Brañton* wrote) the King did usually send down every seven Years into the Country Commissioners, called Justices Itinerant, to hear and determine generally all Causes Temporal, both Criminal and Civil, whose Places have been now a long Time supplied by the Justices of Assize, with Commissions of the Peace of *Oyer* and *Terminer*, and of Goal-delivery.

*Pb.* But why may the King only sue in the King's Bench, or Court of Common Pleas, which he will, and no other Person may do the same?

*La.* There is no Statute to the contrary, but it seemeth to be the Common Law; for Sir *Edward Coke*, 4 *Inst.* setteth down the Jurisdiction of the King's Bench; which (he says) has, First, Jurisdiction in all Pleas of the Crown. Secondly, The correcting of all manner of Errors of other Justices, and Judges, both of Judgments and Process (except of the Court of Exchequer) which, he says, is to this Court *Proprium quarto modo*. Thirdly, That it has Power to correct all Misdemeanours *extrajudicial* tending to the Breach of the Peace, or Oppression of the Subjects, or raising of Factions, Controversies, Debates, or any other manner of Misgovernment. Fourthly, It may hold Plea by Writ out of the Chancery of all Trespasses done *Vi & Armis*. Fifthly, It hath Power to hold Plea by Bill for Debt, Detinue, Covenant, Promise, and all other personal Actions. But of the Jurisdiction of the King's Bench in Actions real he says nothing; save, that if a Writ in a real Action be abated by Judgment in the Court of Common Pleas, and that the Judgment be by a Writ of Error reversed in the King's Bench, then the King's Bench may proceed upon the Writ.

*Pb.* But how is the Practice?

*La.* Real Actions are commonly decided, as well in the King's Bench, as in the Court of Common Pleas.

*Pb.* When the King by Authority in Writing maketh a Lord Chief Justice of the King's Bench: does he not set down what he makes him for?

*La.* Sir *Edward Coke* sets down the Letters Patents, whereby of ancient Time the Lord Chief Justice was constituted, wherein is expressed to what end he hath his Office; *Pro Conservatione nostra, & tranquillitatis Regni nostri, & ad Justitiam universalis & singulis de Regno nostro exhibendam, Constituimus Dilectum & Fidelem nostrum P. B. Justiciarium Angliæ, quamdiu nobis placuerit Capitem, &c.* That is to say, for the Preservation of ourself, and of the Peace of our Realm, and for the doing of Justice to all and singular our Subjects, we have constituted our Beloved and faithful *P. B.* during our Pleasure, Chief Justice of *England, &c.*

*Pb.* Methinks 'tis very plain by these Letters Patents, that all Causes Temporal within the Kingdom (except the Pleas that belong to the Exchequer) should be decidable by this Lord Chief Justice. For as to Causes Criminal, and that concern the Peace, it is granted him in these Words, *for the Conversation of ourself, and Peace of the Kingdom*, wherein are contained all Pleas Criminal; and, in the doing of Justice to all and singular the King's Subjects, are comprehended all Pleas Civil. And as to the Court of Common Pleas, it is manifest it may hold all manner of Civil Pleas (except those of the Exchequer) by *Magna Charta, Cap. 11.* So that all original Writs concerning Civil Pleas are returnable into either of the said Courts. But how is the Lord Chief Justice made now?

*La.* By these Words in their Letters Patents; *Constituimus vos Justiciarium nostrum Capitem ad Placita coram nobis tenenda, durante bene placito nostro*: That is to say, We have made you our Chief Justice to hold Pleas before ourself, during our Pleasure. But this Writ, though it be shorter, does not at all abridge the  
Power

Power they had by the former. And for the Letters Patents for the Chief Justice of the Common Pleas, they go thus, *Constituimus dilectum & fidelem, &c. Capitalem Justiciarum de Communi Banco, habendum, &c. quamdiu nobis placuerit, cum vadiis & fœdis ab antiquo debitis & consuetis: Id est*, We have constituted our beloved and faithful, &c. Chief Justice of the Common Bench, to have &c. during our Pleasure, with the Ways and Fees thereunto heretofore due, and usual.

*Pb.* I find in History, that there have been in *England* always a Chancellor and a Chief Justice of *England*, but of a Court of Common Pleas there is no Mention before *Magna Charta*. Common Pleas there were ever both here, and I think, in all Nations; for Common Pleas and Civil Pleas I take to be the same.

*La.* Before the Statute of *Magna Charta*, Common Pleas (as Sir *Edw. Coke* granteth, 2 *Inst.* p. 21.) might have been holden in the King's Bench; and that Court being removeable at the King's Will, the Returns of Writs *Coram nobis ubicunque fuerimus in Anglia*; whereby great Trouble of Jurors ensued, and great Charges of the Parties, and Delay of Justice; and that for these Causes it was ordained, that the Common Pleas should not follow the King, but be held in a Place certain.

*Pb.* Here Sir *Edw. Coke* declares his Opinion, that no Common Plea can be holden in the King's Bench, in that he says they might have been holden then. And yet this doth not amount to any probable Proof, that there was any Court of Common Pleas in *England* before *Magna Charta*: For this Statute being to ease the Jurors, and lessen the Charges of Parties, and for the Expedition of Justice, had been in vain, if there had been a Court of Common Pleas then standing; for such a Court was not necessarily to follow the King, as was the Chancery and the King's Bench. Besides, unless the King's Bench, wheresoever it was, held Plea of Civil Causes, the Subject had not at all been eased by this Statute: For supposing the King at *York*, had not the King's Subjects about *London*, Jurors and Parties, as much Trouble and Charge to go to *York*, as the People about *York* had before to go to *London*? Therefore I can by no Means believe otherwise, than that the Erection of the Court of Common Pleas was the Effect of that Statute of *Magna Charta*, c. 11. and before that Time not existent, though I think that for the Multiplicity of Suits in a great Kingdom there was need of it.

*La.* Perhaps there was not so much need of it as you think: For in those Times the Laws, for the most part, were in settling, rather than settled; and the old *Saxon* Laws concerning Inheritances were then practised, by which Laws speedy Justice was executed by the King's Writs, in the Courts of Barons, which were Landlords to the rest of the Freeholders; and Suits of Barons in County Courts, and but few Suits in the King's Courts, but when Justice could not be in those inferior Courts; but at this Day there be more Suits in the King's Courts, than any one Court can dispatch.

*Pb.* Why should there be more Suits now, than formerly? For I believe this Kingdom was as well peopled then as now.

*La.* Sir *Edw. Coke*, 4 *Inst.* p. 76. assigneth for it six Causes, 1. Peace; 2. Plenty; 3. The Dissolution of religious Houses, and dispersing of their Lands among so many several Persons; 4. The Multitude of Informers; 5. The Number of Concealers; 6. The Multitude of Attorneys.

*Pb.* I see Sir *Edw. Coke* has no mind to lay any Fault upon the Men of his own Profession; and that he assigns for Causes of the Mischiefs, such Things as would be Mischiefs, and Wickedness to amend; for if Peace and Plenty be the Cause of this Evil, it cannot be removed but by War and Beggary; and the Quarrels arising about the Lands of religious Persons cannot arise from the Lands, but from the Doubtfulness of the Laws. And for Informers, they were authorized by Statutes, to the Execution of which Statutes they are so necessary, as that their Number cannot be too great, and if it be too great the Fault is in the Law itself. The Number of Concealers are indeed a Number of Coufeners, which the Law may easily correct.

And lastly, for the Multitude of Attorneys, it is the Fault of them that have better learned the Art of Cavilling against the Words of a Statute, than heretofore they had, and thereby encourage themselves, and others, to undertake Suits upon little Reason. Also the Variety and Repugnancy of Judgments of Common Law do oftentimes put Men to hope for Victory in Causes, whereof in Reason they had no Ground at all. Also the Ignorance of what is Equity in their own Causes, which Equity not one Man in a thousand ever studied, and the Lawyers themselves seek not for their Judgments in their own Breast, but in the Precedents of former Judges, as the ancient Judges sought the same, not in their own Reason, but in the Laws of the Empire. Another, and perhaps the greatest Cause of Multitude of Suits, is this, that for want of registering of Conveyances of Land, which might easily be done in the Townships where the Lands lie, a Purchase cannot easily be had, which will not be litigious. Lastly, I believe the Covetousness of Lawyers was not so great in ancient Time, which was full of Trouble, as they have been since in time of Peace, wherein Men have Leisure to study Fraud, and get Employment from such Men as can encourage to Contention. And how ample a Field they have to exercise this Mystery in, is manifest from this, that they have a Power to scan and construe every Word in a Statute, Charter, Feofment, Lease, or other Deed, Evidence or Testimony. But to return to the Jurisdiction of this Court of the King's Bench, where, as you say, it hath Power to correct and amend the Errors of all other Judges, but in Process, and in Judgments; cannot the Judges of the Common Pleas correct Error in Process in their own Courts, without a Writ of Error from another Court?

*La.* Yes; and there be many Statutes which command them so to do.

*Pb.* When a Writ of Error is brought out of the King's Bench, be it either Error in Process, or in Law, at whose Charge is it to be done?

*La.* At the Charge of the Client.

*Pb.* I see no Reason for that; for the Client is not in Fault, who never begins a Suit but by the Advice of his Counsel learned in the Law, whom he pays for his Counsel given. Is not this the Fault of his Counsellor? Nor when a Judge in the Common Pleas hath given an erroneous Sentence, is it always likely that the Judge of the King's Bench will reverse the Judgment, (though there be no Question but, as you may find in *Braeton* and other learned Men, he has Power to do it) because being Professors of the same Common Law, they are persuaded, for the most Part, to give the same Judgments: For Example; if Sir *Edw. Coke* in the last Term that he sat Lord Chief Justice in the Court of Common Pleas, had given an erroneous Judgment, is it likely that when he was removed and made Lord Chief Justice of the King's Bench, he would therefore have reversed the said Judgment? It is possible he might, but not very likely. And therefore I do believe there is some other Power, by the King constituted, to reverse erroneous Judgments, both in the King's Bench, and in the Court of Common Pleas.

*La.* I think not; for there is a Statute to the contrary, made 4 *Henry 4. cap. 23.* in these Words; Whereas, as well in Plea real, as in Plea personal, after Judgment in the Court of our Lord the King, the Parties be made to come upon grievous Pain, sometimes before the King himself, sometimes before the King's Council, and sometimes to the Parliament, to answer thereof a-new, to the great impoverishing of the Parties aforesaid, and to the Subversion of the Common Law of the Land, it is ordained and established, that after Judgment given in the Court of our Lord the King, the Parties, and their Heirs, shall be there in Peace, until the Judgment be undone by Attaint or by Error, if there be Error, as hath been used by the Laws in the Times of the King's Progenitors.

*Pb.* This Statute is so far from being repugnant to that I say, as it seemeth to me to have been made expressly to confirm the same: For the Substance of the Statute is, that there shall be no Suit made by either of the Parties for any thing adjudged, either in the King's Bench, or Court of Common Pleas, before the Judgment be undone by Error, or Corruption proved; and that this was the Common

Law before this making of the Statute, which could not be, except there were (before this Statute) some Courts authorised to examine, and correct such Errors as by the Plaintiff should be assigned. The Inconvenience which by this Statute was to be remedied was this, that often Judgment given in the King's Courts, by which are meant in this Place the King's Bench and Court of Common Pleas, the Party against whom the Judgment was given, did begin a new Suit, and cause his Adversary to come before the King himself; here by the King himself must be understood the King in Person; for though in a Writ by the Words *Coram nobis* is understood the King's Bench, yet in a Statute it is never so. Nor is it strange, seeing in those Days the King did usually sit in Court with his Council, to hear Causes, as sometimes King James. And sometimes the same Parties commenced their Suit before the Privy Council, though the King were absent; and sometimes before the Parliament, the former Judgment yet standing. For Remedy whereof, it was ordained by this Statute, that no Man should renew his Suit, till the former Judgment was undone by Attaint or Error; which reversing of a Judgment had been impossible, if there had been no Court (besides the aforesaid two Courts) wherein the Errors might be assigned, examined, and judged; for no Court can be esteemed in Law, or Reason, a competent Judge of its own Errors. There was therefore before this Statute some other Court existent for the hearing of Errors, and reversing of erroneous Judgments. What Court this was I enquire not yet, but I am sure it could not be either the Parliament or the Privy Council, or the Court wherein the erroneous Judgment was given.

*La.* The Doctor and Student discourse of this Statute, *cap.* 18. much otherwise than you do: For the Author of that Book saith, that against an erroneous Judgment all Remedy is by this Statute taken away. And though neither Reason, nor the Office of a King, nor any Law positive can prohibit the remedying of any Injury, much less of an unjust Sentence, yet he shews many Statutes, wherein a Man's Conscience ought to prevail above the Law.

*Pb.* Upon what ground can he pretend, that all Remedy in this Case is by this Statute prohibited?

*La.* He says it is thereby enacted, that Judgment given by the King's Courts shall not be examined in the Chancery, Parliament, nor elsewhere.

*Pb.* Is there any Mention of Chancery in this Act? It cannot be examined before the King and his Council, nor before the Parliament, but you see that before the Statute it was examined somewhere, and that this Statute will have it examined there again.

And seeing the Chancery was altogether the highest Office of Judicature in the Kingdom for Matter of Equity, and that the Chancery is not here forbidden to examine the Judgments of all other Courts, at least it is not taken from it by this Statute. But what Cases are there in this Chapter of the Doctor and Student, by which it can be made probable, that when Law and Conscience, or Law and Equity, seem to oppugn one another, the written Law should be preferred?

*La.* If the Defendant wage his Law in an Action of Debt brought upon a true Debt, the Plaintiff hath no Means to come to his Debt by way of Compulsion, neither by *Subpœna*, nor otherwise, and yet the Defendant is bound in Conscience to pay him.

*Pb.* Here is no preferring that I see, of the Law above Conscience, or Equity; for the Plaintiff in this Case loseth not his Debt for want either of Law, or Equity, but for want of Proof; for neither Law nor Equity can give a Man his Right, unless he prove it.

*La.* Also if the Grand Jury in Attaint affirm a false Verdict given by the Petty Jury, there is no farther Remedy, but the Conscience of the Party.

*Pb.* Here again the want of Proof is the want of Remedy; for if he can prove that the Verdict given was false, the King can give him Remedy such way as himself shall think best; and ought to do it, in case the Party shall find Surety, if the same

same Verdict be again affirmed, to satisfy his Adversary for the Damage, and Vexation he puts him to.

*La.* But there is a Statute made since; *viz.* 27 *Eliz. c. 8.* by which that Statute of 4 *Hen. 4. 23.* is in part taken away; for by that Statute erroneous Judgments given in the King's Bench, are by a Writ of Error to be examined in the Exchequer Chamber, before the Justices of the Common Bench, and the Barons of the Exchequer; and by the Preamble of this Act it appears, that erroneous Judgments are only to be reformed by the High Court of Parliament.

*Pb.* But here is no mention, that the Judgments given in the Court of Common Pleas should be brought in to be examined in the Exchequer Chamber; why therefore may not the Court of Chancery examine a Judgment given in the Court of Common Pleas?

*La.* You deny not but by the ancient Law of *England*, the King's Bench may examine the Judgment given in the Court of Common Pleas.

*Pb.* 'Tis true; but why may not also the Court of Chancery do the same, especially if the Fault of the Judgment be against Equity, and not against the Letter of the Law?

*La.* There is no Necessity of that; for the same Court may examine both the Letter and the Equity of the Statute.

*Pb.* You see by this, that the Jurisdiction of Courts cannot easily be distinguished, but by the King himself in his Parliament. The Lawyers themselves cannot do it; for you see what Contention there is between Courts, as well as between particuiar Men. And whereas you say, that Law of 4 *Hen. 4. 23.* is by that of 27 *Eliz. c. 8.* taken away, I do not find it so. I find indeed a Diversity of Opinion between the Makers of the former and the latter Statute, in the Preamble of the latter and Conclusion of the former. The Preamble of the latter is; Forasmuch as erroneous Judgments given in the Court called the King's Bench, are only to be reformed in the High Court of Parliament: and the Conclusion of the former is; That the contrary was Law in the Times of the King's Progenitors. These are no Parts of those Laws, but Opinions only concerning the ancient Custom in that Case, arising from the different Opinions of the Lawyers in those different Times, neither commanding, nor forbidding any thing; though of the Statutes themselves, the one forbids that such Pleas be brought before the Parliament, the other forbids it not: But yet if after the Act of *Henry 4.* such a Plea had been brought before the Parliament, the Parliament might have heard and determined it; for the Statute forbids not that: nor can any Law have the Force to hinder the Parliament of any Jurisdiction whatsoever they please to take upon them, seeing it is a Court of the King and of all the People together, both Lords and Commons.

*La.* Though it be, yet seeing the King (as Sir *Edward Coke* affirms, 4 *Inst. p. 71.*) hath committed all his Power judicial, some to one Court and some to another, so as if any Man would render himself to the Judgment of the King, in such Case where the King hath committed all his Power judicial to others, such a Render should be to no Effect. And p. 73. he saith farther; That in this Court the Kings of this Realm have sitten on the High Bench, and the Judges of that Court on the Lower Bench, at his Feet; but Judicature belongeth only to the Judges of that Court, and in his Presence they answer all Motions.

*Pb.* I cannot believe that Sir *Edward Coke*, how much soever he desired to advance the Authority of himself, and other Justices of the Common Law, could mean that the King in the King's Bench sat as a Spectator only, and might not have answered all Motions which his Judges answered, if he had seen Cause for it: for he knew that the King was supreme Judge then in all Causes Temporal, and is now in all Causes both Temporal and Ecclesiastical; and that there is an exceeding great Penalty ordained by the Laws for them that shall deny it. But Sir *Edward Coke*, as he had (you see) in many Places before, hath put a Fallacy upon himself, by not distinguishing between committing and transferring. He that transferreth his

his Power, hath deprived himself of it, but he that committeth it to another to be exercised in his Name, and under him, is still in the Possession of the same Power. And therefore if a Man render himself, that is to say, appealeth to the King from any Judge whatsoever, the King may receive his Appeal; and it shall be effectual.

*La.* Besides these two Courts, the King's Bench for Pleas of the Crown, and the Court of Common Pleas for Causes Civil, according to the Common Law of *England*, there is another Court of Justice, that hath Jurisdiction in Causes both Civil and Criminal, and is as ancient a Court at least as the Court of Common Pleas, and this is the Court of the Lord Admiral; but the Proceedings therein are according to the Laws of the *Roman* Empire, and the Causes to be determined there are such as arise upon the marine Sea: for so it is ordained by divers Statutes, and confirmed by many Precedents.

*Pb.* As for the Statutes, they are always Law, and Reason also; for they are made by the Assent of all the Kingdom; but Precedents are Judgments one contrary to another; I mean divers Men, in divers Ages, upon the same Case give divers Judgments. Therefore I will ask your Opinion once more concerning any Judgments besides those of the King, as to their Validity in Law. But what is the Difference between the Proceedings of the Court of Admiralty and the Court of Common Law?

*La.* One is, that the Court of Admiralty proceedeth by two Witnesses, without any either Grand Jury to indict, or Petty to convict, and the Judge giveth Sentence according to the Laws Imperial, which of old time were in Force in all this Part of *Europe*, and now are Laws, not by the Will of any other Emperor or foreign Power, but by the Will of the Kings of *England*, that have given them Force in their own Dominions; the Reason whereof seems to be, that the Causes that arise at Sea are often between us, and the People of other Nations, such as are governed for the most part by the self-same Laws Imperial.

*Pb.* How can it precisely enough be determined at Sea, especially near the Mouth of a very great River, whether it be upon the Sea, or within the Land? for the Rivers also are, as well as their Banks, within, or a part of one Country or other.

*La.* Truly the Question is difficult, and there have been many Suits about it, wherein the Question has been, whose Jurisdiction it is in.

*Pb.* Nor do I see how it can be decided, but by the King himself, in case it be not declared in the Lord Admiral's Letters Patents.

*La.* But though there be in the Letters Patents a Power given to hold Plea in some certain Cases; to any of the Statutes concerning the Admiralty the Justices of the Common Law may send a Prohibition to that Court, to proceed in the Plea, though it be with a *non-obstante* of any Statute.

*Pb.* Methinks that That should be against the Right of the Crown, which cannot be taken from it by any Subject: for that Argument of Sir *Edward Coke's*, that the King has given away all his judicial Power, is worth nothing; because (as I have said before) he cannot give away the essential Rights of his Crown, and because by a *non-obstante* he declares he is not deceived in his Grant.

*La.* But you may see by the Precedents alledged by Sir *Edward Coke*, the contrary has been perpetually practised.

*Pb.* I see not that perpetually; for who can tell, but there may have been given other Judgments in such Cases, which have either been not preserved in the Records, or else by Sir *Edward Coke* (because they were against his Opinion) not alledged: for this is possible, though you will not grant it to be very likely; therefore I insist only upon this, that no Record of a Judgment is a Law, save only to the Party pleading, until he can by Law reverse the former Judgment. And as to the Proceeding without Juries, by two sufficient Witnesses, I do not see what Harm can proceed from it to the Commonwealth, nor consequently any just Quarrel that the Justice of the Common Law can have against their Proceedings in the Admiralty: for the Proof of a Fact in both Courts lieth merely on the Witnesses,

and the Difference is no more, but that in the Imperial Law, the Judge of the Court judgeth of the Testimony of the Witnesses, and the Jury doth it in a Court of Common Law. Besides, if a Court of Common Law should chance to inroach upon the Jurisdiction of the Admiral, may he not send a Prohibition to the Court of Common Law to forbid their Proceeding? I pray you tell me what Reason there is for the one, more than for the other?

*La.* I know none but long Custom; for I think it was never done.

*Pb.* The highest ordinary Court in *England* is the Court of Chancery, wherein the Lord Chancellor, or otherwise Keeper of the Great Seal, is the only Judge. This Court is very ancient, as appears by Sir *Edward Coke*, 4 *Inst.* p. 87. where he nameth the Chancellors of King *Edgar*, King *Etbeldred*, King *Edmund*, and King *Edward* the Confessor. His Office is given to him without Letters Patents, by the King's Delivery to him of the Great Seal of *England*; and whosoever hath the keeping of the Great Seal of *England* hath the same, and the whole Jurisdiction that the Lord Chancellor ever had, by the Statute of 5 *Eliz. c.* 18. wherein it is declared, that such is, and always has been the Common Law. And Sir *Edward Coke* says, he has his Name of Chancellor from the highest Point of his Jurisdiction; *viz.* a *Cancellando*; that is, from cancelling the King's Letters Patents, by drawing Strokes through it like a Lattice.

*Pb.* Very pretty. It is well enough known that *Cancellarius* was a great Officer under the *Roman Empire*, whereof this Island was once a Member, and that the Office came into this Kingdom, either with, or in Imitation of the *Roman Government*. Also it was long after the Time of the Twelve *Cæsars*, that this Officer was created in the State of *Rome*. For till after *Septimius Severus* his Time, the Emperors did diligently enough take Cognizance of all Causes and Complaints for Judgments given in the Courts of the Prætors, which were in *Rome* the same that the Judges of the Common Law are here; but by the continual Civil Wars in After-times, for the chusing of Emperors, that Diligence by little and little ceased; and afterwards (as I have read in a very good Author of the *Roman Civil Law*) the Number of Complaints being much increased, and being more than the Emperor could dispatch, he appointed an Officer as his Clerk, to receive all such Petitions; and that this Clerk caused a Partition to be made in a Room convenient, in which Partition-Wall, at the Height of a Man's Reach, he placed at convenient Distances certain Bars; so that when a Suitor came to deliver his Petition to the Clerk, who was sometimes absent, he had no more to do, but to throw in his Petition between those Bars, which in *Latin* are called properly *Cancelli*; not that any certain Form of those Bars, or any Bars at all were necessary; for they might have been thrown over, though the whole Space had been left open; but because they were *Cancelli*, the Clerk Attendant, and keeping his Office there, was called *Cancellarius*: And any Court Bar may properly enough be called *Cancelli*, which does not signify a Lattice; for that is but a mere Conjecture, grounded upon no History nor Grammar, but taken up at first (as is likely) by somebody that could find no other Word in the Dictionary for a Lattice but *Cancelli*. The Office of this Chancellor was at first but to breviate the Matter of the Petitions, for the easing of the Emperor, but Complaints increasing daily, they were too many, considering other Businesses more necessary for the Emperor to determine, and this caused the Emperor to commit the Determination of them to the Chancellor again; what Reason doth Sir *Edward Coke* alledge to prove, that the highest Point of the Chancellor's Jurisdiction is to cancel his Master's Letters Patents, after they were sealed with his Master's Seal; unless he hold Plea concerning the Validity of them, or of his Master's Meaning in them, or of the surreptitious getting of them, or of the abusing of them, which are all Causes of Equity? Also, seeing the Chancellor hath his Office only by the Delivery of the Great Seal, without any Instruction, or Limitation of the Process in his Court to be used; it is manifest, that in all Causes whereof he has the hearing, he may proceed by such manner of hearing, and examining of Witnesses (with Jury or without Jury) as he shall think fittest for the

Exactness,

Exactness, Expedition and Equity of the Decrees. And therefore, if he think the Custom of proceeding by Jury, according to the Custom of *England* in Courts of Common Law, tend more to Equity, (which is the Scope of all the Judges in the World, or ought to be) he ought to use that Method, or if he think better of another Proceeding, he may use it, if it be not forbidden by a Statute.

*La.* As for this Reasoning of yours, I think it well enough; but there ought to be had also a reverend Respect to Customs not unreasonable; and therefore, I think, Sir *Edward Coke* says not amiss; that in such Cases, where the Chancellor will proceed by the Rule of the Common Law, he ought to deliver the Record in the King's Bench; and also it is necessary for the Lord Chancellor to take Care of not exceeding as it is limited by Statutes.

*Pb.* What are the Statutes by which his Jurisdiction is limited? I know that by the 27 *Eliz. c. 8.* he cannot reverse a Judgment given in the King's Bench for Debt, Detinue, &c. Nor before the Statute could he ever by Virtue of his Office, reverse a Judgment in Pleas of the Crown, given by the King's Bench, that hath the Cognizance of such Pleas, nor need he; for the Judges themselves, when they think there is Need to relieve a Man oppress'd by ill Witnesses, or Power of great Men prevailing on the Jury, or by Error of the Jury, though it be in Case of Felony, may stay the Execution and inform the King, who will in Equity relieve him. As to the Regard we ought to have to Custom, we will consider of it afterward.

*La.* First in a Parliament holden the 13th of *Richard II.* the Commons petitioned the King, that neither the Chancellor, nor other Chancellor, do make any Order against the Common Law, nor that any Judgment be given without due Process of Law.

*Pb.* This is no unreasonable Petition; for the Common Law is nothing else but Equity: And by this Statute it appears, that the Chancellors, before that Statute, made bolder with the Courts of Common Law, than they did afterward; but it does not appear that Common Law in this Statute signifies any thing else, but generally the Law Temporal of the Realm; nor was this Statute ever printed, that such as I might take notice of it; but whether it be a Statute or not, I know not, till you tell me what the Parliament answered to this Petition.

*La.* The King's Answer was, the Wages heretofore shall stand, so as the King's Royalty be saved.

*Pb.* This is flatly against Sir *Edward Coke*, concerning the Chancery.

*La.* In another Parliament, 17 *Rich. II.* it is enacted, at the Petition of the Commons, That forasmuch as People were compelled to come before the King's Council, or in Chancery, by Writs grounded upon untrue Suggestions, that the Chancellor for the Time being, presently after such Suggestions, be duly found, and proved untrue, shall have Power to ordain and award Damages, according to his Discretion, to him which is so travelled unduly, as is aforesaid.

*Pb.* By this Statute it appears, that when a Complaint is made in Chancery upon undue Suggestions, that the Chancellor shall have the Examination of the said Suggestions, and as he may avoid Damages when the Suggestions are untrue, so he may also proceed by Process to the determining of the Cause, whether it be real or personal, so it be not criminal.

*La.* Also the Commons petitioned in a Parliament of 2 *Hen. IV.* not printed; That no Writs, nor Privy-Seals, be sued out of Chancery, Exchequer, or other Places, to any Man to appear at a Day, upon a Pain, either before the King and his Council, or in any other Place, contrary to the ordinary Course of Common Law.

*Pb.* What Answer was given to this Petition by the King?

*La.* That such Writs should not be granted without Necessity.

*Pb.* Here again you see the King may deny, or grant any Petitions in Parliament, either as he thinks it necessary, as in this Place, or as he thinks it prejudicial, or not prejudicial to his Royalty, as in the Answer of the former Petition,

which

which is a sufficient Proof, that no part of his legislative Power, or any other essential part of Royalty, can be taken from him by a Statute. Now seeing it is granted, that Equity is the same thing with the Law of Reason, and seeing Sir *Edward Coke*, 1 *Inst. Sect.* 21. defines Equity to be a certain Reason comprehended in no Writing, but consisting only in right Reason, which interpreteth and amendeth the written Law; I would fain know to what End there should be any other Court of Equity at all, either before the Chancellor or any other Person, besides the Judges of the Civil, or Common Pleas? Nay, I am sure you can alledge none but this, that there was a Necessity of a higher Court of Equity than the Courts of Common Law, to remedy the Errors in Judgment given by the Justices of inferior Courts; and the Errors in Chancery were irrevocable, except by Parliament, or by special Commission appointed thereunto by the King.

*La.* But Sir *Edward Coke* says, that seeing Matters of Fact by the Common Law are tryable by a Jury of twelve Men, this Court should not draw the Matter *ad aliud Examen*; *i. e.* to another kind of Examination, *viz.* by Deposition of Witnesses, which should be but Evidence to a Jury.

*Pb.* Why to the Deposition of Witnesses, any more or less, than to Evidence to the Lord Chancellor? 'Tis not therefore another kind of Examination; nor is a Jury more capable of duly examining Witnesses than a Lord Chancellor. Besides, seeing all Courts are bound to judge according to Equity, and that all Judges, in a Case of Equity, may sometimes be deceived, what Harm is there to any Man, or to the State, if there be a Subordination of Judges in Equity, as well as of Judges in Common Law? Seeing it is provided by an Act of Parliament to avoid Vexation, that *Subpœnas* shall not be granted, till Surety be found to satisfy the Party so grieved and vexed for his Damages and Expences, if so be the Matter may not be made good which is contained in the Bill.

*La.* There is another Statute of 31 *Hen. VI. cap.* 2. wherein there is a Proviso cited by Sir *Edward Coke* in these Words: "Provided, that no Matter determinable by the Laws of the Realm, shall be by the said Act determined in other Form, than after the Course of the same Law in the King's Courts, having the Determination of the same Law."

*Pb.* This Law was made but for seven Years, and never continued by any other Parliament, and the Motive of this Law was the great Riots, Extortions, Oppressions, &c. used during the Time of the Infurrection of *John Cade*, and the Indictments and Condemnations wrongfully had by this usurped Authority; and thereupon the Parliament ordained, that for seven Years following no Man should disobey any of the King's Writs under the Great Seal, or should refuse to appear upon Proclamation before the King's Council, or in the Chancery, to answer to Riots, Extortions, &c. For the first Time he should lose, &c. Wherein there is nothing at all concerning the Jurisdiction of the Chancery, or any other Court, but an extraordinary Power given to the Chancery, and to the King's Privy Council, to determine of those Crimes which were not before that Time triable, but only by the King's Bench, or special Commission: For the Act was made expressly for the Punishment of a great Multitude of Crimes committed by those that had acted by the said *Cade's* Authority; to which Act the Proviso was added which is here mentioned, that the Proceedings in those Courts of Chancery, and of the King's Council, should be such as should be used in the Courts, to which the said Courts, before this Act was made, do belong. That is to say, such Causes as were criminal, should be after the Order of the King's Bench, and such Causes as were not criminal, but only against Equity, should be tried after the manner of the Chancery, or in some Cases according to the Proceedings in the Exchequer. I wonder why Sir *Edward Coke* should cite a Statute (as this is) above two hundred Years before expired, and other two Petitions; as if they were Statutes, when they were not passed by the King; unless he did it on purpose to diminish (as he endeavours to do throughout his Institutes) the King's Authority, or to insinuate his own Opinions among the People for the Law of the Land: For that also he endeavours by inserting

*Latin*

*Latin* Sentences, both in his Text and in the Margin, as if they were Principles of the Law of Reason, without any Authority of ancient Lawyers, or any Certainty of Reason in themselves, to make Men believe they are the very Grounds of the Law of *England*. Now as to the Authority you ascribe to Custom, I deny that any Custom of its own Nature, can amount to the Authority of a Law: For if the Custom be unreasonable, you must, with all other Lawyers, confess that it is no Law, but ought to be abolished; and if the Custom be reasonable, it is not the Custom, but the Equity that makes it Law. For what need is there to make Reason Law by any Custom, how long soever, when the Law of Reason is eternal? Besides, you cannot find in any Statute (though *Lex & Consuetudo* be often mentioned as Things to be followed by the Judges in their Judgments) that *Consuetudines*, that is to say, Customs or Usages, did imply any long Continuance of former Time; but that it signified such Use, and Custom of Proceeding, as was then immediately in being before the making of such Statute. Nor shall you find in any Statute the Word Common Law, which may not be there well interpreted for any of the Laws of *England* temporal; for it is not the Singularity of Process used in any Court, that can distinguish it so as to make it a different Law from the Law of the whole Nation.

*La.* If all Courts were (as you think) Courts of Equity, would it not be incommodious to the Commonwealth?

*Pb.* I think not; unless perhaps you may say, that seeing the Judges, whether they have many or few Causes to be heard before them, have but the same Wages from the King, they may be too much inclined to put off the Causes they use to hear (for the easing of themselves) to some other Court; to the Delay of Justice, and Damage of the Parties suing.

*La.* You are very much deceived in that; for on the contrary the Contention between the Courts for Jurisdiction, is of who shall have most Causes brought before them.

*Pb.* I cry you Mercy, I smelt not that.

*La.* Seeing also all Judges ought to give their Sentence according to Equity; if it should chance that a written Law should be against the Law of Reason, which is Equity, I cannot imagine in that Case how any Judgment can be righteous.

*Pb.* It cannot be that a written Law should be against Reason: For nothing is more reasonable than that every Man should obey the Law, which he hath himself assented to; but that is not always the Law which is signified by *Grammatical* Construction of the Letter, but that which the Legislator thereby intended should be in force; which Intention, I confess, is a very hard Matter many times to pick out of the Words of the Statute, and requires great Ability of Understanding, and greater Meditations, and Considerations of such Conjunction of Occasions, and Incommodities, as needed a new Law for a Remedy; for there is scarce any thing so clearly written, that when the Cause thereof is forgotten, may not be wrested by an ignorant Grammarian, or a cavilling Logician, to the Injury, Oppression, or perhaps Destruction of an honest Man. And for this Reason, the Judges deserve that Honour and Profit they enjoy; since the Determination of what particular Causes every particular Court should have Cognizance of, is a Thing not yet sufficiently explained, and is in itself so difficult, as that the Sages of the Law themselves (the Reason Sir *Edward Coke* will leave to Law itself) are not agreed upon it; how is it possible for a Man that is no professed, or no profound Lawyer, to take Notice in what Court he may lawfully begin his Suit, or give Counsel in it to his Client?

*La.* I confess that no Man can be bound to take Notice of the Jurisdiction of Courts, till all the Courts be agreed upon it amongst themselves; but what Rule to give Judgment by a Judge can have, so as never to contradict the Law written, nor displease his Legislator, I understand not.

*Pb.* I think he may avoid both, if he take care by his Sentence, that he neither punish an innocent Man, nor deprive him of his Damages due from one that maliciously sued him without reasonable Cause, which to the most of rational Men, and un-

biased, is not, in my Opinion, very difficult. And though a Judge should (as all Men may do) err in his Judgment, yet there is always such Power in the Laws of *England*, as may content the Parties, either in the Chancery, or by Commissioners of their own chusing, authorised by the King; for every Man is bound to acquiesce in the Sentence of the Judges he chuseth.

*La.* In what Cases can the true Construction of the Letter be contrary to the Meaning of the Law-maker?

*Pb.* Very many, whereof Sir *Edw. Coke* nameth three, Fraud, Accident, and Breach of Confidence; but there be many more; for there are a very great many reasonable Exceptions almost to every general Rule, which the Makers of the Rule could not foresee; and very many Words in every Statute, especially long ones, that are, as to *Grammar*, of ambiguous Signification, and yet to them that know well, to what end the Statute was made, perspicuous enough; and many Connections of doubtful Reference, which by a *Grammarian* may be cavill'd at, though the Intention of the Law-maker be never so perspicuous. And these are the Difficulties which the Judges ought to master, and can do it, in respect of their Ability for which they are chosen, as well as can be hoped for; and yet there are other Men can do the same, or else the Judges Places could not be from time to time supplied. The Bishops commonly are the most able and rational Men, and obliged by their Profession to study Equity, because it is the Law of God, and are therefore capable of being Judges in a Court of Equity. They are the Men that teach the People what is Sin; that is to say, they are the Doctors in Cases of Conscience. What Reason then can you shew me, why it is unfit and hurtful to the Commonwealth, that a Bishop should be a Chancellor, as they were most often before the Time of *Henry VIII.* and since that Time once in the Reign of King *James*?

*La.* But Sir *Edw.* says, that soon after that a Chancellor was made, which was no Professor of the Law, he finds in the Rolls of the Parliament a grievous Complaint by the whole Body of the Realm, and a Petition that the most wise and able Men within the Realm might be chosen Chancellors.

*Pb.* That Petition was reasonable, but it does not say which are abler Men, the Judges of the Common Law, or the Bishops.

*La.* That is not the great Question as to the Ability of a Judge; both of one, and the other, there are able Men in their own Way; but when a Judge of Equity has need, almost in every Case, to consider as well the Statute-Law, as the Law of Reason, he cannot perform his Office perfectly, unless he be also ready in the Statutes.

*Pb.* I see no great Need he has to be ready in the Statutes; in the hearing of a Cause do the Judges of the Common Law inform the Counsel at the Bar what the Statute is, or the Counsel the Judges?

*La.* The Counsel inform the Judges.

*Pb.* Why may they not as well inform the Chancellor? Unless you will say, that a Bishop understands not as well as a Lawyer what is Sense, when he hears it read in *English*. No; no; both the one, and the other, are able enough, but to be able enough is not enough; when not the Difficulty of the Case only, but also the Passion of the Judge is to be conquered. I forgot to tell you of the Statute of the 36 *Edw.* 3. *cap.* 9. That if any Person think himself grieved contrary to any of the Articles above written, or others contained in divers Statutes, will come to the Chancery, or any for him, and thereof make his Complaint, he shall presently there have Remedy by force of the said Articles, and Statutes, without elsewhere pursuing to have Remedy. By the Words of this Statute it is very apparent in my Opinion, that the Chancery may hold Plea upon the Complaint of the Party grieved, in any Case tryable at the Common Law, because the Party shall have present Remedy in that Court, by force of this Act, without pursuing for Remedy elsewhere.

*La.* Yes; but Sir *Edw. Coke* answers this Objection, 4 *Inst.* p. 82. in this Manner. These Words, says he, *He shall have Remedy*, signify no more but that he shall

shall have presently there a remedial Writ, grounded upon those Statutes, to give him Remedy at the Common Law.

*Pb.* Very like Sir *Edw. Coke* thought, as soon as the Party had his Writ, he had his Remedy, though he kept the Writ in his Pocket, without pursuing his Complaint elsewhere; or else he thought, that the Common Bench was not elsewhere than in the Chancery.

*La.* Then there is the Court of——

*Pb.* Let us stop here; for this which you have said satisfies me, that seek no more than to distinguish between Justice and Equity; and from it I conclude, that Justice fulfils the Law, and Equity interprets the Law, and amends the Judgments given upon the same Law: Wherein I depart not much from the Definition of Equity, cited in Sir *Edward Coke*, 1 *Inst. Sect. 21. viz.* Equity is a certain perfect Reason that interpreteth and amendeth the Law written; though I construe it a little otherwise than he would have done; for no one can mend a Law but he that can make it; and therefore I say not it amends the Law, but the Judgments only when they are erroneous. And now let us consider of Crimes in particular, (the Pleas whereof are commonly called the Pleas of the Crown) and of the Punishments belonging to them; and first of the highest Crime of all, which is High Treason. Tell me what is High Treason.

### Of CRIMES Capital.

*La.* THE first Statute that declareth what is High Treason, is the Statute of 25 *Edw. 3.* in these Words: *Whereas divers Opinions have been before this Time in what Case Treason shall be said, and in what not; the King, at the Request of the Lords, and of the Commons, hath made Declaration in the Manner as hereafter follows; that is to say, When a Man doth compass or imagine the Death of our Lord the King, of our Lady the Queen, or of their eldest Son and Heir; or if a Man doth violate the King's Companion, or the King's eldest Daughter unmarried, or the Wife of the King's eldest Son and Heir; or if a Man do levy War against our Lord the King in his Realm, or be adherent to the King's Enemies in his Realm, giving to them Aid and Comfort in the Realm, or elsewhere, and thereof be provably attainted by open Deed by People of their Condition. And if a Man counterfeit the King's Great or Privy-Seal, or his Money: And if a Man bring false Money into this Realm counterfeit to the Money of England, as the Money called Lushburgh, or other like to the said Money of England, knowing the Money to be false, to merchandize, and make Payment, in Deceit of our said Lord the King, and of his People. And if a Man slay the Chancellor, Treasurer, or the King's Justices of the one Bench or the other, Justices in Eyre, or Justices of Assizes, and all other Justices assigned to hear and determine, being in their Places and doing their Offices. And it is to be understood in the Cases above rehearsed, that that ought to be adjudged Treason, which extends to our Royal Lord the King, and his Royal Majesty, and of such Treason the Forfeiture of the Escheats pertains to our Lord the King, as well the Lands and Tenements holden of others, as himself. And moreover there is another manner of Treason; that is to say, when a Servant slayeth his Master, or Wife her Husband; or when a Man secular or religious slayeth his Prelate, to whom he oweth Faith and Obedience; and of such Treason the Escheats ought to pertain to every Lord of his own Fee. And because many other like Cases of Treason may happen in Time to come, which a Man cannot think, nor declare at this present Time, it is accorded, that if any Case supposed Treason which is not above specified, doth happen before any Justices, the Justices shall tarry without giving any Judgment of the Treason, till the Cause be shewed, and declared before the King and his Parliament, whether it ought to be adjudged Treason, or other Felony.*

*Pb.* I desir'd to understand what Treason is, wherein no Enumeration of Facts can give me Satisfaction. Treason is a Crime of itself, *Malum in se*, and therefore a Crime at the Common Law, and High Treason the highest Crime at the Common

mon Law that can be: and therefore not the Statute only, but Reason without a Statute makes it a Crime. And this appears by the Preamble, where it is intimated; that all Men, though of divers Opinions, did condemn it by the Name of Treason, though they knew not what Treason meant, but were forced to request the King to determine it. That which I desire to know is, how Treason might have been defined without the Statute, by a Man that has no other Faculty to make a Definition of it, than by mere natural Reason.

*La.* When none of the Lawyers have done it, you are not to expect that I should undertake it on such a sudden.

*Pb.* You know that *Salus Populi* is *Suprema Lex*; that is to say, the Safety of the People is the highest Law; and that the Safety of the People of a Kingdom consisteth in the Safety of the King, and of the Strength necessary to defend his People, both against foreign Enemies and rebellious Subjects. And from this I infer, that to compass, that is, to design the Death of the then present King, was High Treason before the making of this Statute, as being a Designing of a Civil War, and the Destruction of the People. 2. That the Design to kill the King's Wife, or to violate her Chastity, as also to violate the Chastity of the King's Heir apparent, or of his eldest Daughter unmarried, as tending to the Destruction of the Certainty of the King's Issue, and by Consequence by raising of Contentions about the Crown, and Destruction of the People in succeeding time by Civil War, was therefore High Treason before this Statute. 3. That to levy War against the King within the Realm, and aiding the King's Enemies, either within or without the Realm, are tending to the King's Destruction, or Disherison, and was High Treason, before this Statute, by the Common Law. 4. That counterfeiting the principal Seals of the Kingdom, by which the King governeth his People, tendeth to the Confusion of Government, and consequently to the Destruction of the People, and was therefore Treason before the Statute. 5. If a Soldier design the killing of his General, or other Officer, in time of Battle, or a Captain hover doubtfully with his Troops, with Intention to gain the Favour of him that shall chance to get the Victory, it tendeth to the Destruction both of King and People, whether the King be present or absent, and was therefore Treason before the Statute. 6. If any Man had imprisoned the King's Person, he had made him incapable of defending his People, and it was therefore High Treason before the Statute. 7. If any Man had, with Design to raise Rebellion against the King, written, or by Words advisedly uttered, denied the King regnant to be his lawful King, he that wrote, preached, or spoke such Words, living under the Protection of the King's Laws, it had been High Treason before the Statute, for the Reason aforesaid. And perhaps there may be some other Cases upon this Statute, which I cannot presently think upon; but the killing of a Justice, or other Officer, as is determined by the Statute, is not otherwise High Treason, but by the Statute. And to distinguish that which is Treason by the Common Law, from all other inferior Crimes; we are to consider, that if such High Treason should take Effect, it would destroy all Laws at once; and being done by a Subject, 'tis a Return to Hostility by Treachery; and consequently, such as are Traytors may by the Law of Reason be dealt withal, as ignoble and treacherous Enemies; but the greatest of other Crimes, for the most part, are Breaches of one only, or at least of very few Laws.

*La.* Whether this you say be true, or false, the Law is now unquestionable by a Statute made in 1 and 2 of *Queen Mary*, whereby there is nothing to be esteem'd Treason, besides those few Offences specially mentioned in the Act of 25 *Ed.* 3.

*Pb.* Amongst these great Crimes, the greatest is that which is committed by one that has been trusted, and loved by him whose Death he so designeth: for a Man cannot well take heed of those whom he thinks he hath obliged, whereas an open Enemy gives a Man Warning before he acteth. And this it is for which the Statute hath declared, that it is another kind of Treason when a Servant killeth his Master or Mistress, or a Wife killeth her Husband, or a Clerk killeth his Prelate; and I should think it Petty Treason also, though it be  
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not within the Words of the Statute; when a Tenant in Fee, that holdeth by Homage and Fealty, shall kill the Lord of his Fee; for Fealty is an Oath of Allegiance to the Lord of the Fee; saving he may not keep his Oath in any thing sworn to, if it be against the King. For Homage, as it is expressed in a Statute of 17 Edward II. is the greatest Submission that is possible to be made to one Man by another; for the Tenant shall hold his Hands together between the Hands of his Landlord, and shall say thus: I become your Man from this Day forth for Life, for Member and for worldly Honour, and shall owe that my Faith for the Lands that I shall hold of you, saving the Faith that I owe unto our Sovereign Lord the King, and to many other Lords. Which Homage, if made to the King, is equivalent to a Promise of simple Obedience; and if made to another Lord, there is nothing excepted but the Allegiance to the King; and that which is called Fealty, is but the same confirmed by an Oath.

*La.* But Sir Edward Coke, 4 Inst. p. 11. denies that a Traitor is in legal Understanding the King's Enemy; For Enemies, saith he, be those that be out of the Allegiance of the King; and his Reason is, because if a Subject join with a foreign Enemy, and come into *England* with him, and be taken Prisoner here, he shall not be ransomed, or proceeded with as an Enemy shall, but he shall be taken as a Traitor to the King. Whereas an Enemy coming in open Hostility, and taken, shall either be executed by martial Law, or ransomed; for he cannot be indicted of Treason, for that he never was in the Protection and Ligeance of the King, and the Indictment of the Treason saith, *Contra Ligeantiam suam debitam*.

*Pb.* This is not an Argument worthy of the meanest Lawyer. Did Sir Edward Coke think it is possible for a King lawfully to kill a Man, by what Death soever, without an Indictment, when it is manifestly proved he was his open Enemy? Indictment is a Form of Accusation peculiar to *England*, by the Command of some King of *England*, and retained still, and therefore a Law to this Country of *England*; but if it were not lawful to put a Man to Death, otherwise than by an Indictment, no Enemy could be put to Death at all in other Nations; because they proceed not, as we do, by Indictment. Again, when an open Enemy is taken, and put to death by Judgment of martial Law, it is not the Law of the General or Council of War, but the Law of the King contained in their Commissions; such as from Time to Time the Kings have thought fit, in whose Will it always resteth, whether an open Enemy, when he is taken, shall be put to death, or no, and by what Death; and whether he shall be ransomed, or no, and at what Price? Then for the Nature of Treason by Rebellion; is it not a Return to Hostility? What else does Rebellion signify? *William* the Conqueror subdued this Kingdom; some he killed, some upon Promise of future Obedience he took to Mercy, and they became his Subjects, and swore Allegiance to him; if therefore they renew the War against him, are they not again open Enemies; or if any of them, lurking under his Laws, seek Occasion thereby to kill him, secretly, and come to be known, may he not be proceeded against as an Enemy, who though he had not committed what he designed, yet had certainly a hostile Design? Did not the long Parliament declare all those for Enemies to the State that opposed their Proceedings against the late King? But Sir Edward Coke does seldom well distinguish when there are two divers Names for one and the same Thing; though one contain the other, he makes them always different, as if it could not be that one and the same Man should be both an Enemy and a Traitor. But now let us come to his Comment upon this Statute: The Statute says (as it is printed in *English*) when a Man doth compass or imagine the Death of our Lord the King, &c. What is the Meaning of the Word compassing or imagining?

*La.* On this Place Sir Edward Coke says, that before the making of this Act, *Voluntas reputabatur pro Facto*, the Will was taken for the Deed. And so saith *Braeton*, *Spektatur voluntas, & non exitus; & nihil interest utrum quis occidat, aut causam præbeat*; that is to say, the Cause of the killing. Now, Sir Edward Coke says, this was the Law before the Statute; and that to be a Cause of the killing,

is to declare the same by some open Deed tending to the Execution of his Intent, or which might be Cause of Death.

*Pb.* Is there any *Englishman* can understand, that to cause the Death of a Man, and to declare the same, is all one Thing? And if this were so, and that such was the Common Law before the Statute, by what Words in the Statute is it taken away?

*La.* It is not taken away; but the Manner how it must be proved is thus determin'd, that it must be proved by some open Deed, as providing of Weapons, Powder, Poison, assaying of Armour, sending of Letters, &c.

*Pb.* But what is the Crime itself which this Statute maketh Treason? For, as I understand the Words, To compass, or imagine the King's Death, &c. the compassing (as it is in the *English*) is the only Thing which is made High Treason; so that not only the killing, but the Design is made High Treason; or, as it is in the *French* Record, *Fait Compasser*; that is to say, the causing of others to compass, or design the King's Death, is High Treason; and the Words, *par overt fait*, are not added as a Specification of any Treason, or other Crime, but only of the Proof that is required by the Law. Seeing then the Crime is the Design and Purpose to kill the King, or cause him to be killed, and lieth hidden in the Breast of him that is accused; what other Proof can there be had of it than Words spoken or written. And therefore if there be sufficient Witness, that he by Words declared that he had such a Design, there can be no Question, but that he is comprehended within this Statute: Sir *Edward Coke* doth not deny, but that if he confess this Design, either by Word or Writing, he is within the Statute. As for that common Saying, that bare Words may make a Heretic but not a Traitor, which Sir *Edward Coke* on this Occasion maketh use of, they are to little Purpose; seeing that this Statute maketh not the Words High Treason, but the Intention, whereof the Words are but a Testimony: and that common Saying is false as it is generally pronounced; for there were divers Statutes made afterwards, though now expired, which made bare Words to be Treason without any other Deed: As 1 *Eliz. cap. 6.* and 13 *Eliz. cap. 1.* If a Man should publicly preach that the King were an Usurper, or that the Right of the Crown belonged to any other than the King that reigned, there is no Doubt but it were Treason, not only within this Statute of *Edward III.* but also within the Statute of 1 *Edward VI. cap. 12.* which are both still in force.

*La.* Not only so; but if a Subject should counsel any other Man to kill the King, Queen, or Heir apparent to the Crown, it would at this Day be judged High Treason; and yet it is no more than bare Words. In the third Year of King *James, Henry Garnet*, a Jesuit Priest, to whom some of the Gun-Powder Traitors had revealed their Design by way of Confession, gave them Absolution, without any Caution taken for their desisting from their Purpose, or other Provision against the Danger, was therefore condemned and executed as a Traitor, tho' such Absolution were nothing else but bare Words. Also I find in the Reports of Sir *John Davis*, Attorney-General for *Ireland*, that in the Time of King *Henry VI.* a Man was condemn'd of Treason, for saying the King was a natural Fool, and unfit to govern; but yet this Clause in the Statute of *Edward III. viz.* That the compassing there mentioned, ought to be proved by some *Overt Act*, was, by the Framers of the Statute, not without great Wisdom and Providence, inserted: For, as Sir *Edward Coke* very well observeth, when Witnesses are examined concerning Words only, they never, or very rarely, agree precisely about the Words they swear to.

*Pb.* I deny not but that it was wisely enough done. But the Question is not here of the Treason (which is either Fact or Design) but of the Proof, which, when it is doubtful, is to be judged by a Jury of twelve lawful Men: Now whether think you is it a better Proof of a Man's Intention to kill, that he declares the same with his own Mouth, so as it may be witnessed, or that he provide Weapons, Powder, Poison, or assay Arms? If he utter his Design by Words, the Jury has no more to do than to consider the Legality of the Witnesses, the

Harmony of their Testimonies, or whether the Words were spoken advisedly? For they might have been uttered in a Disputation for Exercise only, or when he that spake them had not the use of Reason, nor perhaps any Design, or Wish at all towards the Execution of what he talked of: But how a Jury from providing, or buying of Armour, or buying of Gun-powder, or from any other Overt Act, not Treason in itself, can infer a Design of murdering the King, unless there appear some Words also, signifying to what end he made such Provision, I cannot easily conceive. Therefore as the Jury on the whole Matter, Words and Deeds, shall ground their Judgment concerning Design, or not Design, so, in Reason, they ought to give Verdict. But to come to the Treason of counterfeiting the Great or Privy-Seal, seeing there are so many Ways for a cheating Fellow to use these Seals, to the coufening of the King and his People; why are not all such Abuses High Treason, as well as the making of a false Seal?

*La.* So they are: For Sir *Edw. Coke* produceth a Record of one that was drawn and hang'd for taking the Great Seal from an expired Patent, and fastening it to a counterfeit Commission to gather Money: But he approveth not the Judgment, because it is the Judgment for Petty Treason; also because the Jury did not find him guilty of the Offence laid in the Indictment, which was the counterfeiting of the Great Seal, but found the special Matter, for which the Offender was drawn and hang'd.

*Pb.* Seeing this Crime of taking the Great Seal from one Writing, and fastening it to another, was not found High Treason by the Jury, nor could be found upon special Matter to be the other kind of Treason mentioned in the same Statute; what ground had either the Jury to find it Treason, or the Judge to pronounce Sentence upon it?

*La.* I cannot tell. Sir *Edw. Coke* seems to think it a false Record; for hereupon he saith, by way of Admonition to the Reader, that hereby it appeareth how dangerous it is to report a Case by the Ear.

*Pb.* True; but he does not make it apparent, that this Case was untruly reported, but on the contrary confesseth, that he had perused the same Record; and a Man may (if it may be done without Proof of the Falsity) make the same Objection to any Record whatsoever. For my Part, seeing this Crime produced the same Mischief that ariseth from Counterfeiting, I think it Reason to understand it as within the Statute: And for the Difference between the Punishments (which are both of them Capital) I think it is not worthy to be stood upon; seeing Death, which is, *Ultimum supplicium*, is a Satisfaction to the Law; as Sir *Edw. Coke* himself hath in another Place affirm'd. But let us now proceed to other Crimes.

*La.* Appendent to this is another Crime, called Misprision of Treason; which is the concealing of it by any Man that knows it; and it is called Misprision from the *French Mespriser*, which signifies to contemn, or undervalue; for it is no small Crime in any Subject, so little to take to Heart a known Danger to the King's Person, and consequently, to the whole Kingdom, as not to discover not only what he knows, but also what he suspecteth of the same, that the Truth therefore may be examin'd. But for such Discovery, though the Thing prove false, the Discoverer shall not, as I think, be taken for a false Accuser; if for what he directly affirms, he produce a reasonable Proof, and some Probability for his Suspicion; for else the Concealment will seem justifiable by the Interest, which is to every Man allowed in the Preservation of himself from Pain and Damage.

*Pb.* This I consent to.

*La.* All other Crimes merely Temporal, are comprehended under Felony or Trespafs.

*Pb.* What is the meaning of the word Felony? Does it signify any thing that is in its own Nature a Crime, or that only which is made a Crime by some Statute? For I remember some Statutes that make it Felony to transport Horfes,  
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and some other Things out of the Kingdom ; which Transportation before such Statutes made, and after the Repealing of the same, was no greater Crime than any other usual Traffick of a Merchant.

*La.* Sir *Edw. Coke* derives the Word Felony from the Latin Word *Fel*, the Gall of a living Creature, and accordingly defines Felony to be an Act done *Animo Felleo* ; that is to say, a bitter and cruel Act.

*Pb.* Etymologies are no Definitions, and yet when they are true, they give much Light towards the finding out of a Definition ; but this of Sir *Edw. Coke's* carries with it very little of Probability ; for there be many things made Felony by the Statute Law, that proceed not from any Bitterness of Mind at all, and many that proceed from the contrary.

*La.* This is matter for a Critic, to be pickt out of the Knowledge of History and Foreign Languages, and you may perhaps know more of it than I do.

*Pb.* All that I, or, I think, any other can say in this Matter, will amount to no more than a reasonable Conjecture, insufficient to sustain any point of Controversy in Law. The Word is not to be found in any of the old *Saxon* Laws, set forth by Mr. *Lambert*, nor in any Statute printed before that of *Magna Charta* ; there it is found. Now *Magna Charta* was made in the Time of *Henry III.* Grand-Child to *Henry II.* Duke of *Anjou*, a *Frenchman* born, and bred in the Heart of *France*, whose Language might very well retain many Words of his Ancestors the *German-Franks*, as ours doth of the *German-Saxons* ; as also many Words of the Language of the *Gauls*, as the *Gauls* did retain many Words of the *Greek* Colony planted at *Marseilles*. But certain it is the *French* Lawyers at this Day use the word Felon, just as our Lawyers use the same ; whereas the common People of *France* use the Word *Filou* in the same Sense ; but *Filou* signifieth, not the Man that hath committed such an Act, as they call Felony ; but the Man that maketh it his Trade to maintain himself by the breaking and contemning of all Laws generally ; and comprehendeth all those unruly People called Cheaters, Cut-purses, Picklocks, Catchcloaks, Coiners of false Money, Forgers, Thieves, Robbers, Murderers, and whosoever make use of Iniquity on Land or Sea, as a Trade, or Living. The *Greeks* upon the Coast of *Asia*, where *Homer* liv'd, were they that planted the Colony of *Marseilles* ; they had a Word that signified the same with Felon, which was *Φιλήτης*, *Filetes*, and this *Filetes* of *Homer* signifies properly the same that a Felon signifies with us : And therefore *Homer* makes *Apollo* to call *Mercury* *Φιλήτην Fileteen*, and *ἄρχος Φιλήτων* ; I insist not upon the Truth of this Etymology ; but it is certainly more rational than the *Animus Felleus* of Sir *Edw. Coke*. And for the Matter itself it is manifest enough, that which we now call Murder, Robbery, Theft, and other Practices of Felons, are the same that we call Felony, and Crimes in their own Nature without the help of Statute. Nor is it the manner of Punishment that distinguisheth the Nature of one Crime from another, but the Mind of the Offender and the Mischief he intendeth, considered together with the Circumstances of Person, Time, and Place.

*La.* Of Felonies, the greatest Crime is Murder.

*Pb.* And what is Murder ?

*La.* Murder is the killing of a Man upon Malice forethought, as by a Weapon, or by Poison, or any way, if it be done upon antecedent Meditation ; or thus, Murder is the killing of a Man in cold Blood.

*Pb.* I think there is a good Definition of Murder set down by Statute, 52 *Hen. 3.* c. 25. in these Words : Murder from henceforth shall not be judged before our Justices, where it is found Misfortune only, but it shall take Place in such as are slain by Felony. And Sir *Edward Coke* interpreting this Statute, 2 *Inst.* p. 148. saith ; That the Mischief before this Statute was, that he that killed a Man by Misfortune, as by doing any Act that was not against Law, and yet against his Intent ; if the Death of a Man ensued, this was adjudged Murder. But I find no Proof that he alledgeth, nor find I any such Law amongst the Laws of the *Saxons*, set forth by Mr. *Lambert*. For the Word, it is (as Sir *Edward Coke* noteth) old *Saxon*, and amongst

amongst them it signified no more than a Man slain in the Field, or other Place, the Author of his Death not known. And according hereunto, *Braſton*, who lived in the Time of *Magna Charta*, defineth it, fol. 134, thus; Murder is the secret killing of a Man, when none besides the Killer and his Companions saw, or knew it; so that it was not known who did it, nor fresh Suit could be made after the Doer; therefore every such Killing was called Murder before it could be known whether it could be by Felony, or not: for a Man may be found dead that kills himself, or was lawfully killed by another. This Name of Murder came to be the more horrid, when it was secretly done, for that it made every Man to consider of their own Danger, and him that saw the dead Body to boggle at it, as a Horse will do at a dead Horse; and to prevent the same, they had Laws in force to amerce the Hundred where it was done, in a Sum defined by Law to be the Price of his Life: For in those Days the Lives of all Sorts of Men were valued by Money, and the Value set down in their written Laws. And therefore Sir *Edward Coke* was mistaken in that he thought that killing a Man by Misfortune before the Statute of *Marlebridge* was adjudged Murder, and those secret Murders were abominated by the People, for that they were liable to so great a pecuniary Punishment for suffering the Malefactor to escape. But this Grievance was by *Canutus*, when he reigned, soon eased: for he made a Law, that the Country, in this Case, should not be charged, unless it were an *Englishman* that was so slain; but if he were a *Frenchman* (under which Name were comprehended all Foreigners, and especially the *Normans*) though the Slayer escaped, the County was not to be amerced. And this Law, though it were very hard, and chargeable when an *Englishman* was so slain, for his Friend to prove he was an *Englishman*, and also unreasonable to deny the Justice to a Stranger; yet was it not repealed till the 14th of King *Edward III.* By this you see, that Murder is distinguished from Homicide by the Statute Laws, and not by any Common Law without the Statute; and that it is comprehended under the general Name of Felony.

*La.* And so also is Petit Treason, and I think so is High Treason also: for in the abovesaid Statute in the 25th of *Edward III.* concerning Treasons, there is this Clause: And because that many other like Cases of Treason may happen in Time to come, which a Man cannot think or declare at the present Time; it is accorded, that if any other Case, supposed Treason, which is not above specified, doth happen before any the Justices, the Justices shall tarry without any going to Judgment of the Treason, till the Cause be shewed, and declared before the King and his Parliament, whether it be Treason, or other Felony; which thereby shews that the King and Parliament thought that Treason was one of the Sorts of Felony.

*Pb.* And so think I.

*La.* But Sir *Edward Coke* denies it to be so at this Day; for *1 Inst. Sect. 745.* at the Word Felony, he saith: That in ancient Time this Word Felony was of so large an Extent, as that it included High Treason—But afterwards it was resolved, that in the King's Pardon, or Charter, this Word Felony should extend only to common Felonies—And at this Day, under the Word Felony, by Law is included Petit Treason, Murder, Homicide, burning of Houses, Burglary, Robbery, Rape, &c. Chance-medley, *se defendendo*, and *Petit Larceny*.

*Pb.* He says it was resolved, but by whom?

*La.* By the Justices of Assize in the Time of *Hen. IV.* as it seems in the Margin.

*Pb.* Have Justices of Assize any Power by their Commission to alter the Language of the Land, and the received Sense of Words? Or in the Question in what Case Felony shall be laid, is it referred to the Judges to determine; as in the Question in what Case Treason shall be laid, it is referred by the Statute of *Edward III.* to the Parliament? I think not; and yet perhaps they may be obliged to disallow a Pardon of Treason, when mentioning all Felonies it nameth not Treason, nor specifies it by any Description of the Fact.

*La.* Another kind of Homicide there is simply called so, or by the Name of Manslaughter, and is not Murder; and that is, when a Man kills another Man upon sudden Quarrel, during the Heat of Blood.

*Ph.* If two meeting in the Street chance to strive who shall go nearest to the Wall, and thereupon fighting, one of them kills the other, I believe verily he that first drew his Sword did it of Malice forethought, though not long forethought; but whether it be Felony or no, it may be doubted. It is true, that the Harm done is the same as if it had been done by Felony; but the Wickedness of the Intention was nothing near so great. And supposing it had been done by Felony, then 'tis manifest by the Statute of *Marlebridge*, that it was very Murder. And when a Man for a Word or a Trifle shall draw his Sword, and kill another Man, can any Man imagine that there was not some precedent Malice?

*La.* 'Tis very likely there was Malice, more or less, and therefore the Law hath ordained for it a Punishment equal to that of Murder, saving that the Offender shall have the Benefit of his Clergy.

*Ph.* The Benefit of Clergy comes in upon another Account, and importeth not any Extenuation of the Crime; for it is but a Relic of the old usurped Papal Privilege, which is now by many Statutes so pared off, as to spread but to few Offences, and is become a legal kind of conveying Mercy, not only to the Clergy but also to the Laity.

*La.* The Work of a Judge you see is very difficult, and requires a Man that hath a Faculty of well distinguishing of Dissimilitudes in such Cases as common Judgments think to be the same. A small Circumstance may make a great Alteration, wherefore a Man that cannot well discern, ought not to take upon him the Office of a Judge.

*Ph.* You say very well; for if Judges were to follow one another's Judgments in precedent Cases, all the Justice in the World would at length depend upon the Sentence of a few learned, or unlearned, ignorant Men, and have nothing at all to do with the Study of Reason.

*La.* A third kind of Homicide is when a Man kills another, either by Misfortune, or in a necessary Defence of himself, or of the King, or of his Laws; for such killing is neither Felony, nor Crime, saving (as Sir *Edward Coke* says, 4 *Inst.* p. 56.) that if the Act that a Man is a-doing when he kills another Man be unlawful, then it is Murder. As if *A.* meaning to steal a Deer in the Park of *B.* shooteth at the Deer, and by the Glance of the Arrow killeth a Boy that is hidden in a Bush; this is Murder, for that Act was unlawful; but if the Owner of the Park had done the like, shooting at his own Deer, it had been by Misadventure, and no Felony.

*Ph.* This is not so distinguished by any Statute, but is the Comment only of Sir *Edward Coke*. I believe not a Word of it. If a Boy be robbing an Apple-tree, and fall thence upon a Man that stands under it, and breaks his Neck, but by the same Chance saveth his own Life, Sir *Edward Coke*, it seems, will have him hanged for it, as if he had fallen of premeditated Malice. All that can be called Crime in this Business is but a simple Trespass, to the Damage perhaps of Sixpence or a Shilling. I confess the Trespass was an Offence against the Law, but the falling was none, nor was it by the Trespass but by the falling that the Man was slain; and as he ought to be quit of the killing, so he ought to make Restitution for the Trespass. But I believe the Cause of Sir *Edward Coke's* Mistake was his not well understanding of *Bracton*, whom he cites in the Margin: For 1206 he saith thus: *Sed hic erit distinguendum, utrum quis dederit operam rei licitæ, vel illicitæ; si illicitæ, ut si lapidem projiciebat quis versus locum per quem consueverunt homines transitum facere, vel dum insequitur equum, vel bovem, & aliquis ab equo, vel a bovo percussus fuerit, & hujusmodi, hoc imputatur ei: i. e.* But here we are to distinguish, whether a Man be upon a lawful or unlawful Business; if an unlawful, as he that throws a Stone into a Place where Men use to pass; or if he chase a Horse, or an Ox, and thereby the Man be stricken by the Horse, or the Ox, this shall be imputed to him. And it is most reasonable; for the doing of such an unlawful Act as is here meant, is a sufficient Argument of a felonious Purpose, or at least a Hope to kill somebody or other, and he cared not whom; which

which is worse than to design the Death of a certain Adversary, which nevertheless is Murder. Also on the contrary, though the Business a Man is doing be lawful, and it chanceth sometimes that a Man be slain thereby, yet may such killing be Felony. For if a Carman drive his Cart through *Cheapside* in a Throng of People, and thereby he kill a Man; though he bare him no Malice, yet because he saw there was very great Danger, it may reasonably be inferred, that he meant to adventure the killing of somebody or other, though not of him that was killed.

*La.* He is a Felon also that killeth himself voluntarily, and is called, not only by Common Lawyers, but also in divers Statute Laws, *Felo de se*.

*Pb.* And 'tis well so: For Names imposed by Statutes are equivalent to Definitions; but I conceive not how any Man can bear *Animum felleum*, or so much Malice towards himself, as to hurt himself voluntarily, much less to kill himself; for naturally and necessarily, the Intention of every Man aimeth at somewhat which is good to himself, and tendeth to his Preservation: And therefore, methinks, if he kill himself, it is to be presumed that he is not *compos mentis*, but by some inward Torment, or Apprehension of somewhat worse than Death, distracted.

*La.* Nay, unless he be *compos mentis*, he is not *Felo de se* (as Sir *Edward Coke* saith, 4 *Inst.* p. 54.) and therefore he cannot be judged a *Felo de se*, unless it be first proved he was *compos mentis*.

*Pb.* How can that be proved of a Man dead; especially if it cannot be proved by any Witness, that a little before his Death he spake as other Men used to do. This is a hard Place; and before you take it for Common Law it had need to be cleared.

*La.* I'll think on't. There's a Statute of 3 *Henry VII. c. 14.* which makes it Felony in any of the King's household Servants, under the Degree of a Lord, to compass the Death of any of the King's Privy Council. The Words are these: That from henceforth the Steward, Treasurer, and Comptroller of the King's House for the Time being, or one of them, have full Authority and Power, to inquire by twelve stay'd Men, and discreet Persons of the Chequer Roll of the King's honourable Household, if any Servant, admitted be to his Servant sworn, and his Name put into the Chequer Roll, whatsoever he be, serving in any Manner, Office, or Room, reputed, had, or taken under the State of a Lord, make any Confederacies, Compassings, Conspiracies, or Imaginations, with any Person, to destroy or murder the King, or any Lord of this Realm, or any other Person sworn of the King's Council, Steward, Treasurer, or Comptroller of the King's House: And if such Misdoers shall be found guilty by Confession, or otherwise, that the said Offence shall be judged Felony.

*Pb.* It appears by this Statute, that not only the compassing the Death (as you say) of a Privy-Counsellor, but also of any Lord of the Realm, is Felony; if it be done by any of the King's household Servants that is not a Lord.

*La.* No; Sir *Edward Coke* upon these Words, Any Lord of this Realm, or other Person sworn of the King's Council, infers 4 *Inst.* p. 38. that it is to be understood of such a Lord only as is a Privy-Counsellor.

*Pb.* For barring of the Lords of Parliament from this Privilege, he strains this Statute a little farther (in my Opinion) than it reacheth of itself. But how are such Felonies to be tried?

*La.* The Indictment is to be found before the Steward, Treasurer, and Comptroller of the King's House, or one of them, by twelve of the King's household Servants. The petit Jury for the Trial must be twelve other of the King's Servants, and the Judges are again the Steward, Treasurer, and Comptroller of the King's House, or two of them; and yet I see that these Men are not usually great Students of the Law.

*Pb.* You may hereby be assured, that either the King and Parliament were very much overseen in chusing such Officers perpetually for the Time being, to be Judges in a Trial at the Common Law, or else that Sir *Edward Coke* presumes too much, to appropriate all the Judicature, both in Law and Equity, to the Common Lawyers;

as if neither Lay-persons, Men of Honour, nor any of the Lords Spiritual, who are the most versed in the Examination of Equity, and Cases of Conscience, when they hear the Statutes read and pleaded, were unfit to judge of the Intention and Meaning of the same. I know, that neither such great Persons, nor Bishops, have ordinarily so much spare Time from their ordinary Employment as to be so skilful as to plead Causes at the Bar; but certainly they are, especially the Bishops, the best able to judge of Matters of Reason; that is to say, (by Sir *Edward Coke's* Confession) of Matters (except of Blood) at the Common Law.

*La.* Another sort of Felony, though without Manslaughter, is Robbery; and by Sir *Edward Coke*, 4 *Inst.* p. 68. defined thus: Robbery by the Common Law is a Felony committed by a violent Assault upon the Person of another, by putting him in Fear, and taking away from him his Money, or other Goods of any Value whatsoever.

*Pb.* Robbery is not distinguished from Theft by any Statute. *Latrocinium* comprehendeth them both, and both are Felony, and both punished with Death. And therefore to distinguish them aright is the Work of Reason only. And the first Difference which is obvious to all Men, is, that Robbery is committed by Force or Terror, of which neither is in Theft; for Theft is a secret Act, and that which is taken by Violence or Terror, or in his Presence, is still Robbery; but if it be taken secretly, whether it be by Day or Night, from his Person, or from his Fold, or from his Pasture, then it is called Theft. 'Tis Force and Fraud only that distinguisheth between Theft and Robbery, both which are by the Pravity only of the Intention, Felony, in their Nature. But there be so many Evasions of the Law found out by evil Men, that I know not in this Predicament of Felony how to place them: for suppose I go secretly by Day or Night, into another Man's Field of Wheat, ripe, and standing, and loading my Cart with it I carry it away; is it Theft, or Robbery?

*La.* Neither; it is but Trespass: but if you first lay down the Wheat you have cut, and then throw it into your Cart, and carry it away, then it is Felony.

*Pb.* Why so?

*La.* Sir *Edward Coke* tells you the Reason of it, 4 *Inst.* p. 107. for he defineth Theft to be, by the Common Law, a felonious and fraudulent taking and carrying away by any Man or Woman, of the mere personal Goods of another, not from the Person, nor by Night in the House of the Owner. From this Definition he argues thus, p. 109. Any kind of Corn, or Grain, growing upon the Ground, is a personal Chattel, and the Executors of the Owner shall have them, though they be not severed; but yet no Larceny can be committed of them because they are annexed to the Realty: So it is of Grass standing on the Ground, or of Apples, or of any Fruit upon the Trees, &c. So it is of a Box, or Chest of Charters, no Larceny can be committed of them, because the Charters concern the Realty, and the Box or Chest, though it be of great Value, yet shall it be of the same Nature the Charters are of. *Omne magis dignum trahit ad se minus.*

*Pb.* Is this Definition drawn out of any Statute, or is it in *Bracton*, or *Littleton*, or any other Writer upon the Science of the Laws?

*La.* No; it is his own; and you may observe by the Logic Sentences dispersed through his Works, that he was a Logician sufficient enough to make a Definition.

*Pb.* But if his Definitions must be the Rule of Law; what is there that he may not make Felony, or not Felony, at his Pleasure? But seeing it is not Statute Law that he says, it must be very perfect Reason, or else no Law at all; and to me it seems so far from Reason, as I think it ridiculous. But let us examine it. There can, says he, be no Larceny of Corn, Grass, or Fruits that are growing, that is to say, they cannot be stolen; but why? Because they concern the Realty; that is, because they concern the Land. 'Tis true, that the Land cannot be stolen, nor the Right of a Man's Tenure; but Corn, and Trees, and Fruit, though growing, may be cut down, and carried away secretly, and feloniously, in Contempt,  
and

and Despight of the Law. And are they not then stolen? And is there any Act which is feloniously committed, that is not more than Trespass? Can any Man doubt it that understands the *English* Tongue? 'Tis true, that if a Man pretend a Right to the Land, and on that Pretence take the Fruits thereof by way of taking Possession of his own, it is no more than a Trespass, unless he conceal the taking of them; for in that one Case, he but puts the Man that was in Possession before to exhibit his Complaint, which Purpose is not felonious, but lawful; for nothing makes a Distinction between Felony, and not Felony, but the Purpose. I have heard that if a Man slander another with stealing of a Tree standing, there lies no Action for it, and that upon this ground, to steal a standing Tree is impossible; and the Cause of the Impossibility is, that a Man's Freehold cannot be stolen; which is a very obvious Fallacy; for Freehold signifieth, not only the Tenement, but also the Tenure; and though it be true that a Tenure cannot be stolen, yet every Man sees that standing Trees, and Corn, may easily be stolen; and so far forth as Trees, &c. are part of the Freehold, so far forth also they are personal Goods; for whatsoever is Freehold is Inheritance, and descendeth to the Heir, and nothing can descend to the Executors, but what is merely personal. And though a Box, or Case of Evidences are to descend to the Heir, yet unless you can shew me positive Law to the contrary, they shall be taken into the Executor's Hands, to be delivered to the Heir. Besides, how unconscionable a Thing is it, that he that steals a Shilling's worth of Wood, which the Wind hath blown down, or which lieth rotten on the Ground, should be hang'd for it, and he that takes a Tree worth twenty or forty Shillings, should answer only for the Damage?

*La.* 'Tis somewhat hard, but it has been so practised Time out of Mind. Then follows Sodomy, and Rape, both of them Felonies.

*Pb.* I know that, and that of the former he justly says it is detestable, being in a manner an Apostacy from human Nature: But in neither of them is there any thing of *Animus felleus*. The Statutes which make them Felony are exposed to all Mens reading; but because Sir *Edw. Coke's* Commentaries upon them are more diligent and accurate than to be free from all Uncleaness, let us leap over them both, observing only by the Way, that he leaves an Evasion for an impotent Offender, though his Design be the same, and pursued to the utmost of his Power.

*La.* Two other great Felonies are breaking and burning Houses, neither of which are defin'd by any Statute. The former of them is, by Sir *Edw. Coke. 4. Inst. p. 63.* defined thus: Burglary is by the Common Law, the breaking and entering into the Mansion-house of another, in the Night, with Intent to kill some reasonable Creature, or to commit some other Felony within the same, whether his Intent be executed or not; and defineth Night to be then, when one Man cannot know another's Face by Day-light: And for the Parts of a Mansion-house, he reckoneth all Houses that belong to House-keeping, as Barns, Stables, Dairy-Houses, Buttery, Kitchen, Chambers, &c. But breaking a House by Day, though Felony, and punished as Burglary, is not within the Statute.

*Pb.* I have nothing to say against his Interpretations here, but I like not that any private Man should presume to determine, whether such, or such a Fact done be within the Words of a Statute, or not, where it belongs only to a Jury of twelve Men to declare in their Verdict, whether the Fact laid open before them be Burglary, Robbery, Theft, or other Felony; for this is to give a leading Judgment to the Jury, who ought not to consider any private Lawyer's Institutes, but the Statutes themselves pleaded before them for Directions.

*La.* Burning, as he defines it, p. 66. is a Felony at the Common Law, committed by any that maliciously and voluntarily, in the Night or Day, burneth the House of another: And hereupon he infers, if a Man sets Fire to the House, and it takes not, that then it is not within the Statute.

*Pb.* If a Man should secretly, and maliciously lay a quantity of Gun-powder under another Man's House, sufficient to blow it up, and set a Train of Powder

in it, and set Fire to the Train, and some Accident hinder the Effect, is not this Burning? or what is it? what Crime? It is neither Treason, nor Murder, nor Robbery, nor Theft, nor (no Damage being made) any Trespass, nor contrary to any Statute. And yet (seeing the Common Law is the Law of Reason) it is a Sin, and such a Sin as a Man may be accused of, and convicted, and consequently a Crime committed of Malice prepensed; shall he not then be punished for the Attempt? I grant you that a Judge has no Warrant from any Statute Law, Common Law, or Commission, to appoint the Punishment, but surely the King has Power to punish him (on this Side of Life or Member) as he please; and with the Assent of Parliament (if not without) to make the Crime for the future capital.

*La.* I know not. Besides these Crimes there is Conjurat[i]on, Witchcraft, Sorcery, and Inchantment, which are capital by the Statute, 1 of King *James*, c. 12.

*Pb.* But I desire not to discourse of that Subject; for though without doubt there is some great Wickedness signified by those Crimes; yet have I ever found myself too dull to conceive the Nature of them, or how the Devil hath Power to do many things which Witches have been accused of. Let us now come to Crimes not capital.

*La.* Shall we pass over the Crime of Heresy, which Sir *Edward Coke* ranketh before Murder? but the Consideration of it will be somewhat long.

*Pb.* Let us defer it till the Afternoon.

### Of HERESY.

*La.* Concerning Heresy, Sir *Edward Coke*, 4 *Inst.* p. 39. says, that five Things fall into Consideration. 1. Who be the Judges of Heresy. 2. What shall be judged Heresy. 3. What is the Judgment upon a Man convicted of Heresy. 4. What the Law alloweth him to save his Life. 5. What he shall forfeit by Judgment against him.

*Pb.* The principal Thing to be considered, which is the Heresy itself, he leaveth out; *viz.* What it is, in what Fact or Words it consisteth, what Law it violateth, Statute Law, or the Law of Reason. The Cause why he omitteth it, may perhaps be this; that it was not only out of his Profession, but also out of his other Learning. Murder, Robbery, Theft, &c. every Man knoweth to be evil, and are Crimes defined by the Statute Law, so that any Man may avoid them if he will. But who can be sure to avoid Heresy, if he but dare to give an Account of his Faith, unless he know beforehand what it is?

*La.* In the Preamble of the Statute of 2 *Hen.* 4. c. 15. Heresy is laid down, as a Preaching or Writing of such Doctrine, as is contrary to the Determination of Holy Church.

*Pb.* Then it is Heresy at this Day to preach or write against worshipping of Saints, or the Infallibility of the Church of *Rome*, or any other Determination of the same Church: For Holy Church at that Time was understood to be the Church of *Rome*, and now with us the Holy Church I understand to be the Church of *England*; and the Opinions in that Statute are now, and were then the true Christian Faith. Also the same Statute of *Hen.* 4. declareth, by the same Preamble, that the Church of *England* had never been troubled with Heresy.

*La.* But that Statute is repealed.

*Pb.* Then also is that Declaration or Definition of Heresy repealed.

*La.* What, say you, is Heresy?

*Pb.* I say Heresy is a Singularity of Doctrine, or Opinion, contrary to the Doctrine of another Man, or Men, and the Word properly signifies the Doctrine of a Sect, which Doctrine is taken upon Trust of some Man of Reputation for Wisdom, that was the first Author of the same. If you will understand the Truth hereof, you are to read the Histories and other Writings of the ancient *Greeks*, whose Word it is, which Writings are extant in these Days, and easy to be had. Wherein you will find, that in, and a little before the Time of *Alexander* the Great, there lived

lived in Greece many excellent Wits, that employed their Time in search of the Truth in all manner of Sciences worthy of their Labour, and which to their great Honour and Applause published their Writings; some concerning Justice, Laws, and Government; some concerning good and evil Manners; some concerning the Causes of Things natural, and of Events discernable by Sense; and some of all these Subjects. And of the Authors of these, the principal were *Pythagoras*, *Plato*, *Zeno*, *Epicurus*, and *Aristotle*, Men of deep and laborious Meditation, and such as did not get their Bread by their Philosophy, but were able to live of their own, and were in Honour with Princes and other great Personages. But these Men, though above the rest in Wisdom, yet their Doctrine in many Points did disagree; whereby it came to pass, that such Men as studied their Writings, inclined, some to *Pythagoras*, some to *Plato*, some to *Aristotle*, some to *Zeno*, and some to *Epicurus*. But Philosophy itself was then so much in Fashion, as that every rich Man endeavoured to have his Children educated in the Doctrine of some or other of these Philosophers, which were for their Wisdom so much renowned. Now those that followed *Pythagoras*, were called *Pythagoreans*; those that followed *Plato*, *Academics*; those that followed *Zeno*, *Stoics*; those that followed *Epicurus*, *Epicureans*; and those that followed *Aristotle*, *Peripatetics*; which are the Names of Heresy in Greek, which signifies no more but taking of an Opinion; and the said *Pythagoreans*, *Academics*, *Stoics*, *Peripatetics*, &c. were termed by the Names of so many several Heresies. All Men, you know, are subject to Error, and the Ways of Error very different; and therefore it is no Wonder if these wise and diligent Searchers of the Truth did, notwithstanding their excellent Parts, differ in many Points amongst themselves. But this laudable Custom of great, wealthy Persons to have their Children at any Price to learn Philosophy, suggested to many idle and needy Fellows, an easy and compendious way of Maintenance; which was to teach the Philosophy, some of *Plato*, some of *Aristotle*, &c. whose Books to that end they read over, but without Capacity, or much Endeavour to examine the Reasons of their Doctrines, taking only the Conclusions, as they lay; and setting up with this, they soon professed themselves Philosophers, and got to be School-masters to the Youth of Greece; but by Competition for such Employment, they hated and reviled one another with all the bitter Terms they could invent; and very often, when upon Occasion they were in civil Company, fell first to Disputation, and then to Blows, to the great Trouble of the Company, and their own Shame. Yet amongst all their reproachful Words the Name of Heretic came never in, because they were all equally Heretics, their Doctrine not being theirs, but taken upon Trust from the aforesaid Authors. So that though we find Heresy often mentioned in *Lucian*, and other heathen Authors, yet we shall not find in any of them *Hereticus* for a Heretic. And this Disorder among the Philosophers continued a long time in Greece, and infecting also the Romans, was at the greatest in the times of the Apostles, and in the primitive Church, till the time of the *Nicene Council*, and somewhat after. But at last the Authority of the *Stoics* and *Epicureans* was not much esteemed, only *Plato's* and *Aristotle's* Philosophy were much in Credit; *Plato's* with the better Sort, that founded their Doctrine upon the Conceptions and Ideas of Things, and *Aristotle's* with those that reasoned only from the Names of Things, according to the Scale of the *Categories*: Nevertheless there were always, though not new Sects of Philosophy, yet new Opinions continually arising.

*La.* But how came the word Heretic to be a Reproach?

*Pb.* Stay a little. After the Death of our Saviour, his Apostles and his Disciples, as you know, dispersed themselves into several Parts of the World to preach the Gospel, and converted much People, especially in *Asia the Less*, in Greece and *Italy*, where they constituted many Churches; and as they travelled from Place to Place, left Bishops to teach and direct those their Converts, and to appoint Presbyters under them to assist them therein, and to confirm them, by setting forth the Life and Miracles of our Saviour, as they had received it from the Writings of the Apostles and Evangelists; whereby (and not by the Authority of *Plato*, or *Aristotle*,

or

or any other Philosopher) they were instructed. Now you cannot doubt but that among so many Heathens, converted in the Time of the Apostles, there were Men of all Professions and Dispositions, and some that had never thought of Philosophy at all, but were intent upon their Fortunes or their Pleasures; and some that had a greater, some a lesser Use of Reason; and some that had studied Philosophy, but professed it not, which were commonly the Men of the better Rank; and some had professed it only for their better Subsistence, and had it not farther than readily to talk and wrangle; and some were Christians in good earnest, and others but counterfeit, intending to make use of the Charity of those that were sincere Christians, which in those Times was very great. Tell me now, of these sorts of Christians which was the most likely to afford the fittest Men to propagate the Faith by preaching and writing, or public or private Disputation; that is to say, who were fittest to be made Presbyters and Bishops?

*La.* Certainly those who (*cæteris paribus*) could make the best use of *Aristotle's* Rhetoric and Logic.

*Pb.* And who were the most prone to Innovation?

*La.* They that were most confident of *Aristotle's* and *Plato's* (their former Masters) natural Philosophy: For they would be the aptest to wrest the Writings of the Apostles and all Scriptures, to the Doctrine in which their Reputation was engaged.

*Pb.* And from such Bishops and Priests, and other Sectaries, it was, that Heresy among the Christians first came to be a Reproach: For no sooner had one of them preached, or published any Doctrine that displeas'd either the most, or the most leading Men of the rest, but it became such a Quarrel as not to be decided but by a Council of the Bishops in the Province where they lived; wherein he that would not submit to the General Decree, was called an Heretic, as one that would not relinquish the Philosophy of his Sect; the rest of the Council gave themselves the Name of Catholics, and to their Church, the Name of Catholic Church. And thus came up the opposite Terms of Catholic and Heretic.

*La.* I understand how it came to be a Reproach, but not how it follows that every Opinion condemned by a Church that is, or calls itself Catholic, must needs be an Error, or a Sin. The Church of *England* denies that Consequence, and that Doctrine, as they hold, cannot be proved to be erroneous, but by the Scripture, which cannot err; but the Church, being but Men, may both err and sin.

*Pb.* In this Case we must consider also, that Error, in its own Nature, is no Sin: For it is impossible for a Man to err on Purpose, he cannot have an Intention to err; and nothing is Sin, unless there be a sinful Intention; much less are such Errors Sins, as neither hurt the Commonwealth nor any private Man, nor are against any Law, positive or natural; such Errors as were those for which Men were burnt in the Time when the Pope had the Government of this Church.

*La.* Since you have told me how Heresy came to be a Name, tell me also how it came to be a Crime? and what were the Heresies that first were made Crimes?

*Pb.* Since the Christian Church could declare, and none else, what Doctrines were Heresies, but had no Power to make Statutes for the Punishment of Heretics before they had a Christian King; it is manifest that Heresy could not be made a Crime before the first Christian Emperor, which was *Constantine* the Great. In his Time one *Arius*, a Priest of *Alexandria*, in Dispute with his Bishop, publicly deny'd the Divinity of Christ, and maintained it afterwards in the Pulpit, which was the Cause of a Sedition and much Bloodshed, both of Citizens and Soldiers in that City. For the preventing of the like for the Time to come, the Emperor called a General Council of Bishops to the City of *Nice*, who being met, he exhorted them to agree upon a Confession of the Christian Faith, promising whatsoever they agreed on he would cause to be observed.

*La.* By the way, the Emperor, I think, was here a little too indifferent.

*Pb.* In this Council was established so much of the Creed we now use, and call the *Nicene* Creed, as reacheth to the Words, *I believe in the Holy Ghost*. The rest

was

was established by the three General Councils next succeeding. By the Words of which Creed, almost all the Heresies then in being, and especially the Doctrine of *Arius*, were condemned: So that now all Doctrines published by Writing, or by Word, and repugnant to this Confession of the first four General Councils, and contained in the *Nicene* Creed, were, by the Imperial Law forbidding them, made Crimes; such as are that of *Arius*, denying the Divinity of Christ; that of *Eutiches*, denying the two Natures of Christ; that of the *Nestorians*, denying the Divinity of the Holy Ghost; that of the *Anthropomorphites*; that of the *Manichees*; that of the *Anabaptists*; and many other.

*La.* What Punishment had *Arius*?

*Pb.* At the first, for refusing to subscribe, he was deprived and banished; but afterwards having satisfied the Emperor concerning his future Obedience (for the Emperor caused this Confession to be made, not for the Regard of Truth of Doctrine, but for the preserving of the Peace, especially among his Christian Soldiers, by whose Valour he had gotten the Empire, and by the same was to preserve it) he was received again into Grace, but died before he could repossess his Benefice. But after the Time of those Councils, the Imperial Law made the Punishment for Heresy to be capital, though the manner of the Death was left to the Præfects in their several Jurisdictions; and thus it continued till somewhat after the Time of the Emperor *Frederic Barbarossa*, and the Papacy having gotten the upperhand of the Emperor, brought in the Use of burning both Heretics and Apostates; and the Popes from Time to Time made Heresy of many other Points of Doctrine (as they saw it conduce to the setting up of the Chair above the Throne) besides those determined in the *Nicene* Creed, and brought in the Use of burning; and according to this Papal Law, there was an Apostate burnt at *Oxford* in the Time of *William* the Conqueror, for turning *Jew*. But of a Heretic burnt in *England* there is no Mention made, till after the Statute of *2 Henry 4.* whereby some Followers of *Wiclif*, called *Lollards*, were afterwards burned, and that for such Doctrines, as by the Church of *England*, ever since the first Year of *Queen Elizabeth*, have been approved for godly Doctrines, and no Doubt were godly then; and so you see how many have been burnt for Godliness.

*La.* 'Twas not well done; but 'tis no Wonder we read of no Heretics before the Time of *Henry IV.* for in the Preamble to that Statute it is intimated, that before those *Lollards* there never was any Heresy in *England*.

*Pb.* I think so too; for we have been the tamest Nation to the Pope of all the World. But what Statutes concerning Heresy have there been made since.

*La.* The Statute of *2 Hen. 5. c. 7.* which adds to the burning the Forfeiture of Lands, and Goods, and then no more till the *25 H. 8. c. 14.* which confirms the two former, and giveth some new Rules concerning how they shall be proceeded with. But by the Statute of *1 Ed. 6. cap. 12.* all Acts of Parliament formerly made to punish any manner of Doctrine concerning Religion are repeal'd. For therein it is ordain'd, after divers Acts specified, that all and every other Act, or Acts of Parliament concerning Doctrine, or Matters of Religion, and all and every Branch, Article, Sentence and Matter, Pains and Forfeitures contained, mentioned, or any wise declared in the same Acts of Parliament or Statutes, shall be from henceforth repealed, utterly void, and of none Effect. So that in the Time of King *Ed. 6.* not only all Punishments of Heresy were taken away, but also the Nature of it was changed, to what originally it was, a private Opinion. Again in *2 Phil.* and *Ma.* those former Statutes of *2 H. 4. cap. 15.* *2 H. 5. cap. 17.* *25 H. 8. cap. 14.* are revived, and the Branch of *1 Ed. 6. cap. 12.* touching Doctrine (though not specially named) seemeth to be this, that the same Statute confirmeth the Statute of *25 Ed. 3.* concerning Treasons. Lastly, in the first Year of *Queen Eliz. cap. 1.* the aforesaid Statutes of *Queen Mary* are taken away, and thereby the Statute of *1 Ed. cap. 12.* revived; so as there was no Statute left for the Punishment of Heretics. But *Queen Eliz.* by the Advice of her Parliament gave a Commission (which was called the High-Commission) to certain Persons

(amongst whom were very many of the Bishops) to declare what should be Heresy for the future; but with a Restraint, that they should judge nothing to be Heresy, but what had been so declared in the first four General Councils.

*Pb.* From this which you have shewed me, I think we may proceed to the Examination of the learned Sir *Edw. Coke* concerning Heresy. In his Chapter of Heresy, 3 *Inst.* p. 40. he himself confesseth, that no Statute against Heresy stood then in force; when in the 9th Year of King *James*, *Bartholomew Legat* was burnt for *Arianism*, and that from the Authority of the Act of 2 *Hen.* 4. *cap.* 15. and other Acts cited in the Margin, it may be gather'd; that the Diocesan hath the Jurisdiction of Heresy. This I say is not true: For as to Acts of Parliament it is manifest, that from Acts repealed, that is to say, from things that have no Being, there can be gathered nothing. And as to the other Authorities in the Margin, *Fitzherbert*, and the Doctor and Student, they say no more than what was Law in the Time they writ; that is, when the Pope's usurped Authority was here obeyed: But if they had written this in the Time of King *Edw.* VI. or Queen *Elizabeth*, Sir *Edw. Coke* might as well have cited his own Authority as theirs; for their Opinions had no more the Force of Laws than his. Then he cites this Precedent of *Legat*, and another of *Hammond* in the Time of Queen *Elizabeth*; but Precedents prove only what was done, and not what was well done. What Jurisdiction could the Diocesan then have of Heresy, when by the Statute of *Edw.* VI. *cap.* 12. then in Force, there was no Heresy, and all Punishment for Opinions was forbidden: For Heresy is a Doctrine contrary to the Determination of the Church, but then the Church had not determined any thing at all concerning Heresy.

*La.* But seeing the High Commissioners had Power to correct and amend Heresies, they must have Power to cite such as were accused of Heresy, to appear before them, or else they could not execute their Commission.

*Pb.* If they had first made and published a Declaration of what Articles they made Heresy, that when one Man heard another speak against their Declaration, he might thereof inform the Commissioners, then indeed they had had Power to cite, and imprison the Person accus'd; but before they had known what should be Heresy, how was it possible that one Man should accuse another? And before he is accused, how can he be cited?

*La.* Perhaps it was taken for granted, that whatsoever was contrary to any of the four first general Councils, was to be judged Heresy.

*Pb.* That granted, yet I see not how one Man might accuse another 'ere the better for those Councils. For not one Man of ten thousand had ever read them, nor were they ever published in *English*, that a Man might avoid offending against them, nor perhaps are they extant; nor if those that we have printed in *Latin* are the very Acts of the Councils (which is yet much disputed amongst Divines) do I think it fit they were put in the vulgar Tongues. But it is not likely that the Makers of the Statutes had any Purpose to make Heresy of whatsoever was repugnant to those four General Councils: For if they had, I believe the Anabaptists, of which there was great Plenty in those Times, would one Time or other have been question'd upon this Article of the *Nicene* Creed, *I believe one Baptism for the Remission of Sins*; nor was the Commission itself for a long Time after registred, that Men might in such Uncertainty take heed and abstain (for their better Safety) from speaking of Religion any thing at all. But by what Law was this Heretic *Legat* burnt? I grant he was an *Arian*, and his Heresy contrary to the Determination of the Church of *England*, in the highest Points of Christianity; but seeing there was no Statute Law to burn him, and no Penalty forbidden, by what Law, by what Authority was he burnt?

*La.* That this *Legat* was accused of Heresy, was no Fault of the High Commissioners; but when he was accused, it had been a Fault in them not to have examin'd him; or having examin'd him, and found him an *Arian*, not to have judged him so, or not to have certified him so. All this they did, and this was all that be-  
longed

longed unto them; they medled not with his burning, but left him to the secular Power to do with him what they pleased.

*Pb.* Your Justification of the Commissioners is nothing to the Question; the Question is by what Law he was burnt; the Spiritual Law gives no Sentence of temporal Punishment, and Sir *Edward Coke* confesseth that he could not be burned; and Burning being forbidden by Statute Law, by what Law then was he burned?

*La.* By the Common Law.

*Pb.* What's that? It is not Custom; for before the Time of *Henry* the 4th, there was no such Custom in *England*; or if there had, yet those Laws that came after were but Confirmations of the Customs, and therefore the repealing of those Laws was a repealing of the Custom. For when King *Edward* the 6th, and Queen *Elizabeth*, abolished those Statutes, they abolished all Pains, and consequently Burning, or else they had abolished nothing. And if you will say he was burnt by the Law of Reason, you must tell me how there can be Proportion between Doctrine and Burning; there can be no Equality, nor Majority, nor Minority assigned between them. The Proportion that is between them, is the Proportion of the Mischief which the Doctrine maketh, to the Mischief to be inflicted on the Doctor; and this is to be measured only by him that hath the Charge of governing the People, and consequently, the punishing of Offences can be determined by none but by the King, and that, if it extend to Life or Member, with the Assent of Parliament.

*La.* He does not draw any Argument for it from Reason, but alledgeth for it this Judgment executed upon *Legat*, and a Story out of *Hollingshed*, and *Stow*: but I know that neither History, nor Precedent, will pass with you for Law. And though there be a Writ *de hæretico comburendo* in the Register (as you may read in *Fitzherbert*) grounded upon the Statutes of 2 *Hen.* 4. *cap.* 15. and 2 *Hen.* 5. *cap.* 7. yet seeing those Statutes are void, you will say the Writ is also void.

*Pb.* Yes indeed will I. Besides this, I understand not how that is true that he saith; that the Diocesan hath Jurisdiction of Heresy, and that so it was put in Use in all Queen *Elizabeth's* Reign; whereas by the Statute it is manifest, that all Jurisdiction spiritual, was given under the Queen, to the High Commissioners; how then could any one Diocesan have any Part thereof without Deputation from them, which by their Letters Patents they could not grant, nor was it reasonable they should: for the Trust was not committed to the Bishops only, but also to divers Laypersons, who might have an Eye upon their Proceedings, lest they should incroach upon the Power temporal. But at this Day there is neither Statute, nor any Law to punish Doctrine, but the ordinary Power Ecclesiastical, and that according to the Canons of the Church of *England*, only authorized by the King, the high Commission being long since abolished. Therefore let us come now to such Causes criminal, as are not capital.

### Of a P R E M U N I R E.

*La.* THE græatest Offence not capital, is that which is done against the Statute of Provisoës.

*Pb.* You have need to expound this.

*La.* This Crime is not unlike to that for which a Man is outlawed, when he will not come in and submit himself to the Law; saving that in Outlawries there is a long Process to precede it; and he that is outlawed, is put out of the Protection of the Law. But for the Offence against the Statute of Provisoës (which is called *Præmunire facias* from the Words in the Original Writ) if the Offender submit not himself to the Law within the Space of two Months after Notice, he is presently an Outlaw: and this Punishment (if not capital) is equivalent to capital? for he lives secretly at the Mercy of those that know where he is, and cannot without the like Peril to themselves, but discover him. And it has been much disputed before the Time of Queen *Elizabeth*, whether he might not be lawfully killed by any  
Man

Man that would, as one might kill a Wolf: It is like the Punishment amongst the old *Romans* of being barred the Use of Fire and Water, and like the great Excommunication in the Papacy, when a Man might not eat or drink with the Offender without incurring the like Penalty.

*Pb.* Certainly the Offence for which this Punishment was first ordained, was some abominable Crime, or of extraordinary Mischief.

*La.* So it was: For the Pope, you know, from long before the Conquest, incroached every Day upon the Power temporal. Whatsoever could be made to seem to be *in ordine ad Spiritualia* was in every Commonwealth claimed, and haled to the Jurisdiction of the Pope: And for that End in every Country he had his Court Ecclesiastical; and there was scarce any Cause Temporal, which he could not, by one Shift or other, hook into his Jurisdiction, in such sort as to have it try'd in his own Courts at *Rome*, or in *France*, or in *England* itself. By which means the King's Laws were not regarded, Judgments given in the King's Courts were avoided, and Presentations to Bishopricks, Abbies, and other Benefices (founded and endowed by the Kings and Nobility of *England*) were bestowed by the Pope upon Strangers, or such as (with Money in their Purfes) could travel to *Rome*, to provide themselves of such Benefices. And suitably hereunto, when there was a Question about a Tithe, or a Will, though the Point were merely temporal, yet the Pope's Court here would fetch them in, or else one of the Parties would appeal to *Rome*. Against these Injuries of the *Roman Church*, and to maintain the Right and Dignity of the Crown of *England*, *Edward I.* made a Statute concerning Provisors (that is, such as provide themselves with Benefices here from *Rome*) for in the twenty-fifth Year of his Reign, he ordained in a full Parliament, that the Right of Election of Bishops, and Right of Advowsons and Presentations belonged to himself, and to the Nobility that were the Founders of such Bishopricks, Abbies, and other Benefices. And he enacted farther, that if any Clerk, which he, or any of his Subjects should present, should be disturbed by any such Provisor, that such Provisor or Disturber should be attached by his Body, and if convicted, lie in Prison till he were ransomed at the King's Will, and had satisfy'd the Party grieved, renounced his Title, and found Sureties not to sue for it any farther; and that if they could not be found, then Exigents should go forth to Outlawry, and the Profits of the Benefice in the mean time be taken into the King's Hands. And the same Statute is confirmed in the twenty-seventh Year of King *Edward III.* which Statute alloweth to these Provisors six Weeks to appear, but if they appear before they be outlaw'd, they shall be received to make Answer; but if they render not themselves, they shall forfeit all their Lands, Goods, and Chattels, besides that they stand outlaw'd. The same Law is confirmed again by *16 Richard II. cap. 5.* in which is added (because these Provisors obtained sometimes from the Pope, that such *English* Bishops, as according to the Law were instituted and inducted by the King's Presentees, should be excommunicated) that for this also, both they, and the Receivers and Publishers of such Papal Procefs, and the Procurers, should have the same Punishment.

*Pb.* Let me see the Statute itself of *27 Edward III.*

*La.* It lies there before you, set down *verbatim* by Sir *Edward Coke* himself, both in *English* and *French*.

*Pb.* 'Tis well, we are now to consider what it means, and whether it be well or ill interpreted by Sir *Edward Coke*. And first it appeareth by the Preamble (which Sir *Edward Coke* acknowledgeth to be the best Interpreter of the Statute) that this Statute was made against the Incroachments only of the Church of *Rome*, upon the Right of the King, and other Patrons, to collate Bishopricks and other Benefices within the Realm of *England*; and against the Power of the Courts Spiritual, to hold Plea of Controversies determinable in any of the Courts of the King, or to reverse any Judgment there given, as being Things that tend to the Dishonour of the King, and Destruction of the Common Law of the Realm always used.

Put

Put the Case now that a Man had procured the Pope to reverse a Decree in Chancery, had he been within the Danger of Premunire?

*La.* Yes certainly; or if the Judgment had been given in the Court of the Lord Admiral, or in any other King's Court whatsoever, either of Law or Equity; for Courts of Equity are most properly Courts of the Common Law of *England*, because Equity and Common Law (as Sir *Edward Coke* says) are all one.

*Pb.* Then the Word Common Law is not in this Preamble restrained to such Courts only where the Trial is by Juries, but comprehends all the King's temporal Courts, if not also the Courts of those Subjects that are Lords of great Mannors.

*La.* 'Tis very likely, yet I think it will not by every Man be granted.

*Pb.* The Statute also says, That they who draw Men out of the Realm in Plea, whereof the Cognizance pertaineth to the King's Court, or of Things whereof Judgment is given in the King's Court, are within the Cafes of Premunire. But what if one Man draw another to *Lambeth* in Plea, whereof Judgment is already given at *Westminster*; is he by this Clause involved in a Premunire?

*La.* Yes: For though it be not out of the Realm, yet it is within the Meaning of the Statute, because the Pope's Court, not the King's Court, was then perhaps at *Lambeth*.

*Pb.* But in Sir *Edward Coke's* Time the King's Court was at *Lambeth*, and not the Pope's.

*La.* You know well enough, that the Spiritual Court has no Power to hold Pleas of Common Law.

*Pb.* I do so; but I know not for what Cause any simple Man that mistakes his right Court, should be out of the King's Protection, lose his Inheritance, and all his Goods personal and real; and if taken, be kept in Prison all his Life. This Statute cannot be by Sir *Edward Coke's* Torture made to say it. Besides, such Men are ignorant in what Courts they are to seek their Remedy: And it is a Custom confirmed by perpetual Usage, that such ignorant Men should be guided by their Counsel at Law. It is manifest therefore, that the Makers of the Statute intended not to prohibit Men from their suing for their Right, neither in the Chancery, nor in the Admiralty, nor in any other Court, except the Ecclesiastical Courts, which had their Jurisdictions from the Church of *Rome*. Again, where the Statute says, "which do sue in any other Court, or defeat a Judgment in the King's Court," what is the Meaning of another Court? Another Court than what? Is it not here meant the King's Bench, or Court of Common Pleas? Does a Premunire lye for every Man that sues in Chancery, for that which might be remedied in the Court of Common Pleas? or can a Premunire lie by this Statute against the Lord Chancellor? The Statute lays it only on the Party that sueth, not upon the Judge which holdeth the Plea. Nor could it be laid neither by this Statute, nor by the Statute of 16 *Rich.* 2. upon the Judges, which were then punishable only by the Pope's Authority. Seeing then the Party suing has a just Excuse upon the Counsel of his Lawyer; and the temporal Judge and the Lawyer both are out of the Statute, the Punishment of the Premunire can light upon nobody.

*La.* But Sir *Edward Coke* in this same Chapter bringeth two Precedents to prove, that though the Spiritual Courts in *England* be now the King's Courts, yet whosoever sueth in them for any thing triable by the Common Law, shall fall into a Premunire. One is, that whereas in the 22d of *Hen.* 8. all the Clergy of *England* in a Convocation, by public Instrument acknowledged the King to be supreme Head of the Church of *England*; yet after this, *viz.* 25 of *H.* 8. this Statute was in force.

*Pb.* Why not? A Convocation of the Clergy could not alter the Right of Supremacy; their Courts were still the Pope's Courts. The other Precedent in the 25th of *Hen.* 8. of the Bishop of *Norwich* may have the same Answer, for the King was not declared Head of the Church by the Act of Parliament, till the 26th Year of his Reign. If he had not mistrusted his own Law, he would not have laid hold on so weak a Proof as these Precedents. And as to the Sentence of Premunire upon the Bishop of *Norwich*, neither doth this Statute, nor that other of *R.* 2.

warrant it ; he was sentenced for threatening to excommunicate a Man which had sued another before the Mayor : But this Statute forbids not that, but forbids the bringing in, or publishing of Excommunications, or other Proceſs from *Rome*, or any other Place. Before the 26th of *Hen. 8.* there is no Question, but that for a Suit in the Spiritual Court here in a temporal Cause, there lay a Premunire ; and if perhaps some Judge or other hath since that Time judged otherwise, his Judgment was erroneous.

*La.* Nay, but by the Statute of 16 *Rich. 2. cap. 5.* it appeareth to the contrary, as Sir *Edward Coke* here will shew you. The Effect, saith he, of the Statute of *Rich. 2.* is ; That if any pursue, or Cause to be pursued, in the Court of *Rome*, or elsewhere, any thing which toucheth the King, against him, his Crown, or Regality, or his Realm, they, their Notaries, &c. shall be out of the King's Protection.

*Pb.* I pray you let me know the very Words of the Statute as they lye.

*La.* Presently. The Words are, *If any Man purchase, or pursue, or cause to be purchased, or pursued, in the Court of Rome, or elsewhere, any such Translations, Proceſses, and Sentences of Excommunication, Bulls, Instruments, or any other things whatsoever, which touch the King, against him, his Crown, and his Regality, or his Realm, as is aforesaid, &c.*

*Pb.* If a Man bring a Plea of Common Law into the Spiritual Court, which is now the King's Court, and the Judge of this Spiritual Court hold Plea thereof : by what Construction can you draw it within the Compass of the Words you have now read. To sue for my Right in the King's Court, is no pursuing of Translations of Bishopricks made, or procured in the Court of *Rome*, or any Place else, but only in the Court of the King ; nor is this Suit against the King, nor his Crown, nor his Regality, nor his Realm, but the contrary. Why then is it a Premunire ? No. He that brings in, or setteth out a Writing in any Place whatsoever, wherein is contained, that the King hath so given away his Jurisdiction, as that if a Subject be condemned falsely, his Submission to the King's Judgment is of none Effect ; or that the King upon no Necessity whatsoever can, out of Parliament-time, raise Money for the Defence of the Kingdom, is, in my Opinion, much more within the Statute of Provisors, than they which begin Suit for a temporal Matter in a Court spiritual. But what Argument has he for this Law of his (since the Statute Law fails him) from the Law of Reason.

*La.* He says they are called Courts, either because they proceed by the Rules of other Laws, as by the Canon, or Civil Law, or by other Trials than the Common Law doth warrant : For the Trials warranted by the Law of *England* for Matter of Fact, is by Verdict of twelve Men before the Judges of the Common Law, in Matters pertaining to the Common Law, and not upon the Examination of Witnesſes, as in the Court of Equity ; so that *Alia Curia* is either that which is governed *per aliam Legem*, or which draweth the Party *ad aliud examen*. For if—

*Pb.* Stop there. Let us consider of this you have read, for the Trial warranted by the Law of *England*, is by Verdict of twelve Men. What means he here by the Law of *England* ? Does it not warrant the Trials in Chancery, and in the Court of Admiralty by Witnesſes ?

*La.* By the Law of *England* he means the Law used in the King's Bench, that is to say, the Common Law.

*Pb.* This is just as if he had said, that these two Courts did warrant their own way of Trial ; but other Courts not so, but were warranted by the King, only the Courts of Common Law were Warrants to themselves : you see that *alia Curia* is this way ill expounded. In the Courts of Common Law all Trials are by twelve Men, who are Judges of the Fact : and the Fact known and proved, the Judges are to pronounce the Law ; but in the Spiritual Court, the Admiralty, and in all the Courts of Equity, there is but one Judge, both of Fact and of Law ; this is all the Difference. If this Difference be intended in the Statute by *alia Curia*, there would be a Premunire for suing in a Court, being not the King's Court : The King's Bench and Court of Common Pleas may also be different Kinds of Courts, because the Proceſs is different ; but it is plain that this Statute doth not distinguish Courts other-  
wise

wife than into the Courts of the King, and into the Courts of the foreign States and Princes. And seeing you stand upon the Name of a Jury for the distinguishing of Courts, what Difference do you find between the Trials at the Common Law, and the Trials in other Courts? You know that in Trials of Fact, naturally, and through all the World, the Witnesses are Judges, and it is impossible to be otherwise. What then in *England* can a Jury judge of, except it be of the Sufficiency of the Testimony? The Justices have nothing to judge of, nor do, but after the Fact is proved, to declare the Law; which is not Judgment, but Jurisdiction. Again, though the Trial be in Chancery, or in the Court of Civil Law, the Witnesses are still Judges of the Fact, and he that hath the Commission to hear the Cause, hath both the Parts; that is to say, of a Jury to judge of the Testimony, and of a Justice to declare the Law. In this, I say, lies all the Difference, which is indeed enough to make a Dispute (as the World goes) about Jurisdiction: but seeing it tends neither to the Dishonour of the King, nor of the People, nor to the Subversion of the Law of Reason, *i. e.* of Common Law, nor to the Subversion of Justice, nor to any Harm of the Realm, without some of which these Statutes are not broken, it cannot be a Premunire.

*La.* Let me read on. For if the Freehold Inheritances, Goods and Chattels, Debts and Duties, wherein the King and Subject have Right and Property by the Common Law, should be judged *per aliam Legem*, or be drawn *ad aliud Examen*, the three Mischiefs before expressed, would follow: *viz.* the Destruction of the King and his Crown, the Dishonour of the People, and the Undoing and Destruction of the Common Law always used.

*Pb.* That is to say, of the Law of Reason. From hence it follows, that where there are no Juries, and where there are different Laws from ours; that is to say, in all the World besides; neither King, nor People, have any Inheritance, nor Goods, nor any Law of Reason. I will examine his Doctrine concerning Cases Criminal no farther. He no where defineth a Crime, that we may know what it is: An odious Name sufficeth him to make a Crime of any thing. He hath put Heresy among the most odious Crimes, not knowing what it signifies; and upon no other Cause, but because the Church of *Rome* (to make their usurped Power more terrible) had made it by long Preaching against it, and Cruelty shewn towards many godly and learned Men of this and other Reformed Churches, appear to common People a Thing detestable. He puts it in as a Plea of the Crown in the Time of Queen *Elizabeth*, whereas in her Time there was no Doctrine Heresy; but Justice *Stamford* leaves it out, because when Heresy was a Crime, it was a Plea of the *Mitre*. I see also in this Catalogue of Causes Criminal, he inserteth costly Feeding, costly Apparel, and costly Building, though they were contrary to no Statute. 'Tis true, that by evil Circumstances they become Sins; but these Sins belong to the Judgment of the Pastors Spiritual. A Justice of the Temporal Law (seeing the Intention only makes them Sins) cannot judge whether they be Sins or no, unless he have Power to take Confessions. Also he makes Flattery of the King to be a Crime. How could he know when one Man had flattered another? He meant therefore that it was a Crime to please the King: And accordingly he citeth divers Calamities of such as had been in Times past in great Favour of the Kings they served; as the Favourites of *Hen. 3. Ed. 2. Rich. 2. Hen. 6.* which Favourites were some imprisoned, some banished, and some put to Death by the same Rebels that imprisoned, banished, and put to Death the same King, upon no better Ground than the Earl of *Strafford*, the Archbishop of *Canterbury*, and King *Charles I.* by the Rebels of that Time. *Empson* and *Dudley* were no Favourites of *Henry VII.* but Spunges, which King *Henry VIII.* did well squeeze. Cardinal *Woolsey* was indeed for divers Years a Favourite of *Henry VIII.* but fell into Disgrace, not for flattering the King, but for not flattering him in the Business of Divorce from Queen *Catherine*. You see his Reasoning here, see also his Passion in the Words following. We will for some Causes descend no lower, *Qui eorum vestigiis insistant, eorum exitus perborrescant*, this is put in for the Favourite (that then

then was) of King *James*. But let us give over this, and speak of the legal Punishments to these Crimes belonging.

### Of PUNISHMENTS.

AND in the first Place I desire to know who it is that hath the Power, for an Offence committed, to define and appoint the special manner of Punishment; for I suppose you are not of the Opinion of the *Stoics* in old Time, that all Faults are equal, and that there ought to be the same Punishment for killing a Man, as for killing a Hen.

*La.* The manner of Punishment in all Crimes whatsoever is to be determined by the Common Law. That is to say, if it be a Statute that determines it, then the Judgment must be according to the Statute; if it be not specified by the Statute, then the Custom in such Cases is to be followed: But if the Case be new, I know not why the Judge may not determine it according to Reason.

*Pb.* But according to whose Reason? If you mean the natural Reason of this or that Judge authorized by the King to have Cognizance of the Cause, there being as many several Reasons as there are several Men, the Punishment of all Crimes will be uncertain, and none of them ever grow up to make a Custom. Therefore a Punishment certain can never be assigned, if it have its beginning from the natural Reasons of deputed Judges, no, nor from the natural Reason of the supreme Judge: For if the Law of Reason did determine Punishments, then for the same Offences there should be through all the World, and in all Times, the same Punishments; because the Law of Reason is immutable and eternal.

*La.* If the natural Reason neither of the King, nor of any else, be able to prescribe a Punishment, how can there be any lawful Punishment at all?

*Pb.* Why not? For I think that in this very Difference between the rational Faculties of particular Men, lieth the true and perfect Reason that maketh every Punishment certain. For, but give the Authority of defining Punishments to any Man whatsoever, and let that Man define them, and right Reason has defin'd them. Suppose the Definition be both made, and made known, before the Offence committed: For such Authority is to trump in Card-playing, save that in Matter of Government, when nothing else is turn'd up, Clubs are Trump. Therefore seeing every Man knoweth by his own Reason what Actions are against the Law of Reason, and knoweth what Punishments are by this Authority for every evil Action ordained; it is manifest Reason, that for breaking the known Laws, he should suffer the known Punishments. Now the Person to whom this Authority of defining Punishments is given, can be no other in any place of the World, but the same Person that hath the Sovereign Power, be it one Man, or one Assembly of Men: For it were in vain to give it to any Person that had not the Power of the Militia to cause it to be executed; for no less Power can do it, when many Offenders be united and combin'd to defend one another. There was a Case put to King *David* by *Nathan*, of a rich Man that had many Sheep, and of a poor Man that had but one, which was a tame Lamb: The rich Man had a Stranger in his House, for whose Entertainment (to spare his own Sheep) he took away the poor Man's Lamb. Upon this Case the King gave Judgment, *Surely the Man that hath done this shall die*. What think you of this? Was it a royal or tyrannical Judgment?

*La.* I will not contradict the Canons of the Church of *England*, which acknowledgeth the King of *England*, within his own Dominions, hath the same Rights which the good Kings of *Israel* had in theirs; nor deny King *David* to have been one of those good Kings: But to punish with Death without a precedent Law, will seem but a harsh Proceeding with us, who unwillingly hear of arbitrary Laws, much less of arbitrary Punishments, unless we were sure that all our Kings would be as good as *David*. I will only ask you by what Authority the Clergy may take upon them to determine, or make a Canon concerning the Power of their own King, or to distinguish between the Right of a good and an evil King?

*Pb.* It

*Ph.* It is not the Clergy that maketh their Canons to be Law, but it is the King that doth it by the Great Seal of *England*; and it is the King that giveth them Power to teach their Doctrines; in that, that he authoriseth them publicly to teach and preach the Doctrine of Christ and his Apostles, according to the Scriptures, wherein this Doctrine is perspicuously contained. But if they had derogated from the Royal Power in any of their Doctrines published, then certainly they had been to blame; nay, I believe, that they had been more within the Statute of Premunire of 16 *Rich. 2. c. 5.* than any Judge of a Court of Equity for holding Pleas of Common Law. I cite not this Precedent of King *David*, as approving the Breach of the great Charter, or justifying the Punishment, with Loss of Life or Member, of every Man that shall offend the King; but to shew you, that before the Charter was granted, in all Cases where the Punishments were not prescribed, it was the King only that could prescribe them; and that no deputed Judge could punish an Offender, but by Force of some Statute, or by the Words of some Commission, and not *ex officio*. They might for a Contempt of their Courts, because it is a Contempt of the King, imprison a Man during the King's Pleasure, or fine him to the King, according to the Greatness of the Offence: But all this amounteth to no more, than to leave him to the King's Judgment. As for cutting off of Ears, and for the Pillory, and the like corporal Punishments, usually inflicted heretofore in the Star-Chamber, they were warranted by the Statute of *Henry VII.* that giveth them Power to punish sometimes by Discretion. And generally it is a Rule of Reason, that every Judge of Crimes, in case the positive Law appoint no Punishments, and he have no other Command from the King; then to consult the King before he pronounce Sentence of any irreparable Damage on the Offender: For otherwise he doth not pronounce the Law, which is his Office to do, but makes the Law, which is the Office of the King. And from this you may collect, that the Custom of punishing such and such a Crime, in such and such a manner, hath not the Force of Law in itself, but from an assured Presumption, that the Original of the Custom was the Judgment of some former King. And for this Cause the Judges ought not to run up for the Customs by which they are warranted to the Time of the *Saxon* Kings, nor to the Time of the Conquest: For the most immediate antecedent Precedents are the fairest Warrants of their Judgments, as the most recent Laws have commonly the greatest Vigour, as being fresh in the Memory of all Men, and tacitly confirmed (because not disapproved) by the Sovereign Legislator. What can be said against this?

*La.* Sir *Edward Coke*, 3 *Inst. p. 210*, in the Chapter of Judgments and Executions, saith, that of Judgments some are by the Common Law, some by the Statute Law, and some by Custom; wherein he distinguisheth Common Law both from Statute Law and from Custom.

*Ph.* But you know, that in other Places he makes the Common Law and the Law of Reason to be all one, as indeed they are, when by it is meant the King's Reason; and then his Meaning in this Distinction must be, that there be Judgments by Reason without Statute Law, and Judgments neither by Statute Law, nor by Reason, but by Custom without Reason; for if a Custom be reasonable, then both he, and other learned Lawyers say, it is Common Law; and if unreasonable, no Law at all.

*La.* I believe Sir *Edward Coke's* Meaning was no other than yours in this Point, but that he inserted the word Custom, because there be not many that can distinguish between Customs reasonable and unreasonable.

*Ph.* But Custom, so far forth as it hath the Force of a Law, hath more of the Nature of a Statute than of the Law of Reason, especially where the Question is not of Lands and Goods, but of Punishments, which are to be defined only by Authority. Now to come to Particulars: What Punishment is due by Law for High Treason?

*La.* To be drawn upon a Hurdle from the Prison to the Gallows, and there to be hanged by the Neck, and laid upon the Ground alive, and have his Bowels taken

out and burnt, whilst he is yet living; to have his Head cut off, his Body to be divided into four Parts, and his Head and Quarters to be placed as the King shall assign.

*Pb.* Seeing a Judge ought to give Judgment according to the Law, and that this Judgment is not appointed by any Statute, how does Sir *Edward Coke* warrant it by Reason, or how by Custom?

*La.* Only thus, Reason it is, that his Body, Lands, Goods, Posterity, &c. should be torn, pulled asunder, and destroy'd, that intended to destroy the Majesty of Government.

*Pb.* See how he avoids saying the Majesty of the King. But does not this Reason make as much for punishing a Traitor, as *Metius Suffetius*, in old time, was executed by *Tullus Hostilius* King of Rome, or as *Ravillac*, not many Years ago in France, who were torn in Pieces by four Horses, as it does for Drawing, Hanging, and Quartering?

*La.* I think it does. But he confirms it also in the same Chapter, by holy Scripture. Thus *Joab* for Treason, 1 *Kings* ii. 28. was drawn from the Horns of the Altar; that's Proof for drawing upon a Hurdle. *Esb.* ii. 22. *Bitban* for Treason was hang'd; there's Proof for hanging. *Acts* i. 18. *Judas* hanged himself, and his Bowels were poured out; there's for hanging, and embowelling alive. 2 *Sam.* xviii. 14. *Joab* pierced *Abfalom's* Heart; that's Proof for pulling out a Traitor's Heart. 2 *Sam.* xx. 22. *Sheba* the Son of *Bichri* had his Head cut off; which is Proof that a Traitor's Head ought to be cut off. 2 *Sam.* iv. 12. they slew *Baanab* and *Rechab*, and hung up their Heads over the Pool of *Hebron*; this is for setting up of Quarters. And lastly, for Forfeiture of Lands and Goods, *Psal.* cix. 9, 10, &c. "Let their Children be driven out, and beg, and other Men make Spoil of their Labours, and let their Memory be blotted out of the Land.

*Pb.* Learnedly said; and no Record is to be kept of the Judgment. Also the Punishments divided between those Traitors must be join'd in one Judgment for a Traitor here.

*La.* He meant none of this, but intended (his Hand being in) to shew his Reading, or his Chaplain's, in the Bible.

*Pb.* Seeing then, for the specifying of the Punishment in Case of Treason, he brings no Argument from natural Reason; that is to say, from the Common Law; and that it is manifest that it is not the general Custom of the Land, the same being rarely, or never executed upon any Peer of the Realm, and that the King may remit the whole Penalty, if he will; it follows, that the specifying of the Punishment depends merely upon the Authority of the King. But this is certain, that no Judge ought to give other Judgment, than has been usually given and approved, either by Statute, or by Consent express or imply'd, of the Sovereign Power; for otherwise it is not the Judgment of the Law, but of a Man subject to the Law.

*La.* In petit Treason the Judgment is, to be drawn to the Place of Execution, and hang'd by the Neck, or if it be a Woman, to be drawn and burnt.

*Pb.* Can you imagine, that this so nice a Distinction can have any other Foundation than the Wit of a private Man?

*La.* Sir *Edward Coke* upon this Place says, that she ought not to be beheaded or hanged.

*Pb.* No, not by the Judge, who ought to give no other Judgment than the Statute or the King appoints, nor the Sheriff to make other Execution than the Judge pronounceth; unless he have a special Warrant from the King. And this I should have thought he had meant, had he not said before, that the King had given away all his Right of Judicature to his Courts of Justice.

*La.* The Judgment for Felony is——

*Pb.* Heresy is before Felony in the Catalogue of the Pleas of the Crown.

*La.* He has omitted the Judgment against a Heretic, because (I think) no Jury can find Heresy, nor no Judge temporal did ever pronounce Judgment upon it: For the Statute of 2 *Hen.* 5. c. 7. was, that the Bishop having convicted any Man

of

of Heresy, should deliver him to the Sheriff, and that the Sheriff should believe the Bishop. The Sheriff therefore was bound by the Statute of 2 Hen. 4. after he was delivered to him, to burn him; but that Statute being repeal'd, the Sheriff could not burn him, without a Writ *de Hæretico comburendo*, and therefore the Sheriff burnt *Legat*, 9 King James, by that Writ, which was granted by the Judges of the Common Law at that Time, and in that Writ the Judgment is expressed.

*Pb.* This is strange Reasoning; when Sir Edward Coke knew, and confessed, that the Statutes upon which the Writ *de Hæretico comburendo* was grounded, were all repealed, how could he think the Writ itself could be in Force; or that the Statute which repealeth the Statutes for burning Heretics was not made with an Intent to forbid such Burning? It is manifest he understood not his Books of Common Law: for in the Time of Hen. 4. and Hen. 5. the Word of the Bishop was the Sheriff's Warrant, and there was need of no such Writ; nor could be till the 25th of Hen. 8. when those Statutes were repealed, and a Writ made for that Purpose, and put into the Register, which Writ *Fitzberbert* cites in the End of his *Natura brevium*. Again, in the latter end of the Reign of Queen Elizabeth was published a correct Register of original and judicial Writs, and the Writ *de Hæretico comburendo* left out, because that Statute of 25 H. 8. and all Statutes against Heretics, were repealed, and Burning forbidden. And whereas he citeth for the granting of this Writ, 9 Jac. the Lord Chief Justice, the Lord Chief Baron, and two Justices of the Common Pleas, it is, as to all, but the Lord Chief against the Law; for neither the Judges of Common Pleas, nor of the Exchequer, can hold Pleas of the Crown (without special Commission) and if they hold Plea, they cannot condemn.

*La.* The Punishment for Felony is, that the Felon be hanged by the Neck till he be dead. And to prove that it ought to be so, he cites a Sentence (from whence I know not) *Quod non licet Felonem pro Felonia decollare*.

*Pb.* It is not indeed lawful for the Sheriff of his own Head to do it, or to do otherwise than is commanded in the Judgment, nor for the Judge to give any other Judgment than according to Statute Law, or the Usage consented to by the King; but this hinders not the King from altering his Law concerning Judgments, if he see good Cause.

*La.* The King may do so, if he please: And Sir Edward Coke tells you how he altered particular Judgments in Case of Felony, and sheweth, that Judgment being given upon a Lord in Parliament, that he should be hanged, he was nevertheless beheaded; and that another Lord had the like Judgment for another Felony, and was not hanged, but beheaded; and withal he shews you the Inconveniency of such Proceeding, because, saith he, if Hanging might be altered to Beheading, by the same Reason it might be altered to Burning, stoning to Death, &c.

*Pb.* Perhaps there might be Inconveniency in it; but 'tis more than I see, or he shews, nor did there happen any Inconveniency in the Execution he citeth: besides he granteth, that Death being *ultimum supplicium* is a Satisfaction to the Law. But what is all this to the Purpose, when it belongeth not to consider such Inconveniencies of Government but to the King and Parliament? or who from the Authority of a deputed Judge can derive a Power to censure the Actions of a King that hath deputed him?

*La.* For the Death of a Man by Misfortune, there is, he saith, no express Judgment, nor for killing a Man in one's own Defence; but he saith, that the Law hath in both Cases given Judgment, that he that so killeth a Man shall forfeit all his Goods and Chattels, Debts and Duties.

*Pb.* If we consider what Sir Edward Coke saith, 1 *Inst.* 745, at the Word *Felony*, these Judgments are very favourable: for there he saith, that killing of a Man by *Chance-medly*, or *se defendendo*, is *Felony*. His Words are; Wherefore by the Law at this Day, under the Word *Felony* in Commissions, &c. is included Petit Treason, Murder, Homicide, burning of Houses, Burglary, Robbery, Rape, &c. *Chance-medly*, and *se defendendo*. But if we consider only the Intent of him that killeth a Man by Misfortune, or in his own Defence, the same Judgments will be thought

both cruel, and sinful Judgments. And how they can be *Felony* at this Day cannot be understood, unless there be a Statute to make them so. For the Statute of 25 H. 3. c. 25. the Words whereof, "Murder from henceforth shall not be judged before our Justices, where it is found Misfortune only; but it shall take Place in such as are slain by *Felony*, and not otherwise," make it manifest, if they be *Felonies*, they must also be Murders, unless they have been made *Felonies* by some later Statute.

*La.* There is no such later Statute, nor is it to say in Commission; nor can a Commission, or any thing but another Statute make a thing *Felony*, that was not so before.

*Pb.* See what it is for a Man to distinguish *Felony* into several Sorts, before he understands the general Name of *Felony* what it meaneth; but that a Man for killing another Man by Misfortune only, without any evil Purpose, should forfeit all his Goods and Chattels, Debts and Duties, is a very hard Judgment, unless perhaps they were to be given to the Kindred of the Man slain, by way of amends for Damage. But the Law is not that. Is it the Common Law, which is the Law of Reason, that justifies his Judgment, or the Statute Law? It cannot be the Law of Reason, if the Case be mere Misfortune. If a Man be upon his Apple-tree, to gather his Apples, and by ill Fortune fall down, and lighting on the Head of another Man kill him, and by good Fortune saves himself; shall he for this Mischance be punished with the Forfeiture of his Goods to the King? Does the Law of Reason warrant this? He should, you will say, have looked to his Feet; that is true, but so should he that was under have looked up to the Tree. Therefore in this Case the Law of Reason, as I think, dictates, that they ought each of them to bear his own Misfortune.

*La.* In this Case I agree with you.

*Pb.* But this Case is the true Case of mere Misfortune, and a sufficient Reprehension of the Opinion of Sir *Edward Coke*.

*La.* But what if this had happened to be done by one that had been stealing Apples upon the Tree of another Man? then (as Sir *Edward Coke* says, 3 *Inst.* p. 56.) it had been Murder.

*Pb.* There is indeed great need of good Distinction in a Case of killing by Misfortune; but in this Case the Unlawfulness of stealing Apples cannot make it Murder, unless the falling itself be unlawful. It must be a voluntary unlawful Act that causeth the Death, or else it is no Murder by the Law of Reason. Now the Death of the Man that was under the Tree proceeded not from that, that the Apples were not his that fell, but from the Fall. But if a Man shoot with a Bow or a Gun at another Man's Deer, and by Misfortune kill a Man, such shooting being both voluntary and unlawful, and also the immediate Cause of the Man's Death, may be drawn perhaps well enough sometimes to Murder by a Judge of the Common Law. So likewise if a Man shoot an Arrow over a House, and by Chance kill a Man in the Street, there is no doubt but by the Law of Reason it is Murder, for though he meant no Malice to the Man slain, yet it is manifest, that he cared not whom he slew. In this Difficulty of finding out what it is that the Law of Reason dictates, who is it that must decide the Question?

*La.* In the Case of Misfortune, I think it belongs to the Jury; for it is Matter of Fact only: but when it is doubtful whether the Action from which the Misfortune came, were lawful or unlawful, it is to be judged by the Judge.

*Pb.* But if the Unlawfulness of the Action (as the stealing of the Apples) did not cause the Death of the Man, then the stealing, be it *Trespafs*, or *Felony*, ought to be punished alone, as the Law requireth.

*La.* But for killing of a Man *se defendendo*, the Jury (as Sir *Edward Coke* here says) shall not in their Verdict say it was *se defendendo*, but shall declare the Manner of the Fact in Special, and clear it to the Judge, to consider how it is to be called, whether *se defendendo*, Manslaughter, or Murder.

*Pb.*

*Pb.* One would think so; for it is not often within the Capacity of a Jury to distinguish the Signification of the different and hard Names which are given by Lawyers to the killing of a Man; as Murder and Felony, which neither the Laws, nor the Makers of the Laws, have yet defined. The Witnesses say, that thus and thus the Person did, but not that it was Murder or Felony; no more can the Jury say, who ought to say nothing but what they hear from the Witnesses, or from the Prisoner. Nor ought the Judge to ground his Sentence upon any thing else, besides the special Matter found, which according as it is contrary, or not contrary to the Statute, ought to be pronounced.

*La.* But I have told you, that when the Jury has found Misfortune, or *se defendendo*, there is no Judgment at all to be given, and the Party is to be pardoned of Course, saving that he shall forfeit his Goods and Chattels, Debts and Duties, to the King.

*Pb.* But I understand not how there can be a Crime for which there is no Judgment, nor how any Punishment can be inflicted without a precedent Judgment, nor upon what Ground the Sheriff can seize the Goods of any Man, till it be judged that they be forfeited. I know that Sir *Edward Coke* saith, that in the Judgment of Hanging, the Judgment of Forfeiture is implied, which I understand not; though I understand well enough, that the Sheriff, by his Office, may seize the Goods of a Felon convicted; much less do I conceive how the Forfeiture of Goods can be imply'd in a No-judgment, nor do I conceive, that when the Jury has found the special Manner of the Fact to be such, as is really no other than *se defendendo*, and consequently, no Fault at all, why he should have any Punishment at all. Can you shew me any Reason for it?

*La.* The Reason lies in the Custom.

*Pb.* You know that unreasonable Customs are not Law, but ought to be abolished; and what Custom is there more unreasonable, than that a Man should be punished without a Fault?

*La.* Then see the Statute of 24 *Hen. 8. cap. 5.*

*Pb.* I find here, that at the making of this Statute there was a Question amongst the Lawyers, in case one Man should kill another, that attempted feloniously to rob or murder him, in or near any common High-way, Court-way, Horse-way, or Foot-way, or in his Mansion, Messuage, or Dwelling-place; whether, for the Death of such a Man, one shall forfeit his Goods and Chattels, as a Man should do for killing another by Chance-medley, or in his own Defence? This is the Preamble, and penned as well as Sir *Edward Coke* could have wished; but this Statute does not determine, that a Man should forfeit his Goods for killing a Man *se defendendo*, or for killing him by Misfortune; but supposeth it only upon the Opinion of the Lawyers that then were. The Body of the Statute is, that if a Man be indicted or appealed for the Death of such Person so attempting as aforesaid, and the same by Verdict be so found and tried, he shall not forfeit any thing, but shall be discharged, as if he had been found *not guilty*. You see the Statute, now consider thereby in the Case of killing *se defendendo*. First, if a Man kill another in his own Defence, it is manifest, that the Man slain did either attempt to rob, or to kill, or to wound him; for else it was not done in his own Defence. If then it were done in the Street, or near the Street, as in a Tavern, he forfeits nothing, because the Street is a Highway. So likewise it is to be said of all other Common-ways. In what Place therefore can a Man kill another in his own Defence, but that this Statute will discharge him of the Forfeiture?

*La.* But the Statute says the Attempt must be felonious.

*Pb.* When a Man assaults me with a Knife, Sword, Club, or other mortal Weapon, does any Law forbid me to defend myself, or command me to stay so long as to know whether he have a felonious Intent or no? Therefore by this Statute, in case it be found *se defendendo*, the Forfeiture is discharged; if it be found otherwise, it is capital. If we read the Statute of *Glocester, cap. 9.* I think it will take away the Difficulty: For by that Statute, in case it be found by the Country, that

he did it in his own Defence, or by Misfortune, then by the Report of the Justices to the King, the King shall take him to his Grace, if it please him. From whence it followeth, first, that it was then thought Law, that the Jury may give the general Verdict of *se defendendo*, which Sir *Edward Coke* denies. Secondly, that the Judge ought to report especial Matter to the King. Thirdly, that the King may take him to his Grace, if he please, and consequently, that his Goods are not to be seized, till the King (after the Report of the Judge heard) give the Sheriff Command to do it. Fourthly, that the general Verdict of the Jury hinders not the King, but that he may judge of it upon the special Matter; for it often happens, that an ill-disposed Person provokes a Man with Words, or otherwise, on purpose to make him draw his Sword, that he may kill him, and pretend it done in his own Defence; which appearing, the King may, without any Offence to God, punish him as the Cause shall require. Lastly (contrary to the Doctrine of Sir *Edward Coke*) he may in his own Person be Judge in the Case, and annul the Verdict of the Jury, which a deputed Judge cannot do.

*La.* There be some Cases wherein a Man, though by the Jury he be found *not guilty*, shall nevertheless forfeit his Goods and Chattels to the King. For Example; a Man is slain, and one *A.* hating *B.* giveth out that it was *B.* that slew him: *B.* hearing thereof, fearing if he be try'd for it, that through the great Power of *A.* and others that seek his Hurt, he should be condemned, flieth, and afterwards is taken, and try'd; and upon sufficient Evidence is by the Jury found *not guilty*; yet because he fled he shall forfeit his Goods and Chattels, notwithstanding there be no such Judgment given by the Judge, nor appointed by any Statute, but the Law itself authoriseth the Sheriff to seize them to the Use of the King.

*Pb.* I see no Reason (which is Common Law) for it, and am sure it is grounded upon no Statute.

*La.* See Sir *Edward Coke*, *Inst. Sect. 1. 709.* and read.

*Pb.* If a Man that is innocent be accused of Felony, and for Fear flieth for the same; albeit that he be judicially acquitted of the Felony, yet if it be found that he fled for the same, he shall (notwithstanding his Innocence) forfeit all his Goods and Chattels, Debts and Duties. O unchristian and abominable Doctrine! which also he in his own Words following contradicteth: For, saith he, as to the Forfeiture of them, the Law will admit no Proof against the Presumption of the Law grounded upon his Flight, and so it is in many other Cases: But that the general Rule is, *Quod stabitur presumptioni, donec probetur in contrarium*, but you see it hath many Exceptions. This general Rule contradicts what he said before; for there can be no Exceptions to a general Rule in Law, that is not expressly made an Exception by some Statute, and to a general Rule of Equity there can be no Exception at all. From the Power of Punishing, let us proceed to the Power of Pardoning.

*La.* Touching the Power of Pardoning, Sir *Edward Coke* says, *3 Inst. p. 236.* That no Man shall obtain Charter of Pardon out of Parliament, and cites for it the Statute of *2 Edw. 3. cap. 2.* and says farther, that accordingly in a Parliament Roll it is said, that for the Peace of the Land it would help, that no Pardon were granted but by Parliament.

*Pb.* What lawful Power would he have left to the King, that thus disableth him to practise Mercy? In the Statute which he citeth, to prove that the King ought not to grant Charters of Pardon but in Parliament, there are no such Words, as any Man may see; for that Statute is in Print; and that which he says is in the Parliament Roll, is but a Wish of he tells not whom, and not a Law; and 'tis strange that a private Wish should be inroll'd amongst Acts of Parliament. If a Man do you an Injury, to whom (think you) belongeth the Right of pardoning it?

*La.* Doubtless to me alone, if to me alone be done that Injury; and to the King alone, if to him alone be done the Injury; and to both together, if the Injury be done to both.

*Pb.* What

*Pb.* What Part then has any Man in the granting of a Pardon, but the King and the Party wrong'd. If you offend no Member of either House, why should you ask their Pardon. It is possible that a Man may deserve a Pardon, or he may be such a one sometimes as the Defence of the Kingdom hath need of; may not the King pardon him, though there be no Parliament then sitting? Sir *Edward Coke's* Law is too general in this Point, and I believe, if he had thought on't, he would have excepted some Persons, if not all the King's Children, and his Heir apparent; and yet they are all his Subjects, and subject to the Law as other Men.

*La.* But if the King shall grant Pardons of Murder and Felony, of his own Head, there would be very little Safety for any Man, either out of his House, or in it, either by Night or by Day: And for that very Cause there have been many good Statutes provided, which forbid the Justices to allow of such Pardons as do not specially name the Crime.

*Pb.* Those Statutes, I confess, are reasonable, which forbid the Judge to pardon Murders, but what Statute is there that forbids the King to do it? There is a Statute of 13 *Rich. II. c. 1.* wherein the King promiseth not to pardon Murder, but there is in it a Clause for the saving of the King's Regality. From which may be inferr'd, that the King did not grant away that Power, when he thought good to use it for the Commonwealth. Such Statutes are not Laws to the King, but to his Judges, and though the Judges be commanded by the King not to allow Pardons in many Cases, yet if the King by writing command the Judges to allow them, they ought to do it. I think, if the King think in his Conscience it be for the Good of the Commonwealth, he sinneth not in it; but I hold not that the King may pardon him without Sin, if any other Man be damified by the Crime committed, unless he cause Reparation to be made, as far as the Party offending can do it: And howsoever be it Sin, or not Sin, there is no Power in *England* that may resist him, or speak Evil of him lawfully.

*La.* Sir *Edw. Coke* denies not that; and upon that Ground it is that the King, he says, may pardon High Treason; for there can be no High Treason but against the King.

*Pb.* That's well; therefore he confesseth, that whatsoever the Offence be, the King may pardon so much of it as is an Injury to himself, and that by his own Right, without Breach of any Law, positive or natural, or of any Grant, if his Conscience tell him that it be not to the Damage of the Commonwealth; and you know that to judge of what is Good or Evil to the Commonwealth, belongeth to the King only. Now tell me what it is which is said to be pardoned?

*La.* What can it be but only the Offence? If a Man hath done a Murder and be pardoned for the same, is it not the Murder that is pardoned?

*Pb.* Nay, by your Favour, if a Man be pardoned for Murder or any other Offence, it is the Man that is pardoned, the Murder still remains Murder. But what is Pardon?

*La.* Pardon (as Sir *Edw. Coke* says, 3 *Inst.* p. 233) is deriv'd of *per* and  *dono*, and signifies thoroughly to remit.

*Pb.* If the King remit the Murder and pardon the Man that did it, what does the Remission serve for?

*La.* You know well enough that when we say a Murder, or any thing else is pardoned, all *Englishmen* understand thereby, that the Punishment due to the Offence is the Thing remitted.

*Pb.* But for our understanding of one another, you ought to have said so at first. I understand now, that to pardon Murder or Felony, is thoroughly to save the Offender from all the Punishment due unto him by the Law for his Offence.

*La.* Not so; for Sir *Edw. Coke* in the same Chapter, p. 238. saith thus: A Man commits Felony, and is attainted thereof, or is abjur'd; the King pardoneth the Felony without any mention of the Attainder or Abjuration, the Pardon is void.

*Pb.* What is it to be attainted?

*La.* To be attainted is, that his Blood be held in Law as stained and corrupted; so that no Inheritance can descend from him to his Children, or to any that make Claim by him.

*Pb.* Is this Attaint a part of the Crime, or of the Punishment?

*La.* It cannot be a part of the Crime, because it is none of his own Act; 'tis therefore a part of the Punishment, *viz* a Disinheritance of the Offender.

*Pb.* If it be a part of the Punishment due, and yet not pardoned together with the rest; then a Pardon is not a thorough remitting of the Punishment as Sir *Ed. Coke* says it is. And what is Abjuration?

*La.* When a Clerk heretofore was convicted of Felony, he might have saved his Life by abjuring the Realm; that is, by departing the Realm within a certain Time appointed, and taking an Oath never to return. But at this Day all Statutes for Abjuration are repeal'd.

*Pb.* That also is a Punishment, and by a Pardon of the Felony pardoned, unless a Statute be in force to the contrary. There is also somewhat in the Statute of 13 *Rich. II. c. 1.* concerning the Allowance of Charters of Pardons, which I understand not well. The Words are these; No Charter of Pardon henceforth shall be allowed before our Justices for Murder, or for the Death of a Man by await, or Malice prepens'd, Treason, or Rape of a Woman, unless the same be specified in the same Charter; for I think it follows thence, that if the King say in his Charter, that he pardoneth the Murder, then he breaketh not the Statute, because he specifies the Offence; or if he saith, he pardoneth the killing by await, or of Malice prepensed, he breaketh not the Statute, he specifies the Offence. Also if he say so much as that the Judge cannot doubt of the King's Meaning to pardon him, I think the Judge ought to allow it, because the Statute saveth the King's Liberty and Regality in that Point; that is to say, the Power to pardon him, such as are these Words, notwithstanding any Statute to the contrary, are sufficient to cause the Charter to be allowed: For these Words make it manifest, that the Charter was not granted upon Surprise, but to maintain and claim the King's Liberty and Power to shew Mercy, when he seeth Cause. The like Meaning have these Words *Perdonavimus omnimodam interfectionem*; That is to say, we have pardoned the killing in what manner soever it was done. But here we must remember that the King cannot pardon, without Sin, any Damage thereby done to another Man, unless he causes Satisfaction to be made, as far as possibly the Offender can, but is not bound to satisfy Mens Thirst of Revenge; for all Revenge ought to proceed from God, and under God from the King. Now (besides in Charters) how are these Offences specified?

*La.* They are specified by their Names, as Treason, Petit Treason, Murder, Rape, Felony, and the like.

*Pb.* Petit Treason is Felony, Murder is Felony, so is Rape, Robbery and Theft, and (as Sir *Edw. Coke* says) Petit Larceny is Felony; now if in a Parliamentary Pardon, or in a Coronation Pardon all Felonies be pardoned; whether is Petit Larceny pardoned, or not?

*La.* Yes certainly, it is pardoned.

*Pb.* And yet you see it is not specified, and yet it is a Crime that hath less in it of the Nature of Felony, than there is in Robbery. Do not therefore Rape, Robbery, Theft, pass under the Pardon of all Felonies?

*La.* I think they are all pardoned by the Words of the Statute, but those that are by the same Statute excepted; so that Specification is needful only in Charters of Pardon, but in general Pardons not so. For the Statute 13 *Rich. II. cap. 1.* forbids not the Allowance of Parliament Pardons, or Coronation Pardons, and therefore the Offences pardoned need not be specified, but may pass under the general Word of all Felonies. Nor is it likely that the Members of the Parliament who drew up their own Pardons, did not mean to make them as comprehensive as they could: And yet Sir *Edw. Coke*, 2 *Inst. Sect. 745.* at the Word  
*Felony,*

*Felony*, seemeth to be of another Mind ; for *Piracy* is one Species of *Felony*, and yet when certain *Englishmen* had committed *Piracy* in the last Year of Queen *Elizabeth*, and came home into *England*, in the beginning of the Reign of King *James*, trusting to his Coronation Pardon of all *Felonies* ; they were indicted (Sir *Edw. Coke* was then Attorney General) of the *Piracy* before Commissioners according to the Statute of 28 *Hen. VIII.* and being found *Guilty* were hang'd. The reason he alledgeth for it is, that it ought to have been specified by the Name of *Piracy* in the Pardon, and therefore the Pardon was not to be allowed.

*Pb.* Why ought it to have been specified more than any other *Felony* ? He should therefore have drawn his Argument from the Law of Reason.

*La.* Also he does that ; for the Trial (he says) was by the Common Law, and before Commissioners not in the Court of the Lord Admiral, by the Civil Law ; therefore he says it was an Offence whereof the Common Law could not take notice, because it could not be tried by twelve Men.

*Pb.* If the Common Law could not, or ought not to take notice of such Offences, how could the Offenders be tried by twelve Men, and found *Guilty*, and hang'd, as they were ? If the Common Law take no notice of *Piracy*, what other Offence was it for which they were hang'd ? Is *Piracy* two *Felonies*, for one of which a Man shall be hang'd by the Civil Law, and for the other by the Common Law ? Truly I never read weaker reasoning in any Author of the Law of *England*, than in Sir *Edw. Coke's* Institutes, how well soever he could plead.

*La.* Though I have heard him much reprehended by others, as well as by you ; yet there be many excellent things, both for Subtility and for Truth, in these his Institutes.

*Pb.* No better things than other Lawyers have that write of the Law, as of a Science : His citing of *Aristotle*, and of *Homer*, and of other Books which are commonly read to Gownmen, do, in my Opinion, but weaken his Authority, for any Man may do it by a Servant ; but seeing the whole Scene of that Time is gone and past, let us proceed to somewhat else. Wherein doth an Act of *Oblivion* differ from a Parliament Pardon ?

*La.* This Word *Act of Oblivion* was never in our Law Books before the 12 *Car. II. cap. 11.* and I wish it may never come again ; but from whence it came you may better know perhaps than I.

*Pb.* The first, and only *Act of Oblivion* that ever passed into a Law, in any State that I have read of, was that *Amnestia*, or *Oblivion* of all Quarrels between any of the Citizens of *Athens*, at any Time before that Act, without all Exception of Crime, or Person. The Occasion whereof was this. The *Lacedæmonians* having totally subdued the *Athenians*, entered into the City of *Athens*, and ordained that the People should choose thirty Men of their own City to have the Sovereign Power over them. These being chosen behav'd themselves so outrageously, as caused a Sedition, in which the Citizens on both Sides were daily slain. There was then a discreet Person that propounded to each of the Parties this Proposition, that every Man should return to his own, and forget all that was past ; which Proposition was made, by Consent on both Sides, into a publick Act, which for that Cause was called an *Oblivion*. Upon the like Disorder happening in *Rome* by the Murder of *Julius Cæsar*, the like Act was propounded by *Cicero*, and indeed passed, but was within few Days after broken again by *Marcus Antonius*. In Imitation of this Act was made the Act of 12 *Car. II. cap. 11.*

*La.* By this it seems, that the Act of *Oblivion* made by King *Charles*, was no other than a Parliament Pardon, because it containeth a great number of Exceptions, as the other Parliament Pardons do, and the Act of *Athens* did not.

*Pb.* But yet there is a Difference between the late Act of *Oblivion* made here, and an ordinary Parliament Pardon : For concerning a Fault pardoned in Parliament by a general Word, a Suit in Law may arise about this, whether the Of-

fender be signified by the Word, or not, as whether the Pardon of all *Felonies*, be a Pardon of *Piracy*, or not: For you see by Sir *Edw. Coke's* Reports, that notwithstanding a Pardon of *Felony*, a *Sea Felony* (when he was Attorney General) was not pardoned. But by the late Act of *Oblivion*, which pardoned all manner of Offences committed in the late Civil War, no Question could arise concerning Crimes excepted. First, because no Man can by Law accuse another Man of a Fact, which by Law is to be forgotten. Secondly, because all Crimes may be alledged, as proceeding from the Licentiousness of the Time, and from the Silence of the Law occasion'd by the Civil War, and consequently (unless the Offender's Person also were excepted, or unless the Crime were committed before the War began) are within the Pardon.

*La.* Truly I think you say right: For if nothing had been pardoned, but what was done by occasion of the War, the raising of the War itself had not been pardoned.

*Pb.* I have done with Crimes and Punishments; let us come now to the Laws of *Meum* and *Tuum*.

*La.* We must then examine the Statutes.

*Pb.* We must so, what they command and forbid, but not dispute of their Justice: For the Law of Reason commands that every one observe the Law which he hath assented to, and obey the Person to whom he hath promised Obedience and Fidelity: Then let us consider next the Commentaries of Sir *Edw. Coke* upon *Magna Charta*, and other Statutes.

*Pb.* For the understanding of *Magna Charta*, it will be very necessary to run up into ancient Times, as far as History will give us Leave, and consider not only the Customs of our Ancestors the *Saxons*, but also the Law of Nature (the most ancient of all Laws) concerning the Original of Government, and Acquisition of Property, and concerning Courts of Judicature. And first, it is evident, that Dominion, Government, and Laws, are far more ancient than History; or any other Writing, and that the Beginning of all Dominion amongst Men was in Families; in which, first, the Father of the Family by the Law of Nature was absolute Lord of his Wife and Children. Secondly, made what Laws amongst them he pleased. Thirdly, was Judge of all their Controversies. Fourthly, was not obliged by any Law of Man to follow any Counsel, but his own. Fifthly, What Land soever the Lord sat down upon, and made use of for his own, and his Family's Benefit, was his Property by the Law of first Possession, in Case it was void of Inhabitants before, or by the Law of War, in Case they conquer'd it. In this Conquest what Enemies they took and saved were their Servants: Also such Men as wanting Possessions of Lands, but furnished with Arts necessary for Man's Life, came to dwell in the Family for Protection, became their Subjects, and submitted themselves to the Laws of the Family: And all this is consonant, not only to the Law of Nature, but also to the Practice of Mankind set forth in History Sacred and Prophane.

*La.* Do you think it lawful for a Lord that is the Sovereign Ruler of his Family, to make War upon another like Sovereign Lord, and dispossess him of his Lands?

*Pb.* It is lawful, or not lawful, according to the Intention of him that does it. For, first, being a Sovereign Ruler, he is not subject to any Law of Man; and as to the Law of God, where the Intention is justifiable, the Action is so also. The Intention may be lawful in divers Cases by the Right of Nature; one of those Cases is, when he is constrained to it by the Necessity of subsisting. So the Children of *Israel*, besides that their Leaders, *Moses* and *Joshua*, had an immediate Command from God to dispossess the *Canaanites*, had also a just Pretence to do what they did from the Right of Nature, which they had to preserve their Lives, being unable otherwise to subsist. And as their Preservation, so also is their Security a just Pretence of invading those whom they have just Cause to fear, unless sufficient Caution be given to take away their Fear, which Caution (for any Thing I can yet conceive) is utterly impossible. Necessity and Security are the

the principal Justifications, before God, of beginning War. Injuries received justify a War defensive; but for reparable Injuries, if Reparation be tendered, all Invasion on that Title is Iniquity. If you need Examples either from Scripture or other History, concerning this Right of Nature in making War, you are able enough from your Reading, to find them out at your Leisure.

*La.* Whereas you say, that the Lands so won by the Sovereign Lord of a Family, are his in Propriety, you deny (methinks) all Property to the Subjects, how much soever any of them hath contributed to the Victory.

*Pb.* I do so, nor do I see any reason to the contrary: For the Subjects, when they come into the Family, have no Title at all to demand any part of the Land, or any thing else but Security, to which also they are bound to contribute their Strength, and, if Need be, their whole Fortunes: For it cannot be supposed that any one Man can protect all the rest with his single Strength: And for the Practice, it is manifest in all Conquests, the Land of the vanquished is in the sole Power of the Victor, and at his Disposal. Did not *Joshua* and the High Priest divide the Land of *Canaan* in such Sort among the Tribes of *Israel*, as they pleased? Did not the *Roman* and *Grecian* Princes and States according to their own Discretion, send out the Colonies to inhabit such Provinces as they had conquered? Is there at this Day among the *Turks* any Inheritor of Land, besides the *Sultan*? And was not all the Land in *England* once in the Hands of *William* the Conqueror? Sir *Edw. Coke* himself confesses it; therefore it is an universal Truth, that all conquer'd Lands, presently after Victory, are the Lands of him that conquer'd them.

*La.* But you know that all Sovereigns are said to have a double Capacity; *viz.* a natural Capacity, as he is a Man, and a politic Capacity, as a King. In his politic Capacity I grant you, that King *William* the Conqueror was the proper, and only Owner of all the Land in *England*, but not in his natural Capacity.

*Pb.* If he had them in his politic Capacity, then they were so his own as not to dispose of any Part thereof, but only to the Benefit of his People, and that must be either by his own, or by the People's Discretion; that is, by Act of Parliament. But where do you find that the Conqueror disposed of his Lands (as he did some to *Englishmen*, some to *Frenchmen*, and some to *Normans*) to be holden by divers Tenures, as Knight Service, Soccage, &c. by Act of Parliament? Or, that he ever called a Parliament to have the Assent of the Lords and Commons of *England* in disposing of those Lands he had taken from them? Or for retaining of such and such Lands in his own Hands by the Name of Forests for his own Recreation, or Magnificence? You have heard perhaps that some Lawyers, or other Men reputed wise and good Patriots have given out, that all the Lands which the Kings of *England* have possessed, have been given them by the People, to the end that they should therewith defray the Charges of their Wars, and pay the Wages of their Ministers, and that those Lands were gained by the People's Money; for that was pretended in the late Civil War, when they took from the King his Town of *Kingston* upon *Hull*; but I know you do not think that the Pretence was just. It cannot therefore be denied, but that the Lands which King *William* the Conqueror gave away to *Englishmen* and others, and which they now hold by his Letters Patents, and other Conveyances, were properly, and really his own, or else the Titles of them that now hold them must be invalid.

*La.* I assent. As you have shewed me the Beginning of Monarchies, so let me hear your Opinion concerning their Growth.

*Pb.* Great Monarchies have proceeded from small Families. First, by War, wherein the Victor not only enlarged his Territory, but also the Number and Riches of his Subjects. As for other Forms of Commonwealths, they have been enlarged otherways. First, by a voluntary Conjunction of many Lords of Families into one great Aristocracy. Secondly, by Rebellion proceeded first, *Anarchy*, and from *Anarchy* proceeded any Form that the Calamities of them that lived therein did prompt them to; whether it were that they chose an hereditary King, or an elective King for Life, or that they agreed upon a Council of certain Persons (which

is *Aristocracy*) or a Council of the whole People to have the Sovereign Power, which is *Democracy*.

After the first manner, which is by War, grew up all the greatest Kingdoms in the World, viz. the *Egyptian*, *Assyrian*, *Persian*, and the *Macedonian Monarchy*; and so did the great Kingdoms of *England*, *France*, and *Spain*.

The second manner was the Original of the *Venetian Aristocracy*. By the third Way, which is Rebellion, grew up divers great Monarchies, perpetually changing from one Form to another; as in *Rome* Rebellion against Kings produced *Democracy*, upon which the Senate usurped under *Sylla*, and the People again upon the Senate under *Marius*, and the Emperor usurped upon the People under *Cæsar* and his Successors.

*La.* Do you think the Distinction between natural and politic Capacity is insignificant?

*Pb.* No: If the Sovereign Power be in an Assembly of Men, that Assembly, whether it be *Aristocratical*, or *Democratical*, may possess Lands, but it is in their politic Capacity, because no natural Man has any Right to those Lands, or any part of them: in the same manner they can command an Act by Plurality of Commands, but the Command of any one of them is of no Effect. But when the Sovereign Power is in one Man, the natural and politic Capacity are in the same Person, and as to Possession of Lands undistinguishable. But as to the Acts and Commands, they may be well distinguished in this Manner: Whatsoever a Monarch does command, or do, by Consent of the People of his Kingdom, may properly be said to be done in his politic Capacity; and whatsoever he commands by Word of Mouth only, or by Letters signified with his Hand, or sealed with any of his private Seals, is done in his natural Capacity: Nevertheless, his public Commands, though they be made in his politic Capacity, have their Original from his natural Capacity. For in making of Laws (which necessarily requires his Assent) his Assent is natural: Also those Acts which are done by the King previously to the passing of them under the Great Seal of *England*, either by Word of Mouth, or Warrant under his Signet, or Privy Seal, are done in his natural Capacity; but when they have past the Seal of *England*, they are to be taken as done in his politic Capacity.

*La.* I think verily your Distinction is good: for natural Capacity, and politic Capacity, signify no more than private and public Right. Therefore leaving this Argument, let us consider in the next Place, as far as History will permit, what were the Laws and Customs of our Ancestors.

*Pb.* The *Saxons*, as also all the rest of *Germany*, not conquered by the *Roman* Emperors, nor compelled to use the imperial Laws, were a savage and heathen People, living only by War and Rapine; and as some learned Men in the *Roman* Antiquities affirm, had their Name of *Germans* from that their ancient Trade of Life, as if *Germans* and *Hommes de guerre* were all one. Their Rule over their Family, Servants and Subjects, was absolute; their Laws no other than natural Equity; written Law they had little, or none, and very few there were in the Time of the *Cæsars* who could write or read. The Right to the Government was either paternal, or by Conquest, or by Marriages. Their Succession to Lands was determined by the Pleasure of the Master of the Family, by Gift, or Deed in his Life-time, and what Land they disposed not of in their Life-time, descended after their Death to their Heirs. The Heir was the eldest Son; the Issue of the eldest Son failing, they descended to the younger Sons in their Order, and for want of Sons, to the Daughters jointly, as to one Heir, or to be divided amongst them, and so to descend to their Heirs in the same manner: And Children failing, the Uncle by the Father's or Mother's side (according as the Lands had been the Father's or Mother's) succeeded to the Inheritance, and so continually to the next of Blood. And this was a natural Descent, because naturally the nearer in Blood, the nearer in Kindness, and was held for the Law of Nature, not only amongst the *Germans*, but also in most Nations before they had a written Law.

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The Right of Government, which is called *Jus Regni*, descended in the same manner, except only that after the Sons, it came to the eldest Daughter first, and her Heirs; the Reason whereof was, that Government is indivisible. And this Law continues still in *England*.

*La.* Seeing all the Land which any Sovereign Lord possessed, was his own in Propriety; how came a Subject to have a Propriety in their Lands?

*Pb.* There be two sorts of Propriety. One is, when a Man holds his Land from the Gift of God only, which Lands Civilians call *Allodial*, which in a Kingdom no Man can have but the King. The other is, when a Man holds his Land from another Man as given him, in respect of Service and Obedience to that Man, as a Fee. The first kind of Propriety is absolute; the other is in a manner conditional, because given for some Service to be done unto the Giver. The first kind of Propriety excludes the Right of all others; the second excludes all other Subjects to the same Land, but not the Right of the Sovereign, when the common Good of the People shall require the Use thereof.

*La.* When those Kings had thus parted with their Lands, what was left them for the Maintenance of their Wars, either offensive or defensive; or for the Maintenance of the Royal Family, in such manner as not only becomes the Dignity of a Sovereign King, but is also necessary to keep his People from Contempt?

*Pb.* They have Means enough; and besides what they gave their Subjects, had much Land remaining in their own Hands afforrested for their Recreation: For you know very well, that a great Part of the Land of *England* was given for military Service to the great Men of the Realm, who were for the most part of the King's Kindred, or great Favourites, much more Land than they had need of for their own Maintenance; but so charged with one, or many Soldiers, according to the Quantity of Land given, as there could be no want of Soldiers, at all Times, ready to resist an invading Enemy: Which Soldiers those Lords were bound to furnish, for a Time certain, at their own Charges. You know also, that the whole Land was divided into Hundreds, and those again into Decennaries; in which Decennaries all Men, even to Children of twelve Years of Age, were bound to take the Oath of Allegiance: And you are to believe, that those Men that hold their Land by the Service of Husbandry, were all bound with their Bodies and Fortunes, to defend the Kingdom against Invaders, by the Law of Nature: And so also such as they called Villains, and held their Land by baser Drudgery, were obliged to defend the Kingdom to the utmost of their Power. Nay, Women and Children, in such a Necessity, are bound to do such Service as they can, that is to say, to bring Weapons and Victuals to them that fight, and to dig: But those that hold their Land by Service military, have lying upon them a greater Obligation: For read and observe the Form of doing Homage, according as it is set down in the Statute of 17 *Edw.* 2. which you doubt not was in Use before that Time, and before the Conquest.

*La.* "I become your Man for Life, for Member, and for worldly Honour, and shall owe you my Faith for the Lands that I hold of you."

*Pb.* I pray you expound it.

*La.* I think it is as much as if you should say, "I promise you to be at your Command; to perform, with the Hazard of my Life, Limbs, and all my Fortune, as I have charged myself in the Reception of the Lands you have given me, and to be ever faithful to you." This is the Form of Homage done to the King immediately; but when one Subject holdeth Land of another by the like military Service, then there is an Exception added; *viz.* Saving the Faith I owe to the King.

*Pb.* Did he not also take an Oath?

*La.* Yes; which is called the Oath of *Fealty*; "I shall be to you both faithful, and lawfully shall do such Customs and Services, as my Duty is to you at the Terms assigned; so help me God, and all his Saints." But both these Services of Husbandry were quickly after turned into Rents, payable either in Money, as

in *England*; or in Corn, or other Victuals, as in *Scotland* and *France*. When the Service was military, the Tenant was for the most part bound to serve the King in his Wars with one or more Persons, according to the yearly Value of the Land he held.

*Pb.* Were they bound to find Horsemen or Footmen?

*La.* I do not find any Law that requires any Man, in respect of his Tenancy, to serve on Horseback.

*Pb.* Was the Tenant bound, in case he were called, to serve in Person?

*La.* I think he was so in the Beginning: For when Lands were given for Service Military, and the Tenant dying left his Son and Heir, the Lord had the Custody both of Body and Lands till the Heir was twenty-one Years old; and the Reason thereof was, that the Heir till that Age of twenty-one Years, was presum'd to be unable to serve the King in his Wars, which Reason had been insufficient, if the Heir had been bound to go to the Wars in Person. Which (methinks) should ever hold for Law, unless by some other Law it come to be altered. These Services, together with other Rights, as Wardships, first Possession of his Tenants Inheritance, Licenses for Alienation, Felons Goods, Felons Lands, if they were holden of the King, and the first Year's Profit of the Lands, of whomsoever they were holden, Forfeitures, Amercements, and many other Aids, could not but amount to a very great yearly Revenue. Add to this all that which the King might reasonably have imposed upon Artificers and Tradesmen (for all Men, whom the King protecteth, ought to contribute towards their own Protection) and consider then whether the Kings of those Times had not Means enough, and to spare, (if God were not their Enemy) to defend their People against Foreign Enemies, and also to compel them to keep the Peace amongst themselves.

*Pb.* And so had had the succeeding Kings, if they had never given their Rights away, and their Subjects always kept their Oaths and Promises. In what manner proceeded those ancient *Saxons*, and other Nations of *Germany*, especially the Northern Parts, to the making of their Laws?

*La.* Sir *Edw. Coke*, out of divers *Saxon* Laws gathered and published in *Saxon* and *Latin* by Mr. *Lambert*, inferreth, that the *Saxon* Kings, for the making of their Laws, called together the Lords and Commons, in such manner as is used at this Day in *England*. But by those Laws of the *Saxons* published by Mr. *Lambert*, it appeareth, that the Kings called together the Bishops, and a great part of the wisest and discreetest Men of the Realm, and made Laws by their Advice.

*Pb.* I think so; for there is no King in the World, being of ripe Years and sound Mind, that made any Law otherwise; for it concerns them in their own Interest to make such Laws as the People can endure, and may keep them without Impatience, and live in Strength and Courage to defend their King and Country against their potent Neighbours. But how was it discerned, and by whom was it determined, who were those wisest and discreetest Men? It is a hard Matter to know who is wisest in our Times. We know well enough who chooseth a Knight of the Shire, and what Towns are to send Burgeses to the Parliament; therefore if it were determined also in those Days, who those wise Men should be, then, I confess, that the Parliaments of the old *Saxons*, and the Parliaments of *England* since are the same Thing, and Sir *Edw. Coke* is in the right. Tell me therefore, if you can, when those Towns which now send Burgeses to the Parliament, began to do so, and upon what Cause one Town had this Privilege, and another Town, though much more populous, had not.

*La.* At what Time began this Custom I cannot tell; but I am sure it is more ancient than the City of *Salisbury*; because there come two Burgeses to Parliament for a Place near to it, called *Old Sarum*, which (as I rid in sight of it) if I should tell a Stranger that knew not what the Word *Burgeses* meant, he would think were a couple of Rabbits, the Place looketh so like a Coney-Borough. And yet a good Argument may be drawn from thence, that the Townsmen of every Town were the Electors of their own Burgeses, and Judges of their Discretion; and that

the Law, whether they be discreet or not, will suppose them to be discreet till the contrary be apparent. Therefore where it is said, that the King called together the more discreet Men of his Realm; it must be understood of such Elections as are now in use: By which it is manifest, that those great and general Moots assembled by the old *Saxon* Kings, were of the same Nature with the Parliaments assembled since the Conquest.

*Pb.* I think your Reason is good: For I cannot conceive, how the King, or any other but the Inhabitants of the Boroughs themselves, can take Notice of the Discretion, or Sufficiency of those they were to send to the Parliament. And for the Antiquity of the Burgefs Towns, since it is not mentioned in any History, or certain Record now extant, it is free for any Man to propound his Conjecture. You know, that this Land was invaded by the *Saxons* at several Times, and conquered by Pieces in several Wars; so that there were in *England* many Kings at once, and every of them had his Parliament, and therefore according as there were more, or fewer walled Towns within each King's Dominion, his Parliament had the more, or fewer Burgeffes: But when all these lesser Kingdoms were joined into one, then to that one Parliament came Burgeffes from all the Boroughs of *England*. And this perhaps may be the Reason, why there be so many more such Boroughs in the West, than in any Part of the Kingdom; the West being more populous, and also more obnoxious to Invaders, and for that Cause having greater store of Towns fortified. This I think may be the Original of that Privilege which some Towns have to send Burgeffes to the Parliament, and others have not.

*La.* The Conjecture is not improbable, and for want of greater Certainty may be allowed. But seeing it is commonly receiv'd, that for the making of a Law, there ought to be had the Assent of the Lords Spiritual and Temporal; whom do you account in the Parliaments of the old *Saxons* for Lords Temporal, and whom for Lords Spiritual? For the Book called *The Mode of holding Parliaments*, agreeth punctually with the manner of holding them at this Day, and was written (as Sir *Edw. Coke* says) in the Time of the *Saxons*, and before the Conquest.

*Pb.* Mr. *Selden* (a greater Antiquary than Sir *Edw. Coke*) in the last Edition of his Book of Titles of *Honour* says, that that Book called the *Mode, &c.* was not written till about the Time of *Rich. II.* and seems to me to prove it. But howsoever that be, it is apparent by the *Saxon* Laws set forth by Mr. *Lambert*, that there were always called to the Parliament, certain great Persons called Aldermen, *alias* Earls; and so you have a House of Lords, and a House of Commons. Also you will find in the same Place, that after the *Saxons* had received the Faith of Christ, those Bishops that were amongst them, were always at the great Moots, in which they made their Laws.

Thus you have a perfect *English* Parliament, saving that the Name of Barons was not amongst them, as being a *French* Title, which came in with the Conqueror.

\* O F T H E

# L I F E and H I S T O R Y

O F

## T H U C Y D I D E S.

**W**E read of divers Men that bear the Name of *Thucydides*. There is *Thucydides* a *Pharsalian*, mentioned in the eighth Book of this History; who was public Host of the *Athenians* in *Pharsalus*, and chancing to be at *Athens*, at the Time that the Government of the Four hundred began to go down, by his Interposition and Persuasion, kept asunder the *Factions* then arming themselves, that they fought not in the City to the Ruin of the Commonwealth. There is *Thucydides* the Son of *Milefias*, an *Athenian*, of the Town of *Alope*, of whom *Plutarch* speaketh in the Life of *Pericles*; and the same in all Probability, that in the first Book of this History, is said to have had the Charge of forty Gallies, sent against *Samos*, about twenty four Years before the beginning of this War. Another *Thucydides* the Son of *Ariston*, an *Athenian* also, of the Town of *Acherdus*, was a Poet, though of his Verses there be nothing extant. But *Thucydides* the Writer of this History, an *Athenian* of the Town of *Halimus*, was the Son of *Olorus*, (or *Orolus*) and *Hegesipyle*. His Father's Name is commonly written *Olorus*, though in the Inscription on his Tomb, it was *Orolus*. Howsoever it be written, it is the same that was born by divers of the Kings of *Thrace*, and imposed on him, with respect unto his Descent from them. So that though our Author (as *Cicero* saith of him, *Lib. 2. de Oratore*) had never written an History, yet had not his Name not been extant, in regard of his Honour and Nobility. And not only *Plutarch*, in his Life of *Cimon*, but also all others that have touched this Point, affirm directly, that he was descended from the *Thracian* Kings. Adducing this for Proof, that he was of the House of *Miltiades*, that famous General of the *Athenians* against the *Persians* at *Marathon*; which they also prove by this, that his Tomb was a long time extant amongst the Monuments of that Family. For near unto the Gate of *Athens*, called *Miltirides*, there was a Place named *Coela*, and in it the Monuments called *Cimoniana*, belonging to the Family of *Miltiades*, in which none, but such as were of that Family, might be buried. And amongst those was the Monument of *Thucydides*, with this Inscription, *Thucydides Oroli Halimusus*. Now *Miltiades* is confessed by all, to have descended from *Olorus*, King of *Thrace*, whose Daughter another *Miltiades*, Grandfather to this, married, and had Children by. And *Miltiades*, that won the memorable Victory at *Marathon*, was Heir to goodly Possessions, and Cities in the *Chersonesus* of *Thrace*, over which also he reigned. In *Thrace* lay also the Possessions of *Thucydides* and his wealthy Mines of Gold, as he himself professeth in his Fourth Book. And although those Riches might come to him by a Wife (as is also by some affirmed) which he married in *Scapte-Hyle*, a City of *Thrace*, yet even by that Marriage it appeareth, that his Affairs had a Relation to that Country, and that his Nobility was not there unknown. But in what Degree of Kindred *Miltiades* and he approached each other, is not any where made manifest. Some also have conjectured that he was of the House of *Pisistratides*; the Ground of whose Conjecture hath been only this, That he maketh honourable mention of  
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\* This Discourse is prefix'd to Mr. *Hobbes's* Translation of *Thucydides*.

the Government of *Pisistratus*, and his Sons, and extenuateth the Glory of *Harmodius* and *Aristogiton*; proving that the State of *Athens* from the Tyranny of the *Pisistratides*, was falsely ascribed to their Fact (which proceeded from private Revenge, in a Quarrel of Love) by which the Tyranny ceased not, but grew heavier to the State, till it was at last put down by the *Lacedæmonians*. But this Opinion, as it was not so well grounded, so neither is it so well received as the former.

Agreeable to his Nobility, was his Institution in the Study of *Eloquence* and *Philosophy*. For in *Philosophy* he was the Scholar (as also was *Pericles* and *Socrates*) of *Anaxagoras*, whose Opinions, being of a Strain above the Apprehension of the Vulgar, procured him the Estimation of an *Atheist*, which Name they bestowed upon all Men that thought not as they did of their ridiculous Religion; and in the End cost him his Life. And *Socrates* after him, for the like Causes, underwent the like Fortune. It is not therefore to be much regarded, if this other Disciple of his were by some reputed an *Atheist* too. For though he were none, yet it is not improbable, but by the Light of natural Reason, he might see enough in the Religion of these Heathens to make him think it vain and superstitious; which was enough to make him an *Atheist* in the Opinion of the People. In some Places of this History, he noteth the Equivocation of the Oracles; and yet he confirmeth an Assertion of his own, touching the Oracle's Prediction. He taxeth *Nicias* for being too punctual in the Observation of the Ceremonies of their Religion, when he overthrew himself and his Army, and indeed the whole Dominion and Liberty of his Country by it. Yet he commendeth him in another Place for his worshipping of the *Gods*, and faith in that Respect, he least of all Men deserved to come to so great a Degree of Calamity as he did. So that in his Writings our Author appeareth to be, on one Side, not superstitious; on the other Side, not an *Atheist*.

In *Rhetoric* he was the Disciple of *Antiphon*, one (by his Description in the Eighth Book of his History) for Power of Speech almost a Miracle, and feared by the *People* for his Eloquence. Infomuch as in his latter Days he lived retired, but so, as he gave Counsel to, and writ Orations for, other Men that resorted unto him to that Purpose. It was he that contrived the deposing of the *People*, and the setting up of the Government of the Four hundred. For which he also was put to Death, when the *People* again recovered their Authority; notwithstanding that he pleaded his own Cause, the best of any Man to that Day.

It need not be doubted, but from such a Master, *Thucydides* was sufficiently qualified, to have become a great Demagogue, and of great Authority with the *People*. But it seemeth he had no Desire at all to meddle in the Government, because in those Times it was impossible for any Man to give good and profitable Counsel for the Commonwealth, and not incur the Displeasure of the *People*. For their Opinion was such of their own Power, and of the Facility of atchieving whatsoever Action they undertook, that such Men only swayed the Assemblies, and were esteemed wise and good Commonwealth's Men, as did put them upon the most dangerous and desperate Enterprizes. Whereas he that gave them temperate and discreet Advice, was thought a Coward, or not to understand, or else to malign their Power. And no marvel; for much Prosperity (to which they had now for many Years been accustomed) maketh Men in love with themselves; and it is hard for any Man to love that Counsel which maketh him love himself the less. And it holdeth much more in a Multitude, than in one Man; for a Man that reasoneth with himself will not be ashamed to admit of timorous Suggestions in his Business, that he may the stronglier provide; but in public Deliberations before a Multitude, Fear, (which for the most part adviseth well, though it execute not so) seldom or never sheweth itself, or is admitted. By this Means it came to pass amongst the *Athenians*, who thought they were able to do any thing, that wicked Men and Flatterers drave them head long into those Actions that were to ruin them; and the good Men either durst not oppose, or if they did, undid themselves. *Thucydides* therefore, that he might not be either of them that committed, or of them

that suffered Evil, forbore to come into the Assemblies, and propounded to himself a private Life, as far as the Eminency of so wealthy a Person, and the writing of the History he had undertaken, would permit.

For his Opinion touching the Government of the State, it is manifest that he least of all liked the *Democracy*. And upon divers Occasions he noteth the Emulation and Contention of the Demagogues, for Reputation and Glory of Wit; with their crossing of each other's Counsels, to the Damage of the Public; the Inconstancy of Resolutions, caused by the Diversity of Ends, and Power of Rhetoric in the Orators; and the desperate Actions undertaken upon the flattering Advice of such as desired to attain, or to hold what they had attained of Authority and Sway amongst the common People. Nor doth it appear, that he magnifieth any where the Authority of the *Few*; amongst whom he saith every one desireth to be Chief, and they that are undervalued, bear it with less Patience than in a *Democracy*; whereupon Sedition followeth, and Dissolution of the Government. He praiseth the Government of *Athens*, when it was mixed with the *Few* and the *Many*; but more he commendeth it, both when *Pisistratus* reigned (saying when it was an usurped Power) and when in the Beginning of this War, it was *Democratical* in Name, but in Effect *Monarchical* under *Pericles*. So that it seemeth that as he was of regal Descent, so he best approved of the *regal Government*. It is therefore no marvel, if he meddled as little as he could in the Business of the Commonwealth, but gave himself rather to the Observation and Recording of what was done by those that had the Managing thereof. Which also he was no less prompt, diligent, and faithful by the Disposition of his Mind, than by his Fortune, Dignity, and Wisdom, able to accomplish. How he was disposed to a Work of this Nature, may be understood by this, that when being a young Man he heard *Herodotus* the Historiographer reciting his History in public, (for such was the Fashion both of that and many Ages after) he felt so great a Sting of Emulation, that it drew Tears from him, insomuch as *Herodotus* himself took notice how violently his Mind was set on Letters, and told his Father *Olorus*. When the *Peloponnesian* War began to break out, he conjectured truly, that it would prove an Argument worthy his Labour: and no sooner it began, than he began his History; pursuing the same, not in that perfect manner, in which we see it now, but by way of Commentary, or plain Actions and Passages thereof, as from time to time they fell out, and came to his Knowledge. But such a Commentary it was, as might perhaps deserve to be preferred before a History written by another. For it is very probable that the eighth Book is left the same it was when he first writ it, neither beautified with *Orations*, nor so well cemented at the *Transitions*, as the former seven Books are. And though he began to write as soon as ever the War was on foot, yet began he not to perfect and polish his History, till after he was banished.

For notwithstanding his retired Life upon the Coast of *Thrace*, where his own Possessions lay, he could not avoid the Service of the State, which proved to him afterwards very unfortunate. For whilst he resided in the Isle *Thasus*, it fell out that *Brasidas* the *Lacedæmonian* besieged *Amphipolis*, a City belonging to the *Athenians*, on the Confines of *Thrace* and *Macedony* distant from *Thasus* about half a Day's Sail. To relieve which, the Captain thereof for the *Athenians* sent to *Thucydides*, to levy a Power, and make haste unto him (for *Thucydides* was one of the *Strategi*, that is, had Authority to raise Forces in those Parts, for the Service of the Commonwealth.) And he did accordingly. But he came thither one Night too late, and found the City already yielded up. And for this he was afterwards banished, as if he had let slip his Time through Negligence, or purposely put it off upon Fear of the Enemy. Nevertheless he put himself into the City of *Eion*, and preserved it to the *Athenians*, with the Repulse of *Brasidas*, which came down from *Amphipolis*, the next Morning, and besieged it. The Author of his Banishment is supposed to have been *Cleon*, a most violent Sycophant in those Times, and thereby also a most acceptable Speaker amongst the People. For where Affairs succeed

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amiss, tho' there want neither Providence, nor Courage in the Conduction, yet with those that judge only upon Events, the Way to Calumny is always open, and *Envy*, in the Likeness of *Zeal* to the publick Good, easily findeth Credit for an Accusation.

After his Banishment he lived in *Scapte-Hyle*, a City of *Thrace*, before mentioned, as *Plutarch* writeth; but yet so as he went abroad and was present at the Actions of the rest of the War, as appeareth by his own Words in his fifth Book; where he saith, that he was present at the Actions of both Parts, and no less at those of the *Peloponnesians*, by Reason of his Exile, than those of the *Athenians*. During this Time also he perfected his History, so far as is now to be seen; nor doth it appear that after his Exile he ever again enjoyed his Coutry. It is not clear in any Author, where, or when, or in what Year of his own Age, he died. Most agree that he died in Banishment; yet there be that have written, that after the Defeat in *Sicily*, the *Athenians* decreed a general Revocation of all banished Persons, except those of the Family of *Pisistratus*; and that he then returned, and was afterwards put to Death at *Athens*. But this is very unlikely to be true, unless by *after* the Defeat in *Sicily*, be meant *so long after*, that it was also after the end of the *Peloponnesian* War, because *Thucydides* himself maketh no mention of such Return, though he outlived the whole War, as is manifest by his Words in the fifth Book. For he saith he lived in Banishment twenty Years after his Charge at *Amphipolis*; which happen'd in the eighth Year of this War, and in the whole lasted but twenty seven Years complete. And in another Place he maketh mention of the razing of the *Long-walls* between *Pieræus* and the City, which was the last Stroke of this War. They that say he died at *Athens*, take their Conjecture from his Monument which was there. But this is not a sufficient Argument; for he might have been buried there secretly, (as some have written he was) tho' he died abroad; so that his Monument might be there, and (as others have affirmed) he not buried in it. In this Variety of Conjecture there is nothing more probable than that which is written by *Pausanias*, where he describeth the Monuments of the *Athenian* City, and saith thus. *The worthy Acts of Oenobius, in the Behalf of Thucydides, is not without Honour.* (meaning he had a Statue.) *For Oenobius obtained to have a Decree passed for his Return; who returning was slain by Treachery, and his Sepulchre is near the Gate called Melirides.* He died, as saith *Marcellinus*, after the seven and fiftieth Year of his Age. And if it be true that is written by *A. Gellius* of the Ages of *Hellanicus*, *Herodotus*, and *Thucydides*, then died he not before the sixty eighth Year. For if he were forty when the War began, and lived (as he did certainly) to see it ended, he might be more, but not less than sixty eight Years of Age. What Children he left is not manifest. *Plato* in *Menone* maketh mention of *Milesias* and *Stephanus*, Sons of a *Thucydides*, of a very noble Family; but it is clear that they were of *Thucydides*, the Rival of *Pericles*, both by the Name *Milesias*; and because this *Thucydides* also was of the Family of *Miltiades*, as *Plutarch* testifieth in the Life of *Cimon*. That he had a Son, is affirmed by *Marcellinus*, out of the Authority of *Polemon*, but of his Name there is no mention, save that a learned Man readeth there, in the Place of *θεο.* (which is in the imperfect Copy) *Timotheus*. Thus much of the Person of *Thucydides*.

Now for his Writings, two Things are to be considered in them, *Truth* and *Elocution*. For in *Truth* consisteth the *Soul*, and in *Elocution* the *Body* of History. The latter without the former, is but a Picture of History, and the former without the latter, unapt to instruct. But let us see how our Author hath acquitted himself in both. For the Faith of this History I shall have the less to say, in respect that no Man hath ever yet called it into question. Nor indeed could any Man justly doubt of the Truth of that Writer, in whom they had nothing at all to suspect of those things that could have caused him either voluntarily to lie, or ignorantly to deliver an Untruth. He overtasked not himself by undertaking a History of Things done long before his Time, and of which he was not able to inform himself. He was a Man that had as much Means in regard both of his Dignity and Wealth, to

find the Truth of what he relateth, as was needful for a Man to have. He used as much Diligence in search of the Truth (noting every thing whilst it was fresh in Memory, and laying out his Wealth upon Intelligence) as it was possible for a Man to use. He affected least of any Man the Acclamations of popular Auditories, and wrote not his History to win present Applause, as was the Use of that Age, but for a Monument to instruct Ages to come, which he professeth himself, and intitleth his Book *Κτήμα ἐς αἰῶνι*, *A Possession for everlasting*. He was far from the Necessity of servile Writers, either to fear or flatter. And whereas he may peradventure be thought to have been malevolent towards his Country, because they deserved to have him so, yet hath he not written any thing that discovereth any such Passion. Nor is there any thing written of them that tendeth to their Dishonour, as *Athenians*, but only as *People*; and that by the necessity of the Narration, not by any sought Digression. So that no Word of his, but their own Actions do sometimes reproach them. In sum, if the Truth of a History did ever appear by the Manner of relating, it doth so in this History; so coherent, perspicuous, and persuasive is the whole Narration, and every Part thereof.

In the *Elocution* also; two Things are considerable, *Disposition* or *Method*, and *Stile*. Of the *Disposition* here used by *Thucydides*, it will be sufficient in this Place briefly to observe only this: That in his First Book, first he hath by way of *Exordium* derived the State of Greece from the Cradle to the vigorous Stature it then was at when he began to write; and next, declared the Causes, both *real* and *pretended*, of the War he was to write of; in the rest, in which he handleth the War itself, he followeth distinctly and purely the Order of Time throughout; relating what came to pass from Year to Year, and subdividing each Year into a Summer and Winter. The Grounds and Motives of every Action he setteth down before the Action itself, either narratively, or else contriveth them into the Form of *deliberative Orations*, in the Persons of such as from time to time bare Sway in the Commonwealth. After the Actions, when there is just Occasion, he giveth his Judgment of them, shewing by what Means the Success came either to be furthered or hindered. Digressions for Instruction's Cause, and other such open Conveyances of Precepts (which is the Philosopher's Part) he never useth, as having so clearly set before Mens Eyes the Ways and Events of good and evil Counsels, that the Narration itself doth secretly instruct the Reader, and more effectually than possibly can be done by Precept.

For his *Stile*, I refer it to the Judgment of divers ancient and competent Judges. *Plutarch* in his Book *De gloria Atheniensium*, saith of him thus: *Thucydides aimeth always at this, to make his Auditor a Spectator, and to cast his Reader into the same Passions that they were in that were Beholders. The Manner how Demosthenes harangued the Athenians on the rugged Shore before Pylus. How Brasidas urged the Steersman to run his Gally aground; how he went to the Ladder or Place in the Gally for Descent, how he was hurt, and swooned, and fell down on the Ledge of the Gally; how the Spartans fought after the Manner of a Land-fight upon the Sea, and the Athenians of a Sea-fight upon Land. Again, in the Sicilian War, how a Battle was fought by Sea and Land, with equal Fortune. These Things, I say, are so described, and so evidently set before our Eyes, that the Mind of the Reader is no less affected therewith, than if he had been present in the Actions.* There is for his Perspicuity. *Cicero*, in his Book intituled *Orator*, speaking of the Affectation of divers Greek Rhetoricians, saith thus: *And therefore Herodotus and Thucydides are the more admirable. For though they lived in the same Age with those I have before named, (meaning Thrasymachus, Gorgius, and Theodorus) yet were they far from this kind of Delicacy, or rather indeed Foolery. For the one without Rub, gently glideth like a still River; and the other (meaning Thucydides) runs stronger, and in Matter of War, as it were, bloweth a Trumpet of War. And in these two (as saith Theophrastus) History hath rowed herself, and adventured to speak, both more copiously, and with more Ornament than in those that were before them.* This commends the Gravity, and the Dignity of his Language. Again, in his second Book,

*De Oratore*, thus: Thucydides in the Art of Speaking, in my Opinion hath far exceeded them all. For he is so full of Matter, that the Number of his Sentences doth almost reach to the Number of his Words; and in his Words he is so apt, and so close, that it is hard to say, whether his Words do more illustrate his Sentences, or his Sentences his Words. There is for the Pithiness and Strength of his Style. Lastly, for the Purity and Propriety I cite *Dionysius Halicarnassens*, whose Testimony is the stronger in this Point, because he was a Greek Rhetorician for his Faculty, and for his Affection, one that would no further commend him, than of Necessity he must. His Words are these, *There is one Virtue in Eloquence, the chiefest of all the rest, and without which there is no other Goodness in Speech. What is that? That the Language be pure, and retain the Propriety of the Greek Tongue. This they both observe diligently. For Herodotus is the best Rule of the Ionique, and Thucydides of the Antique Dialect.* These Testimonies are not needful to him that hath read the History itself, not at all, but that the same *Dionysius* hath taken such Pains, and applied so much of his Faculty in Rhetoric to the extenuating of the Worth thereof; moreover I have thought it necessary to take out the principal Objections he maketh against him, and without many Words of mine own, to leave them to the Consideration of the Reader. And first, *Dionysius* saith thus; *The principal and most necessary Office of any Man that intendeth to write a History, is to chuse a noble Argument, and grateful to such as shall read it. And this Herodotus, in my Opinion, hath done better than Thucydides: for Herodotus hath written the joint History, both of the Greeks and Barbarians, to save from Oblivion, &c. But Thucydides writeth one only War, and that neither honourable nor fortunate, which principally were to be wished never to have been; and next, never to have been remembered, nor known to Posterity. And that he took an evil Argument in hand, he maketh it manifest in his Proem, saying, That many Cities were in that War made desolate, and utterly destroyed, partly by Barbarians, partly by the Greeks themselves: so many Banishments, and so much Slaughter of Men as never was the like before, &c. So that the Hearers will abhor it at the first propounding. Now by how much it is better to write of the wonderful Acts both of the Barbarians and Grecians, than of the pitiful and horrible Calamities of the Grecians, so much wiser is Herodotus in the Choice of his Argument than Thucydides.*

Now let any Man consider, whether it be not more reasonable to say; *That the principal and most necessary of him that will write a History, is to take such an Argument as is both within his Power well to handle, and profitable to Posterity that shall read it. Which Thucydides, in the Opinion of all Men, hath done better than Herodotus. For Herodotus undertook to write of those Things, of which it was impossible for him to know the Truth; and which delight more the Ear with fabulous Narrations, than satisfy the Mind with Truth. But Thucydides writeth one War, which, how it was carried on from the Beginning to the End, he was able certainly to inform himself. And by propounding in his Proem, the Miseries that happened in the same, he shewed that it was a great War, and worthy to be known, and not to be concealed from Posterity, for the Calamities that then fell upon the Grecians; but the rather to be truly delivered unto them, for that Men profit more by looking on adverse Events, than on Prosperity. Therefore by how much Mens Miseries do better instruct than their good Success, by so much was Thucydides more happy in taking his Argument, than Herodotus was wise in chusing his.*

*Dionysius* again saith thus: *The next Office of him that will write a History, is to know where to begin, and where to end. And in this Point Herodotus seemeth to be far more discreet than Thucydides. For in the first Place he layeth down the Cause for which the Barbarians began to injure the Grecians; and going on, maketh an End at the Punishment, and the Revenge taken on the Barbarians. But Thucydides begins at the good Estate of the Grecians, which, being a Grecian and an Athenian, he ought not to have done; nor ought he, being of that Dignity amongst the Athenians, so evidently to have laid the Fault of the War upon his own City, when there were other Occasions enough to which he might have imputed it. Nor ought he to have begun with*

the Business of the Corcyraëans, but at the more noble Acts of his Country, which they did immediately after the Persian War, (which afterward in convenient Place he mentioneth, but it is but cursorily, and not as he ought). And when he had declared those, with much Affection, as a Lover of his Country, then he should have brought it in, how that the Lacedæmonians, through Envy and Fear, but pretending other Causes, began the War, and so have descended to the Corcyraean Business, and the Decree against the Megareans, or whatsoever else he had to put in. Then in the ending of his History, there be many Errors committed. For though he profess he was present in the whole War, and that he would write it all, yet he ends with the naval Battle at Cynossema, which was fought in the twenty-first Year of the War; whereas it had been better to have gone through with it, and ended his History with that admirable and grateful Return of the banished Athenians from Phile, at which Time the City recovered her Liberty.

To this I say, That it was the Duty of him that had undertaken to write the History of the Peloponnesian War, to begin his Narration no further off, than at the Causes of the same, whether the Grecians were then in good or evil Estate. And if the Injury, upon which the War arose, proceeded from the Athenians, then the Writer, though an Athenian, and honoured in his Country, ought to declare the same, and not to seek, nor take, though at hand, any other Occasion to transfer the Fault. And that the Acts done before the Time comprehended in the War he writ of, ought to have been touched but cursorily, and no more than may serve for the enlightening of the History to follow, how noble soever those Acts have been. Which when he had thus touched, without Affection to either Side, and not as a Lover of his Country, but of Truth, then to have proceeded to the rest, with the like Indifferency. And to have made an end of Writing where the War ended, which he undertook to write; not producing his History beyond that Period, though that which followed were never so admirable and acceptable. All this Thucydides hath observed.

These two Criminations, I have therefore set down at large, translated almost *verbatim*, that the Judgment of *Dionysius Halicarnassæus* may the better appear, concerning the main and principal Virtues of a History. I think there was never written so much Absurdity in so few Lines. He is contrary to the Opinion of all Men that ever spake of this Subject besides himself, and to common Sense. For he makes the Scope of History not profit by writing Truth, but Delight of the Hearer, as if were a Song. And the Argument of History, he would not by any means have to contain the Calamities and Misery of his Country, (these he would have buried in Silence) but only their glorious and splendid Actions. Amongst the Virtues of an Historiographer, he reckons Affection to his Country; Study to please the Hearer; to write of more than his Argument leads him to; and to conceal all Actions that were not to the Honour of his Country. Most manifest Vices. He was a Rhetorician, and it seemeth he would have nothing written, but that which was most capable of rhetorical Ornament. Yet *Lucian*, a Rhetorician also, in a Treatise, intitled, *How a History ought to be written*, saith thus: *That a Writer of History, ought in his Writings to be a Foreigner, without Country, living under his own Law only, subject to no King, nor caring what any Man will like, or dislike, but laying out the Matter as it is.*

The third Fault he finds, is this: That the Method of his History is governed by the Time, rather than the Periods of several Actions. For he declares in Order what came to pass each Summer and Winter, and is thereby forced sometimes to leave the Narration of a Siege, or Sedition, or a War, or other Action, in the midst, and enter into a Relation of somewhat else, done at the same time, in another Place, and to come to the former again when the Time requires it. This, saith he, causeth Confusion in the Mind of his Hearer, so that he cannot comprehend distinctly the several Parts of the History.

*Dionysius* aimeth still at the Delight of the present Hearer; though *Thucydides* himself professes that his Scope is not that, but to leave his Work for a perpetual Possession to Posterity. And then have Men Leisure enough to comprehend him thoroughly,

thoroughly. But indeed, whosoever shall read him once attentively, shall more distinctly conceive of every Action this Way than the other; and the Method is more natural; for as much as his Purpose being to write of one *Peloponnesian* War, this way he hath incorporated all the Parts thereof into one Body, so that there is Unity in the whole, and the several Narrations are conceived only as Parts of that; whereas the other way, he had but sowed together many little Histories, and left the *Peloponnesian* War (which he took for his Subject) in a manner unwritten; for neither any part, nor the whole, could justly have carried such a Title.

Fourthly, he accuseth him for the Method of his First Book, in that he deriveth *Greece* from the Infancy thereof to his own Time; and in that he setteth down the Narration of the Quarrels about *Corcyra* and *Potidæa*, before he entreateth of the true Cause of the War, which was the Greatness of the *Athenian* Dominion, feared and envied by the *Lacedæmonians*.

For answer to this, I say thus: For the mentioning of the ancient State of *Greece*, he doth it briefly, insisting no longer upon it than is necessary for the well understanding of the following History. For without some general Notions of these first Times, many Places of the History are the less easy to be understood, as depending upon the Knowledge of the Original of several Cities and Customs, which could not be all inserted into the History itself, but must be either supposed to be foreknown by the Reader, or else be delivered to him in the Beginning, as a necessary Preface. And for his putting first the Narration of the public and avowed Cause of this War, and after that the true and inward Motive of the same, the Reprehension is absurd. For it is plain that a Cause of War, divulged and avowed, how slight soever it be, comes within the Task of the Historiographer no less than the War itself, for without a Pretext no War follows. This Pretext is always an Injury received, or pretended to be received. Whereas the inward Motive to Hostility is but conjectural, and not of that Evidence, that an Historiographer should be always bound to take Notice of it; as Envy to the Greatness of another State, or Fear of an Injury to come. Now let any Man judge, whether a good Writer of History ought to handle, as the principal Cause of War, proclaimed Injury, or concealed Envy. In a Word, the Image of the Method used by *Thucydides* in this Point, is this: *The Quarrel about Corcyra, passed on this Manner; and the Quarrel about Potidæa, on this Manner; (relating both at large) and in both, the Athenians were accused to have done the Injury. Nevertheless the Lacedæmonians had not upon this Injury entered into a War against them, but that they envied the Greatness of their Power, and feared the Consequence of their Ambition.* I think a more clear and natural Order cannot possibly be devised.

Again he says, that he maketh a Funeral Oration (which was solemnly done on all Occasions through the War) for fifteen Horsemen only, that were slain at the Brooks called *Rbeiti*; and that for this Reason only, that he might make it in the Person of *Pericles*, who was then living, but before another the like Occasion happened, was dead.

The Manner of the *Athenians* was, that they that were slain the first in any War, should have a solemn Funeral in the Suburbs of the City. During this War, they had many Occasions to put this Custom in Practice. Seeing therefore it was fit to have that Custom, and the Form of it, known, and that once for all, the Manner being ever the same, it was fittest to relate it on the first Occasion, what Number soever they were that were then buried; which nevertheless is not likely to have been so few as *Dionysius* saith. For the Funeral was not celebrated till the Winter after they were slain, so that many more were slain before this Solemnity, and may all be accounted amongst the first. And that *Pericles* performed the Office of making their Funeral Oration, there is no Reason alledged by him why it should be doubted.

Another Fault he finds in this; That he introduceth the *Athenian* Generals in a Dialogue with the Inhabitants of the Isle of *Melos*, pretending openly for the Cause

Cause of their Invasion of that Isle, the Power and Will of the State of *Athens*, and rejecting utterly to enter into any Disputation with them concerning the Equity of their Cause; which he saith, was contrary to the Dignity of the State.

To this may be answered; That the Proceeding of these Generals was not unlike to divers other Actions, that the People of *Athens* openly took upon them; and therefore it is very likely they were allowed so to proceed. Howsoever, if the *Athenian People* gave in Charge to these their Captains, to take in the Island by all Means whatsoever, without Power to report back unto them first the Equity of the Islanders Cause, as is most likely to be true, I see then no Reason the Generals had to enter into Disputation with them, whether they should perform their Charge, or not, but only whether they should do it by fair, or foul Means; which is the Point treated of in this Dialogue. Other Cavils he hath, touching the Matter and Order of this History, but not needful to be answered.

Then for his Phrase, he carpeth at it in infinite Places, both for obscure and licentious. He that will see the particular Places he reprehendeth, let him read *Dionysius* himself, if he will; for the Matter is too tedious for this Place. It is true, that there be some Sentences in him, somewhat long, not obscure to one that is attentive; and besides that, they are but few. Yet is this the most important Fault he findeth. For the rest, the Obscurity that is, proceedeth from the Profoundness of the Sentences, containing Contemplations of those human Passions, which either dissembled, or not commonly discoursed of, do yet carry the greatest Sway with Men in their public Conversation. If then one cannot penetrate into them without much Meditation, we are not to expect a Man should understand them at the first speaking. *Marcellinus* saith, he was obscure on purpose that the common People might not understand him. And not unlikely; for a wise Man should so write (though in Words understood by all Men) that wise Men only should be able to commend him. But this Obscurity is not to be in the Narrations of Things done, nor in the Descriptions of Places, or of Battles; in all which *Thucydides* is most perspicuous, as *Plutarch*, in the Words before cited, hath testified of him. But in the Characters of Mens Humours and Manners, and applying them to Affairs of Consequence, it is impossible not to be obscure to ordinary Capacities, in what Words soever a Man deliver his Mind; if therefore *Thucydides* in his Orations, or in the Description of a Sedition, or other thing of that kind, be not easily understood, it is of those only that cannot penetrate into the Nature of such Things, and proceedeth not from any Intricacy of Expression. *Dionysius* further findeth Fault with his using to set Word against Word, which the *Rhetoricians* call *Antitheta*. Which, as it is in some kind of Speech a very great Vice, so is it not unproper in Characters; and of comparative Discourses, it is almost the only Stile.

And whereas he further taxeth him for Licentiousness in turning *Nouns* into *Verbs*, and *Verbs* into *Nouns*, and altering of *Genders*, *Cases*, and *Numbers*, as he doth sometimes for the more efficacy of his Stile, and without *Solecism*, I leave him to the Answer of *Marcellinus*; who says, *That Dionysius findeth Fault with this, as being ignorant (yet he was a professed Rhetorician) that this was the most excellent, and perfect kind of Speaking.*

Some Men may peradventure desire to know, what Motive *Dionysius* might have, to extenuate the Worth of him, whom he himself acknowledgeth to have been esteemed by all Men for the best by far of all Historians that ever writ, and to have been taken by all the ancient *Orators* and *Philosophers*, for the Measure and Rule of writing History. What Motive he had to it, I know not; but what Glory he might expect by it, is easily known. For having first preferred *Herodotus*, his Countryman, a *Halicarnassian*, before *Thucydides*, who was accounted the best, and then conceiving that his own History might perhaps be thought not inferior to that of *Herodotus*, by this Computation he saw the Honour of the best Historiographer falling on himself; wherein (in the Opinion of all Men) he hath misreckned. And thus much for the Objections of *Denis* of *Halicarnasse*.

It is written of *Demosthenes*, the famous Orator, that he wrote over the History of *Thucydides* with his own Hand, eight Times. So much was this Work esteemed, even for the Eloquence. But yet was this his Eloquence not at all fit for the Bar, but proper for History, and rather to be read than heard. For Words that pass away (as in public Orations they must) without Pause, ought to be understood with Ease, and are lost else; though Words that remain in Writing, for the Reader to meditate on, ought rather to be pithy and full. *Cicero* therefore doth justly set him apart from the Rank of Pleaders, but withal, he continually giveth him his Due for History, *Lib. 2. De Oratore*. What great Rhetorician ever borrowed any thing of *Thucydides*? Yet all Men praise him, I confess it, as a wise, severe, grave Relater of Things done; not for a Pleader of Causes at the Bar, but a Reporter of a War in History. So that he was never reckoned an Orator, nor if he had never written a History, had his Name therefore not been extant, being a Man of Honour and Nobility. Yet, none of them imitate the Gravity of his Words and Sentences; but when they have uttered a kind of lame and undigested Stuff, they presently think themselves Brothers of *Thucydides*. Again, in his Book, *De optimo Oratore*, he saith thus: But here will stand up *Thucydides*: For his Eloquence is by some admired; and justly. But this is nothing to the Orator we seek; for it is one thing to unfold a Matter by way of Narration, and another thing to accuse a Man, or clear him by Arguments. And in Narrations, one thing to slay the Hearer; another to stir him. *Lucian* in his Book intitled, *How a History ought to be written*, doth continually exemplify the Virtues which he requires in an Historiographer by *Thucydides*. And if a Man consider well that whole Discourse of his, he shall plainly perceive, that the Image of this present History, preconceived in *Lucian's* Mind, suggested unto him all the Precepts he there delivereth. Lastly, hear the most true and proper Commendation of him from *Justus Lipsius*, in his Notes to his Book *De Doctrina Civili*, in these Words: *Thucydides*, who hath written, not many, nor very great Matters, hath perhaps yet won the Garland from all that have written of Matters, both many and great. Every where for Elocution grave; short and thick with Sense; sound in his Judgments; every where secretly instructing, and directing a Man's Life and Actions. In his Orations and Excursions almost Divine. Whom the oftener you read, the more you shall carry away, yet never be dismissed without Appetite. Next to him is *Polybius*, &c. And thus much concerning the Life and History of *Thucydides*.

A  
L E T T E R

C O N C E R N I N G

Sir *WILLIAM D'AVENANT*'s PREFACE  
before *GONDIBERT*.

S I R,

**I**F to commend your Poem, I should only say (in general Terms) that in the Choice of your Argument, the Disposition of the Parts, the Maintenance of the Characters of your Persons, the Dignity and Vigour of your Expression, you have performed all the Parts of various Experience, ready Memory, clear Judgment, swift and well-governed Fancy, though it were enough for the Truth, it were too little for the Weight and Credit of my Testimony. For I lie open to two Exceptions, one of an incompetent, the other of a corrupted Witness. Incompetent, because I am not a Poet; and corrupted with the Honour done me by your Preface. The former obliges me to say something (by the way) of the Nature and Differences of Poesy.

As Philosophers have divided the Universe (their Subject) into three Regions, *Celestial*, *Aerial*, and *Terrestrial*; so the Poets (whose Work it is, by imitating human Life, in delightful and measur'd Lines, to avert Men from Vice, and incline them to virtuous and honourable Actions) have lodged themselves in the three Regions of Mankind, *Court*, *City*, and *Country*, correspondent in some Proportion, to those three Regions of the World. For there is in Princes, and Men of conspicuous Power (anciently called *Heroes*) a Lustre and Influence upon the rest of Men, resembling that of the Heavens; and an Insincereness, Inconstancy, and troublesome Humour of those that dwell in populous Cities, like the Mobility, blustering, and Impurity of the Air; and a Plainness, and (though dull) yet a nutritive Faculty in rural People, that endures a Comparison with the Earth they labour.

From hence have proceeded three sorts of Poesy, *Heroic*, *Scommatic*, and *Pastoral*. Every one of these is distinguished again in the manner of *Representation*, which sometimes is *Narrative*, wherein the Poet himself relateth; and sometimes *Dramatic*, as when the Persons are every one adorned and brought upon the Theatre, to speak and act their own Parts. There is therefore neither more nor less than six sorts of Poesy. For the heroic Poem narrative (such as is yours) is called an *Epic Poem*. The heroic Poem dramatic, is *Tragedy*. The scommatic narrative is *Satire*; dramatic is *Comedy*. The pastoral Narrative is called simply *Pastoral* (anciently *Bucolic*) the same dramatic, *Pastoral Comedy*. The Figure therefore of an epic Poem, and of a Tragedy, ought to be the same, for they differ no more but in that they are pronounced by one and many Persons. Which I insert to justify the Figure of yours, consisting of five Books divided into Songs, or Cantos, as five Acts divided into Scenes, has ever been the approved Figure of a Tragedy.

They that take for Poesy whatsoever is writ in Verse, will think this Division imperfect, and call in Sonnets, Epigrams, Eclogues, and the like Pieces (which are but Essays, and parts of an entire Poem) and reckon *Empedocles* and *Lucretius* (natural Philosophers) for Poets, and the moral Precepts of *Phocylides* *Theognis*, and the

the Quatrains of *Pybrack*, and the History of *Lucan*, and others of that kind amongst Poems; bestowing on such Writers, for Honour, the Name of Poets, rather than of Historians or Philosophers. But the Subject of a Poem is the Manners of Men, not natural Causes; Manners presented, not dictated; and Manners feigned (as the Name of Poesy imports) not found in Men. They that give Entrance to Fictions writ in Prose, err not so much, but they err: For Prose requireth Delightfulness, not only of Fiction, but of Stile; in which if Prose contend with Verse, it is with Disadvantage, and, as it were, on Foot against the Strength and Wings of *Pegasus*.

For Verse amongst the *Greeks* was appropriated anciently to the Service of their Gods, and was the holy Style; the Style of the Oracles; the Style of the Laws; and the Style of Men that publicly recommended to their Gods, the Vows and Thanks of the People; which was done in their holy Songs, called Hymns; and the Composers of them were called Prophets and Priests, before the Name of Poet was known. When afterwards the Majesty of that Style was observed, the Poets chose it as best becoming their high Invention. And for the Antiquity of Verse, it is greater than the Antiquity of Letters. For it is certain, *Cadmus* was the first that (from *Phœnicia*, a Country that neighboureth *Judea*) brought the Use of Letters into *Greece*. But the Service of the Gods and the Laws (which by the measured Sounds were easily committed to the Memory) had been long time in Use, before the Arrival of *Cadmus* there.

There is, besides the Grace of Style, another Cause why the ancient Poets chose to write in measured Language, which is this: That their Poems were made at first with Intention to have them sung, as well epic as dramatic, (which Custom hath been long time laid aside, but began to be revived in part, of late Years in *Italy*) and could not be made commensurable to the Voice or Instruments, in Prose; the Ways and Motions whereof are so uncertain and undistinguished, like the Way and Motion of a Ship in the Sea, as not only to discompose the best Composers, but also to disappoint sometimes the most attentive Reader, and put him to hunt counter for the Sense. It was therefore necessary for Poets in those Times to write in Verse.

The Verse which the *Greeks* and *Latins*, considering the Nature of their own Languages, found by Experience most grave, and for an epic Poem most decent, was their *Hexameter*; a Verse limited, not only in the Length of the Line, but also in the Quantity of the Syllables. Instead of which we use the Line of ten Syllables, recompensing the Neglect of their Quantity with the Diligence of Rhyme. And this Measure is so proper to an heroic Poem, as, without some Loss of Gravity and Dignity, it was never changed. A longer is not far from ill Prose, and a shorter is a kind of whisking, you know, like the unlacing rather than the singing of a Muse. In an Epigram or a Sonnet, a Man may vary his Measures, and seek Glory from a needless Difficulty; as he that contrived Verses into the Forms of an Organ, a Hatchet, an Egg, an Altar, and a Pair of Wings: but in so great and noble a Work as is an epic Poem, for a Man to obstruct his Way with unprofitable Difficulties, is great Imprudence. So likewise to chuse a needless and difficult Correspondence of Rhyme, is but a difficult Toy, and forces a Man sometimes for the stopping of a Chink, to say somewhat he did never think; I cannot therefore but very much approve your *Stanza*, wherein the Syllables in every Verse are ten, and the Rhyme alternate.

For the Choice of your Subject, you have sufficiently justified yourself in your Preface. But because I have observed in *Virgil*, that the Honour done to *Æneas* and his Companions, has so bright a Reflexion upon *Augustus Cæsar*, and other great *Romans* of that Time, as a Man may suspect him not constantly possessed with the noble Spirit of those his *Heroes*, and believe you are not acquainted with any great Man of the Race of *Gondibert*, I add to your Justification the Purity of your Purpose, in having no other Motive of your Labour, but to adorn Virtue, and  
procure

procure her Lovers; than which there cannot be a worthier Design, and more becoming noble Poesy.

In that you make so small Account of the Example of almost all the approved Poets, ancient and modern, who thought fit in the Beginning, and sometimes also in the Progress of their Poems, to invoke a Muse, or some other Deity, that should dictate to them, or assist them in their Writings, they that take not the Laws of Art from any Reason of their own, but from the Fashion of precedent Times, will perhaps accuse your Singularity. For my part, I neither subscribe to their Accusation, nor yet condemn that heathen Custom, otherwise than as necessary to their false Religion. For their Poets were their Divines; had the Name of Prophets; exercised among the People a kind of spiritual Authority; would be thought to speak with a divine Spirit; have their Works which they write in Verse (the divine Style) pass for the Word of God, and not of Man; and to be hearkened to with Reverence. Do not the Divines, excepting the Style, do the same, and by us that are of the same Religion cannot justly be reprehended for it? Besides, in the Use of the spiritual Calling of Divines, there is Danger sometimes to be feared, from want of Skill, such as is reported of unskilful Conjurers, that mistaking the Rites and ceremonious Points of their Art, call up such Spirits, as they cannot at their Pleasure allay again; by whom Storms are raised, that overthrow Buildings, and are the Cause of miserable Wrecks at Sea. Unskilful Divines do oftentimes the like, for when they call unseasonably for *Zeal*, there appears a Spirit of *Cruelty*; and by the like Error, instead of *Truth* they raise *Discord*; instead of *Wisdom*, *Fraud*; instead of *Reformation*, *Tumult*; and *Controversy* instead of *Religion*. Whereas in the heathen Poets, at least in those whose Works have lasted to the Time we are in, there are none of those Indiscretions to be found, that tended to Subversion, or Disturbance to the Commonwealths wherein they lived. But why a Christian should think it an Ornament to his Poem, either to prophane the true God, or invoke a false one, I can imagine no Cause, but a reasonless Imitation of Custom, of a foolish Custom; by which a Man enabled to speak wisely from the Principles of Nature, and his own Meditation, loves rather to be thought to speak by Inspiration, like a Bagpipe.

Time and Education begets Experience; Experience begets Memory; Memory begets Judgment and Fancy; Judgment begets the Strength and Structure; and Fancy begets the Ornaments of a Poem. The Ancients therefore fabled not absurdly, in making Memory the Mother of the Muses. For Memory is the World (though not really, yet so as in a Looking-glass) in which the Judgment, the severer Sister, busieth herself in a grave and rigid Examination of all the Parts of Nature, and in registering by Letters, their Order, Causes, Uses, Differences, and Resemblances; whereby the Fancy, when any Work of Art is to be performed, finds her Materials at hand and prepared for Use, and needs no more than a swift Motion over them, that what she wants, and is there to be had, may not lie too long unespied. So that when she seemeth to fly from one *Indies* to the other, and from Heaven to Earth, and to penetrate into the hardest Matter, and obscurest Places, into the Future, and into herself, and all this in a Point of Time, the Voyage is not very great, herself being all she seeks; and her wonderful Celerity consisteth not so much in Motion, as in copious Imagery discreetly ordered, and perfectly registred in the Memory; which most Men under the Name of Philosophy have a Glimpse of, and is pretended to by many that grossly mistaking her, embrace Contention in her Place. But so far forth as the Fancy of Man has traced the Ways of true Philosophy, so far it hath produced very marvellous Effects to the Benefit of Mankind. All this is beautiful or defensible in Building; or marvellous in Engines and Instruments of Motion; whatsoever Commodity Men receive from the Observations of the Heavens, from the Description of the Earth, from the Account of Time, from walking on the Seas; and whatsoever distinguisheth the Civility of *Europe*, from the Barbarity of the *American* Savages, is the Workmanship of Fancy  
but

but guided by the Precepts of true Philosophy. But where these Precepts fail, as they have hitherto failed in the Doctrine of moral Virtue, there the Architect (*Fancy*) must take the Philosopher's Part upon herself. He therefore that undertakes an heroic Poem (which is to exhibit a venerable and amiable Image of heroic Virtue) must not only be the Poet; to place and connect, but also the Philosopher, to furnish and square his Matter; that is, to make both Body and Soul, Colour and Shadow of his Poem, out of his own Store: Which, how well you have performed, I am now considering.

Observing how few the Persons be you introduce in the Beginning; and how in the Course of the Actions of these (the Number increasing) after several Confluences, they run all at last into the two principal Streams of your Poem, *Gondibert* and *Oswald*, methinks the Fable is not much unlike the Theatre. For so; from several and far distant Sources, do the lesser Brooks of *Lombardy*, flowing into one another, fall all at last into the two main Rivers, the *Po* and the *Adice*. It hath the same Resemblance also with a Man's Veins, which proceeding from different Parts, after the like Concourse, insert themselves at last into the two principal Veins of the Body. But when I considered that also the Actions of Men, which singly are inconsiderable, after many Conjunctions, grow at last either into one great protecting Power, or into two destroying Factions, I could not but approve the Structure of your Poem; which ought to be no other than such as an Imitation of human Life requireth.

In the Streams themselves I find nothing but settled Valour, clean Honour, calm Counsel, learned Diversion, and pure Love; save only a Torrent or two of Ambition, which, though a Fault, has somewhat heroic in it, and therefore must have place in an heroic Poem. To shew the Reader in what place he shall find every excellent Picture of Virtue you have drawn, is too long; and to shew him one, is to prejudice the rest; yet I cannot forbear to point him to the Description of Love in the Person of *Birtba*, in the seventh *Canto* of the second Book. There has nothing been said of that Subject neither by the ancient nor modern Poets comparable to it. Poets are Painters: I would fain see another Painter draw so true, perfect, and natural a Love to the Life, and make use of nothing but pure Lines, without the Help of any the least uncomely Shadow, as you have done. But let it be read as a Piece by itself, for in the almost equal Height of the whole, the Eminence of Parts is lost.

There are some that are not pleased with Fiction, unless it be bold; not only to exceed the *Work*, but also the *Possibility* of Nature: they would have impenetrable Armours, enchanted Castles, invulnerable Bodies, Iron Men, flying Horses, and a thousand other such Things, which are easily feigned by them that dare: Against such I defend you (without assenting to those that condemn either *Homer* or *Virgil*) by dissenting only from those that think the Beauty of a Poem consisteth in the Exorbitancy of the Fiction. For as Truth is the Bound of historical, so the Resemblance of Truth is the utmost Limit of poetical Liberty. In old Time amongst the Heathen, such strange Fictions and Metamorphoses were not so remote from the Articles of their Faith, as they are now from ours, and therefore were not so unpleasant: Beyond the actual Works of Nature a Poet may now go; but beyond the conceived Possibility of Nature, never. I can allow a Geographer to make in the Sea, a Fish or a Ship, which by the Scale of his Map would be two or three hundred Mile long, and think it done for Ornament, because it is done without the Precincts of his Undertaking; but when he paints an *Elephant* so, I presently apprehend it as Ignorance; and a plain Confession of *Terra incognita*.

As the Description of great Men and great Actions is the constant Design of a Poet; so the Descriptions of worthy Circumstances are necessary Accessions to a Poem, and being well performed, are the Jewels and most precious Ornament of Poesy. Such in *Virgil* are the funeral Games of *Anchises*, the Duel of *Aeneas* and *Turnus*, &c. and such in yours are *the Hunting*, *the Battle*, *the City Morning*, *the*

*Funeral, the House of Atragon, the Library, and the Temples, equal to his, or those of Homer whom he imitated.*

There remains now no more to be considered but the Expression, in which consisteth the Countenance and Colour of a beautiful Muse; and is given her by the Poet out of his own Provision, or is borrowed from others: That which he hath of his own, is nothing but Experience and Knowledge of Nature, and especially human Nature; and is the true and natural Colour. But that which is taken out of Books (the ordinary Boxes of counterfeit Complexion) shews well or ill, as it hath more or less Resemblance with the natural, and are not to be used, without Examination, unadvisedly. For in him that professes the Imitation of Nature, as all Poets do, what greater Fault can there be, than to bewray an Ignorance of Nature in his Poem; especially having a Liberty allowed him, if he meet with any thing he cannot master, to leave it out?

That which giveth a Poem the true and natural Colour consisteth in two things, which are, *to know well*; that is, to have Images of Nature in the Memory distinct and clear; and, *to know much*. A Sign of the first is Perspicuity, Propriety, and Decency, which delight all sorts of Men, either by instructing the Ignorant, or soothing the Learned in their Knowledge. A Sign of the latter is Novelty of Expression, and pleaseth by Excitation of the Mind; for Novelty causeth Admiration, and Admiration Curiosity, which is a delightful Appetite of Knowledge.

There be so many Words in use at this Day in the *English* Tongue, that, though of magnificent Sound, yet, like the windy Blusters of a troubled Water, have no Sense at all; and so many others that lose their Meaning, by being ill coupl'd, that it is a hard matter to avoid them; for having been obtruded upon Youth in the Schools, by such as make it, I think, their Business there, as 'tis express'd by the best Poet:

*With Terms to charm the Weak, and pose the Wise,*

Gondibert, *lib. 1. can. 5.*

they grow up with them, and gaining Reputation with the Ignorant, are not easily shaken off.

To this palpable Darknes, I may also add the ambitious Obscurity of expressing more than is perfectly conceived; or perfect Conception in fewer Words than it requires. Which Expressions, though they have had the Honour to be called strong Lines, are indeed no better than Riddles, and not only to the Reader, but also, after a little time, to the Writer himself dark and troublesome.

To the Propriety of Expression I refer that Clearness of Memory, by which a Poet when he hath once introduced any Person whatsoever, speaking in his Poem, maintaineth in him to the End the same Character he gave him in the Beginning. The Variation whereof, is a Change of Pace, that argues the Poet tired.

Of the Indecencies of an heroic Poem, the most remarkable are those that shew Disproportion either between the Persons and their Actions, or between the Manners of the Poet and the Poem. Of the first kind, is the Uncomeliness of representing in great Persons the inhuman Vice of Cruelty, or the sordid Vice of Lust and Drunkenness. To such Parts as those the ancient approved Poets thought it fit to subjoin, not the Persons of Men, but of Monsters and beastly Giants, such as *Polyphemus, Cacus, and the Centaurs*. For it is supposed a Muse, when she is invoked to sing a Song of that Nature, should maidenly advise the Poet, to set such Persons to sing their own Vices upon the Stage; for it is not so unseemly in a *Tragedy*. Of the same kind it is to represent Scurrility, or any Action or Language that moveth much Laughter. The Delight of an epic Poem consisteth not in Mirth, but Admiration. Mirth and Laughter is proper to *Comedy* and *Satire*. Great Persons that have their Minds employed on great Designs, have not Leisure enough to laugh, and are pleas'd with the Contemplation of their own Power and Virtues, so as they need not the Infirmities and Vices of other Men to recom-

mend themselves to their own Favour by Comparison, as all Men do when they laugh. Of the second kind, where the Disproportion is between the Poet and the Persons of his Poem, one is in the Dialect of the inferior sort of People, which is always different from the Language of the Court. Another is to derive the Illustrations of any thing, from such Metaphors or Comparisons as cannot come into Mens Thoughts, but by mean Conversation; and Experience of humble or evil Arts, which the Person of an epic Poem cannot be thought acquainted with.

From *knowing much*, proceedeth the admirable Variety and Novelty of Metaphors and Similitudes, which are not possible to be lighted on in the Compass of a narrow Knowledge. And the want whereof compelleth a Writer to Expressions that are either defaced by Time; or sullied with vulgar or long Use. For the Phrases of Poesy, as the Airs of Music, with often hearing become insipid, the Reader having no more Sense of their Force, than our Flesh is sensible of the Bones that sustain it. As the Sense we have of Bodies consisteth in Change and Variety of Impression, so also does the Sense of Language in the Variety and changeable Use of Words. I mean not in the Affectation of Words newly brought home from Travel, but in new, and withall significant Translation to our Purposes, of those that be already received; and in far-fetch'd, but withall apt, instructive, and comely Similitudes.

Having thus, I hope, avoided the first Exception, against the Incompetency of my Judgment; I am but little moved with the second, which is of being bribed by the Honour you have done me, by attributing in your Preface somewhat to my Judgment. For I have used your Judgment no less in many Things of mine; which coming to Light, will thereby appear the better. And so you have your Bribe again.

Having thus made Way for the Admission of my Testimony; I give it briefly thus; I never yet saw Poem that had so much Shape of Art, Health of Morality, and Vigour and Beauty of Expression, as this of yours. And but for the Clamour of the Multitude, that hide their Envy of the present, under a Reverence of Antiquity, I should say further, that it would last as long as either the *Æneid* or *Iliad*, but for one Disadvantage; and the Disadvantage is this: The Language of the *Greeks* and *Romans*, by their Colonies and Conquests, have put off Flesh and Blood, and are become immutable, which none of the modern Tongues are like to be. I honour Antiquity, but that which is commonly called *old Time*, is *young Time*. The Glory of Antiquity is due, not to the Dead, but to the Aged.

And now, whilst I think on't, give me Leave with a short Discord to sweeten the Harmony of the approaching Close. I have nothing to object against your Poem, but dissent only from something in your Preface, sounding the Prejudice of Age. 'Tis commonly said, that old Age is a Return to Childhood; which methinks you insist on so long, as if you desired it should be believed. That's the Note I mean to shake a little. That Saying, meant only of the Weakness of Body, was wrested to the Weakness of Mind, by froward Children, weary of the Controulment of their Parents; Masters, and other Admonitors. Secondly; the Dotage and Childishness they ascribe to Age, is never the Effect of Time; but sometimes of the Excesses of Youth; and not a Returning to, but a continual Stay with Childhood. For they that wanting the Curiosity of furnishing their Memories with the Rarities of Nature in their Youth, and pass their Time in making Provision only for their Ease and sensual Delight, are Children still, at what Years soever; as they that coming into a populous City, never going out of their Inn, are Strangers still, how long soever they have been there. Thirdly, there is no reason for any Man to think himself wiser To-day than Yesterday, which does not equally convince he shall be wiser To-morrow than To-day.

Fourthly, You will be forced to change your Opinion hereafter when you are old; and in the mean time you discredit all I have said before in your Commendation, because I am old already. But no more of this.

I be-

I believe, Sir, you have seen a curious kind of Perspective, where, he that looks through a short hollow Pipe, upon a Picture containing divers Figures, sees none of those that are there painted, but some one Person made up of their Parts, conveyed to the Eye by the artificial cutting of a Glass. I find in my Imagination an Effect not unlike it from your Poem. The Virtues you distribute there amongst so many noble Persons, represent, in the Reading, the Image but of one Man's Virtue to my Fancy, which is your own; and that so deeply imprinted, as to stay for ever there, and govern all the rest of my Thoughts and Affections in the way of honouring and serving you; to the utmost of my Power, that am,

S I R,

Your most Humble and Obedient-Servant,

Paris, Jan. 16.  
1650.

T H O M A S H O B B E S.

The following Papers are Copies of two original Letters of Mr. Hobbes; the first to an unknown Friend of his in *England*; the other to the Reverend Mr. George Glen, Prebend of *Worcester*, communicated by *William Standfast*, Doctor of Physic, Rector of *Clifton* in the County of *Nottingham*, to *Francis Peck*, Master of Arts, Rector of *Godeby*, near *Milton* in *Leicestershire*, who published them in his *Desiderata Curiosa*, Vol. I. Lib. vi. p. 23, 24.

Mr. THOMAS HOBBS, to a Friend in England.

WORTHY SIR,

I Have been behind-hand with you a long Time for a Letter I receiv'd of yours at *Angers*, that Place affording nothing wherewith to pay a Debt of that Kind. All Matter of News being sooner known in *England* than there; and the News you writ me was of that Kind that none from *England* could be more welcome; because it concerned the Honour of *Welbeck* and *Clifton*, two Houses to which I am very much obliged.

Monfieur having given the Slip to the *Spaniards* at *Bruxelles*, came to the King about ten Days ago at *St. Germain*, where he was received with great Joy. The next Day the Cardinal entertained him at *Ruelle*; and the Day after that he went to *Limours*, where he is now, and from whence he goes very shortly to *Bloys*, to stay there this Winter. The Cardinal of *Lyons* is going to *Rome*, to treat about the annulling of Monfieur's Marriage, which is here by Parliament declared void, but yet they require the Sentence of the Pope. There goes somebody thither on the Part of his Wife, to get the Marriage approved; but who that is I know not. The *Swedish* Party in *Germany* is in low Estate, but the *French* prepare a great Army for those Parts, pretending to defend the Places which the *Swedes* have put into the King of *France* his Protection, whereof *Philipsbourgh* is one; a Place of Importance for the *Lower Palatinate*. This is all the *French* News.

For your Question—*Why a Man remembers less his own Face, which he sees often in a Glass, than the Face of a Friend that he has not seen of a great time?* My Opinion

Opinion in general is, that a Man remembers best those Faces whereof he has had the greatest Impression; and that the Impressions are the greater for the oftener seeing them, and the longer staying upon the Sight of them. Now, you know Men look upon their own Faces but for short Fits, but upon their Friends Faces long time together, whilst they discourse or converse together; so that a Man may receive a greater Impression from his Friend's Face in a Day, than from his own in a Year: and according to this Impression, the Image will be fresher in his Mind. Besides, the Sight of one's Friend's Face two Hours together, is of greater Force to imprint the Image of it, than the same Quantity of Time by Intermissions. For the Intermissions do easily deface that which is but lightly imprinted. In general, I think that That lasteth longer in the Memory which hath been stronglier received by the Sense.

This is my Opinion of the Question you propounded in your Letter. Other new Truths I have none, at least they appear not new to me. Therefore if this Resolution of your first Question seem probable, you may propound another, wherein I will endeavour to satisfy you, as also in any thing of any other Nature you shall command me, to my utmost Power; taking it for an Honour to be esteemed by you, as I am, in Effect,

Your humble and faithful Servant,

Paris, Oct.  $\frac{21}{31}$ , 1694.

THO. HOBBS.

My Lord *Fielding* and his Lady came to *Paris* on *Saturday* Night last.

To my worthy Friend Mr. GLEN.

WORTHY SIR,

I Received here in *Florence*, two Days since, a Letter from you of the 19th of *January*. It was long by the Way; but when it came it did thoroughly recompense that Delay. For it was worth all the *Paquets* I had received a great while together. All that passeth in these Parts is equally News, and therefore no News, else I would labour to requite your Letter in that Point, though in the handsome setting down of it I should still be inferior.

I long infinitely to see those Books of the *Sabbaoth*, and am of your Mind they will put such Thoughts into the Heads of vulgar People, as will confer little to their good Life. For when they see one of the Ten Commandments to be *ius humanum*, merely as it must be, if the Church can alter it, they will hope also that the other nine may be so too. For every Man hitherto did believe that the Ten Commandments were the moral, that is, the eternal Law.

I desire also to see *Selden's Mare Clausum*, having already a great Opinion of it.

You may, perhaps, by some that go to *Paris*, send me those of the *Sabbaothi*. For the other being in *Latin*, I doubt not but to find it in the *Rue S. Jaques*.

We are now come hither from *Rome*, and hope to be in *Paris* by the End of *June*. I thank you for your Letter, and desire you to believe, that I can never grow strange to one, the Goodness of whose Acquaintance I have found by so much Experience. But I have to write to so many, that I write to you seldomer than I desire; which I pray pardon, and esteem me,

Your most affectionate Friend,

*Florence*, Apr.  $\frac{6}{13}$ , 1636;

and humble Servant;

THO. HOBBS.

My Lord, and Mr. *Nichols*, and all our Company, commend them to you.

## \* C O N C E R N I N G

## The Virtues of an HEROIC POEM.

**T**HE Virtues required in an Heroic Poem (and indeed in all Writings published) are comprehended all in this one Word, *Discretion*.

And Discretion consisteth in this, That every Part of the Poem be conducting, and in good Order placed, to the End and Design of the Poet. And the Design is not only to profit, but also to delight the Reader.

By Profit, I intend not here any Accession of Wealth, either to the Poet, or to the Reader; but Accession of Prudence, Justice, and Fortitude, by the Example of such great and noble Persons, as he introduceth speaking, or describeth acting. For all Men love to behold, though not to practise Virtue. So that at last the Work of an Heroic Poet, is no more but to furnish an ingenuous Reader (when his Leisure abounds) with the Diversion of an honest and delightful Story, whether true or feigned.

But because there be many Men called Critics and Wits, and Virtuosi, that are accustomed to censure the Poets, and most of them of divers Judgments: How is it possible, you'll say, to please them all? Yes, very well; if the Poem be as it should be. For Men can judge what is good, that know not what is best. For he that can judge what is best, must have considered all those things, though they be almost innumerable, that concur to make the reading of an Heroic Poem pleasant. Whereof I'll name as many as shall come into my Mind.

And they are contained, first, in the Choice of Words. Secondly, in the Construction. Thirdly, in the Contrivance of the Story, or Fiction. Fourthly, in Elevation of Fancy. Fifthly, in the Justice and Impartiality of the Poet. Sixthly, in the Clearness of Descriptions. Seventhly, in the Amplitude of the Subject.

1. And, to begin with Words. The first Indiscretion is, The Use of such Words, as to the Readers of Poesy (which are commonly Persons of the best Quality) are not sufficiently known. For the Work of an Heroic Poem is to raise Admiration (principally) for three Virtues, Valour, Beauty, and Love; to the reading whereof, Women no less than Men have a just Pretence, though their Skill in Language be not so universal. And therefore foreign Words, till by long Use they become vulgar, are unintelligible to them. Also the Names of Instruments and Tools of Artificers, and Words of Art, though of Use in the Schools, are far from being fit to be spoken by a Hero. He may delight in the Arts themselves, and have Skill in some of them; but his Glory lies not in that, but in Courage, Nobility, and other Virtues of Nature; or in the Command he has over other Men. Nor does *Homer* in any part of his Poem attribute any Praise to *Achilles*, or any Blame to *Alexander*, for that they had both learned to play upon the Guittarre. The Character of Words that become a Hero, are Propriety and Significancy, but without the Malice and Lasciviousness of a Satire.

2. Another Virtue of an Heroic Poem, is the Perspicuity and the Facility of Construction, and consisteth in a natural Contexture of the Words, so as not to discover the Labour, but the natural Ability of the Poet; and this is usually called a good Style. For the Order of Words, when placed as they ought to be, carries a Light before it, whereby a Man may foresee the Length of his Period; as a Torch in the Night shews a Man the Stops and Unevenness in the Way. But when plac'd unnaturally, the Reader will often find unexpected Checks, and be forced to go  
back

\* This was written by way of Preface to his Translation of *Homer*.

back and hunt for the Sense, and suffer such Unease, as in a Coach a Man unexpectedly finds it passing over a Furrow. And though the Laws of Verse (which have bound the *Greeks* and *Latins* to Number of Feet, and Quantity of Syllables, and the *English* and other Nations to Number of Syllables and Rhyme) put great Constraint upon the natural Course of Language; yet the Poet having the Liberty to depart from what is obstinate, and to chuse somewhat else that is more obedient to such Laws, and no less fit for his Purpose, shall not be (neither by the Measure, nor by the Necessity of Rhyme) excused, though a Translator often may.

3. A third Virtue lies in the Contrivance. For there is Difference between a Poem and a History in Prose. For a History is wholly related by the Writer; but in an Heroic Poem, the Narration is a great part of it, put upon some of the Persons introduced by the Poet. So *Homer* begins not his *Iliad* with the Injury done by *Paris*, but makes it related by *Menelaus*, and very briefly, as a thing notorious; nor begins he his *Odyssey* with the Departure of *Ulysses* from *Troy*, but makes *Ulysses* himself relate the same to *Alcinous*, in the midst of his Poem; which I think much more pleasant and ingenious, than a too precise and close following of the Time.

4. A fourth is in the Elevation of Fancy, which is generally taken for the greatest Praise of Heroic Poetry; and is so, when governed by Discretion. For Men more generally affect and admire Fancy, than they do either Judgment, or Reason, or Memory, or any other intellectual Virtue; and for the Pleasantness of it, give to it alone the Name of Wit, accounting Reason and Judgment but for a dull Entertainment. For in Fancy consisteth the Sublimity of a Poet, which is that poetical Fury which the Readers for the most part call for. It flies abroad swiftly to fetch in both Matter and Words; but if there be no Discretion at home to distinguish, which are fit to be used, and which not, which decent, and which undecent, for Persons, Times, and Places, their Delight and Grace are lost. But if they be discreetly used, they are greater Ornaments of a Poem by much than any other. A Metaphor also (which is a Comparison contracted into a Word) is not unpleasant; but when they are sharp and extraordinary, they are not fit for an Heroic Poem, nor for a public Consultation, but only for an Accusation or Defence at the Bar.

5. A fifth lies in the Justice and Impartiality of the Poet, and belongeth as well to History as to Poetry. For both the Poet and the Historian write only (or should do) Matter of Fact. And as far as the Truth of Fact can defame a Man, so far they are allowed to blemish the Reputation of Persons. But to do the same upon Report, or by Inference, is below the Dignity not only of a Hero but of a Man. For neither a Poet nor an Historian ought to make himself an absolute Master of any Man's good Name. None of the Emperors of *Rome*, whom *Tacitus* or any other Writer hath condemned, was ever subject to the Judgment of any of them, nor were they ever heard to plead for themselves, which are things that ought to be antecedent to Condemnation. Nor was, I think, *Epicurus* the Philosopher, who is transmitted to us by the Stoics for a Man of evil and voluptuous Life, ever called, convicted, and lawfully convicted, as all Men ought to be, before they be defamed. Therefore 'tis a very great Fault in a Poet to speak evil of any Man in their Writings historical.

6. A sixth Virtue consists in the Perfection and Curiosity of Descriptions, which the ancient Writers of Eloquence call *Icones*, that is, *Images*. And an Image is always a Part, or rather the Ground of a poetical Comparison. As, for Example, when *Virgil* would set before our Eyes the Fall of *Troy*, he describes perhaps the whole Labour of many Men together in the felling of some great Tree, and with how much ado it fell. This is the Image. To which if you but add these Words, So fell *Troy*, you have the Comparison entire; the Grace whereof lieth in the Lightsomeness, and is but the Description of all (even of the minutest) Parts of the Thing described; that not only they that stand far off, but also they that stand near, and look upon it with the oldest Spectacles of a Critic, may approve it. For a

Poet is a Painter, and should paint Actions to the Understanding with the most decent Words, as Painters do Persons and Bodies, with the choicest Colours, to the Eye; which if not done nicely, will not be worthy to be placed in a Cabinet.

7. The seventh Virtue, which lying in the Amplitude of the Subject, is nothing but Variety, and a Thing, without which, a whole Poem would be no pleasanter than an Epigram, or one good Verse; nor a Picture of a hundred Figures better than any one of them asunder, if drawn with equal Art. And these are the Virtues which ought especially to be looked upon by the Critics, in the comparing of the Poets, *Homer* with *Virgil*, or *Virgil* with *Lucan*. For these only, for their Excellency, I have read or heard compared.

If the Comparison be grounded upon the first and second Virtues, which consist in known Words and Style unforced, they are all excellent in their own Language, though perhaps the *Latin* than the *Greek* is apter to dispose itself into an Hexameter Verse, as having both fewer Monosyllables and fewer Polysyllables. And this may make the *Latin* Verse appear more grave and equal, which is taken for a kind of Majesty; though in Truth there be no Majesty in Words, but then when they seem to proceed from an high and weighty Employment of the Mind. But neither *Homer*, nor *Virgil*, nor *Lucan*, nor any Poet writing commendably (though not excellently) was ever charged much with unknown Words, or great Constraint of Style, as being a Fault proper to Translators, when they hold themselves too superstitiously to their Authors Words.

In the third Virtue, which is Contrivance, there is no doubt but *Homer* excels them all. For their Poems, except the Introduction of their Gods, are but so many Histories in Verse; where *Homer* has woven so many Histories together, as contain the whole Learning of his Time (which the *Greeks* call *Cyclopedia*) and furnished both the *Greek* and *Latin* Stages with all the Plots and Arguments of their Tragedies.

The fourth Virtue, which is the Height of Fancy, is almost proper to *Lucan*, and so admirable in him, that no heroic Poem raises such Admiration of the Poet, as his hath done, though not so great Admiration of the Persons he introduceth. And though it be a Mark of a great Wit, yet it is fitter for a Rhetorician than a Poet, and rebelleth often against Discretion, as when he says,

*Victrix causa Diis placuit, sed victa Catoni.*

That is,

*The Side that won, the Gods approved most;  
But Cato better lik'd the Side that lost.*

Than which nothing could be spoken more gloriously to the Exaltation of a Man, nor more disgracefully to the Depression of the Gods. *Homer* indeed maketh some Gods for the *Greeks*, and some for the *Trojans*; but always makes *Jupiter* impartial. And never prefers the Judgment of a Man before that of *Jupiter*; much less before the Judgment of all the Gods together.

The fifth Virtue, which is the Justice and Impartiality of a Poet, is very eminent in *Homer* and *Virgil*, but the contrary in *Lucan*. *Lucan* shews himself openly in the *Pompeyan* Faction, inveighing against *Cæsar* throughout his Poem, like *Cicero* against *Cataline* or *Marc Antony*; and is therefore justly reckon'd by *Quintilian* as a Rhetorician rather than a Poet. And a great part of the Delight of his Readers, proceedeth from the Pleasure which too many Men take to hear great Persons censured. But *Homer* and *Virgil*, especially *Homer*, do every where what they can to preserve the Reputation of the Heroes.

If we compare *Homer* and *Virgil* by the sixth Virtue, which is the Clearness of Images, or Descriptions, it is manifest that *Homer* ought to be preferred, though *Virgil* himself were to be the Judge. For there are very few Images in *Virgil*  
besides

besides those which he hath translated out of *Homer*; so that *Virgil's* Images are *Homer's* Praises. But what if he have added something to it of his own? Though he have, yet it is no Addition of Praise, because 'tis easy. But he hath some Images which are not in *Homer*, and better than his. It may be so, and so many other Poets have which never durst compare themselves with *Homer*. Two or three fine Sayings are not enough to make a Wit. But where is that Image of his better done by him than *Homer*, of those that have been done by them both? Yes, *Eustathius* (as Mr. *Ogilby* hath observed) where they both describe the falling of a Tree, prefers *Virgil's* Description. But *Eustathius* is in that, I think, mistaken. The Place of *Homer* is in the fourth of the *Iliads*, the Sense whereof is this:

*As when a Man hath fell'd a Poplar Tree,  
Tall, straight, and smooth, with all the fair Boughs on;  
Of which he means a Coach-Wheel made shall be,  
And leaves it on the Bank to dry i'th' Sun:  
So lay the comely Simoisius,  
Slain by great Ajax, Son of Telamon.*

It is manifest, that in this place *Homer* intended no more, than to shew how comely the Body of *Simoisius* appeared, as he lay dead upon the Bank of *Scamander*, straight and tall, with a fair Head of Hair, and like a straight and high Poplar with the Boughs still on; and not at all to describe the manner of his falling, which, when a Man is wounded through the Breast, as he was with a Spear, is always sudden.

The Description of how a great Tree falleth, when many Men together hew it down, is in the second of *Virgil's* *Æneids*. The Sense of it, with the Comparison, is in *English* this:

*And Troy, methought, then sunk in Fire and Smoke,  
And overturned was in every part:  
As when upon the Mountain an old Oak  
Is hewn about with keen Steel to the Heart,  
And ply'd by Swains with many heavy Blows,  
It nods, and every way it threatens round:  
Till overcome with many Wounds it bows,  
And leisurely at last comes to the Ground.*

And here again it is evident, that *Virgil* meant to compare the Manner how *Troy*, after many Battles, and after the Losses of many Cities, conquered by the many Nations under *Agamemnon* in a long War, and thereby weakened, and at last overthrown, like a great Tree hewn round about, and then falling by little and little leisurely.

So that neither these two Descriptions, nor the two Comparisons, can be compared together. The Image of a Man lying on the Ground is one Thing; the Image of falling, especially of a Kingdom, is another. This therefore gives no Advantage to *Virgil* over *Homer*. 'Tis true, that this Description of the Felling and Falling of a Tree is exceeding graceful. But is it therefore more than *Homer* could have done, if need had been? Or is there no Description in *Homer* of somewhat else as good as this? Yes, and in many of our *English* Poets now alive. If it then be lawful for *Julius Scaliger* to say, that if *Jupiter* would have described the Fall of a Tree, he could not have mended this of *Virgil*; it will be lawful for me to repeat an old Epigram of *Antipater*, to the like Purpose, in favour of *Homer*.

*The Writer of the famous Trojan War,  
And of Ulysses' Life, O Jove make known!*

*Who, whence he was; for thine the Verses are,  
And he would have us think they are his own.*

The seventh and last Commendation of an heroic Poem consisteth in Amplitude and Variety; and in this *Homer* exceedeth *Virgil* very much, and that not by Superfluity of Words, but by Plenty of heroic Matter, and Multitude of Descriptions and Comparisons (whereof *Virgil* hath translated but a small part into his *Æneids*) such as are the Images of Shipwrecks, Battles, single Combats, Beauty, Passions of the Mind, Sacrifices, Entertainments, and other Things, whereof *Virgil*, abating what he borrows of *Homer*, has scarce the twentieth part. It is no Wonder therefore, if all the ancient learned Men both of *Greece* and *Rome*, have given the first place in Poetry to *Homer*. It is rather strange, that two or three, and of late time, and but Learners of the *Greek* Tongue, should dare to contradict so many competent Judges, both of Language and Discretion. But howsoever I defend *Homer*, I aim not thereby at any Reflection upon the following Translation. Why then did I write it? Because I had nothing else to do. Why publish it? Because I thought it might take off my Adversaries from shewing their Folly upon my more serious Writings, and set them upon my Verses to shew their Wisdom. But why without Annotations? Because I had no Hope to do it better than it is already done by Mr. *Ogilby*.

T. HOBBS.

T O T H E

A D

N O B L E L O R D

N O B I L I S S I M U M D O M I N U M

W I L L I A M G U L I E L M U M

E a r l o f *Devonshire*,C o m i t e m *Devoniae*, &c.C o n c e r n i n g t h e W o n d e r s o f t h e *Peak*.*De Mirabilibus* \* *Pecci*.

A P O E M.

C A R M E N.

O N th' *English Alps*, where *Derby's Peak* doth rise,  
 High up in Hills that emulate the Skies,  
 And largely waters all the Vales below,  
 With Rivers that still plentifully flow,  
 Doth <sup>a</sup> *Chatsworth* by swift <sup>b</sup> *Derwin's* Channel stand,  
 Fam'd for its Pile, and Lord, for both are grand.  
 Slowly the River by its Gates doth pass,  
 Here silent, as in Wonder of the Place,  
 But does from rocky Precipices move  
 In rapid Streams below it, and above.  
 A lofty Mountain guards the House behind,  
 From the Assaults of the rough eastern Wind,  
 Which does from far its rugged Cliffs display,  
 And Sleep prolongs, by shutting out the Day.  
 Behind, a pleasant Garden does appear;  
 Where the rich Earth breathes Odours every where;  
 Where in the midst of <sup>c</sup> Woods, the fruitful Tree  
 Bears without Prune-hook, seeming now as free.  
 Where by the thick-leav'd Roof the Walls are made,  
 Spite of the Sun were all his Beams display'd,  
 More cool than the fam'd *Virgil's* beechen Shade;  
 Where Art (itself dissembling) rough hewn Stone  
 And craggy Flints worn out by dropping on,  
 Together joining by the Workman's Tool,  
 Makes horrid <sup>d</sup> Rocks, and watry Caverns coo.  
 The Water that from native Cliffs had Source  
 Once free and unconfin'd, throughout its Course,  
 By its own <sup>e</sup> Country Metal is led on  
 Captive to Rocks of artificial Stone,  
 There buried deep, its Streams it doubly throws  
 Into two circling Channels as it goes,  
 Through thousand Crannies, which by Art it does,  
 Then girds the Rock with many a hollow <sup>f</sup> Vein,  
 Frightning all under with surprising Rain.  
 Thence turning it a Marble Font does store,  
 Until its lofty Brims can hold no more,  
 And entering the House, obsequious is  
 To Cook and Butler, in their Services;

And

A Lpibus *Angliacis*, ubi *Pecci* nomine, surgit,  
 Darbenfis Regio, montes ad sidera tollens,  
 Fœcundasque rigans, non uno flumine, valles,  
 Stat <sup>a</sup> *Chatsworth* præclara domus, tum mole superba,  
 Tum Domino, Magnis, celerem <sup>b</sup> Deroentis ad undam,  
 Miranti similis portam præterfluit Annis,  
 Hic tacitus, saxis, infra supraque, sonorus.  
 At Mons terga domûs rapidis descendit ab Euris,  
 Ostendens longè exertis juga consita saxis,  
 Præsestoque die, producens tempora somni.  
 Summovet à tergo rupes gratissimus hortus,  
 Pinguis odoratis ubi tellus floribus kalat;  
 Arbor ubi in mediis <sup>c</sup> silvis sibi libera visa,  
 Dat fructus injussa suos; ubi frondea tella  
 Arboreis præbent invito frigora sole  
 \* *Porticibus*, potiora tuæ (Maro) tegmine fagi;  
 Ars ubi (dissimulans artem) simulavit (ineptos  
 Consocians ferro lapides guttaque peresos)  
 Informes <sup>d</sup> scopulos, & frigida fontibus antra.  
 Libera nativis veniens a rupibus unda  
 Accedit positis, <sup>e</sup> patrio captiva metallo,  
 Et tellure latens, duplicem juculatur in orbem,  
 Jussa, suum laticem per mille foramina cæca,  
 Et scopulum complexa tenacibus undique <sup>f</sup> venis,  
 Jussa fugat misso subeuntes desuper imbre.  
 Hinc avecta creat sublimen marmore fontem,  
 Atque ingressa domum Promos conserva Cocosque

Ad-

<sup>a</sup> *Chatsworth*, Wonder 1.      <sup>b</sup> *Derwin*.      <sup>c</sup> Groves of  
*Plum-trees*.      <sup>d</sup> Rocks made by Art, in Imitation of the natural.  
<sup>e</sup> Lead, which in that Country is digged out of the Earth.  
<sup>f</sup> With leaden Pipes.

\* The Peak.      <sup>a</sup> *Chatsworth*, Mirab. 1.      <sup>b</sup> *Derwin*.  
<sup>c</sup> *Prunetis* in ipso horto, sylvas imitantibus.      \* *Ambulationibus*.  
<sup>d</sup> *Rupes* arte compositas.      <sup>e</sup> *Plumbo* quod in ea regione terra  
effoditur.      <sup>f</sup> *Tubulis plumbeis*.

And gushing up within the midst does spout  
 His crystal Waters ev'ry where about,  
 Fit for the Hands, from the tall Cisterns out.  
 And though to this but four Vents we assign,  
<sup>g</sup> Calliroe's not so fair that spouts from nine.  
 The River turning off a little Space,  
 Part of a Garden's seen that fronts the Place.  
 Two Rows of Crystal <sup>h</sup> Ponds here shine and dance  
 Which trembling wave the Sun-beams as they glance,  
 In which vast Shoals of Fishes wanton float,  
 Not conscious of the Prison where they're shut.  
 How does it please when as the Nymphs sling in  
 The Prey intic'd, to the bright Floods again,  
 T' observe the Methods that the Wantons use,  
 First to inveigle Men, and then refuse!  
 What can more grateful or surprising be,  
 Than Gardens pend'ulous on high Mounts to see!  
 Within the midst of all the Waters stand,  
*Cæsarian* Piles built by a Woman's Hand,  
 Piles fit for Kings to build, and Monarchs rear,  
 In *Cavendishian* Lordships do appear;  
 The petty Products of a female Care.  
 But of fam'd *Shrewsbury's* great Countess this  
 The least of thousand Commendations is;  
 To whom vast Structures their Foundations own;  
 Who got great Wealth with great and good Renown;  
 Who by her Candour made all Friends in Power,  
 And with her Bounty shin'd upon the Lower;  
 Who left an <sup>i</sup> Offspring, numerous and great,  
 With which the joyful Nation's still replete.  
 How sweet it is upon the sandy Shore  
 Of Crystal Pools, great Nature to explore!  
 Or to my Lord small <sup>k</sup> Gifts of Verse prefer,  
 Wherein those happy Fields I may declare  
 Prest by the Muses, which still urgent are.  
 A more commodious Soil they never knew,  
 Nor a more friendly Lord had Title to.  
 From hence, on rising Ground, appears a neat  
 And fair Ascent, up to the Palace Gate.  
 Royal, august, sublime without 'tis seen;  
 Large, neat, commodious, splendid, rich within.  
 What thou may'st find in Marble figur'd out  
 Of Poets Fables, or old Heroes stout,  
 Dwell not upon't, nor Cement hard as Stone,  
 Nor count the faithful Servants one by one;  
 But the great Master, celebrate my Muse,  
 To whom descended from an ancient House,  
*Devon* gives princely Titles, *Derby* <sup>l</sup> Cares:  
 Who in a constant Breast, Discretion bears;  
 Magnificent, not lavish, still he spends  
 His Riches freely, and amongst his Friends,  
 He of your Choir is the only Grace,  
 He for the Muses finds a resting Place,  
 And pleasant Shades, and grateful Leisure gives,  
 And he from them large Eloquence receives

} *Adjuvat; in mediis surgitque penaltibus, alta  
 Infudens nitidam manibus de marmore lympham.  
 Et quamvis tubulis tantum effluat illa quaternis  
 Non tam <sup>g</sup> Calliroe pulchrè fluit Enneacrune.  
 Rejeto paulum fluvio, sese ingerit horti  
 Angulus alterius, testæ alta à fronte videntis.  
 Disposita hic gemino colucent ordine <sup>h</sup> stagna,  
 Immersum tremulis undis quatientia solem,  
 Queis magno numero salit & lascivus inerrat.  
 Non intellecto conclusus carcere piscis.  
 Quàm juvat, hic, quoties piscatrix candida prædam  
 Abjiciet illectam, morem observare puellis  
 Innatum, captare viros, & spernere captos!  
 Quàm libet in mediis mirari fluctibus, alto  
 Aggere suspensos hortos! quæ Cæsare moles  
 Digna Cavendisiâ certè est in gente, pusillum  
 Fæmineumque opus. At quæ pars ea laudis Elizæ  
 Salopicæ? quæ multa, & magna palatia struxit;  
 Magnas divitias, magnamque bonamque paravit  
 Famam; quæ magnos sibi conciliavit amicos,  
 Ornavitque humiles; multam, magnamque reliquit  
<sup>i</sup> Prolem, qua regio late nunc usque beatur.  
 Quam dulce est, inter, circumque nitentia stagna  
 Insternete vias, æstivâ semper, arena,  
 Discipulum memet naturæ tradere rerum;  
 Aut Domino exiguum meditari carmine <sup>k</sup> Munus  
 Et multum Musis, describere rura, rogatis.  
 Commodiore loco non usquam habitare, nec usquam  
 Candidiore frui Musæ consentur amico.  
 Hinc, ad testæ, solo surgente, ascenditur. Extra,  
 Augusta aspectu, sublimia, regia; & intra  
 Commodo, culta, capacia, splendida ditia testæ.  
 At tu marmoreis quæ sint descripta figuris  
 Ficta Poetarum, prisorum aut facta virorum,  
 Ne cures, duro nec certans marmore Gypsum.  
 Ingenuos nec tu cupias numerare ministros;  
 Sed Dominum, mea Musa, colas, cui gente vetustâ  
 Orto, dat titulos Devoniam, Derbiâ <sup>l</sup> Curas:  
 Acrem judicio; constantem pectore; lautum;  
 Utentemque opibus, luxu sine, & inter amicos.  
 Ille Chori vestri decus; ille benigna  
 Otia dat Musis; sed & illi Musa deserto*

With

Ore

<sup>g</sup> A Fountain sacred amongst the Athenians, flowing from nine Pipes.  
<sup>h</sup> Fish Ponds.  
<sup>i</sup> The Earls of Devonshire, Newcastle, and Kingston, Nephews to the Countess of Shrewsbury.  
<sup>k</sup> This Poem.  
<sup>l</sup> The Lieutenantship of the County of Derby.

<sup>g</sup> Fons Athenis sacer novem effluens fistulis.  
<sup>h</sup> Piscinæ.  
<sup>i</sup> Comites Devoniam, Novi-castri, Kingstone, nepotes Comitissæ Salopienfis.  
<sup>k</sup> Hoc ipsum.  
<sup>l</sup> Præfecturam in agro Derbenfi.

With a discerning Mind, 'twixt Good, and Ill.  
 Next view his <sup>m</sup> Confort wistly, view her still,  
 Descended from the *Bruces* ancient Line,  
 Whose kingly Stock does in her Visage shine.  
 Then view their noble Offspring; but above  
 The rest a <sup>n</sup> Nymph, whom *Jove* himself may love,  
 With two <sup>o</sup> sweet Youths, who Angels might be said,  
 The common Pledges of the Marriage Bed.  
 These with their Parents may be wonder'd at;  
 What else of Miracles thou may'st repeat,  
 Fall short of these, and are not nigh so great.  
 Of the high Peak, are seven Wonders writ.  
 Two Fountains, two Caves, one Palace, Mount, and Pit.  
 To wit that stately Palace we have nam'd,  
 But now, is first among the seven fam'd.  
 O' th' rest discoursing, some who long'd to know  
 The Cause of Things, to see them join to go;  
 And I ('twas worth the while) amongst them too.  
 'Twas at the Time the Earth did Tribute pay,  
 And the hot Sun the Dew had wip'd away  
 From off the Stubble, when we first begun  
 Our Journey, and to guide us hired one:  
 Thus we set forwards from the Gates, and make  
*Pilsley* and *Hassop* in a rugged Track.  
 From thence our Horse with weary Feet and slow  
 Towards a steep Hill's high Top, do climbing go;  
 And after many a Tug and weary Strain,  
 Half breathless, they the Summit do gain.  
 Turning about with Wonder we espy  
 The Birds now lazily to creep, not fly,  
 And that the Pico of the Mountain's Brow  
 Had pierc'd the Body of the Clouds quite through;  
*Derwin* appears but as a crooked Line,  
 And *Chatsworth* as a Point it doth entwine.  
 W'had gone but little farther, when we found  
 The Hill's soft Back, cut deep with many a Wound,  
 And did the Earth in whitish <sup>p</sup> Ranks espy  
 Cast up in Heaps, upon the Surface lye.  
 'Tis a high Soil, but cover'd with a Crust  
 Of brittle Earth, soon crumbling into Dust;  
 Which left by it's own Weight it should fall down,  
 Nature hath propt it with a Roof of Stone.  
 But the dark Prince of Wealth divides throughout,  
 In thousand Channels, which himself had cut,  
 In order'd Ranks the Stone; and each so drawn  
 From th'eastern Point, unto the western one  
 You'd think they felt not the Effects alone  
 Of Heat and Warmth, but that they view'd the Sun.  
 The griping Hand of *Dis* within these Beds  
 Had stor'd of better Metals the crude Seeds,  
 To be hereafter to Perfection brought  
 By the Sun Beams, as they upon them wrought,  
 Till then for to be guarded by the Stone,  
 From all Assaults sufficient Garrison.  
 But all in vain, for neither can the Sun  
 With oblique Ray, bring to Concoction

*Ore loqui, atque animo secernere turpia honestis.  
 Tum <sup>m</sup> Dominam spectes, alta de gente Bruorum  
 Magnanimo proavos spirantem pectore Reges.  
 Ambrumque vide Sobolem, imprimisq; <sup>n</sup> Puellam  
 Dignam, qua caleant Superi, binosq; <sup>o</sup> Puellios  
 Angelicos, casti communia pignora lecti.  
 Hos tu mireris, sobolemq; & utrumq; parentem;  
 Cætera quæ referes miracula, sunt minoris.  
 Alti censenter septem miracula Pecci.  
 Ædes, Mons, Barathrum, binus Fons, Antraq; bina.  
 Scilicet illæ ipsæ, quas jam memoravimus, Ædes  
 Ornatae, tot sunt inter miracula, primæ.  
 Intra has, ne Reliquis orto sermone quibusdam  
 Est visum, promptis rerum prediscere causas,  
 Et mihi (namq; operæ pretium est) ea visere mira.  
 Anni tempus erat quo tellus fœnora solvit;  
 Et vitreum scælis absterferat altus aristis  
 Jam Phœbus rorem, cum tecto excedimus, Ipsi,  
 Duxq; viæ servusq; (sed ille vicarius) unus.  
 Egressi auferimur portis, petimusque propinquam  
 Pilsley, dein Hassop salebroso tramite. Montem  
 Hinc celsum, acclivemque, gradu lento, & pede lasso  
 Scandit equus, summumq; jugum mox calcatur anhelus.  
 Conversi miramur aves jam repere segnes,  
 Atque humiles claro transfigi vertice nubes;  
 Chatsworth jam punctum, Deroen jam linea curva est.  
 Vix iter inceptum sequimur, cum levia montis  
 Aspicimus crebro lacerari vulnere terga,  
 Lateque egesta <sup>p</sup> liratim, albescere terrâ.  
 Est sublime solum, tenuiq; friabile gleba;  
 Quod ne quando sua possit subsidere mole,  
 Natura ingenito suffulcit provida saxo.  
 At saxum innumeris divisit in ordine rimis,  
 Ater opum Dominus; cunctasq; ita solis ab ortu,  
 Duxit in occasum, non ut sensisse calentem  
 Lampada Phœbeam, sed & aspexisse putares.  
 Condidit his fulcis melioris cruda metalli  
 Semina, solari post perficienda calore,  
 Tutanda interera duræ munimine rupis  
 Ditis avara manus frustra. Nam nec satis igne  
 Concoquit obliquo Sol Plumbi terrea frustra,*

The

8 K

Nec

<sup>m</sup> Christiana, Countess of Devonshire. <sup>n</sup> The Lady Ann Cavendish.  
<sup>o</sup> William now Earl of Devonshire with his Brother Charles.  
<sup>p</sup> They dig the Mines orderly in a parallel Line, they call them the Rakes.

<sup>m</sup> Christianam Comitissam Devonie. <sup>n</sup> Dominam Annam Cavendish.  
<sup>o</sup> Gulielmum nunc Comitem Devonie cum Fratrem Carolo.  
<sup>p</sup> Ordinatim, nam series fodinarum unde hauritur plumbum, parallelæ sunt, Anglicè vocantur the Rakes.

The rougher leaden Lump ; nor is the Ground  
 Sufficient-Guardian for it's Treasure found.  
 For Man (Wealth's great Invader wherefoe'er  
 It hidden lies) with <sup>¶</sup> Fire and Steel does tear  
 The Bowels of the Earth ; and rends in twain  
 The stony Cover of the leaden Vein,  
 And boldly dares, if Poverty compel,  
 To rob th'Exchequer, of the Prince of Hell.  
 Not always without Danger ; <sup>¶</sup> two were caught  
 As in their Mother's Womb they deeply wrought  
 By Death ; who suddenly o'erwhelm'd them there,  
 Where they themselves had digg'd a Sepulchre.  
 The <sup>¶</sup> Inlets (which with narrow Vents admit  
 But hardly down those who are forc'd to it  
 By want, whose Bellies are by Hunger fit)  
<sup>¶</sup> With Beams of Wood the Natives still distend,  
 And prop their Way, as to the Veins they bend.  
 A People expert in experienc'd Wo,  
<sup>¶</sup> Damn'd to the Mines, for many Years ago ;  
 That all may see they fell not unawares,  
 But were long fought for, by infernal Snares.  
 Which now the main Supporters take away  
 That did the Earth's weak brittle Surface stay,  
 And gather to the neighbouring Shades below  
 The Souls, prest forth from their crust Bodies now.  
 Bodies by Bodies in these Deeps we found,  
 Thus Arrows lost, are still by Arrows found.  
 Before our Feet, a Corps digg'd up we see,  
 Which minds us what we are, or ought to be,  
 Much like the Body we about us bring.  
 T'other lies buried in the Earth, but still  
 Hopes an <sup>¶</sup> Extraction when 'tis Heaven's Will.  
 Upon the Earth that from the Mine was thrown,  
 A lazy People drawn from e'ery Town,  
 To see the mournful Spectacle came down.  
 Two Women weeping in the Croud we spy'd ;  
 One for the Loss of Joys that she had try'd,  
 T'other for want of Hopes are now deny'd.  
 Ones Flame continual Use had near expir'd,  
 T'other with Itch of Novelty was fir'd.  
 Both mourn, because that both their Joys have lost,  
 But she who last had tasted them, the most.  
 Let them still mourn. We in our Way go on.  
 And now four thousand Paces we had gone,  
 By our Horse Feet we count, as oft the Stone  
 In equal Space each Foot proceeding still  
 Before its Fellow, now hath felt their Heel.  
 Our Shadows go before, and shortest <sup>¶</sup> shew  
 What Course the Sun bears, and what Course we go.  
 Many small Villages on either Side  
 We leave behind us, as we onward ride.  
 The last is *Hope* ; the rest I'll not rehearse,  
 Their Names are too too cumbersome for Verse.

On

<sup>¶</sup> For the Stone wherein the Veins of Lead are contain'd, is sometimes of that hardness, that it cannot be pierced but by Fire. <sup>¶</sup> It happened as we pass'd by, that of two that were overwhelmed in the Mines one was drawn up, the other searching for. <sup>¶</sup> Alias, Air-Shafts. <sup>¶</sup> To keep the Sides of the Vents from falling in. <sup>¶</sup> Whom Want hath forced or condemned to undergo that Labour. <sup>¶</sup> To be found and drawn out. <sup>¶</sup> The Shadows at the shortest and cast before us, shew the Sun to be come to the Meridian (a south Sun) and that our Faces are turn'd towards the North the North.

*Nec custodit humus sibi credita. Viscera terræ  
 (Certus opum quacunque latent regione repostæ,  
 Infidiator) homo, ferro pervadit & igne,  
 Saxea plumbiferæ rescindit tegmina venæ  
 Exhauritque audax jam, paupertate jubente,  
 Tartarei prædo fiscum spoliare Tyranni.  
 Haud impune aliquando ; <sup>¶</sup> duos telluris in imo  
 Deprensos gremio, Mors occupat, atq; profundo  
 Oppressos tegit, ipse quod fodere, sepulcro.  
<sup>¶</sup> Spiramenta (tubis ægrè admittentia <sup>¶</sup> iniquis  
 Quos castigato detrudit inedia ventre)  
 Ligniculis intus <sup>¶</sup> vincit, venamq; sequutas  
 Materie fossas sustentat, gnara pericli,  
 Atq; experta, diu jam gens <sup>¶</sup> damnata metallis ;  
 Ut non incautos scires periisse, sed Orco  
 Quæstos. Terræ hic subducit fulcra caducæ,  
 Expressasq; animas, vicinis congregat umbris.  
 Corpora corporibus quærunt. Sic credita sæpe est  
 Emissa amissam monstrasse sagitta sagittam,  
 Ante pedes unum terra jacet ecce cadaver  
 Effossum ; nostriq; monet meminisse. Cadaver,  
 Marcida, iners, putris, nostriq; simillima res est,  
 Alterum adhuc tectum tellure, <sup>¶</sup> resurgere corpus  
 Exspectat. Sedet egestæ super aggere terræ  
 Turba supina, locis spectatum egressa propinquis ;  
 Plorantesq; duæ mulieres. Altera sueta  
 Gaudia perdidit ; spem amiserat altera dulcem.  
 Alterius flammam, longus restinxerat usus ;  
 Alterius, spes effrænisq; libido sciendi  
 Foverat ardentem. Plorant utraq; Maritum.  
 Illa quidem luget, luget magis altera sponsum.  
 Deploranto. Viâ qua captum est pergimus ire  
 Jam pede mille quater passus numeramus equino.  
 Et toties socium spatiis pes quilibet æquis  
 Præteriens, terram alterno percusserat ictu.  
 Anteit umbra pedes, monstratq; brevissima, <sup>¶</sup> qua stat  
 Titan parte poli, & quam nos spectamus euntes.  
 Linquimus opidula hinc atq; illinc plurima. Quorum  
 Postremum tantum Romane dicere <sup>¶</sup> Spes est.  
 Cætera non referam impedientia nomina versum.*

Per

<sup>¶</sup> Nam saxum quo plumbi venæ continentur, eâ est aliquando duritie quæ non nisi igne vincitur. <sup>¶</sup> Contigit pretereuntibus nobis, è duobus, qui ruinâ foveæ oppressi fuerant, unum extrahi, alterum quæri. <sup>¶</sup> Fovearum spiracula. <sup>¶</sup> Actis. <sup>¶</sup> Constringit, ut distineantur foveæ latera. <sup>¶</sup> Quam ad opera damnaverat paupertas. <sup>¶</sup> Extrahi. <sup>¶</sup> Umbra brevissima, ante pedes projecta, arguit, & solem meridianum, & nos ad Aquilonem conversos. <sup>¶</sup> Hope.

On hollow Grouod, replete with Mines below,  
 And fill'd with Mortals, <sup>a</sup> high aloft we go.  
 The Horse with hasty Feet beats on the Soil,  
 Redoubled ecchos from their Hoofs recoil.  
 And in an Hour's Space, or thereabout,  
 To a steep Mountain's Precipice we're brought,  
 It was great Odds we did not headlong go  
 Into the neighbouring Village stood below.  
 But we with winding Steeps, and wary Foot  
 Strive as we may with Safety, come unto't;  
 First we the Sun upon our Right-hand place,  
 Then turning to the Left, with a soft Pace  
 We downwards going to our Feet confide.  
 Then again mounting on the Hill's left Side  
 Into the Village we securely ride,  
 Which built on a high Rock commands the Sight  
 Of all the Passengers that travel by't;  
 Call'd from the Castle near it, *Castleton*.  
 Not famous for the warlike Deeds there done;  
 Not great, nor built with Art, nor ever could  
 Against the Cannon-shot itself uphold,  
 Nor yet impregnable to those of old;  
 But ancient, and built up of Stone, it bears  
 The Injuries of Time, and Weather dares.  
 Under the Lords, that kept the Mines of Yore,  
 It might of Thieves repulse the sudden Power.  
 Behind a ruin'd Mountain does appear  
 Swelling into two Parts, which turgent are,  
 As when we bend our Bodies to the Ground,  
 The Buttocks amply sticking out are found.  
 Put Midst there is a Cave: and on each Hand  
 A lotty Rock does as Supporter stand  
 Of a vast Weight of Earth, which else would fall,  
 So to the Midst with Safety guard us all.  
 And now we're come (I blushing must rehearse)  
 As most does stile it to the <sup>b</sup> *Devil's Arse*;  
*Peak's Arse* the Natives.  
 A noble Cave between two Rocks appears,  
 Unto the <sup>c</sup> Sun unknown, but to the Stars  
 Fearing to be immerg'd, and both the \* Bears  
 Turn'd, in its Mouth with Horror does present:  
 Just like a Furnace, or as Hell they paint,  
 Swallowing with open Jaws the damned Croud,  
 After the Sentence is pronounc'd aloud.  
 On Horseback we our Entrance make, and spy  
 Horses within, and Haycocks mounted high.  
 But we with Wonder and Amaze admire  
 The tall prodigious rocky <sup>d</sup> Hemisphere  
 How without Prop 'tis capable to bear  
 So vast a Weight, how it the Mountain stays,  
 And the eternal Geometrician praise.  
 Through the thick Arch, we see the Water stain'd  
 To fall in Drops, which on the Earth retain'd,  
 Even then to their own Country the Sea,  
 Seek out Returns with much Perplexity;  
 In little Channels even then they search  
 For fellow Streams, to fortify their March.

*Per loca transversis longe lateq; fodinis  
 Plena, soloq; cavo, & pleno mortalibus intus,  
 Ingredivimur <sup>a</sup> superi; medio tonat ungula Campo  
 Festinantis equi; atq; una, aut paulo amplius, hora,  
 Præcipitis ferimur subita ad declivia Montis,  
 Pronum erat hinc vicum subjectum intrare cadendo.  
 Sed nobis ambage viam & cauto pede tritam  
 Ire placet; primumq; ad dextras Sole recepto,  
 Et mox conversis lævo descendere eodem,  
 Paulatim, & pedibus nosmet concredere nostris.  
 Consensus hic rursus equis, sub Monte sinistro,  
 Intramus pagum qui summa in rupe locatum  
 Aspettare jubet, \* deducto nomine, Castrum.  
 Castrum non aliquo bellorum insigne labore;  
 Non magnum, non arcis opus spectabile; nostris  
 Impar tormentis, nec inexpugnabile priscis;  
 Antiquum tamen, & saxo super ædificatum,  
 Sustinet annorum ventorum incommoda temnit.  
 Forsitan & Dominis sub plumbi-potentibus olim  
 Latronum potuit subitos arcere tumultus.  
 A Castro statim mons scissus, detumet ambas  
 In partes; velut inclinato Corpore nostro  
 In crura extantes deturgent utraq; clunes.  
 In medio sinus est: atq; erectissima utrinq;  
 Rupes quæ ingenti redituram pondere terram  
 Destinet, & tutis succedere ad intima præstat.  
 Jam ventum est (pudet effari) <sup>b</sup> Plutonis ad anum,  
 (Ut vocitant pleriq;) loci vocat incola, Peak's ars.  
 Nobile suspensis aperitur rupibus Antrum,  
<sup>c</sup> Ignoto tibi Phæbe loco, sed segnibus Urfis  
 Obverso, & reliquis mergi metuentibus astris.  
 In speciemq; patet furni, vel qualiter Orci  
 Ora perhorrifico pinguntur hiantia rictu  
 Post Ite auditum, turbam sorbentis abactam.  
 Sublimes intramus equis. Tecta intus, & altos  
 Suspiciamus cumulos detonsi munera prati.  
 Sed <sup>d</sup> cælum attoniti miramur saxeam, ut ingens  
 Sustineat montis nullo fulcimine pondus;  
 Laudamusq; tuas æterne Geometer artes.  
 Cernimus & denso colatam fornice lympham  
 Guttatim elabi, & solidâ tellure receptam,  
 Æquoream in patriam reditum jam nunc meditari;  
 Jam nunc exiguis properare canalibus, undas  
 Quærentem socias, & fortius ire parantem.*

From

Jamq;

<sup>a</sup> Over the Heads of those that work'd underneath in the Mines.  
<sup>b</sup> The Devil's Arse, *Mirac. 2* <sup>c</sup> Where the Sun Beams never come.  
 \* Toward Ursa Major and Minor, northern Constellations.  
<sup>d</sup> The vast Roof.

<sup>a</sup> Supra capita agentium subtus in cuniculis.  
<sup>b</sup> Orci culum, Ang. *The Devil's Arse*. *Mirab. 2.*  
<sup>c</sup> Quo nunquam pertingunt radii solares.  
<sup>d</sup> Lacunar ingens.

From whence they teaching, we these Notions get,  
 Rivers proceed not from the Earth's Receipt  
 Of the salt Billows by the sandy Shores,  
 Which still imbibe them at their hollow Pores,  
 As if the straitned Waters were forc'd up,  
 The Main being taller than the Mountain's Top ;  
 But by the Sun's hot Rays the Sea on high  
 Mounts up in Vapours, which do wand'ring fly  
 Drove by the Winds, which cooling still as soon  
 As the Heat fails them, or the Sun goes down,  
 In num'rous Tears descend unto the Earth,  
 From which collected, Rivers have their Birth.  
 To view the dark Recesses of the Cave  
 We thought it not amiss good Lights to have.  
 Dismounting, a she Native of the Place  
 Leads us on forwards, with a gentle Pace,  
 Handsome enough, and Girl enough she was ;  
 Who with her steady Foot, and Accent clear,  
 As Guide emboldens us with many a °Cheer.  
 Making our Entrance with a † confused Light,  
 Two Rocks with crooked Backs drive from our sight  
 The Beams of Day, and bending down below,  
 On ‡ all four force us through their Arch to go.  
 Sometimes erect, then grov'ling towards the Ground,  
 In Figures both of Beasts and Men we're found.  
 Until at length the slow and humble Source  
 Of a dark River crossing, stop't our Course.  
 A Stream whose Channel ran till now beneath  
 The Earth, here under the low Arch does breath ;  
 And winding in its Channel to and fro,  
 Nor always does irrevocably go.  
 Sometimes it bosoms you within its Bay,  
 Then jetting out, it drives you far away.  
 Thus far we go ; beyond it none can have  
 The least Admittance, who e'er Credit gave  
 To the old Woman's Fable of the Father,  
 ' Who did forsooth well fraught with Lights <sup>h</sup> swim over  
 ' A little Ford, but <sup>i</sup> durst not further roam,  
 ' Lest sunk in Night, he ne'er should backward come.  
 But we return, and with wet Feet tread o'er  
 The Sand again, that we had trod before.  
 The Night and Shades we now behind us leave,  
 And the blest Day-light once again receive.  
 Got out, as is the Pole a Mountain tall  
 Lifts up his Head, like an old ruin'd Wall  
 Ready made weak by Breaches now to fall.  
 'Tis said, eternally the Sand falls down,  
 Without the Hills least Diminution ;  
 Strange this, if true ; and yet the Pyramid  
 Of falling Sand, still gathering to a Head,  
 Gives tacit Items that the Flux begun  
 By some great Ruin, and will ever run  
 Until the Mountain's Top and that be one.  
 And tho' the most call't MAM TOR, nev'rtheless  
 MAIM'D-TOR the Cliff I rather should express,

Which

*Famq; Amnes ipsis videor didicisse magistris,  
 Non fieri, falsum terra potante, liquorem  
 Littora ad ipsa maris, quasi celsis montibus ipse  
 Celsior Oceanus conclusam expelleret undam ;  
 Sed mare Phœbæâ tenuatum surgere flammâ  
 In Cælum ; ætunq; Eoliis errare ministris ;  
 Mox Phœbo fallente algens, totaq; recepta  
 Natura, in terras fletu descendere ; & esse  
 Flumina collectas lachrymas. Placet ima cavernæ  
 Umbrosæ, illatâ penetralia visere luce.  
 Descensos ab equis, antri virguncula civis  
 Præcedit, formosa satis, nimiumque puella ;  
 Datq; animos, gressusque regit jucunda ° Celeustis.  
 Primumque ingressis † confuso lumine sensim  
 Accedunt cautes utrinq; diemque recurvis  
 Extinguunt sinibus ; tum demittentia sese  
 Arcto ‡ quadrupedes admittunt fornice saxa.  
 Erecto rursus rursus mox corpore pronò  
 Pergimus, alterna pecudes hominesq; figura.  
 Donec transverso tandem prohibemur ab amne.  
 Annem quem clausum fert sub tellure canalis  
 Hætenus, hic humili patitur spirare sub arcu ;  
 Exitq; interdum non irrevocabilis unda.  
 Nunc speculatores propius, nunc longius arcens.  
 Huc nobis, ultra nulli licet ire. Nec est fas  
 Credere narranti vetulæ de patre, quod olim  
 Lychnorum ingressus librali fasce, fluentum  
 Tunc <sup>h</sup> modicum tranavit, & ulteriora sequutus,  
 Tantum ivit, quantum licuit remeare <sup>i</sup> timenti  
 Incidere in noctem. Remeamus, & altius ante  
 Signatis, uda imprimimus vestigia arenis.  
 Exuimus noctem, diesq; recepimus oras.  
 Cum emerfis, ante ora, poli mons æmulus alti  
 Tollitur, avulso præceps ceu fragmine murus.  
 Desuere æternum perhibent a vertice terram,  
 Nec tamen imminui montem. Mirabile dictu.  
 Constaret si certa fides. Sed acutus arena  
 Labente, agnoscens tumulus, tacito indicat auditu,  
 Continuum hunc fluxum primum cæpisse ruina  
 Ingenii, æquatoq; habiturum culmine finem.  
 Quemq; vocant alii correpto nomine MAM-TOR  
 Rectius hunc Clivum videor mihi dicere MAIM'D-TOR,  
 Quod*

° The hem or joint Voice of the Mariners when they encourage one another, or salute a Vessel.  
 † Compounded of the Day-light and Candle-light.  
 ‡ Not able to stand upright. The ridiculous Story of the old Woman.  
<sup>h</sup> He swam over it with the more Ease because it was very shallow.  
<sup>i</sup> He fear'd to meet Night in a dark Den. Ridiculous. Mam-Tor, Mirac. 3.

° Vox nautica hortatrix.  
 † Misto ex cælesti & lychnea.  
 ‡ Nos, penè prostratos. Vetulæ ridicula narratio.  
<sup>h</sup> Facilius tranavit quia minime altum, Ridiculum.  
<sup>i</sup> Noctem timuit in speluncâ tenebrosissimâ, Ridiculum. Mam-Tor. Mirab. 3.

Which does in *English* a torn Rock denote,  
 And the decrepit Hill gives Favour to't.  
 Turn'd to the Left a thousand Pace or so,  
 To the <sup>k</sup> Peak-Forest without Tree we go,  
 Hemm'd in with stony Fence the naked Deer  
 Cold Winter pinches, not a Leaf does here  
 To shelter them upon these Hills appear.  
 Summer's fierce Heat does scorch them, not a Shade  
 From the Sun's Ray to cover them is had.  
 Many, the bloody Wantonness of Man  
 Destroys with Dog, his lov'd Companion.  
 Many the Changes when the Heavens frown,  
 Some <sup>l</sup> Elden with wide Jaws does swallow down.  
 Of the torn Earth a dire *Hiatus* 'tis  
 Which should I labour truly to express,  
 The Ancients I to counsel call in vain,  
 For no such Thing the Poets e'er could feign;  
 Howe'er, my Muse, we some Essays must make;  
 And first the Figure of its Mouth let's take:  
 Let the apt Simile be but complete,  
 To small things, so, thou may'st compare what's great.  
 Tell me, tell't me alone, tell't in my Ear,  
 Whisper't, that none but thou and I may hear;  
 She's dumb, as conscious of the Form <sup>m</sup> obscene.  
 Upon the Side of a fair Hill that's green,  
 It's Rim descending with the Mountain's seen.  
 Driving off Herds that graze around it far,  
 And sucking with dark Lungs the pliant Air.  
 While from the Edge we prostrate view't, the Sight  
 O'th' vast *Abyss* does each of us affright.  
 With Fear and Dread the bold Spectator spies,  
 No Bounds to stop the Progress of his Eyes.  
 And though the stony Battlements assure  
 Whoe'er leans on them, may have Sight secure,  
 Yet still distrust our fearful Minds invades;  
 And we retire from the dreadful Shades.  
 But through the Field we diligently search  
 For Stones; thrown in, long is their silent March,  
 At length by Strokes their Journey's End they speak,  
 (If any End, they in their Journeys make.)  
 Cast in they sink, and in their sinking knock,  
 After long Pauses, on a hidden Rock.  
 Thence tilting, ten times they the Strokes repeat  
 In vain, not center'd on a Bottom yet.  
 And now so oft deceiv'd, we strive at length  
 Whole Towers to throw in, had we but Strength,  
 Whole Buildings, Roofs and all, vast Mountains tall,  
 (Had they been there, for 'twould have swallow'd all)  
 But a vast weighty Stone, such we could get,  
 We by main Strength, force from its native Seat,  
 And rowling it along th' inclining Land,  
 Upon the sacred Brink, we let it stand.  
 Then this repeat. 'Thou God to Shades below;  
 ' Præfect in chief of Torments, see we go  
 ' Of our Chance certain, and high Seats of Glee,  
 ' (If they say true, are rob'd in Black like thee)  
 ' This Torment add unto those many more  
 ' Thou hast invented, for the damn'd in Store.

In

*Quod sonat Angligenis Clivus Mutilatus, & ipse  
 Mons, nomen magnâ Mutilatus parte satetur.  
 Progredimur, versi ad lævam, duo millia passum  
 Ad septam muris, distamque, sine arbore, <sup>k</sup> Sylvam  
 Peccanam, Cervos nudis in montibus urit  
 Acris hyems, nulla tectos à frigore fronde;  
 Sicca æstas, nulla tectos à solibus umbra.  
 Sæva hominum, canibus sociis, lascivia multos.  
 Multos sæva necat varia inclementia cæli,  
 Et Fovea absorbet non magnam <sup>l</sup> Eldenia partem.  
 Est ea terribilis scisse telluris hiatus,  
 Quem digne ut memorem veterum undiq; convoco frustra  
 Concilium, nam tale nihil finxere Poetæ  
 Tentandum tamen; & primum quam formam habet oris  
 Musa refer; formæ simuli composito: Magno  
 Nam potes exemplo parvis componere magna.  
 Dic tandem; dic submisso soli mihi, in aurem;  
 Obtinet <sup>m</sup> obscenæ sibi conscia virgo figuræ.  
 In latere herbose collis, pascentia circum  
 Distituens armenta solum, rimaq; secundo  
 Monte patens, auras atro inbibit ore sequaces.  
 Quod procumbentes oculis de margine pronis  
 Cum inspicimus, vastum inspectantes terret inane,  
 Subjacetq; horrens animus videt infinitum.  
 Et quamvis tutos jam securosq; tueri  
 Continuo stantes hortentur marmore ripæ,  
 Non animis eadem spondentibus ora Barathro  
 Demimus, & diro regnatis Dite tenebris,  
 At lapides toto sparsos conquirimus agro,  
 Verbere qui tandem per longa silentia missi  
 Quis sit eis deccant (si quis sit) finis eundi.  
 Missi subsidunt lapides, feriuntq; cadentes  
 Cæcam (sed longo feriunt post tempore) rupem.  
 Inde docent decies repetito verbere lapsi.  
 Deceptos decies necquicquam quærere fundum  
 Tum vero ardemus, si vis respondeat æqua;  
 Ingerere integras turres, & tecta (si adessent,  
 Et non angusto tellus nimis ore negaret)  
 Tota simul, tectosq; altos ibi perdere montes.  
 Quod licet, immani defixum pondere saxum,  
 Vi multa eruimus, prona & tellure volutum  
 Sistimus ad sacrum limen. Tum talia famur.  
 ' Umbratum præfete Deus cruciatibus, Ecce,  
 ' Securi nostræ sortis, certique supernæ  
 ' Jampridem sedis (ni nos tibi concoler aulicæ  
 ' Fallat) tormentum jam inventis adlimis unum.*

S L

Pone

<sup>k</sup> Peak Forest. <sup>l</sup> Elden Hole. *Mirac.* 4. <sup>m</sup> The Mouth of the Hole is of a Conoid Form, or like the Privities of a Woman.

<sup>k</sup> Peak Forest. <sup>l</sup> Elden Hole, *Mirac.* 4. <sup>m</sup> Et enim Foveæ os, forma conoides.

' In thy Dominions, if a Soul thou hast  
 ' Fam'd for Rebellion, or for Breach of Trust,  
 ' Beneath this Chasm let it straight be put.  
 ' Say it be *Simon*, or *Iscariot*.  
 ' Or place the Giants, in a Trice you'll see,  
 ' Bruis'd they the Shadows of a Shade they'll be.  
 ' But, O ye Souls, who shut up with them sweat  
 ' Known and belov'd by us, make quick Retreat,  
 ' And flight not our Advice.' This said, the Stone  
 We drop, which circled in thick Mist is thrown  
 Against a Rock, the Cavern groans the while,  
 Loud Sighs are vented from the shaken Pile.  
 From Rock to Rock the Sound goes downward still,  
 Less heard by us but the more heard by Hell.  
 The third and fourth Percussion's nearer made,  
 With awful Sound affright each list'ning Shade.  
 In short, against *Avernus* <sup>n</sup> craggy Throat  
 At the eleventh Stroke it whispers out  
 Its Journey only; what 'tis more you hear  
 After that Blow, brought faintly to your Ear,  
 Does but the Image of a Sound appear.  
 Away the Shades, swift as the Winds do glide,  
 In Vaults of *Erebus* strive to be hid,  
 In Silence the mean while descends the Stone;  
 Through the infernal Spheres it post doth run,  
 And passes them in order one by one.  
 Into the Confines of dread *Dis* it goes  
 And <sup>o</sup> empty Seats in *Limbo* overthrows.  
 From thence by intense <sup>p</sup> Flames it moves in haste,  
 And Souls red hot in Heaven to be plac'd,  
 (Purge from their Drofs as are the Pipes by Fire  
 Tobacco er't had sullied) and the <sup>r</sup> Sphere  
 Of Infants unregenerate it flies.  
 (Unconscious of its Fault which tortur'd cries)  
 Thence sinking to the utmost Hell it goes  
 And Center passes; where the wise suppose  
 Of *Aristotle's* Sect should top, and so  
 Ascending to the other side does go.  
 Now the affrighted Ghosts turn back again  
 Freed from the Object which had giv'n them Pain;  
 Amongst which Number *Syphis* alone  
 Does the Approach lament of such a Stone,  
 More busky and more weighty than his own.  
 'Tis said great *Dudley* to this Cave came down,  
 In fam'd *Eliza's* Reign a Peer well known;  
 He a poor Peasant, for a petty Price  
 With Rope around his Middle does intice,  
 And Pole in Hand, like to *Sariffa* tight,  
 And Basket full of <sup>u</sup> Stones down to be let,  
 And pendulous to hang i'th' midst o'th' Cave;  
 Thence casting Stones Intelligence to have  
 By list'ning, of the Depth of this vast Hole.  
 The trembling Wretch descending with his Pole  
 Puts by the Stones, that else might on him rowl.  
 By their Rebounds casts up a Space immense,  
 Where ev'ry Stroke does Death to him dispense;  
 Fearing

' *Pone sub hac rimâ, tibi siqua sit umbra rebellis,*  
 ' *Insignifœ fide violatâ. Subde Simonem,*  
 ' *Aut Judam (Judam Iscarioten.) Subde Gigantes;*  
 ' *Contriti fient Umbrarum protinus umbræ.*  
 ' *At vos, O animæ, quibus incaluere retentis*  
 ' *Cognita amicorum, dilectaq; corpora nobis,*  
 ' *Ferte pedem retro monitæ, & non temnite dicta.*  
 ' *Sic fati, lapidem demittimus. Ille per auras*  
 ' *Stagnantes, densa mersus caligine fertur*  
 ' *In scopulum. Gemit horrendum percussæ Caverna,*  
 ' *Collisq; cient alte suspiria moles.*  
 ' *Excussum primo, scopulus mox excipit alter,*  
 ' *Audito sonitu nobis minus, at magis Orco.*  
 ' *Territat arreētis jam stantes auribus umbras*  
 ' *Tertius, atque minis quartus prioribus iētus.*  
 ' *Quid moror? undeno <sup>n</sup> dentatum guttur Averni*  
 ' *Verbere dum transit, se & tunc lapis ire susurrat.*  
 ' *Post id quicquid iners aer vix auribus adfert,*  
 ' *Non sonus est, sed imago soni. Vento ocyus umbræ*  
 ' *Diffugiunt, Erebiq; tegi sub fornice certant.*  
 ' *Interea infernas percurrit in ordine Sphæras,*  
 ' *Descendens tacite saxum. Confinia Ditis*  
 ' *Attingit, <sup>o</sup> vacua evertitq; sedilia Patrum.*  
 ' *Inde per intensum festinans labitur <sup>p</sup> ignem,*  
 ' *Candentesque animas (tubulorum more recoctas*  
 ' *Fiētium, quos, transmissa fuligine, pinguis*  
 ' *Infecit Peti fumus) cœloq; locandas.*  
 ' *Infantumque <sup>q</sup> semel natorum pervolat <sup>r</sup> orbem.*  
 ' *(Inscius admissi pœna luit <sup>s</sup> inscius, infans.)*  
 ' *Ultima tum subiens, infandaq; Tartara, centrum*  
 ' *Transit. (ad hæsurum promiserat <sup>t</sup> Entelechia,*  
 ' *Credenda umbra tamen) fundumq; ascendit ad imum.*  
 ' *Et redeunt trepidi Manes residente favilla;*  
 ' *Quos inter timet, & ferturus Syphis ægre*  
 ' *SUCCESSISSE suo graviori pondere saxum.*  
 ' *Fertur ad hoc Antrum venisse Lecestrius heros,*  
 ' *Dudleius, notus Comes is regnantis Elizæ;*  
 ' *Ille inopem quendam parvo (sic credimus) ære*  
 ' *Conduētum, & longo succinētum pectora fune,*  
 ' *Instruētum conto, Pelleam imitante Sariffam,*  
 ' *<sup>u</sup> Exploratores cophinoq; ferente lapillos*  
 ' *Demitti, & media jussit pendere Caverna.*  
 ' *Inde jaci lapides, atq; auribus aera pronis*  
 ' *Captari, inde cavum propius scrutarier altum.*  
 ' *Descenders pavide miser, accedentia saxa*  
 ' *Nunc removet conto, nunc desiliente lapillo*  
 ' *Calculat immensum spatium, numeratque quod iētus*

Tot

<sup>n</sup> Rough with sharp and pointed Rocks.  
<sup>o</sup> For the Limbus Patrum has been empty long ago.  
<sup>p</sup> Purgatory  
<sup>r</sup> Limbo.  
<sup>q</sup> To try by the several Strokes they made in their falling down the Depth of the Hole.

<sup>n</sup> Exertis cautibus asperum.  
<sup>o</sup> Nam Limbus Patrum jamdudum vacuus.  
<sup>p</sup> Purgatorium  
<sup>q</sup> Non regeneratorum.  
<sup>r</sup> Limbum.  
<sup>s</sup> Pœnas, not fenfit at damni.  
<sup>t</sup> Umbra  
<sup>u</sup> Quibus decidentibus exploraret foveæ altitudinem.

Fearing the Thread on which his Life depends  
 Chance might cut off ere Fate should give Commands.  
 After a hundred Yards he had below  
 I'th' Earth been drown'd, far as the Rope would go,  
 And long enough hung by't within the Cave,  
 To th' Earl (who now impatient was to have  
 His Answer) he's drawn up ; but whether Fear  
 Immoderate distracted him, or 'twere  
 From the swift Motion, as the Rope might wreath,  
 Or *Spectrums* from his Fear, or Hell beneath  
 Frighted the Wretch, or the Soul's Citadel  
 Were storm'd or taken by some Imp of Hell,  
 For certain 'twas he rav'd ; this his wild Eyes,  
 His Paleness, Trembling, all Things verifies.  
 Where venting something none could understand,  
 Enthusiastick Hints ne'er to be scan'd,  
 He ceasing, \* dies, after eight Days were gone.  
 But th' Earl inform'd, † how far the Cave went down,  
 He trembling from it hastes, not willing now,  
 Nor yet this Way, down to the Shades to go.  
 From hence within a Vale that hidden lies,  
 A thousand Paces off, a ‡ Font doth rise  
 From the low Caverns of a grassy Hill ;  
 With double Mouth its Waters gushing still.  
 Which since th' admir'd Flux o'th' greater Sea  
 Doth by Report in its small Channel play,  
 We thought it good (although the Sun made haste,  
 And drove his Chariot quick into the West)  
 To stay a while, and haply so to see  
 When that the Wonder of the Flux would be  
 With Fame Co-witneses o'th' Rarity.  
 That which boils up with trembling Waters bright  
 O'th' two the bigger, chiefly worth our Sight,  
 A Font receives not equal unto those  
 Are made by Art, but yet by much outgoes  
 What Fountain-Head e'er from wild Chance arose.  
 Thence flows, unless what doth at Bottom keep,  
 Two Cubits broad, three long, one Cubit deep.  
 One, when no more than's own it doth contain,  
 But to it by the foreign Flood doth gain.  
 A Mark is by the swelling Waters made,  
 Which gives the stony Brink a signal Shade :  
 Which by its Blackness to have ebb'd of late,  
 Discerning it uneasy seem'd to wait  
 So long until the Tide again came on.  
 So we our Horse Heads turn for to be gone.  
 When we're call'd back by th' gushing Waters Noise,  
 And see them plainly on the Stones to rise.  
 Now the full Fountain's Waters boil apace,  
 As when fierce Fires we under *Cauldrons* place,  
 The Water cannot rest that is above,  
 But shuns the Metal, and does volant prove.  
 When near the Font, from the aforesaid Head,  
 A Rivulet does suddenly proceed,  
 And pouring from above its Streams deep in,  
 Helps the augmenting Waters to attain  
 Their wonted Height, which got, decrease again,  
 When straight the Rivulet that with such Force  
 Pour'd from above its Waters, stops its Course,

And

\* Died mad of a Phrensy. † To wit, to Hell. ‡ The boiling  
 and flowing Well. Mirac. 5.

*Tot mortes ; & fila timet pendentia vitæ,  
 Ne quis lascivus secet, injussuq; Sororum.  
 Postquam bis centum sub terram circiter ulnas  
 Mersus substiterat, funemq; tetenderat omnem,  
 Satque diu tenso de fune pependerit, Antro  
 Extrahitur, cupido Heroi responsa daturus ;  
 Verum, sive metus mentem expugnaverat ingens ;  
 Sive celer motus terti vertigine funis  
 Immodica, Solio Rationem excusserat alto ;  
 Sive Erebi, sive ipsa sui jam spectra timoris  
 Pallida terruerant ; sive arcem mentis abactæ  
 Spiritus inferni possederat improbus Orci ;  
 Haud dubie fuerit infelix. Sic lumina terrea,  
 Mutatusque color, pallor, tremor, omnia monstrant.  
 Ergo ubi non cuiquam intellecta profuderat, & quæ  
 Equabat magnis<sup>w</sup> sententia nulla Prophetis,  
 Conticuit, Manesq; dies post octo<sup>x</sup> revisit.  
 At Comes audito quo † pertinet usq; Caverna,  
 Horruit, & (non hac, neq; nunc subiturus) abiit.  
 Hinc centum passus decies numeramus, & ecce,  
 In valle occulta, radicibus exilit imis  
 Graminei Collis, gemino<sup>z</sup> Fons ore perennis.  
 Quem quoniam immensi mirandos æquoris æstus  
 Ludere in exigua fama affirmaverat unda,  
 Visum est (quantumvis Phæbo properante) morari  
 Paulisper, si forte aquulæ miracula detur  
 Aspicere admotis, & famæ testibus esse.  
 Quæ vitreis bullit aquis tremula unda, duarum  
 Major, splendidiorque, & poscens sola videri,  
 Excipitur puteo, structis non equiparando,  
 Sed qui fortuito quovis ornatior ortu est.  
 Inde soluta fluit, nisi quæ fundo retinetur  
 Lata duos cubitos, tres longa, unumq; profunda.  
 Unum dico suo quando contento liquore  
 Subsudet, at binos quando hospite tollitur unda.  
 Labra reclinatæ signabat saxea ripæ  
 Linea, quam latices ipsi fecere tumentes,  
 Subnigris saxis modo detumuisse reperti.  
 Ergo cessatos iterum expectare labores  
 Tædet, & improbius visum est. Discedere prorsus  
 Admotis properamus equis. Jam jamq; abeuntes  
 Concussis revocamur aquis. Liquidosq; videmus  
 Attolli latices ; sensimq; irrepere saxis.  
 Jamq; fere pleno saltabat fervida fonte  
 Lympha, velut rabidus cum subditur ignis abeno,  
 Nescia stare loco, refugit sævum unda metallum,  
 Cum juxta fontem, conditæo rivulus ortu  
 Erumpit subito, super infusoq; liquore,  
 Præstat aquæ solitos autæ contingere fucus.  
 Quo perducta, iterum decrescit, & illico rivus  
 De super immissi restinguitur impetus, & quæ*

*Respuerat*

<sup>w</sup> Quis ea loqui quorum nulla est sententia commune est vatun,  
 infanientiumque. <sup>x</sup> Mortuus est a Phrensi. <sup>†</sup> Pertingit, sci-  
 licet ad Inferos. <sup>z</sup> Fons æstuans. Mi ab. 5.

And the dry Earth now thirsty grown for more,  
 Drinks off the Cups she had disgorg'd before.  
 Part of the Channel now dispers'd doth flow  
 Forth from the Well, part under Ground doth go.  
 Small Thefts of *Moss* from off the Stones were there,  
 Grass, Chaff, torn Bits of Paper, and such Geer. }  
 Or what 'tis else its shallow Stream can bear,  
 That we sling in, returning it doth come  
 Together with it, to Earth's hollow Womb.  
 And now the humble Font so low was grown  
 It scarce retain'd the Waters were its own,  
 When as the Tides return, again they swell,  
 Again to wonted *Fevers* trembling boil,  
 Increas'd by foreign Floods so far to gain  
 Their Bounds, and <sup>a</sup> Tropick Stations to attain,  
 Lading their Shores still with a fresh supply  
 So far, and then again they falling fly.  
 But the increasing <sup>b</sup> Shades forbid our stay  
 Which monstrous grown *Gigantick* Forms betray.  
 Our Journey we haste on, but as we go,  
 We searching strive by ev'ry Sign to know  
 From what hid Cause, so great a Strife should spring.  
 For neither Saltness, nor yet any thing  
 That's common to the Water of the Sea,  
 Are in this Fountain ever found to be.  
 On the Moon's Influence it don't depend,  
 Nor does it at set Times its Floods extend,  
 (As does the Sea) unto these Tides there is  
 No Rules from any Ephemerides.  
 What then should be the Cause? In short 'tis this:  
 The Water which from under Ground doth rise,  
 And with its foreign Stream fills up the Well,  
 Does not come thither brought by'ts own Canal,  
 And willingly another's Right invades.  
 But while the Footsteps of the Flood that leads  
 It follows, seeking through the Womb of Earth  
 For Fountains, whence its Waters may have Birth,  
 On subterraneous Caves its Floods do fall,  
 With narrow Vent, and Entrances but small.  
 Hither as oft as that the Waters flow,  
 With swelling Tides, and stop the Vents below  
 With their swift Currents, suddenly the Air  
 Shut up within, does for the Place prepare  
 Defence against the Waters, and deny  
 Their Entrance, having no where for to fly.  
 And as there's nought than Air inclos'd more strong,  
 It bears against the watry Croud that throng;  
 Then as thick Troops through narrow Portal strain,  
 The first stick at the Threshold, the Remain  
 In a condensed Croud before the Gates  
 Make a full Stand; part urges on their Mates,  
 Part wand'ring seek out for some other Way:  
 So the excluded Waters at their Stay  
 Impatient grown, and swelling, go astray; }  
 Then roving, to this Font are slowly brought.  
 Hence 'tis with Show'rs when the Earth is fraught,  
 The Fluxes happen ever and anon,  
 As now, three times they rise, three times go down.

With

<sup>a</sup> The utmost high Water Point, to which when they were come, they decreas'd again.    <sup>b</sup> The Sun going down.

*Respuerat, repetit sitiens sua pocula Tellus.*  
*Distracti laticis pars effluit altera ripis*  
*Fontis; pertuso infertur pars altera fundo.*  
*Furtaque muscosis erepta levissima saxis,*  
*Graminaq; & paleam & tenuis præsegmina charta;*  
*Sive aliud quicquam parva superabile lymphæ*  
*Injicimus, rediens infert in viscera terræ,*  
*Jamq; humili fonti, proprius vix constitit humor;*  
*Cum redeunt fluctus; iterum ceu febre laborat*  
*Unde tremens; iterum æstuat; auctaq; lymphis*  
*Externis iterum <sup>a</sup> tropicam contingere metam*  
*Sufficit, accepto velans sua littora fluctu;*  
*Atq; iterum residet. Sed nos vetat <sup>b</sup> umbra mcrari,*  
*Umbra giganteas mentita Colosseæ formas;*  
*Maturamus iter, sed quærimus inter eundum,*  
*Conamurque, omni collato discere signo,*  
*Abdita quæ tantum concivit causa tumultum.*  
*Nam neque Salsedo, neque quid commune marinis,*  
*His reperitur aquis; Phæbus nil imputat astro*  
*Fons hic, temporibus nec tollitur (ut mare) certis;*  
*Æstibus his nullam præfigit Ephemeris horam.*  
*Ergo quid in causa est? Paucis sic accipe. Prodis*  
*Quæ tellure cavâ, fontiq; illabitur unda*  
*Advena, non istuc proprio delata canali*  
*Pervenit, atq; volens alienos occupat ortus,*  
*Sed dum duëtriciæ sequitur vestigia lymphæ,*  
*Longinquosque petit, per terræ viscera, fontes,*  
*Intrat in angustiis subeunda meatibus antra.*  
*Huc quoties humor tumefactâ defluit undâ,*  
*Præcipitique aditum comprehendit flumine totum,*  
*Protinus aura locum conclusa tuetur, aquisq;*  
*Pernegat ingressum, nec habens quo cedere, pugnat,*  
*Uique est deprensa nihil obfirmatius aura,*  
*Sustinet urgentes exili corpore lymphas,*  
*Tum, conferta velut si portis irruat arctis*  
*Turba, hærent, ipso defixi in limine, primi;*  
*Quæ sequitur stat pro foribus stipata caterva,*  
*Parsque urget socios, alias dilabitur & pars*  
*Quæsitura vias: Exculsus defluus humor*  
*Intumet, impatiensq; moræ, expatiatur, & errans*  
*Fertur in hunc fontem, lentarum impulsor aquarum.*  
*Hinc fit post magnos guttis pluvialibus imbres*  
*Transmissis, æstus fieri crebros, & in horas,*  
*Fluctum (ut nunc) vicibus tolli, & subsidere ternis.*

Sed

<sup>a</sup> Quo provecta solebat decrefcere.

<sup>b</sup> Solis jam occidentis.

With constant Droughts but when the Earth hath been  
 Burnt ; monthly then the Wonder scarce is seen.  
 Now out of Sight Day's Waggoner was gone,  
 And the *Antipodes* had shone upon ;  
 The Sun-burnt Clouds but glimmer to the Sight,  
 When at fam'd <sup>c</sup> *Buxton's* Hot-bat we alight.  
 Unto St. *Ann* the Fountain sacred is :  
 With Waters hot and cold its Sources rise,  
 And in it's Sulphur-veins there's Med'cine lies.  
 This cures the palsied Members of the Old,  
 And cherishes the Nerves grown stiff and cold.  
 Crutches the Lame unto its Brink convey,  
 Returning the Ungrates fling them away.  
 The Barren hither to be fruitful come,  
 And without Help of Spouse, go pregnant home.  
 Into a Cistern square the Water flows,  
 And seldom higher than five Feet it goes.  
 The prying Gazer's View the Walls prevent,  
 To th' Rain the Roof is an Impediment.  
 To these salubrious Baths a pleasant Inn  
 One common Wall with open Doors doth join.  
 While therefore turfy Fuel does prepare  
 Our Supper, jointly we resolved are  
 Our wearied Limbs in the warm Bath to cheer.  
 Soon stripp'd, the clearer Waters round us glide,  
 And our naked Limbs with chrystal Covers hide.  
 Upon our Face we swim, then backward try,  
 But fail. 'Tis known some others may outvie.  
 After an Hour's Sport i'th' troubled Flood,  
 Come out, dry Sheets does our wet Bodies shrowd.  
 Then each again is cloath'd in's own Array,  
 And the spread Table speaks our Supper's stay.  
 Night the mean time breaks forth from ev'ry Glade,  
 And Conqu'ers covers all with darksome Shade,  
 Till in by Candle-light our Meat's convey'd.  
 Where a small Bowl, but not whole Baths of Broth,  
 At our Request is plac'd to be supt off.  
 The Mutton taken from't apart is laid ;  
 From the same Sheep a sinoaking Loin is had  
 Hot drawn from off the Spit. With a young Fowl  
 From the demolish'd Egg was lately stole.  
 And butter'd Pease by Spoonfuls. But rich Wine  
 In vain we seek ; Ale in black Pots that shine,  
 Good nappy Ale we drink. Thus supp'd, afar  
 We with Tobacco drive off Sleep and Care.  
*Aurora's* Chariot had not driven on  
 And by her March spoke the approaching Sun,  
 By the Eclipse of Stars that now were gone,  
 When we arose from Sleep, again repair  
 To the warm Bath, and amply tinged are,  
 Now double dipt in its all-healing Flood,  
 Then once again, we our wet Bodies shrowd.  
 Now dewy grown within our Beds, and so  
 After nine Hours Sleep arise and go.  
 One thing remain'd, but highly worth our View,  
 \* *Pool's Hole*, a Cave so call'd, and near us too.  
*Pool* was a famous Thief, and, as we're told,  
 Equal to *Cacus*, and perchance as old.

Shrowded

<sup>c</sup> *Buxton Well*, Mirac. 6.

\* *Pool's Hole*, Mirac. 7.

*Sed post continuis tellurem ardoribus ustam,  
 Vix semel in toto cerni hæc miracula mense.  
 Jam nostros fugiens visus, Auriga diei  
 Antipodas tota lustrabat Lampade ; nobis  
 Languida succensæ præbebant lumina nubes,  
 Et simul ad celebrem tepidis deponimur undis  
<sup>c</sup> Buxtonam. Divæ sacer est fons inclytus Annæ :  
 Ambas miscet aquas callidæ gelidæq; ministra  
 Tellus ; sulphureisq; effundit Pharmaca venis.  
 Hæc resoluta senum confirmat membra trementum,  
 Et refovet nervos lotrix hæc lymphæ gelatos.  
 Huc infirma regunt baculis vestigia claudi ;  
 Ingrati referunt baculis vestigia spretis.  
 Huc, Mater fieri cupiens, accedit inanis,  
 Plenaque discedit, puto, nec veniente marito.  
 Excipitur, færmè quadrato fonte, serena  
 Nascens unda, & quinq; pedes vehit alta natantes.  
 Spectator muris, & testo excluditur imber.  
 Hospitioque eadem gratissima balnea nostro  
 Conjungit foribus paries communis apertis.  
 Ergo placet, coquitur dum cespite cæna cremato,  
 Desessos lymphis refovere tepentibus artus.  
 Prætinus exuti, nitidis illabimur undis,  
 Nudaque perspicuis velamus corpora lymphis.  
 Nunc facie prona namus ; nunc nare supini  
 Tentamus. <sup>d</sup> Bibimus. Nec enim omnia possumus omnes.  
 Postquam vexatis per totam fluctibus hæram  
 Lusimus ; egressi siccis lodicibus udi  
 Induimur. Mox quisque suo vestimur amictu,  
 Vestitos stratis expectat cænula mensis.  
 Nox atra interea simul evolat omnibus antris.  
 Et vitrix tenebris involverat omnia cæcis,  
 Donec succensis infertur cæna lucernis.  
 Jam nobis lixæ non integra balnea ovillæ,  
 Sed modicum juris, <sup>e</sup> consultis ponitur. Ipsa  
 Tum caro <sup>f</sup> conditis thermis edueta seorsim ;  
 Atque ovis ejusdem fumans à cuspide <sup>g</sup> lumbus.  
 Et nuper raptò gallinæ <sup>h</sup> filius ovo.  
<sup>i</sup> Pifaque quæ nobis converrat cochlear uncta.  
 Ditia cum frustra quærantur pocula Bacchi,  
 Ollâ subridens bibitur cervisia nigra.  
 Cænati, peto somnos arcessimus hausto.  
 Postera Phæbæos ducens Aurora triumphos  
 Nondum vulgares Cælo dimoverat ignes,  
 Cum somno excusso, tepidis immergimur undis  
 Rursus, & inficimur penitus medicante liquore  
 Jam dibaphi ; atq; iterum rorantia corpora lætis  
 Reddimus, & nonâ de somno surgimus horâ.  
 Unica restabat, verum dignissima visu,  
 Haud procul hinc <sup>k</sup> Spelunca Poli, sic dicta Caverna.  
 Insignis latro Polus, & si credere famæ  
 Debemus, furi par Caco, & forte cævus.*

8 M

Hæc

<sup>c</sup> Buxton Well, Mirac. 6. <sup>d</sup> Indocti nare, aquam imbibimus. <sup>e</sup> Interrogatis, an apponi placeret. <sup>f</sup> Ovillæ elixa juculo extracta. <sup>g</sup> Ovillæ affatæ. <sup>h</sup> Pullus. <sup>i</sup> Pifa. <sup>k</sup> *Pool's Hole*, Mirab. 7.

Shrowded within this darksome hid Retrieve  
 By Spoils of those he robb'd, he us'd to live,  
 And towards his Den poor Traveller deceive.  
 But Murder he with Thefts did introduce ;  
 Thus they, and thus the Author lay abstruse.  
 This to behold, a skilful Guide we take,  
 And Captain in our darksome Journies make,  
 To a green Hill on Foot we bend our Way  
 From *Buxton* near a thousand Paces lay.  
 At Bottom of the Hill to th' hollow Ground  
 Stooping by a small Vent a Way is found ;  
 More passable the further in you go.  
 At length we all with Crab-like Gesture flow,  
 And Light in Hand, the Passage do get through,  
 And with it gain an upright Posture too.  
 A monstrous, horrid, shapeless Den appears,  
 Where the divided Night gives greater Fears.  
 Now on the Court of the great *Pool* we look.  
 Horrid, and rough with Rocks. The Ceiling struck  
 Shines with bright fiery Sparks. We further yet  
 With mounted Lights go on, and weary Feet.  
 Vast, slippery, moist, and Stones to climb full hard  
 Loose, once to fall, now therefore to be fear'd,  
 Mountains and Vallies wild o'th' stony Cave  
 We pass, with a blind River which each Wave  
 With Murmurs flings against the Rocks it meets.  
 To th' Top of a steep Mountain who doth get  
 From the low River rising, may with Sweat,  
 And weary'd Hands, and weary'd Feet, mount on  
 (Bolder by far than we) the utmost Stone  
 Of this dark Cave ; three Stadiums distant from  
 The Entrance, by which to it we did come.  
 This Cave by *Gorgon*, with her snaky Hair,  
 You'd think was first possess'd ; so all Things there  
 Turn'd into Stone, for nothing does appear  
 That is not Rock. What from the Ceiling high  
 Like Hams of *Bacon* pendulous you spy,  
 Will scarce yield to the Teeth ; Stone they are both.  
 That is no Lion mounts his Main so rough,  
 And sets as a fierce Tenant o'th' dark Den,  
 But a mere yellow Stone. That grave old Man  
 That leaning lies on his hard rocky Bed,  
 Himself may truly part of it be said.  
 Those Stars from the clear Roof that shine so bright  
 Are nought but Stones which sparkle 'gainst the Light.  
 The Drop which hangs upon the pointed Stone,  
 Is that so too ? it is, or will be one.  
 Took up between our Fingers it is seen  
 To be nor Stone, nor Water, but between.  
 Of such a Substance as a leaven'd Mass.  
 But on the <sup>m</sup> flying Water as we gaze,  
 Our Lights persuade us now grown towards Decay,  
 To haste from the Cave's Labyrinth away.  
 But turning first on the Left-hand, behold  
 The Bed-chamber of *Pool* the Robber bold ;  
 All of plain Stone, ne'er water'd with the Dew,  
 Furnish'd with Bed and Chamber-pot we view.  
 And thence returning, to the Day get clear.  
 Laborious climbing, and of Falls the Fear,

} *Hac usus latebra consuevit vivere raptō ;  
 Atque viatores spoliandos ducere in Antrum.  
 Verum & ei solenne fuit conjungere furtis  
 Cædem ; sic texit scelera authoremque Caverna.  
 Hanc inspecturi penitus, ducte perito  
 Cæcarum assumpto ima sub tellure viarum,  
 Eximus, pedites collem petimusq; virentem,  
 Distantem nostram vix passus mille taberna.  
 Ipsas ad montis radices, concava tellus  
 Prostratis aditum pertusa foramine præbet  
 Exiguo, minus at præmissis invia <sup>1</sup> plantis.  
 Omnes cancrino gressu, sumptaq; lucerna  
 Quisque sua, tandem transmittimur, erigimurq;  
 Antrum, horrendum, inferne, ingens aperitur. Et atra  
 Divisa in partes nox diffilit atricr ambas.  
 Asperaque apparet Latronis, & horrida Saxis  
 Regia. Percussum rutilo micat igne lacunar.  
 Progredimur, Pedibusq; admoto lumine cautis,  
 Saxa ingentia, roscida, lubrica, & ardua scansu,  
 Libera, corrutitura semel, nunc ergo timenda,  
 Saxosæque feros montes vallesq; Cavernæ  
 Transimus ; fluviumq; suas qui dissipat undas  
 Cæcus in objectas impingens murmure rupes.  
 Qui scandet rauco surgentem à flumine montem,  
 Ille licet sudetq; pedesq; manusq; fatiget,  
 Dissita ab introitu stadiis tribus, ultima opaci  
 Pertinget (multo nobis audacior) Antri.  
 Speluncam hanc credas habitatam Gorgone primùm  
 Anguicomâ, & versa in rigidum sic omnia Saxum,  
 Nam lapis est, quodcumq; vides. Laquearibus altis  
 Quæ sicci tibi terga Suis pendere videntur,  
 Dentibus haud cedent. Durum sunt utraq; saxum.  
 Non est ille Leo, Leo, quamvis erigat hirta  
 Colla juba, sedeatq; Antri ferus incola cæci,  
 Sed fulvus lapis. Ille Senex qui rupibus aspris  
 Innisus recubat cubito, pars rupis & ipse est.  
 Quæque lacunari scintillam Astra micante,  
 Sunt nitidi illata gemmantes luce lapilli :  
 Guttaque quæ saxi mucro nunc pendet acuti,  
 Numquid & ille lapis ? lapis illa vel est, vel erit mox.  
 Admoti exceptam digito deprendimus esse  
 Nec lapidem, nec aquam, verum media inter utrumq;  
 Natura, qualiq; tenax humore farina.  
 Detinet intentos dum <sup>m</sup> transfuga lymphæ, lucernæ,  
 Curtæ perplexâ suadent exire Caverna.  
 Sed prius ad levam remeantes, undiq; saxo  
 Obductum plano, Furis, nullog; madentem  
 Rore Poli thalamum, lecti, lasaniq; capacem,  
 Inspicimus. Superis tum demum reddimur oris,  
 Jam tepido fessos sudore rigaverat artus,*

Our

Scander-

<sup>m</sup> *Hasting from an aqueous Substance to a stony one.*<sup>1</sup> *Pedibus.*<sup>m</sup> *Transfugiens à naturâ aqueâ ad saxeam.*

Our weary'd Joints had now bedew'd with Sweat,  
 Our creeping Hands with the moist Earth were wet.  
 When ready Crowds at the Cave's Mouth attend  
 And Waters mix with Flowers recommend  
 Our Hands to wash. Something indeed there is  
 Expected for these their Civilities,  
 And justly too. Were we wash'd ne'er so clean,  
 Something of Dirtiness would still remain,  
 Unless by some Rewards (although not great)  
 Their Courtesies we should remunerate.  
 We'd seen now all the Wonders of the Peak;  
 To *Buxton* we return, and dining quick,  
 Our Horse are brought; and we thro' Clouds convey'd  
 By *Sheldon*, (whilst two thousand Pace are made)  
 And *Ashford*, with *Shelmarton*, petty Towns,  
 To *Chatsworth* fam'd, where the swift *Derwin* runs.

*Scandendique gravis labor, & formido cadendi,  
 Reptantumque manus obleverat humida tellus.  
 Verum ante ora specus turba officiosa, lavandis  
 Præbebat manibus permistam floribus undam.  
 Scilicet exigitur tacite pro munere nummus  
 Reſte. Namq; hærent sordes utcunq; lavemur  
 Ni (quanquam levicus) referatur gratia donis.  
 Omnia jam Pecci Miracula vidimus Alti,  
 Buxtonamque iterum perlatis, & cito pransi  
 Adducuntur equi, nos qui inter nubila veſtos,  
 Solliciteque decem numerantes millia paſſum,  
 Per non inſignes Chelmarton, Sheldon, & Ashford,  
 Ad Chatsworth referunt celerem Deroentis ad undam.*

Considerations upon the Reputation, Loyalty, Manners, and Religion  
 of Thomas Hobbes of Malmesbury. Written by himself, by way of  
 Letter to a Learned Person.

S I R,

I Am one of them that admire your Writings; and having read over your *Hobbius Heauton-timorumenos*, I cannot hold from giving you some Account of the Causes why I admire it: And first I considered how you handle him for his Disloyalty, in these Words: *His great Leviathan (wherein he placed his main Strength) is now somewhat out of Season; which, upon deserting his Royal Master in Distress (for he pretends to have been the King's Tutor, though yet, from those who have most Reason to know it, I can find but little Ground for such a Pretence) was written in Defence of Oliver's Title, (or whoever, by whatsoever Means, can get to be upmost) placing the whole Right of Government merely in Strength, and absolving all his Majesty's Subjects from their Allegiance, whenever he is not in a present Capacity to force Obedience.*

That which I observe and admire here first, is, That you left not this Passage out, for two Reasons; one, because Mr. *Hobbes* could long for nothing more than such an Occasion to tell the World his own and your little Stories, during the Time of the late Rebellion.

When the Parliament sat, that began in *April 1640*, and was dissolved in *May* following, and in which many Points of the Regal Power, which were necessary for the Peace of the Kingdom, and the Safety of his Majesty's Person, were disputed and denied, Mr. *Hobbes* wrote a little Treatise in *English*, wherein he did set forth and demonstrate, That the said Power and Rights were inseparably annexed to the Sovereignty; which Sovereignty they did not then deny to be in the King; but it seems understood not, or would not understand that Inseparability. Of this Treatise, though not printed, many Gentlemen have Copies, which occasioned much Talk of the Author; and had not his Majesty dissolved the Parliament, it had brought him into Danger of his Life.

He was the first that had ventured to write in the King's Defence, and one, amongst very few, that upon no other Ground but Knowledge of his Duty, and Principles of Equity, without special Interest, was in all Points perfectly loyal.

The 3d of *November* following, there began a new Parliament, consisting for the greatest part of such Men as the People had elected only for their Averseness to the King's Interest. These proceeded so fiercely in the very beginning, against those that had written or preach'd in the Defence of any part of that Power, which

which they then intended to take away, and in gracing those whom the King had disgraced for Sedition, that Mr. *Hobbes* doubting how they would use him, went over into *France*, the first of all that fled, and there continued eleven Years, to his Damage some thousands of Pounds deep. This, Doctor, was your Time of Harvest: You were in their Favour, and that, as you have made it since appear, for no Goodness.

Being at *Paris*, he wrote and published his Book *de Cive*, in *Latin*, to the End that all Nations which should hear what you and your Concoventers were doing in *England*, might detest you, which I believe they do; for I know no Book more magnified than this is beyond the Seas.

When his Majesty, that now is, came to *Paris*, Mr. *Hobbes* had the Honour to initiate him in the Mathematicks; but never was so impudent or ignorant as to call, or think himself the King's Tutor, as you (that understand not what that Word, out of the University, signifies) do falsely charge him with; or ever to say, that he was one of his Majesty's domestick Servants. While upon this Occasion he staid about *Paris*, and had neither Encouragement nor Desire to return into *England*, he wrote and published his *Leviathan*, far from the Intention either of Disadvantage to his Majesty, or to flatter *Oliver*, (who was not made Protector till three or four Years after) on Purpose to make Way for his Return: For there is scarce a Page in it that does not upbraid both him, and you, and others such as you, with your abominable Hypocrisy and Villainy.

Nor did he desert his Majesty, as you falsely accuse him, as his Majesty himself knows. Nor was his Majesty (as you unmannerly term it) *in Distress*. He had the Title, Right and Reverence of a King, and maintained his faithful Servants with him. It is true that Mr. *Hobbes* came home, but it was because he would not trust his Safety with the *French* Clergy.

Do you know that ever he sought any Benefit either from *Oliver*, or from any of his Party, or was any way familiar with any of his Ministers, before or after his Return? or curry'd Favour with any of them (as you did by dedicating a Book to his Vice-Chancellor *Owen*?)

Did you ever hear that he took any thing done to him by his Majesty in evil part, or spake of him otherwise than the best of his Servants would do; or that he was fullen, silent, or sparing, in praising his Majesty in any Company, upon any Occasion?

He knew who were his Enemies, and upon what Ground they misconstrued his Writings.

But your Indiscretion appears more manifestly in giving him Occasion to repeat what you have done, and to *consider* you, as you professedly have considered him: For with what Equity can it be denied him to repeat your manifest and horrible Crimes, for all you have been pardoned; when you publish falsely pretended Faults of his, and comprehended in the same Pardon?

If he should say, and publish, That you decyphered the Letters of the King and his Party, and thereby delivered his Majesty's Secrets to the Enemy, and his best Friends to the Scaffold, and boasted of it in your Book of Arithmetick (written in *Latin*) to all the World, as of a Monument of your Wit, worthy to be preserved in the University Library: How will you justify yourself, if you be reproached for having been a Rebel and a Traitor? It may be you, or some for you, will now say, You decyphered those Letters to the King's Advantage: But then you were unfaithful to your Masters of the Parliament: A very honest Pretence, and full of Gallantry, to excuse *Treason* with *Treachery*, and to be a double Spy. Besides, who will believe it? Who enabled you to do the King that Favour? Why herded you with his Enemies? Who brought the King into a Need of such a Fellow's Favour, but they that first deserted him, and then made War upon him, and which were your Friends and Mr. *Hobbes* his Enemies. Nay more, I know not one Enemy Mr. *Hobbes* then had, but such as were first the King's Enemies, and because the King's therefore his. Your being of that Party, without  
your

your decyphering, amounts to no more than a Desertion. Of the Bishops that then were, and for whose Sakes (in part) you raised the War, there was not one that followed the King out of the Land, though they loved him, but lived quietly under the Protection, first of the Parliament, and then of *Oliver*, (whose Titles and Actions were equally unjust) without Treachery. Is not this as bad as if they had gone over, and (which was Mr. *Hobbes* his Case) been driven back again? I hope you will not call them all Deserters, or (because by their Stay here openly they accepted of the *Parliament's* and of *Oliver's* Protection) Defenders either of *Oliver's*, or of the *Parliament's* Title to the Sovereign Power.

How many were there in that Parliament at first that did indeed and voluntarily desert the King, in consenting to many of their unjust Actions? Many of these afterwards, either upon better Judgment, or because they pleased not the Faction, (for it was a hard matter for such as were not of *Pym's* Cabal to please the Parliament) did more Hurt to the King than if they had staid where they were; for they had been so affrighted by such as you, with a pannick Fear of Tyranny, that seeking to help him by way of Composition and Sharing, they abated the just and necessary Indignation of his Armies, by which only his Right was to be recovered.

That very entering into the Covenant with the *Scottish* Nation against the King, is by itself a very great Crime, and you guilty of it. And so was the imposing of the Engagement, and you guilty of that also, as being done by the then Parliament, whose democratical Principles you approved of.

You were also assisting to the Assembly of Divines that made the *Directory*, and which were afterwards put down by *Oliver* for counterfeiting themselves Ambassadors. And this was when the King was living, and at the Head of an Army, which with your own Endeavour might have protected you. What Crime it is (the King being Head of the Church of *England*) to make *Directories*, to alter the *Church-Government*, and to set up new Forms of God's Service, upon your own Fancies, without the King's Authority, the Lawyers could have told you; and what Punishment you were to expect from it, you might have seen in the Statute printed before the Book of *Common-Prayer*.

Further he may say, and truly, That you were guilty of all the Treasons, Murders, and Spoil committed by *Oliver*, or by any upon *Oliver's* or the *Parliament's* Authority: For, during the late Trouble, who made both *Oliver* and the People mad, but the Preachers of your Principles? But besides the Wickedness, see the Folly of it. You thought to make them mad, but just to such a Degree as should serve your own Turn; that is to say, mad, and yet just as wise as yourselves. Were you not very imprudent to think to govern Madness? *Paul* they knew, but who were you? You were they that put the Army into *Oliver's* Hands (who before, as mad as he was, was too weak, and too obscure to do any great Mischiefs) with which Army he executed upon such as you, both here and in *Scotland*, that which the Justice of God required.

Therefore, of all the Crimes (the great one not excepted) done in that Rebellion, you were guilty; you, I say, Doctor, (how little Force or Wit soever you contributed) for your Good-will to their Cause. The King was hunted as a Partridge in the Mountains; and though the Hounds have been hang'd, yet the Hunters were as guilty as they, and deserved no less Punishment. And the Decyphers, and all that blew the Horn, are to be reckoned amongst the Hunters. Perhaps you would not have had the Prey killed, but rather have kept it tame. And yet who can tell? I have read of few Kings deprived of their Power by their own Subjects, that have lived any long Time after it, for Reasons that every Man is able to conjecture.

All this is so manifest as it needs no Witnesses. In the mean time Mr. *Hobbes* his Behaviour was such, that of them who appeared in that Scene, he was the only Man I know (except a few that had the same Principles with him) that has not something more or less to blush for; as having either assisted that rebellious Parli-

ment, without Necessity, (when they might have had Protection from the King, if they had resorted to him for it in the Field) by Covenanting, or by Action, or with Money, or Plate, or by voting against his Majesty's Interest, in himself, or his Friends; though some of them have since by extraordinary Service deserved to be received into Favour: But what's that to you? You are none of them; and yet you dare to reproach the Guiltless, as if after so ill Fruits of your Sermons, it were not Impudence enough to preach.

I admire further, that having been forgiven these so transcendent Crimes, (so great a Debt to the Gallows) you take Mr. *Hobbes* by the Throat for a Word in his *Leviathan*, made a Fault by malicious or over-hasty Construction: For you have thereby, like the unmerciful Debtor in the Gospel, (in my Opinion) forfeited your Pardon, and so, without a new one, may be hanged yet.

To that other Charge, *That he writ his Leviathan in Defence of Oliver's Title*, he will say, That you in your own Conscience know it is false. What was *Oliver* when that Book came forth? It was in 1650, and Mr. *Hobbes* returned before 1651. *Oliver* was then but General under your Masters of the Parliament, nor had yet cheated them of their usurped Power: For that was not done till two or three Years after, in 1653, which neither he nor you could foresee: What Title then of *Oliver's* could he pretend to justify? But you will say, he placed the Right of Government there, wheresoever should be the Strength; and so by Consequence he placed it in *Oliver*. Is that all? Then primarily his *Leviathan* was intended for your Masters of the Parliament, because the Strength was then in them: Why did they not thank him for it, both they and *Oliver* in their Turns? There, Doctor, you decypher'd ill: For it was written in the Behalf of those many and faithful Servants and Subjects of his Majesty, that had taken his part in the War, or otherwise done their utmost Endeavour to defend his Majesty's Right and Person against the Rebels; whereby, having no other Means of Protection, nor (for the most part) of Subsistence, they were forced to compound with your Masters, and to promise Obedience for the saving of their Lives and Fortunes, which in his Book he hath affirmed they might lawfully do, and consequently not lawfully bear Arms against the Victors. They that had done their utmost Endeavour to perform their Obligation to the King, had done all that they could be obliged unto; and were consequently at Liberty to seek the Safety of their Lives and Livelihood wheresoever, and without Treachery. But there is nothing in that Book to justify the Submission of you, or such as you, to the Parliament, after the King's being driven from them, or to *Oliver*; for you were the King's Enemies, and cannot pretend want of that Protection which you your selves refused, denied, fought against, and destroy'd. If a Man owe you Money, and you by robbing him, or other Injury, disable him to pay you, the Fault is your own; nor needs this Exception, *Unless the Creditor rob him*, be put into the Condition of the Bond. Protection and Obedience are relative. He that says a Man may submit to an Enemy for want of Protection, can never be construed, but that he meant it of the Obedient. But let us consider his Words; when he puts for a Law of Nature, *That every Man is bound, as much as in him lieth, to protect in War the Authority by which he is himself protected in Time of Peace*; which I think is no ungodly or unreasonable Principle. For Confirmation of it, he defines in what Point of Time it is, that a Subject becomes obliged to obey an unjust Conqueror; and defines it thus: *It is that Point wherein having Liberty to submit to the Conqueror, he consenteth either by express Words, or by other sufficient Signs, to be his Subject*.

I cannot see, Doctor, how a Man can be at Liberty to submit to his new, that has not first done all he could for his old Master: Nor if he have done all he could, why that Liberty should be refused him. If a Man be taken by the *Turk*, and brought by Terror to fight against his former Master, I see how he may be kill'd for it as an Enemy, but not as a Criminal: Nor can I see how he that hath Liberty to submit, can at the same Time be bound not to submit.

But

But you will say, perhaps, That he defines the Time of that Liberty to the Advantage of *Oliver*, in that he says, that *for an ordinary Subject, it is then, when the Means of his Life are within the Guards and Garrisons of the Enemy; for it is then, that he hath no Protection but from the Enemy, for his Contribution.* It was not necessary for him to explain it to Men of so great Understanding, as you and other his Enemies pretend to be, by putting it in the Exception, *Unless they came into those Guards and Garrisons by their own Treason.* Do you think that *Oliver's* Party, for their Submission to *Oliver*, could pretend the Want of that Protection?

The Words therefore by themselves, without that Exception, do signify no more than this, *That whosoever had done as much as in him did lie to protect the King in War, had Liberty afterwards to provide themselves of such Protection as they could get; which to those whose Means of Life were within the Guards and Garrisons of Oliver, was Oliver's Protection.*

Do you think when a Battle is lost, and you at the Mercy of the Enemy, it is unlawful to receive Quarter with Condition of Obedience? Or if you receive it on that Condition, do you think it Honesty to break Promise, and treacherously murder him that gave you your Life? If that were good Doctrine, he were a foolish Enemy that would give Quarter to any Man.

You see then, that this Submission to *Oliver*, or to your then Masters, is allowed by Mr. *Hobbes* his Doctrine only to the King's faithful Party, and not to any that fought against him, howsoever they coloured it, by saying they fought for the King and Parliament; nor to any that writ or preached against his Cause, or encouraged his Adversaries; nor to any that betrayed his Counsels, or that intercepted or decyphered any Letters of his, or of his Officers; or of any of his Party; nor to any that by any way had contributed to the Diminution of his Majesty's Power, Ecclesiastical or Civil; nor does it absolve any of them from their Allegiance. You that make it so heinous a Crime for a Man to save himself from violent Death, by a forced Submission to an Usurper, should have considered what Crime it was to submit voluntarily to the usurping Parliament.

I can tell you besides, why those Words were put into his last Chapter, which he calls the Review. It happened at that Time that there were many honourable Persons, that having been faithful and unblemished Servants to the King, and Soldiers in his Army, had their Estates then sequestred; of whom some were fled, but the Fortunes of them all were at the Mercy (not of *Oliver*, but) of the *Parliament*. Some of these were admitted to Composition, some not. They that compounded, though they help'd the Parliament less by their Composition, than they should have done (if they had stood out) by their Confiscation, yet they were ill spoken of, especially by those that had no Estates to lose, nor Hope to compound. And it was for this that he added to what he had written before, this Caution, That if they would compound, they were to do it *bona fide*, without Intention of Treachery. Wherein he justified their Submission by their former Obedience, and present Necessity; but condemned Treachery. Whereas you that pretend to abhor Atheism, condemn that which was done upon Necessity, and justify the Treachery: And you had Reason for it, that cannot otherwise justify your selves. Those Strugglings which happened afterwards, lost his Majesty many a good and able Subject, and strengthened *Oliver* with the Confiscation of their Estates, which if they had attended the Discord of their Enemies, might have been saved.

Perhaps you will take for a Sign of Mr. *Hobbes* his ill Meaning, that his Majesty was displeas'd with him. And truly I believe he was displeas'd for a while, but not very long. They that complain'd of, and misconstrued his Writings, were his Majesty's good Subjects, and reputed wise and learned Men, and thereby obtained to have their Misconstruction believed for some little time: But the very next Summer after his coming away, two honourable Persons of the Court that came over into *England*, assured him, that his Majesty had a good Opinion of him; and others since have told me, that his Majesty said openly, that he thought Mr.

*Hobbes*

Hobbes never meant him Hurt. Besides, his Majesty hath used him more graciously than is ordinary to so humble a Person as he is, and so great a Delinquent as you would make him, and testified his Esteem of him in his Bounty. What Argument now can you draw from hence more than this, that his Majesty understood his Writings better than his Accusers did.

I admire in the next place, upon what Ground you accuse him (and with him all those that have approved his *Leviathan*) with Atheism. I thought once, that that Slander had had some (though not firm) Ground, in that you call his a new Divinity: But for that Point he will alledge these Words of his *Leviathan*: *By which it seemeth to me (with Submission nevertheless, both in this and all other Questions, whereof the Determination dependeth on the Scriptures, to the Interpretation of the Bible authorized by the Commonwealth, whose Subject I am,) that, &c.* What is there in these Words but Modesty and Obedience? But you were at this Time in actual Rebellion. Mr. *Hobbes*, that holds Religion to be a Law, did in order thereto condemn the Maintenance of any of his Opinions against the Law; and you that reproach him for them upon your own Account, should also have shewn by your own Learning, wherein the Scripture, which was his sole Proof, was miscited, or misconstrued by him; (for he submitted to the Laws, that is to say, to the King's Doctrine, not to yours;) and not have insulted for the Victory won by the Power of the Law, to which you were then an Enemy.

Another Argument of Atheism you take from his denying *immaterial* or *incorporeal Substances*. Let any Man impartially now compare his Religion with yours, by this very Measure, and judge which of the two favours most of Atheism.

It is by all Christians confes'd, that God is *incomprehensible*; that is to say, that there is nothing can arise in our Fancy from the naming of him, to resemble him either in *Shape, Colour, Stature, or Nature*; there is no Idea of him; he is like nothing that we can think on: What then ought we to say of him? What Attributes are to be given him, not speaking otherwise than we think, nor otherwise than is fit, by those who mean to honour him? None but such as Mr. *Hobbes* hath set down, namely, Expressions of Reverence, such as are in Use amongst Men for Signs of Honour, and consequently signify *Goodness, Greatness, and Happiness*; and either absolutely put, as *good, holy, mighty, blessed, just, wise, merciful, &c.* or *superlative*, as *most good, most great, most mighty, almighty, most holy, &c.* or negative, of whatsoever is not perfect, as *infinite, eternal, and the like*: and not such as neither Reason nor Scripture hath approved for honourable. This is the Doctrine that Mr. *Hobbes* hath written, both in his *Leviathan*, and in his Book *de Cive*, and when Occasion serves, maintains. What kind of Attribute I pray you is *immaterial, or incorporeal Substance*? Where do you find it in the Scripture? Whence came it hither, but from *Plato* and *Aristotle*, Heathens, who mistook those thin Inhabitants of the Brain they see in Sleep, for so many *incorporeal* Men; and yet allow them Motion, which is proper only to Things *corporeal*? Do you think it an Honour to God to be one of these? And would you learn Christianity from *Plato* and *Aristotle*? But seeing there is no such Word in the Scripture, how will you warrant it from natural Reason? Neither *Plato* nor *Aristotle* did ever write of, or mention an *incorporeal Spirit*; for they could not conceive how a Spirit, which in their Language was *πνεῦμα* (in ours *a Wind*) could be *incorporeal*. Do you understand the Connection of *Substance* and *incorporeal*? If you do, explain it in *English*; for the Words are *Latin*. It is something, you'll say, that being *without Body, stands under*——. Stands under what? Will you say, *under Accidents*? Almost all the Fathers of the Church will be against you; and then you are an Atheist. Is not Mr. *Hobbes* his way of attributing to God, that only which the Scriptures attribute to him, or what is never any where taken but for Honour, much better than this bold Undertaking of yours, to *consider* and decypher God's *Nature* to us?

For a third Argument of Atheism, you put, That he says, *Besides the Creation of the World, there is no Argument to prove a Deity*; and, *That it cannot be evinced*

by any Argument that the World had a Beginning; and, That whether it *is* or no, is to be decided not by Argument, but by the Magistrate's Authority. That it may be decided by the Scriptures, he never denied; therefore in that also you slander him. And as for Arguments from natural Reason, neither you, nor any other have hitherto brought any. (except the Creation) that has not made it more doubtful to many Men that it was before. That which he hath written concerning such Arguments, in his Book *de Corpore, Opinions*, saith he, concerning the Nature of Infinite and Eternal, as the chiefest of the Fruits of Wisdom, God hath reserved to himself, and made Judges of them, those Men whose Ministry he meant to use in the ordering of Religion; and therefore I cannot praise those Men that brag of Demonstration of the Beginning of the World from natural Reason. And again, Wherefore I pass by those Questions of Infinite and Eternal, contenting myself with such Doctrine concerning the Beginning and Magnitude of the World, as I have learned from the Scripture, confirmed by Miracles, and from the Use of my Country, and from the Reverence I owe to the Law. This, Doctor, is not ill said, and yet 'tis all you ground your Slander on, which you make to sneak vilely under a crooked Paraphrase.

These Opinions, I said, were to be judged by those to whom God has committed the ordering of Religion; that is, to the supreme Governors of the Church, that is, in *England*, to the King: By his Authority, I say, it ought to be decided, (not what Men shall think, but) what they shall say in those Questions. And methinks you should not dare to deny it; for 'tis a manifest Relapse into your former Crimes.

But why do you stile the King by the Name of *Magistrate*? Do you find *Magistrate* to signify any where the Person that hath the Sovereign Power, or not every where the Sovereign's Officers. And I think you knew that; but you and your Fellows (your Fellows I call all those that are so besmeared all over with the Filth of the same Crime, as not to be distinguished) meant to make your Assembly the Sovereign, and the King your *Magistrate*. I pray God you do not mean so still, if Opportunity be presented.

There has hitherto appeared in Mr. *Hobbes* his Doctrine no Sign of Atheism; and whatsoever can be inferred from the denying of *incorporeal Substances*, makes *Tertullian*, one of the ancientest of the Fathers, and most of the Doctors of the *Greek Church*, as much Atheists as he: For *Tertullian*, in his Treatise *de Carne Christi*, says plainly, *Omne quod est, corpus est sui generis. Nihil est incorporeale, nisi quod non est*: That is to say, *Whatsoever is any thing, is a Body of its kind. Nothing is incorporeal, but that which has no Being*. There are many other Places in him to the same Purpose: For that Doctrine served his Turn to confute the Heresy of them that held that Christ had no Body, but was a *Ghost*: Also of the Soul he speaks, as of an invisible Body. And there is an Epitome of the Doctrine of the *Eastern Church*, wherein is this, That they thought Angels and Souls were *corporeal*, and only called *incorporeal*, because their Bodies were not like ours. And I have heard that a Patriarch of *Constantinople*, in a Council held there, did argue for the Lawfulness of painting Angels, from this, that they were *corporeal*. You see what Fellows in Atheism you join with Mr. *Hobbes*.

How unfeigned your own Religion is, may be argued strongly, demonstratively, from your Behaviour that I have already recited. Do you think, you that have committed so abominable Sins, not through Infirmity, or sudden Transport of Passion, but premeditatedly, wilfully, for twenty Years together, that any rational Man can think you believe your selves, when you preach of Heaven and Hell, or that you do not believe one another to be Cheats and Impostors, and to laugh at silly People in your Sleeves for believing you; or that you applaud not your own Wit for it; though for my part I could never conceive that very much Wit was requisite for the making of a Knave. And in the Pulpit most of you have been a Scandal to Christianity, by preaching up Sedition, and crying down moral Virtue. You should have preached against unjust *Ambition, Covetousness, Gluttony, Malice, Disobedience to Government, Fraud, and Hypocrisy*: But for the most part you preached your own Controversies, about who should be uppermost, or other

fruitless and unedifying Doctrines. When did any of you preach against *Hypocrisy*? You dare not in the Pulpit, I think, so much as name it, lest you set the Church a laughing: And you in particular, when you said in a Sermon, that *Sophos* was not in *Homer*; what Edification could the People have from that, though it had been true, as 'tis false? for it is in his *Illiad*, lib. 15. v. 363. Another I heard make half his Sermon of this Doctrine, That *God never sent a great Deliverance, but in a great Danger*: Which is indeed true, because the Greatness of the Danger makes the Greatness of the Deliverance, but for the same Cause ridiculous; and the other half he took to construe the *Greek* of his Text: And yet such Sermons are much applauded. But why? First, Because they make not the People ashamed of any Vice. Secondly, Because they like the Preacher, for using to find Fault with the Government or Governors. Thirdly, For their Vehemence, which they mistake for Zeal. Fourthly, For their Zeal to their own Ends, which they mistake for Zeal to God's Worship. I have heard besides divers Sermons made by Fanaticks, young Men, and whom by that, and their Habit, I imagined to be Apprentices; and found little Difference between their Sermons, and the Sermons of such as you, either in respect of Wisdom, or Eloquence, or Vehemence, or Applause of common People.

Therefore I wonder how you can pretend (as you do in your Petition, for a Dispensation from the Ceremonies of the Church) to be either better Preachers than those that conform, or to have tenderer Consciences than other Men. You that have covered such black Designs with the sacred Words of Scripture, why can you not as well find in your Hearts to cover a black Gown with a white Surplice? or what Idolatry do you find in making the Sign of the Cross, when the Law commands it? Though I think you may conform without Sin, yet I think you might have been also dispensed with without Sin, if you had dispensed in like manner with other Ministers that subscribed to the Articles of the Church. And if Tenderness of Conscience be a good Plea, you must give Mr. *Hobbes* also Leave to plead Tenderness of Conscience to his new Divinity, as well as you. I should wonder also, how any of you should dare to speak to a Multitude met together, without being limited by his Majesty what they shall say, especially now that we have felt the Smart of it, but that it is a Relick of the ecclesiastical Policy of the Popes, that found it necessary for the disjoyning of the People from their too close Adherence to their Kings, or other Civil Governors.

But it may be you will say, That the rest of the Clergy, Bishops, and episcopal Men, no Friends of yours, and against whose Office Mr. *Hobbes* never writ any thing, speak no better of his Religion than you do.

'Tis true, he never wrote against Episcopacy; and it is his private Opinion, that such an Episcopacy as is now in *England*, is the most commodious that a Christian King can use for the governing of Christ's Flock, the misgoverning whereof the King is to answer for to Christ, as the Bishops are to answer for their Misgovernment to the King, and to God also. Nor ever spake he ill of any of them, as to their Persons: Therefore I should wonder the more at the uncharitable Censure of some of them, but that I see a Relick still remaining of the Venom of Popish Ambition, lurking in that seditious *Distinction* and *Division* between the Power *Spiritual* and *Civil*, which they that are in love with a Power to hurt all those that stand in Competition with them for Learning (as the *Roman* Clergy had to hurt *Galileo*) do not willingly forsake. All Bishops are not in every Point like one another. Some it may be are content to hold their Authority from the King's Letters Patents; and these have no Cause to be angry with Mr. *Hobbes*. Others will needs have somewhat more, they know not what, of divine Right, to govern by Virtue of *Imposition of Hands*, and *Consecration*, not acknowledging their Power from the King, but immediately from Christ. And these perhaps are they that are displeas'd with him, which he cannot help, nor has deserved; but will for all that believe the King only, and without Sharers, to be the Head of all the Churches within his own Dominions; and that he may dispense with Ceremonies, or with any thing else that is not against the Scriptures, nor against natural Equity; and that

that the Consent of the Lords and Commons cannot now give him that Power, but declare for the People their Advice and Consent to it. Nor can he be made believe that the Safety of a State depends upon the Safety of the Church, I mean, of the Clergy: For neither is a Clergy essential to a Commonwealth; and those Ministers that preached Sedition pretend to be of the Clergy, as well as the best. He believes rather that the Safety of the Church depends on the Safety of the King, and the Entireness of the Sovereign Power; and that the King is no part of the Flock of any Minister or Bishop, no more than the Shepherd is of his Sheep, but of Christ only; and all the Clergy, as well as the People, the King's Flock. Nor can that Clamour of his Adversaries make Mr. *Hobbes* think himself a worse Christian than the best of them. And how will you disprove it, either by his Disobedience to the Laws *Civil*, or *Ecclesiastical*, or by any ugly Action? Or how will you prove that the Obedience which springs from Scorn of Injustice, is less acceptable to God, than that which proceeds from Fear of Punishment, or Hope of Benefit. Gravity and Heaviness of Countenance are not so good Marks of Assurance of God's Favour, as cheerful, charitable, and upright Behaviour towards Men, which are better Signs of Religion than the zealous maintaining of controverted Doctrines. And therefore I am verily persuaded, it was not his Divinity that displeas'd you or them, but somewhat else, which you are not willing to pretend. As for your Party, that which angred you, I believe, was this Passage of his *Leviathan*: *Whereas some Men have pretended for their Disobedience to their Sovereign, a new Covenant made, not with Men, but with God; this also is unjust: For there is no Covenant with God, but by Mediation of somebody that representeth God's Person; which none doth but God's Lieutenant, who hath the Sovereignty under God: But this Pretence of Covenant with God is so evident a Lye (this is it that angred you) even in the Pretenders own Consciences, that it is not only an Act of an unjust, but also of a vile and unmanly Disposition.*

Besides his making the King Judge of Doctrines to be preached or published, hath offended you both; so has also his attributing to the Civil Sovereign all Power *Sacerdotal*. But this perhaps may seem hard, when the Sovereignty is in a Queen: But it is because you are not subtle enough to perceive, that though *Man* be *Male* and *Female*, *Authority* is not. To please neither Party is easy; but to please both, unless you could better agree amongst your selves than you do, is impossible. Your Differences have troubled the Kingdom, as if you were the Houses revived of *York* and *Lancaster*. A Man would wonder how a little *Latin* and *Greek* should work so mightily, when the Scriptures are in *English*, as that the King and Parliament can hardly keep you quiet, especially in Time of Danger from abroad. If you will needs quarrel, decide it amongst your selves, and draw not the People into your Parties.

You were angry also for his blaming the scholastical Philosophers, and denying such fine Things as these: *That the Species or Apparences of Bodies come from the Thing we look on, into the Eye, and so make us see; and into the Understanding, to make us understand; and into the Memory, to make us remember. That a Body may be just the same it was, and yet bigger or lesser. That Eternity is a permanent Now; and the like. And for detecting, further than you thought fit, the Fraud of the Roman Clergy.* Your Dislike of his Divinity was the least Cause of your calling him Atheist. But no more of this now.

The next Head of your Contumelies is to make him contemptible, and to move Mr. *Boyle* to pity him. This is a way of railing too much beaten to be thought *witty*. As for the Thing itself, I doubt your Intelligence is not good, and that your Algebricians, and Nonconformists, do but feign it, to comfort one another. For your own Part, you contemn him not, or else you did very foolishly to entitle the beginning of your Book, *Mr. Hobbes considered*; which argues he is considerable enough to you. Besides, 'tis no Argument of Contempt, to spend upon him so many angry Lines as would have furnish'd you with a dozen of Sermons: If you had in good Earnest despis'd him, you would have let him alone, as he does Dr. *Ward*, Mr. *Baxter*, *Pike*, and others, that have reviled him, as you do. As for his

his Reputation beyond the Seas, it fades not yet: And because perhaps you have no means to know it, I will cite you a Passage of an Epistle, written by a learned *Frenchman* to an eminent Person in *France*, a Passage not impertinent to the Point now in Question. It is in a Volume of Epistles, the fourth in Order, and the Words, concerning Chymists, are these: *Truly, Sir, as much as I admire them, when I see them lute an Albemick handsomely, philter a Liquor, build an Athanor, so much I mislike them when I hear them discourse upon the Subject of their Operations; and yet they think all they do, is nothing in respect of what they say: I wish they would take less Pains, and be at less Charges; and whilst they wash their Hands after their Work, they would leave to those that attend to the polishing of their Discourse, I mean, the Galileos, the Descarteses, the Hobbeses, the Bacons, and the Gassendis, to reason upon their Work, and themselves to hear what the Learned and Judicious shall tell them, such as are used to discern the Differences of Things. Quam sit uterque libens censebo exercent artem.* And more to the same Purpose.

What is here said of Chymists, is applicable to all other Mechanicks.

Every Man that hath spare Money, can get Furnaces, and buy Coals. Every Man that hath spare Money, can be at the Charge of making great Moulds, and hiring Workmen to grind their Glasses; and so may have the best and greatest Telescopes: They can get Engines made, and apply them to the Stars; Recipients made, and try Conclusions; but they are never the more Philosophers for all this. 'Tis laudable, I confess, to bestow Money upon curious or useful Delights; but that is none of the Praises of a Philosopher. And yet, because the Multitude cannot judge, they will pass with the Unskilful, for skilful in all Parts of natural Philosophy. And I hear now that *Hugenius* and *Eustachio Divini* are to be tried by their Glasses, who is the more skilful in *Optics* of the two; but for my Part, before Mr. *Hobbes* his Book *De Homine* came forth, I never saw any thing written of that Subject intelligibly. Do not you tell me now, according to your wonted Ingenuity, that I never saw *Euclid's*, *Vitellio's*, and many other Men's *Optics*; as if I could not distinguish between *Geometry* and *Optics*.

So also of all other Arts; not every one that brings from beyond Seas a new Gin, or other janty Device, is therefore a Philosopher: For if you reckon that way, not only Apothecaries and Gardeners, but many other sorts of Workmen, will put in for, and get the Prize. Then, when I see the Gentlemen of *Gresham-College* apply themselves to the Doctrine of Motion, (as Mr. *Hobbes* has done, and will be ready to help them in it, if they please, and so long as they use him civilly) I will look to know some natural Events from them, and their Register, and not before: For Nature does nothing but by Motion.

I hear that the Reason given by Mr. *Hobbes*, why the Drop of Glass so much wonder'd at, shivers into so many Pieces, by breaking only one small part of it, is approved for probable, and register'd in their College: But he has no reason to take it for a Favour, because hereafter the Invention may be taken by that Means not for his, but theirs.

To the rest of your Calumnies the Answers will be short, and such as you might easily have foreseen. And first, for his boasting of his Learning, it is well summ'd up by you in these Words: *'Twas a Motion made by one (whom I will not name) that some idle Person should read over all his Books, and collecting together his arrogant and supercilious Speeches, applauding himself, and despising all other Men, set them forth in one Synopsis, with this Title, Hobbius de se. What a pretty piece of Pageantry this would make, I shall leave to your own Thoughts.*

Thus say you: Now says Mr. *Hobbes*, or I for him, Let your idle Person do it, and set down no more than he has written, (as high Praises as they be) I'll promise you he shall acknowledge them under his Hand, and be commended for it, and you scorned. A certain *Roman* Senator, having propounded something in the Assembly of the People, which they misliking made a Noise at, boldly bad them hold their Peace, and told them he knew better what was good for the Commonwealth than all they: And his Words are transmitted to us as an Argument of his Virtue; so much do Truth and Vanity alter the Completion of Self-praise. Besides, you can  
have

have very little Skill in Morality, that cannot see the Justice of commending a Man's self, as well as of any thing else, in his own Defence: And it was want of Prudence in you, to constrain him to a Thing that would so much displease you. That part of his Self-praise which most offends you, is in the End of his *Leviathan*, in these Words: *Therefore I think it may be profitably printed, and more profitably taught in the Universities, in case they also think so, to whom the Judgment of the same belongeth.* Let any Man consider the Truth of it. Where did those Ministers learn their seditious Doctrine, and to preach it, but there? Where therefore should Preachers learn to teach Loyalty, but there? And if your Principles produced Civil War, must not the contrary Principles, which are his, produce Peace? And consequently his Book, as far as it handles Civil Doctrine, deserves to be taught there: But when can this be done? When you shall have no longer an Army ready to maintain the evil Doctrine wherewith you have infected the People. By a ready Army I mean Arms, and Money, and Men enough, though not yet in Pay, and put under Officers, yet gathered together in one Place or City, to be put under Officers armed, and payed on any sudden Occasion; such as are the People of a great and populous Town. Every great City is as a standing Army, which if it be not under the Sovereign's Command, the People are miserable; if they be, they may be taught their Duties in the Universities safely and easily, and be happy. I never read of any Christian King that was a Tyrant, though the best of Kings have been called so.

Then for the *Morosity* and *Peevishness* you charge him with, all that know him familiarly, know 'tis a false Accusation. But you mean, it may be, only towards those that argue against his Opinion: But neither is that true. When vain and ignorant young Scholars, unknown to him before, come to him on purpose to argue with him, and to extort Applause for their foolish Opinions, and missing of their End, fall into undiscreeet and uncivil Expressions, and he then appear not very well contented, 'tis not his *Morosity*, but their *Vanity* that should be blamed. But what Humour (if not *Morosity* and *Peevishness*) was that of yours, whom he never had injured, or seen, or heard of, to use toward him such insolent, injurious, and clownish Words, as you did in your absurd *Elenchus*?

Was it not Impatience of seeing any dissent from you in Opinion? Mr. *Hobbes* has been always far from provoking any Man, though when he is provok'd, you find his Pen as sharp as yours.

Again, when you make his Age a Reproach to him, and shew no Cause that might impair the Faculties of his Mind but only Age, I admire how you saw not that you reproached all old Men in the World as much as him, and warranted all young Men, at a certain Time, which they themselves shall define, to call you *Fool*. Your Dislike of old Age, you have also otherwise sufficiently signified, in venturing so fairly as you have done to escape it. But that is no great Matter to one that hath so many Marks upon him of much greater Reproaches. By Mr. *Hobbes* his Calculation, that derives Prudence from Experience, and Experience from Age, you are a very young Man; but by your own reckoning, you are older already than *Metbuselab*.

Lastly, who told you that he writ against Mr. *Boyle*, whom in his Writing he never mentioned? And that it was because Mr. *Boyle* was acquainted with you? I know the contrary. I have heard him wish it had been some Person of lower Condition that had been the Author of the Doctrine which he opposed, and therefore opposed because it was false, and because his own could not otherwise be defended. But thus much I think is true, that he thought never the better of his Judgment, for mistaking you for Learned. This is all I thought fit to answer for him and his Manners. The rest is of his Geometry and Philosophy, concerning which, I say only this, that there is too much in your Book to be confuted; Almost every Line may be disproved, or ought to be reprehended. In sum, it is all Error and Railing, that is, *stinking Wind*; such as a Jade lets fly when he is too hard girt upon a full Belly. I have done. I have considered you now, but will not again, whatsoever Preferment any of your Friends shall procure you.

# I N D E X.

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*Or the Matter, Form and Power of a Commonwealth, ecclesiastical and civil.*

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