

be able to make that objection hold, seeing it will not ly so much against the Populoufness of the place, as the contrary.

BUT a populous Country makes a populous City by weaning ; for when the People increase so much, that the dug of Earth can do no more, the overplus must seek som other way of Livelihood : which is either Arms, such were those of the *Goths* and *Vandals* ; or Merchandize and Manufacture, for which ends it being necessary that they lay their Heads and their Stock together, this makes populous Citys. Thus *Holland* being a small Territory, and suck'd dry, has upon the matter wean'd the whole People, and is thereby become as it were one City that sucks all the World.

BUT by this means, says the Considerer, *Emporium* being already too great (while indeed *Amsterdam*, considering the narrowness of the Territory, or the smallness of *Holland*, is much more populous) would immediatly grow into an excess of Power and Riches, very dangerous to Liberty, an example whereof was seen in the late Tyranny of that City : As if it were not sufficiently known that *Amsterdam* contributes and has contributed more to the defence of the Commonwealth, or United Provinces, than all the rest of the League, and had in those late Actions which have bin scandaliz'd, resisted not the interest of Liberty, but of a Lord. That the increase of *Rome*, which was always study'd by her best Citizens, should make her Head too great for her Body, or her Power dangerous to the Tribes, was never so much as imagin'd ; and tho she were a City of Princes, her rustic Tribes were ever had in greatest Esteem and Honor ; infomuch, that a Patrician would be of no other.

BUT the Authority of antient Commonwealths is needless ; the Prevaricator by his own Argumentation or Might, lays himself neck and heels.

FOR, says he, Were this Agrarian once settl'd, *Emporium* would be a City of Princes, and the Nobility so throly plum'd, that they would be just as strong of wing, as wild Fowl in moulting time. There would be a City of Princes, and yet no Nobility. He is so fast that I have pity on him, if I knew but which way to let him loose. He means perhaps, that the Merchants growing rich, would be the Nobility ; and the Nobility growing poor, would be Grasers.

BUT so for ought I know it was always, or worse, that is, men attain'd to Riches and Honors by such or worse Arts, and in Poverty made not always so honest Retreats. To all which Infirmitys of the State, I am deceiv'd if this Agrarian dos not apply the proper Remedys. For such an Agrarian makes a Commonwealth for increase : the Trade of a Commonwealth for increase, is Arms ; Arms are not born by Merchants, but by Noblemen and Gentlemen. The Nobility therefore having these Arms in their hands, by which Provinces are to be acquir'd, new Provinces yield new Estates ; so whereas the Merchant has his returns in Silk or Canvas, the Soldier will have his return in Land. He that represents me as an Enemy to the Nobility, is the man he speaks of ; for if ever the Commonwealth attains to five new Provinces (and such a Commonwealth will have Provinces enow) it is certain, that (besides Honors, Magistracys, and the Revenues annex'd) there will be more Estates in the Nobility of *Oceana*, of fourteen thousand pounds Land a year, than ever were, or can otherwise be of four ; and that without any the least danger to the Common-

Consider p 93.

Book I. Commonwealth. for if *Rome* had but look'd so far to it, as to have made good her Agrarian in *Italy*, tho she had neglected the rest, the Wealth of her Nobility might have suck'd her Provinces, but must have enrich'd the People; and so rather have water'd her Roots, than starv'd and destroy'd them, as it did. In this case therefore the Nobility of *Occana* would not moult like wild Fowl, but be strong of wing as the Eagle.

ONE Argument more I have heard urg'd against the Populoufness of the Capital City, which is, That the Rich in time of sickness forsaking the place, by which means the Markets com to fail, the Poor, lest they should starve, will run abroad, and infect the whole Country. But should a man tell them at *Paris*, or *Grand Cairo* (in the latter wherof the Plague is more frequent and furions than happens with us) that they are not to build Houses, nor increase so much, lest they should have the Plague; or that Children are not to be born so fast, lest they dy, they would think it strange news. A Commonwealth is furnish'd with Laws, and Power to add such as she shall find needful. In case a City be in that manner visited, it is the duty of the Country, and of the Government, to provide for them by contribution.

Consid p 87

THE difficulty in making the Agrarian equal and steady thro the rise or fall that may happen in Money, which is the fourth throw of the Prevaricator, is that which might have bin for his ease to have taken notice was long since sufficiently har'd, where it is said, That if a new Survey at the present Rent was taken, an Agrarian ordaining that no man should thenceforth hold above so much Land as is there valu'd at the rate, however Money might alter, would be equal and steady enough.

Consid p 89

HIS last cast is, That the Agrarian would make War against universal and immemorial Custom; which being without doubt more prevalent than that of Reason, there is nothing of such difficulty as to persuade men at once, and crudely, that they and their Forefathers have bin in an Error.

May 24

WISE men, I see, may differ in Judgment or Counsil; for, says Sir FRANCIS BACON, Surely every Medicin is an Innovation, and he that will not apply new Remedys must expect new Evils; for Time is the greatest Innovator; and if Time of course alters things to the worse, and Wisdom and Counsil may not alter them to the better, what must be the end?

BUT the case of the Agrarian receives equal strength from each of these Counsillors or Opinions: from the latter, is that it gos upon grounds which Time has not innovated for the worse, but for the better; and so according to the former coms not to have bin at once, and crudely perswaded, but introduc'd by Customs, now grown universal and immemorial. For who remembers the Gentry of this Nation to have worn the blue Coats of the Nobility, or the lower sort of People to have liv'd upon the smoke of their Kitchins? On the contrary, Is it not now an universal Custom for men to rely upon their own Fortunes or Industry, and not to put their Trust in Princes, seeking in their Liberality or Dependence the means of living? The Prevaricator might as well jump into his great Grandfather's old Breeches, and persuade us that he is *a la mode*, or in the new cut, as that the ways of our Forefathers would agree with our Customs. Does not every man now

now see, that if the Kings in those days had settl'd the Estates of the Nobility by a Law, restraining them from selling their Land such a Law had bin an Agrarian, and yet not warring against their antient Customs, but preserving them? Wherefore neither dos the Agrarian propos'd, taking the Balance of Estates as the now finds them, make War against, but confirm the present Customs. The only Objection that can seem in this place to ly, is, that whereas it has bin the Custom of *Oceana* that the bulk of the Estate should descend to the eldest Son, by the Agrarian he cannot, in case he has more Brothers, inherit above two thousand pounds a year in Land, or an equal share. But neither dos this, whether you regard the Parents or the Children, make War with Custom. For putting the case the Father has twenty thousand pounds a year in Land, he gos not the less in his custom or way of Life for the Agrarian, because for this he has no less: and if he has more or fewer Sons to whom his Estate descends by equal or unequal portions, neither do they go less in their ways or customs of Life for the Agrarian, because they never had more. But, says ARISTOTLE (speaking of the Ostracism as it supplants the defect of an Agrarian) *this course is as necessary to Kings as to Commonwealths.* By this means the Monarchys of *Turkey* and of *Spain* preserve their Balance; thro the neglect of this has that of the Nobility of *Oceana* bin broken: and this is it which the Prevaricator, in advising that the Nobility be no further level'd than will serve to keep the People under, requires of his Prince. So, That an Agrarian is necessary to Government, be it what it will, is on all hands concluded.

Chap. 12.  
Pol L 3 c 9

## C H A P. XII.

*Whether Courses or a Rotation be necessary to a well-order'd Commonwealth. In which is contain'd the Courses or Parenbole of Israel before the Captivity, together with the Epitome of Athens and Venice.*

ONE bout more and we have don: This (as reason good) will be upon Wheels or Rotation: For, *Oceani, p 51.*

AS the Agrarian answers to the equality of the Foundation or Root, so dos Rotation to the equality of the Superstructures or Branches of a Commonwealth.

EQUAL Rotation is equal Vicissitude in, or Succession to Magistracy confer'd for equal terms, injoining such equal Vacations, as cause the Government to take in the Body of the People, by parts succeeding others, thro the free Election or Suffrage of the whole.

THE contrary wherto is prolongation of Magistracy, which, trunshing the wheel of Rotation, destroys the Life or natural Motion of a Commonwealth.

THE Prevaricator, whatever he has don for himself, has don this for me, that it will be out of doubt whether my Principles be capable of greater *Elucidation*, or *Confirmation*, than by having Objections made against them. Nor have I bin altogether ingratul, or nice of my Labor, but gon far (much farther than I needed) about, that I might return with the more valuable Present to him that sent me on the errand:

Book I. errand: I shall not be short of like proceeding upon the present Subject, but rather over.

ROTATION in a Commonwealth is of the Magistracy, of the Senat, of the People; of the Magistracy and the People; of the Magistracy and the Senat; or of the Magistracy, of the Senat, and of the People: which in all com to six kinds.

For example of Rotation in the Magistracy, you have the Judge of *Israel*, call'd in Hebrew *Shophet*. The like Magistracy after the Kings *ITHOBAL* and *BAAL* came in use with the *Tyrians*; from these, with their Posterity the *Cartbaginians*, who also call'd their supreme Magistrats, being in number two, and for their Term Annual, *Shophetim*, which the Latins by a softer pronunciation render *Suffetes*.

THE *Shophet* or Judge of *Israel* was a Magistrat, not, that I can find, oblig'd to any certain term, throout the Book of *Judges*; nevertheless, it is plain, that his election was occasional, and but for a time, after the manner of a Dictator.

TRUE it is, that *ELI* and *SAMUEL* rul'd all their lives; but upon this such impatience in the People follow'd, thro the Corruption of their Sons, as was the main cause of the succeeding Monarchy.

THE Magistrats in *Athens* (except the *Areopagits*, being a Judiciary) were all upon Rotation. The like for *Lacedemon* and *Rome*, except the Kings in the former, who were indeed hereditary, but had no more Power than the Duke in *Venice*, where all the rest of the Magistrats (except the *Procuratori*, whose Magistracy is but mere Ornament) are also upon Rotation.

For the Rotation of the Senat you have *Athens*, the *Achæans*, *Ætolians*, *Lycians*, the *Amphistionium*; and the Senat of *Lacedemon* reprov'd, in that it was for life, by *ARISTOTLE*: Modern Examples of like kind are the Diet of *Switzerland*, but especially the Senat of *Venice*.

For the Rotation of the People, you have first *Israel*, where the Congregation (which the *Greeks* call *Ecclesia*; the *Latins*, *Comitia*, or *Concio*) having a twofold capacity; first, that of an Army, in which they were the constant Guard of the Country; and, secondly, that of a Representative, in which they gave the Vote of the People, at the creation of their Laws, or election of their Magistrats, was Monthly. Now the Children of *Israel* after their Number, to wit, the chief Fathers and Captains of thousands and hundreds, and their Officers that serv'd the King in any matter of the Courses, which came in, and went out month by month, throout all the months of the year, of every Course were twenty and four thousand.

SUCH a multitude there was of military Age, that without inconvenience, four and twenty thousand were every month in Arms, whose term expiring, others succeeded, and so others; by which means the Rotation of the whole People came about in the space of one year. The Tribuns, or Commanders of the Tribes in Arms, or of the Prerogative for the month, are nam'd in the following part of the Chapter, to the sixteenth Verse, where begins the enumeration of the Priests (tho *GAD* and *Asher*, for what reason I know not, be omitted) of the Tribes, remaining in their Provinces, where they judg'd the People, and as they receiv'd Orders, were to bring or send such further Reinforcement or Recruits as occasion requir'd to the Army: after these, some other



other Officers are mention'd. There is no question to be made but this Chap. 12.  
Rotation of the People, together with their Prerogative of Congregation, was preserv'd by the monthly Election of two thousand Deputies in each of the twelve Tribes, which in all came to four and twenty thousand; or let any man shew how otherwise it was likely to be done, the nature of their Office being to give the Vote of the People, who therfore sure must have chosen them. By these the Vote of the People was given to their Laws, and at Elections of their Magistrats.

TO their Laws, as where DAVID proposes the reduction of the Ark: *And DAVID consulted with the Captains of thousands and hundreds, and with every Leader. And DAVID said to all the Congregation of Israel, If it seems good to you, and it be of the Lord God, let us send abroad to our Brethren every where* (the Princes of Tribes in their Provinces) *that are left in the Land of Israel, and with them also to the Priests and Levites, which are in the Citys and Suburbs, that they may gather themselves to us; and let us bring again the Ark of our God to us, for we inquir'd not at it in the days of SAUL. And all the Congregation* (gave their Suffrage in the Affirmative) *said that they would do so; for the thing was right in the eyes of the People.* *Nulla lex sibi soli consentiam sustinere solet, sed eis a quibus obsequium expectat.* Now that the same Congregation or Representative gave the Vote of the People also in the Election of Priests, Officers and Magistrats; Moreover DAVID and the Captains of the Host separated to the Service of the Sons of ASAPH, and of HERMAN, and of JEDUTHUN, who should prophesy with Harps, with Psalterys, and with Cymbals. But upon the occasion to which we are more especially beholden for the preservation and discovery of this admirable Order (DAVID having propos'd the business in a long and pious speech) the Congregation made SOLOMON the Son of DAVID King the second time, and anointed him to the Lord to be chief Governor, and ZADOK to be Priest. For as to the first time that SOLOMON was made King, it happen'd, thro the Sedition of ADONIJAH, to have been don in hast and tumultuously by those only of Jerusalem, and the reason why ZADOK is here made Priest, is, that ABIAATHAR was put out for being of the Conspiracy with ADONIJAH.

I MAY expect (by such Objections as they afford me) it should be alleg'd, that to prove an Order in a Commonwealth, I instance in a Monarchy; as if there were any thing in this Order monarchical, or that it could, if it had not bin so receiv'd from the Commonwealth, have bin introduc'd by the Kings, to whom in the judgment of any sober man (the Prevaricator only excepted, who has bin huckling about some such Council for his Prince) no less could have follow'd upon the first frown of the People, than did in РЕНОВОНАМ, who having us'd them roughly, was depos'd by the Congregation, or the major part. It is true, that while Israel was an Army, the Congregation, as it needed not to assemble by way of Election or Representative, so I believe it did not; but that by all Israel assembl'd to this end, should be meant the whole People after they were planted upon their Lots, and not their Representative, which in a political sense is as properly to call'd, were absurd and impossible. Nor need I go upon presumption only, be the same never so strong, seeing it is said in Scripture of the Korathites, that they were keepers of the Gates of the Tabernacle, and their Father being over the Host of the Lord, were keepers of the Entry: That is, (according to the Interpretation of GROTIUS) the Korathites were

Book I.


  
 Number 4

now keepers of the Gates, as it appears in the Book of *Numbers*, their Ancestors the *Kohathites* had bin in the Camp, or while *Israel* was yet an Army. But our Translation is lame in the right foot, as to the true discovery of the antient manner of this service, which according to the Septuagint and the vulgar Latin was thus, *they were keepers of the Gates of the Tabernacle* (*οἱ πατῆρες αὐτῶν ἐν τῇ τῆς παρεμβολῆς, & familiae eorum per vices*) and their Fathers by turns, or Rotation. So that Offices and Services by Courses, Turns, or Rotation, are plainly more antient than Kings in the Commonwealth of *Israel*, tho it be true that when the Courts or Rotation of the Congregation or Representative of the People were first introduc'd, is as hard to shew, as it would be how, after the People were once planted upon their Lots, they could be otherwise assembl'd. If writers argue well and lawfully from what the *Sanhedrim* was in the institution by *JEHOSAPHAT*, to what it had more antiently bin; to argue from what the Congregation was in the institution by *DAVID*, to what it had more antiently bin, is sufficiently warranted.

Pol 14 c 14

THESE things rightly consider'd, there remains little doubt but we have the courses of *Israel* for the first example of Rotation in a popular Assembly. Now to com from the *Hebrew* to the *Grecian* Prudence, the same is approv'd by *ARISTOTLE*, which he exemplifys in the Commonwealth of *THALES MILESIUS*, where the People, he says, assembl'd (*οὐ κατὰ μέρος, ἀλλὰ μὴ πάντας ἄρ᾽ ἅμα*) by turns or Rotation. Nor is the *Roman* Prudence without som shadow of the like Proceeding, where the Prerogative (*pro tempore*) with the *jure vocatus* being made by Lot, gave frequently the Suffrage of the whole People. But the *Gothic* Prudence in the Policy of the third State, runs altogether upon the Collection of a Representative by the Suffrage of the People (tho not so diligently regulated, by Terms and Vacations, as to a standing Assembly were necessary, by Turns, Rotation, Parenbole or Courses) as in the election of the late House of Commons, and the constitutive Vicissitude of the Knights and Burgesses, is known by sufficient experience.

WHEN the Rotation of a Commonwealth is both in the Magistracy and the People, I reckon it to be of a fourth kind, as in *Israel*, where both the Judge and the Congregation were so elected.

THE fifth kind is when the Rotation of a Commonwealth is in the Magistracy and the Senat, as in those of *Athens*, of the *Achaean*, of the *Aetolians*, of the *Lycians*, and of *Venice*; upon which examples, rather for the influence each of them, at least *Athens*, may have upon the following Book, than any great necessity from the present occasion, I shall enlarge in this place.

THE Commonwealth of *Athens*, was thus administer'd.

Epistome of the  
Athenian  
Common-  
wealth.

THE Senat of the *Bean* being the proposing Assembly (for that of the *Areopagiti*, call'd also a Senat, was a judicatory) consisted of four hundred Citizens chosen by Lot, which was perform'd with Beans. These were annually remov'd all at once: By which means *Athens* became frustrated of the natural and necessary use of an Aristocracy, while neither her Senators were chosen for their parts, nor remain'd long enough in this Function to acquire the right understanding of their proper Office. These thus elected, were subdivided by Lot into four equal parts, call'd *Prytany*, each of which for one quarter of the year was

was in Office. The *Prytany*, or *Prytans* in office, elected ten *Prædri*, out of which *Prædri* or *Præsidents* they w<sup>ere</sup> chose one *Provoist* of the Council, who was call'd the *Epistata*. The *Epistata* and the *Prædri* were the more peculiar *Proposers* to the *Prytans*, and to the *Prytans* it belong'd especially to prepare business (πρὸ τῆς βουλῆς καὶ πρὸ τοῦ συνέδριου) for the Senat. They gave also audience to any that would propose any thing concerning the Commonwealth, which if, when reported by the *Prytans*, it were approv'd by the Senat, the Party that propos'd might promulgate the business; and Promulgation being made, the Congregation assembl'd, and determin'd of it. *Sic data concio Lælio est, processit ille, & Græcos apud Græcos non de culpa sua dixit, sed de pœna questus est; porrexerunt manus, Psephisma natum est.*

Chap. 13

Peta de La

Cl. 1011

THE *Prytans* and their Magistrats had right to assemble the Senat, and propose to them; and what the Senat determin'd upon such a Proposition, if forthwith to be offer'd to the People, as in privat cases, was call'd *Proboulema*; but if not to be propos'd till the People had a year's trial of it, as was the ordinary way in order to Laws to be enacted, it was call'd *Psephisma*; each of which words, with that difference, signifies a Decree. A Decree of the Senat in the latter sense had for one year the Power of a Law, after which trial it belong'd to the *Thefmothetæ* (θεσμοθετῆς) to hang it in writing upon the Statues of the Heros, and assemble the Congregation. These Magistrats were of the number of the *Archons*, which in all were nine; the chief, more peculiarly so call'd, was *ARCHON Eponymus*, he by whose name the year was reckon'd or denominated (his Magistracy being of a Civil concernment) the next was the *King* (a Magistrat of a Spiritual concernment) the third the *Polemarch* (whose Magistracy was of a Military concernment) the other six were the *Thefmothetæ*, who had several Functions common with the nine; others peculiar or proper to themselves, as (θεσμοθετῆς) to give the People (by *Placarts*) notice when the Judicatorys were to assemble, that is, when the People were to assemble in that capacity, and to judge according to the Law made; or, when the Senat or the People were to assemble upon an *ισταφελία*, a Crime that was not provided against by the Law, as that of *Atcibiades* (the Wits about that time in *Athens* being most of them Atheists) for laughing at *Ceres*, discovering her Secrets, and shaving of the *MERCURYs*. If an *Archon* or *Demagog* was guilty of such a Crime, it belong'd to the cognizance of the Senat, otherwise to that of the People whom the *Thefmothetæ* were also in like manner to warn, when they were to com to the Suffrage.

Ulpian ad Phil 1

Pol 1. 5 c. 8.

L. 8 c. 10.

THESE six, like the Electors in *Venice*, presided at all Elections of Magistrats, whether made by the Lot as the Judges, or by Suffrage as the new Archons, the Strategus or General, and most of the rest. They also had the hearing and introducing of all Causes into the Judicatorys.

BUT the right of assembling the *Ecclesia* or Congregation belong'd to the *Prytans*, by whom the Senat propos'd to the People.

THE Congregation consisted of all them that were upon the Roll of the *Lexiarchæ*, that is to say, of the whole People having right to the City. The *Prytans* seated upon a Tribunal, were Presidents of this Assembly, the Assembly having sacrific'd and made Oath of Fidelity to the Commonwealth, the *Prædri* or Presidents of the *Prytans*

Book I. propos'd by *Authority of the Senat to the People* in this manner: July the 16th POLICLES being Archon, and the Tribe of Pandion in the Prytanæat, DEMOSTHENES PÆANEUS thought thus, or was of this opinion. The same Custom wherby the first Proposer subscribes his Opinion or Part with his Name, is at this day in *Venice*. Proposition being made, such of the People as would speak were call'd to the Pulpit; they that were fifty years of Age, or upwards, were to come first, and the younger afterwards; which custom of prating in this manner made excellent Orators or Demagogs, but a bad Commonwealth.

FROM this, that the People had not only the Result of the Commonwealth, but the Debate also, *Athens* is call'd a Democracy; and this kind of Government is oppos'd to that of *Lacedemon*, which, because the People there had not the power of Debate, but of Result only, was call'd an *Aristocracy*, sometimes an *Oligarchy*: thus the *Greeks* commonly are to be understood, to distinguish these two; while according to my Principles, if you like them, Debate in the People makes Anarchy; and where they have the Result and no more, the rest being manag'd by a good Aristocracy it makes that which is properly and truly to be call'd *Democracy*, or *Popular Government*. Neither is this Opinion of mine new, but according to the Judgment of some of the *Athenians* themselves; for says ISOCRATES in his Oration to the *Areopagits* for Reformation of the *Athenian Government*, *I know the main reason why the Lacedemonians flourish to be, that their Commonwealth is popular*. But to return. As many of the People as would, having shew'd their Eloquence, and with these the Demagogs, who were frequently brib'd, conceal'd their Knavery; the *Epistata*, or Provost of the *Proedri*, put the Decree or Question to the Vote, and the People gave the Result of the Commonwealth by their *Chirotonia*, that is, by holding up their hands: the Result thus given, was the Law or *Psephisma* of the People.

Dem. Phil. 1. NOW for the Functions of the Congregation, they were divers; as first, Election of Magistrates (ὅν ἐχρηστούντο δὲ ἐν ἑμῶν αὐτῶν δέκα Ταξιάρχαις καὶ Strategois καὶ Φιλάρχοις, καὶ Ἰπποάρχους δέ;) namely, the Archons, the Strategus or General, the Field Officers, the Admirals, with divers others, all, or the chief of them annual, and commonly upon Terms and Vacations; tho it be true, as PLUTARCH has it, that PHOCION was Strategus four years together, having that Honor still put upon him by the Congregation, without his seeking. The next Office of this Assembly was to elect Judges into five Courts or Judicatorys; for the People being in the Bulk too unwieldy a Body for the performance of this duty, they exercis'd the supreme Judicature by way of Representative, into which Election was made by Lottery, in such a manner that five hundred, one thousand, or 1500 of them (according to the importance of the occasion) being above thirty years of Age, and within the rest of the Qualifications in that case provided by the Law, became the Sovereign Judicatory, call'd the *Heliaea*. In all Elections, whether by Lot or Suffrage, the *Thesmothetae* were Presidents, and order'd the Congregation. Furthermore, if they would amend, alter, repeal, or make a Law, this also was don by a Representative, of which no man was capable that had not bin of the *Heliaea*, for the rest elected out of the whole People: this amounting to one thousand, was call'd the *Nemotetae* or Legisla-

Legislators. No Law receiv'd by the People could be abrogated but by the *Nomothetæ*; by these any *Athenian*, having obtain'd leave of the Senat, might abrogat a Law, provided withal he put another in the Place of it. These Laws the *Proedri* of the *Prytans* were to put to the Suffrage. Chap. 12.

FIRST, the old, whether it agreed with the *Athenian* People, or not? then the new; and whether of these happen'd to be chirotoniz'd or voted by the *Nomothetæ*, was ratify'd, according to that piece of the *Athenian* Law cited by DEMOSTHENES against TIMOCRATES, ὁ πόλις δ' αὖ τῶν νόμων χειροτονήσωνσι οἱ νομοῦνται, τὰς αἰεὶ εὖσι. What has bin said of the Commonwealth of *Athen*, in relation to the present purpose, amounts to thus much, That not only the Senat and the Magistracy in this Policy was upon Rotation, but even the People also, at least as to the *Nomothetæ*, or their Legislative Power, and the supreme Judicatory of the *Helica*, each of these being a Representative, constituted of one thousand, or fifteen hundred Citizens.

BUT for what follows in the second Book, it is necessary that I observe in this place the proceeding of certain Divines, who indeavour to make use of this Commonwealth for ends of their own, as particularly Dr. SEAMAN; who in his Book call'd *Four Propositions*, argues after this manner.

CHIROTONIA (as SUIDAS has it) signifies both Plebiscitum, a Law made by the People, and Psephisma. Now, say he, Psephisma is the ordinary word us'd in the Attic Laws, and in DEMOSTHENES for Senatusconsultum, a Law made by the Senat: whence he draws this Conclusion; As, when the People make a Law, they are said to Chirotonize; so may the Rulers, in like manner, in those Laws that are made by themselves alone.

THESE ways with Divines are too bad. The words of SUIDAS are these (χειροτονία, ἐκλογὴ, πάντων κύρωσις) Chirotonia is Election or Ratification by the Many: which expressly excludes the Few or the Senat from being otherwise contain'd by the word Chirotonia, than a part is by the whole. Nor has the Author the word Psephisma, or Plebiscitum in the place. I would fain know what other word there is in *Greek* for Plebiscitum but Psephisma; and yet the Doctor puts it upon SUIDAS, that he distinguishes between these two, and taking that for granted where he finds Psephisma in DEMOSTHENES and the Attic Laws, will have it to signify no more than a Decree of the Senat. It is true that som Decrees of the Senat were so call'd, but those of the People had no other name; and whenever you find Psephisma in DEMOSTHENES or the Attic Laws, for a Law, there is nothing more certain than that it is to be understood of the People: for to say that a Law in a Popular Commonwealth can be made without the People, is a Contradiction.

THE second Passage is a What think you of these words of POLLUX, ἡ δὲ οἱ δὲ οἱ μὲν θεσμοθετοῦσι προγράφουσι, πότε δὲ δικάζουσι τὰ δικασ- c 9 τήρια, καὶ τὰς ἐκαστοῦ ἀποφάσεις εἰς τὸν δῆμον καὶ τὰς χειροτονίας. Which the Doctor having english'd in this manner, The Thesmothetæ do privately prescribe when Judgment is to be given, and promulge public Accusations and Suffrages to the People, asks you whose Suffrages were these, if not the Rulers? By which strange Construction, where POLLUX having



Book I. having first related in what part the function of the *Thesmothetæ* was common with that of the nine Archons, comes (ἐκ τούτου) to shew you what was peculiar to themselves, namely, to give notice when the *Hekæa* or other Judicatorys were to assemble; the Doctor renders it, *they do privately prescribe*: as if the Session of a Court of Justice, and such a one as contain'd a thousand Judges, being the Representative of the whole People, were to be privately prescrib'd. Then to this *privat prescribing of Justice*, he adds, that they do *publicly promulge* (ἐκδηλῶσαι) Citations upon Crimes not within the written Law; as if *privat Prescription* and *public Promulgation* could stand together. Next, whereas Promulgation in the very nature of the word signifies an Act before a Law made, he presumes the Law to be first made by the Rulers, and then promulgated by the *Thesmothetæ* to the People, kim kam to the experience of all Commonwealths, the nature of Promulgation, and the sense of his Author, whose words, as I shew'd before, declare it to have bin the *proper or peculiar office of the Thesmothetæ to give the People notice when they were to assemble for Judicature, or when for giving their Chirotonia or Suffrage, by Promulgation of the Cause* (ὡς τὸν ἀνρὸς) upon which they were to determin.

FOR the fourth passage, the Doctor quoting a wrong place for these words, χειροτονῶντων δὲ νομοθεταί, that the *Nomothetæ* (being a Representative, as I shew'd, of the whole People, chosen by Lot, and in number one thousand) *chirotoniz'd, or gave the Legislative Suffrage*; thence infers, that the Rulers *chirotoniz'd, voted or made Laws by themselves without the People*: which is as if one should say, that the Prerogative Tribe in *Rome*, or the House of Commons in *England*, gave their Vote to such or such a Law, therefore it was made by the Rulers alone, and not by the People of *Rome* or of *England*.

FOR the fourth Passage, STEPHANUS quotes DEMOSTHENES at large in these words, οὐτε βουλῆς, οὐτε δόμου χειροτονούντων ἀνρῶν. This the Doctor interprets of an Officer; to which I shall say more, when he shews me where the Sentence is, or what went before: for as yet I do not know of an Officer in any Commonwealth, whose Election was indifferently made, either by the Senat or by the People; nor do I think the Doctor has look'd further for this than STEPHENS, who has not interpreted it.

THE fifth passage is, *That a Decree of the Senat in Athens had the force of a Law for one year, without the People*. So had the Edicts of the Prators in *Rome*: but I would fain know, whence the Senat in *Athens*, or the Prators in *Rome*, originally deriv'd this Right (which was no more than that such Laws might be Probationers, and so better understood when they came to the vote) but from the *Chirotonia*, or *Suffrage of the People*.

THE sixth passage stops the mouths of such as having nothing to say to the matter of my writing, pick quarrels with the manner or freedom of it, the Liberty I take in the defence of Truth; seeing the Doctor takes a greater liberty upon other terms, while he bids his Antagonist (one that defended the Cause now in my hand) *go and consult his Authors, namely, STEPHENS and BUDÆUS again*: for, says he, *you wrong those learned Men, while you would have us believe that they were as ignorant of the Greck Story as yourself, or that things are so found in them which are not*. To which Confidence I have better leave

leave to say, that the Doctor should do well to take no worse Council than he gives. Chap. 17

BUT what is becom of my Prevaricator? I have quite lost him, else I should have intreated him to compare his notes out of my Sermon, with these out of the Doctor's; or retract that same affectation, in saying, *I know not how, but Mr. HARRINGTON has conceiv'd a great unkindness for the Clergy.* As if these then Stratagems, with which they make perpetual War against the unwary People, did not concern a man that has undertaken the cause of Popular Government.

THE Policy of the *Achèans* consisted of divers Commonwealths under one, which was thus administer'd. The Citys sent their Deputys twice every year of course, and oftner if they were summon'd by their *Strategus*, or their *Demiurges*, to the place appointed. The *Strategus* was the Supreme Magistrat both Military and Civil, and the *Demiurges* being ten, were his Council, all Annual Magistrats elected by the People. This Council thus constituted, was call'd the *Synarchy*, and perform'd like Dutys, in relation to the Senat, consisting of the Deputys sent by their peculiar Soveraintys or Citys, as the *Prytans* to that in *Athens*. The Policy of the *Ætolians* and *Lycians* are so near the same again, that in one you have all. So both the Senats and the Magistracy of these Commonwealths were upon Rotation. To conclude with *Venice*.

THE Commonwealth of *Venice* consists of four parts; the Great Council, the Senat, the College, and the Signory. Epitome of the Commonwealth of Venice The Great Council

THE Great Council is the aggregat Body of the whole People, or Citizens of *Venice*, which, for the paucity of their number, and the Antiquity of their Extraction, are call'd *Gentlemen*, or *Noble Venetians*. Every one of them at five and twenty years of age has right of Session and Suffrage in this Council; which right of Suffrage, because throout this Commonwealth, in all Debates and Elections, it is given by the Ballot, is call'd *the right of Balloting*, whereby this Council being the Soverain Power, creates all the rest of the Orders, Councils, or Magistracys; and has constitutively the ultimat Result, both in cases of Judicature, and the Constitution of Laws.

THE Senat, call'd also the *Pregati*, consists of sixty Senators properly so stil'd, wherof the Great Council elects six on a day, beginning so long before the month of *October*, that these being all chosen by that time, then receive their Magistracy: it consists also of sixty more, call'd the *Junta*, which are elected by the Scrutiny of the Old Senat, that is, by the Senat proposing, and the Great Council resolving; the rest of their Creation is after the same manner with the former. In the Sixty of the Senat, there cannot be above three of any one Kindred or Family, nor in the *Junta* so many, unless there be fewer in the former. These Magistracys are all annual, but without interval, so that it is at the pleasure of the Great Council, whether a Senator having finish'd his year, they will elect him again. The Senat.

THE College is a Council consisting more especially of three Orders of Magistrats call'd in their Language *Savi*; as the *Savi grandi*, to whose cognizance or care belong the whole affairs of Sea and Land; the *Savi di Terra ferma*, to whose care and cognizance belong the affairs of the Land; and the *Savi di Mare*, to whose cognizance ap-

pertain

Book I.

pertain the affairs of the Sea, and of the Islands. These are elected by the Senat, not all at once, but for the *Savi grandi*, who are six, by three at a time, with the interposition of three months; and for the *Savi di Terra ferma*, and the *Savi di Mare*, who are each five, after the same manner, save only that the first Election consists of three, and the second of two. Each Order of the *Savi* elects weekly one Provost, each of which Provosts has Right in any affair belonging to the cognizance of his Order, to propose to the College. Audience of Embassadors, and matters of foren Negotiation, belong properly to this Council.

The Signory

THE Signory consists of the Duke and of his Counsellors. The Duke is a Magistrat created by the Great Council for Life, to whom the Commonwealth acknowledges the Reverence due to a Prince, and all her Acts run in his name; tho without the Counsellors he has no Power at all, while they can perform any Function of the Signory without him. The Counsellors, whose Magistracy is annual, are elected by the Scrutiny of the Senat, naming one out of each Tribe (for the City is locally divided into six Tribes) and the Great Council approving; so the Counsellors are six, whose Function in part is of the nature of Masters of Requests, having withal power to grant certain Privileges: but their greatest preeminence is, that all, or any one of them may propose to any Council in the Commonwealth.

Certain  
Rights of the  
Councils

THE Signory has Session and Suffrage in the College, the College has Session and Suffrage in the Senat, and the Senat has Session and Suffrage in the Great Council. The Signory, or the Provosts of the *Savi*, have power to assemble the College, the College has power to assemble the Senat, and the Senat has power to assemble the Great Council; the *Signiori*, but more peculiarly the Provosts of the *Savi*, in their own Offices and Functions, have power to propose to the College, the College has power to propose to the Senat, and the Senat has power to propose to the Great Council. Whatever is thus propos'd and resolv'd, either by the Senat (for sometimes thro the security of this Order, a Proposition goes no further) or by the Great Council, is ratify'd, or becomes the Law of the Commonwealth. Over and above these Orders, they have three Judicatorys, two Civil and one Criminal, in each of which forty Gentlemen elected by the Great Council are Judges for the term of eight months; to these Judicatorys belong the *Avogadori* and the *Auditori*, who are Magistrats, having power to hear Causes apart, and, as they judge fitting, to introduce them into the Courts.

IF a man tells me, that I omit many things, he may perceive I write an Epitome, in which no more should be comprehended, than that which understood may make a man understand the rest. But of these principal parts consists the whole body of admirable Venice.

THE *Consiglio de' Dieci*, or Council of Ten, being that which partakes of Dictatorian Power, is not a limb of her, but as it were a Sword in her hand. This Council (in which the Signory has also Session and Suffrage) consists more peculiarly of ten annual Magistrats, created by the Great Council, who afterwards elect three of their own number by Lot, which so elected are call'd *Capi de' Dieci*, their Magistracy being monthly: Again, out of the three *Capi*, one is taken by Lot, whose Magistracy is weekly: this is he, who over against the Tribunal in the Great Council sits like another Duke, and is call'd the Provost

Provost of the *Dieci*. It belongs to these three Magistrates to assemble the Council of Ten, which they are oblig'd to do weekly of course, and oftner as they see occasion. The Council being assembled, any one of the Signory, or two of the *Capi* may propose to it : the power which they now exercise (and wherein for their assistance they create three Magistrates call'd the *Grand Inquisitors*) consists in the punishment of certain heinous Crimes, especially that of Treason ; in relation wherto they are as it were Sentinels, standing upon the guard of the Commonwealth : But constitutively (with the addition of a *Junta*, consisting of other fifteen, together with some of the chief Magistrates having Right in cases of important speed or secrecy to this Council) they have the full and absolute Power of the whole Commonwealth as Dictator.

THAT *Venice* either transcrib'd the whole and every part of her Constitution out of *Athens* and *Lacedemon*, or happens to be fram'd as if she had so don, is most apparent. The Result of this Commonwealth is in the Great Council, and the Debate in the Senat ; so was it in *Lacedemon*. A Decree made by the Senat of *Athens* had the power of a Law for one year without the People, at the end wherof the People might revoke it : A Decree of the Senat of *Venice* stands good without the Great Council, unless these see reason to revoke it. The *Prytans* were a Council preparing business for the Senat ; so is the *Collegio* in *Venice* : the Presidents of the *Prytans* were the ten *Proedri* ; those of the *Collegio* are the three Provosts of the *Savi*. The Archons or Princes of *Athens* being nine, had a kind of Sovereign Inspection upon all the Orders of the Commonwealth ; so has the Signory of *Venice*, consisting of nine besides the Duke. The Quarancys in *Venice* are Judicatorys of the nature of the *Heliaa* in *Athens* ; and as the *Thesmothete* heard and introduc'd the causes into that Judicatory, so do the *Avogadori* and the *Auditori* into these. The *Consiglio de' Dieci* in *Venice* is not of the Body, but an Appendix of the Commonwealth ; so was the Court of the *Ephori* in *Lacedemon* : and as these had power to put a King, a Magistral, or any Delinquent of what degree soever to death, so has the *Consiglio de' Dieci*. This again is wrought up with the *Capi de' Dieci*, and the weekly Provost, as were the *Prytans* with the *Proedri*, and the weekly *Epistata* ; and the Ballot is linally descended from the Bean : yet is *Venice* in the whole, and in every part, a far more exquisit Policy than either *Athens* or *Lacedemon*.

A POLITICAL is like a natural Body. Commonwealths resemble and differ, as Men resemble and differ ; among whom you shall not see two Faces, or two Dispositions, that are alike. PETER and THOMAS in all their parts are equally Men, and yet PETER and THOMAS of all Men may be the most unlike ; one may have his greater strength in his Arms, the other in his Legs ; one his greater Beauty in his Soul, the other in his Body ; one may be a fool, the other wise ; one valiant, the other cowardly. These two, which at a distance you will not know one from the other, when you look nearer, or com to be better acquainted with, you will never mistake. Our Considerer (who in his Epistle would make you believe that *Occana* is but a mere Transcription out of *Venice*) has Companions like himself ; and how near they look into matters of this nature is plain, while one knows not JETHRO from MOSES, and the

other takes a state of Civil War to be the best model of a Civil Government.

LET a Man look near, and he shall not find any one Order in *Oceana* (the Ballot only excepted) that has not as much difference from, or resemblance to any one Order in *Rome* or *Venice*, as any one Order in *Rome* or *Venice* has from, or to any one Order in *Athens* or *Lacedemon*: Which different temper of the parts must of necessity in the whole yield a Result, a Soul or Genius, altogether new in the World, as embracing both the Arms of *Rome*, and the Councils of *Venice*; and yet neither obnoxious to the Turbulency of the one, nor the Narrowness of the other.

BUT the sum of what has bin said of *Venice*, as to the business in hand, comes to no more than that the Senat and the Magistracy of this Commonwealth are upon Rotation. No more: nay I am well if it comes to so much. For the Prevaricator catching me up, where I say, that for all this the greater Magistracys in *Venice* are continually wheel'd thro a few hands, tells me, that *I have confest it to be otherwise*. I have indeed confest, that tho the Magistracys are all confer'd for certain terms, yet those terms do not necessitat Vacations; that is, the term of a Magistracy being expir'd, the Party that bore it is capable upon a new Election of bearing it again without interval or vacation: which does not altogether frustrat the Rotation of the Commonwealth, tho it renders the same very imperfect. This infirmity of *Venice* derives from a complication of Causes, none of which is incident to a Commonwealth consisting of the Many: wherefore there lyes no obligation upon me to discover the reason in this place. But on the contrary, seeing, let me shew things never so new, they are slighted as old, I have an obligation in this place, to try whether I may get esteem by concealing something. What is said, every body knew before; this is not said, who knows it?

A Riddle.

RIDDLE me, Riddle me, what is this? The Magistracys in *Venice* (except such as are rather of Ornament than of Power) are all annual, or at most biennial. No man whose term is expir'd, can hold his Magistracy longer, but by a new Election. The Elections are most of them made in the Great Council, and all by the Ballot, which is the most equal and impartial way of Suffrage. And yet the greater Magistracys are perpetually wheel'd thro a few hands.

IF I be worthy to give advice to a man that would study the Politics, let him understand *Venice*; he that understands *Venice* right, shall go nearest to judg (notwithstanding the difference that is in every Policy) right of any Government in the World. Now the assault of the Considerer deriving but from some Pique or Emulation which of us should be the abler Politician, if the Council of State had the curiosity to know either that, or who understands *Venice*, this Riddle would make the discovery; for he that cannot easily unfold this Riddle, does not understand her.

THE sixth kind of Rotation is when a Commonwealth goes upon it in all her Orders, Senat, People, and Magistracy. Such a one taking in the Many, and being fix'd upon the foot of a steady Agrarian, has attain'd so perfect Equality. But of this an example there is none, or you must accept of *Oceana*.



THE Rotation of *Oceana* is of two parts, the one of the Electors which is annual, and the other of the Elected which is triennial. Chap 12.

SPEAKING of Electors in this sense, I mean as the great Council in *Venice* are Electors of all other Orders, Councils or Magistrates. But the Commonwealth of *Oceana* taking in the whole People, cannot, as dos the Great Council of *Venice* (wherin they that have right are but a few) attain to this capacity at one step. for which cause she takes three steps; one at the Parishes, where every fifth Elder is annually elected by the whole People. There is no doubt but there was som such Order in *Israel* wherby the monthly Rotation of her Congregation or Prerogative, by election of two thousand in each Tribe, was preserv'd. The next step she takes is at the Hundred, where by election of Officers and Magistrates, the Troops chosen at the Parishes, are very near form'd. Her third step is at the Tribe, where the whole Body of her Deputys are in an exact Form, Disci-  
plin and Function, headed by proper Officers and Magistrates, these all together consisting of one fifth part of the whole People. This Rotation being in itself annual, comes in regard of the body of the People to be quinquennial, or such as in the space of five years give every man his turn in the power of Election.

BUT tho every man be so capable of being an Elector, that he must have his turn; yet every man is not so capable of being elected into those Magistracies that are Soverain, or have the leading of the whole Commonwealth, that it can be safe to lay a necessity that every man must take his turn in these also; but it is enough that every man, who in the Judgment and Conscience of his Country is fit, may take his turn. Wherefore upon the Conscience of the Electors, so constituted as has bin shewn, it gos to determin who shall partake of Soverain Magistracy, or be at the Assembly of a Tribe elected into the Senat or Prerogative, which Assemblies are so triennial, that one third part of each falling every year, and another being elected, the Parliament is thereby perpetuated.

SUCH was the Constitution of those Councils which the Prevaricator has confest he always thought admirable, but now the toy takes him to be quite of another mind; for, says he, *That antient Republics have thro a malicious jealousy (let them take it among them) made it unlawful even for Persons of the clearest merit to continue long in command, but have by perpetual vicissitude substituted new men in the Government, is manifest enough; but with what success they did this, will best appear by VETURIUS, VARRO, and MANCINUS.* He is still admirable: One would wonder what he means; if it be that there were but three weak or unfortunat Generals in the whole Course of *Rome*, how strange is it to urge this as an Argument against Rotation, which is as strong a one as can be urg'd for Rotation? If the *Romans* by this way of Election having experience of an able General, knew ever after where to have him; or lighting upon one they found not so fit for their purpose; could in the compass of one year be rid of him of course, without dishonor or reproach to him, taking thereby a warning to come no more there; was this a proceeding to favor malice? or such a one as, removing the cause of malice, left no root for such a branch or possibility of like effect? Certainly by this assertion the Prevaricator has josted his presumptuous Head not only against the prudence of antient Commonwealths, but of God himself in that of *Israel*.

Book I. *Israel*. VETURIUS, VARRO, and MANCINUS (the son of them cannot be at all points excus'd) by this mark upon them, may be thought hardlier of than is needful; for which cause there being that also in their Storys, which is neither unpleasant nor unprofitable, I shall endeavor to make the Reader somewhat better acquainted with them. One of the greatest blows Rome ever receiv'd was by PONTIUS, Captain General of the *Samnits*, who having drawn her Consuls, POSTHUMIUS and VETURIUS, by Stratagem into the Straits of *Caudium*, a Vally of narrow entrance, and shut up the mouth of it by possessing himself of the only passage, the rest being environ'd with insuperable Rocks, the *Samnits* came to have both the Armys, and so upon the matter the whole strength (in those days) of Rome inevitably at his discretion. Hereupon, having leisure, and being desirous (in a matter of such moment) of good advice, he dispatch'd a Messenger to his Father HERENNIUS, the ablest Counsellor in *Samnium*, to know what might be his best course with the Romans now unavoidably at his mercy, who answer'd, *that he should open the Pass and let them return untouch'd*. The young General aim'd at this Counsil, desir'd farther direction: whereupon HERENNIUS for the second time made answer, *that he should cut them off to a man*. But the General, upon the strange disagreement of such opinions, having his Father's Age (for he was very old) in suspicion, took a third course, which *neither* (according to the first advice of wife HERENNIUS) *making Friends, nor*, according to the second, *destroying Enemies*, became as he prophesied the utter Ruin of the Commonwealth of *Samnium*. For the Romans being dismiss'd safe, but ignominiously, the Senat upon their return fell into the greatest strait and consternation that had bin known among them. On the one side, to live and not revenge such an affront was intolerable; on the other, to revenge it was against the Faith of the Consuls, whose necessity (the loss of two Armys depending upon it) had in truth forc'd them to accept of a dishonorable League with the *Samnits*. Now not the Armys, but the Senat it self was in *Caudium*, not a man of them could find the way out of this Vale environ'd with Rocks, but he only that could not find it out of the other; POSTHUMIUS, who having first shew'd, that neither War nor Peace could be so made, as to engage the Commonwealth (*injussu Populi*) without the Command of the People, declar'd that the Senat returning the Consuls, with such others as had consented to so wicked and dishonorable a Peace, naked, and bound to the *Samnits*; were free: nor ceas'd he till the Senat (thereto prest by the necessity of the Commonwealth) resolving accordingly, He, VETURIUS, and some of the Tribuns were deliver'd to the *Samnits*; who, nevertheless, to hold the Romans to their League, dismiss'd them with safety. The Disputes on either side that arose hereupon, and, coming to Arms, ended with the destruction of *Samnium*, I omit. That which as to the present occasion is material, is the Reputation of the Consuls; and VETURIUS, tho he were not the leading man, being for the rest as deep in the Action as POSTHUMIUS, the People were so far from thinking themselves deceiv'd in this choice, that the Consuls were more honour'd in Rome for having lost, than PONTIUS in *Samnium* for having won the day at *Caudium*.

I DO not rob Graves, nor steal Winding-sheets; my Controversys are not but with the Living, with none of these that have not shew'd themselves best able for their own defence; nor yet with such, but in the prosecution of Truths oppos'd by them to the damage of Mankind: yet the Prevaricator accuses me of rude charges. What are his then in defence of Falshood, and against such as cannot bite? or whether of these is the more noble?

FOR VARRO, who being Consul of Rome, lost the Battel of Cannæ to HANNIBAL, Captain General for the Carthaginians, tho without Cowardice, yet by Rashness, he is not so excusable.

BUT for MANCINUS, brought (as was POSTHUMIUS by the Samnits) to dishonorable conditions by MEGERA, Captain General of the Numantins, these be excuses: As first, the Numantins, for their number not exceeding four thousand fighting men, were the gallantest of so many, on which the Sun ever shone.

FOURTEEN years had their Commonwealth held tack with the Romans, in Courage, Conduct, and Virtue, having worsted POMPEY the Great, and made a League with him, when the might have made an end of him, e'er ever MANCINUS (of whom CICERO gives a fair Character) came in play: So his Misfortunes, having great examples, cannot want som excuse. But suppose none of them deserv'd any excuse, what is it at which these examples drive? against a Commonwealth? Sure the Samnits, the Carthaginians, the Numantins were as well Commonwealths as the Romans; and so wherever the advantage gos, it must stay upon a Commonwealth: or if it be Rotation that he would be at (for we must guess) granting PONTIUS the Samnit, and MEGERA the Numantin, to have bin no more upon Rotation, than HANNIBAL the Carthaginian; yet it is plain that Rome upon her Rotation overcame not only PONTIUS, HANNIBAL and MEGERA, but Samnium, Carthage, and Numantia. So much for Rome; but, says he, No less appears by the Rabble of Generals often made use of by the Athenians, while Men of Valor and Conduct have lain by the walls.

A RABBLE of Generals did I never hear of before; but not to meddle with his Rhetoric, whereas each of his Objections has at least som one Contradiction in it, this has two (one *à priori*, another *à posteriori*) one in the snout, another in the tail of it. For had there bin formerly no Rotation in Athens, how should there have bin men of Valor and Conduct to ly by the Walls? And if Rotation thenceforth should have ceas'd, how could these men of Valor and Conduct have don otherwise than ly by the Walls? So this inavoidably confesses, that Rotation was the means wherby Athens came to be stor'd with Persons of Valor and Conduct, they to be capable of Employment, and the Commonwealth to imploy the whole Virtue of her Citizens: And it being, in his own words, an Argument of much imperfection in a Government not to dare to employ the whole Virtue of the Citizens, this wholly routs a standing General; for the Government that dares imploy but the Virtue of one, dares not imploy the Virtue of all. Yet he jogs on.

THOSE Orders must needs be against Nature, which excluding Persons of the best Qualifications, give admission to others, who have nothing to commend them but their Art in canvassing for the suffrage of the People. He never makes notice that the Ballot bars Canvassing beyond all possibility

Book I. *bility of any such thing; but we will let that go. Canvassing, it is confess, was more frequent in Rome and Athens than is laudable, where nevertheless it is the stronger Argument for the integrity of popular Suffrage, which, being free from any aid of Art, produc'd in those Commonwealths more illustrious examples (if a man gos no further than PLUTARCH'S Lives) than are to be found in all the rest of Story.*

Confid p 91. *YET, says he, this Law has bin as often broken as a Commonwealth has bin brought into any exigence; for the hazard of trusting Affairs in weak hands then appearing, no scruple has been made to trample upon this Order, for giving the Power to some able man at that time render'd incapable by the Valuation this Law requires. The continuation of the Consulship of MARIUS is sufficient to be alleg'd for the proof of this, tho' if occasion were, it might be back'd by plenty of examples. His choice confutes his pretended variety, who jests with edg'd tools: this example above all will cut his fingers; for by this prolongation of Magistracy, or, to speak more properly, of Empire (for the Magistracy of the Consul was Civil, and confer'd by the People Centuriatis Comitiis, but his Empire was Military, and confer'd Curiatis) Rome began to drive those wheels of her Rotation heavily in MARIUS, which were quite taken off in CÆSAR.*

I HAVE heretofore in vain perswaded them upon this occasion, to take notice of a Chapter in MACHIAVEL, so worthy of regard, that I have now inserted it at length, as follows:

Mach. Dis.  
cor. B 3. c 24.

*THE Proceedings of the Roman Commonwealth being well consider'd, two things will be found to have bin the causes of her dissolution. The Contention that happen'd thro the endeavor of the People (always oppos'd or eluded by the Nobility) to introduce an Agrarian, and the damage that accru'd from the prolongation of Empire, which Mischiefs, had they bin foreseen in due time, the Government by application of fit Remedys might have bin of longer life and better health. The Diseases which this Commonwealth, from contention about the Agrarian, contracted, were acute and tumultuous; but those being slower and without tumult which she got by promulgation of Empire, were Chronical, and went home with her, giving a warning by her example, how dangerous it is to States that would enjoy their Liberty, to suffer Magistracy (how deservedly soever confer'd) to remain long in the possession of the same Man. Certainly if the rest of the Romans, whose Empire happen'd to be prolong'd, had bin as virtuous and provident as LUCIUS QUINTIUS, they had never run into this inconvenience. Of such wholesome example was the goodness of this man, that the Senat and the People, after one of their ordinary Disputes being com to som accord, whereas the People had prolong'd the Magistracy of their present Tribuns, in regard they were Persons more fitly oppos'd to the Ambition of the Nobility, than by a new Election they could readily have found; when hereupon the Senat (to shew they needed not be worse at this game) would have prolong'd the Consulat to QUINTIUS, he refus'd his consent, saying, that ill examples were to be corrected by good ones, and not encourag'd by others like themselves; nor could they stir his Resolution, by which means they were necessitated to make new Consuls. Had this Wisdom and Virtue, I say, bin duly regarded, or rightly understood, it might have sav'd Rome, which thro this neglect came to ruin. The first whose Empire happen'd to be prolong'd was PUBLILIUS PHILO, his Consulship expiring at the Camp before Palæopolis, while it seem'd to the Senat that*  
he

he had the Victory in his hand (actum cum Tribunis Plebis est, ad Populum ferrent ut cum Philo Consulatu abisset, Proconsul rem gereret) they sent him no Successor, but prolong'd his Empire, by which means he came to the first Proconsul. An Expedient (tho' introduc'd for the public good) that came in time to be the public bane: For by how much the Roman Armys march'd further off, by so much the like course seeming to be the more necessary, became the more customary; whence insid'd two pernicious consequences: The one, that there being fewer Generals, and Men of known Ability for Conduct, the Art with the reputation of the same came to be more ingross'd, and obnoxious to Ambition: the other, that a General standing long, got such hold upon his Army, as could take them off from the Senat, and bang them on himself. Thus MARIUS and SYLLA could be follow'd by the Solliery to the detriment of the Commonwealth, and CÆSAR to her perdition. Whereas had Rome never prolong'd Empire, she might perhaps not so soon have arriv'd at Greatness or Acquisition, but would have made less haste to destruction.

Chap. 12.  
Liv 1. 8

ALL the Dilemma that MACHIAVEL observes in these words, is, that if a Commonwealth will not be so slow in her acquisition as is requir'd by Rotation, she will be less sure than is requisite to her preservation. But the Prevaricator (not vouchsafing to shew us upon what reasons or experience he grounds this Maxim) is positive, That the Dilemma into which a Commonwealth is in this case brought, is very dangerous; for either she must give her self a mortal blow by gaining the habit of infringing such Orders as are necessary for her preservation, or receive one from without.

Confid p 92.

THIS same is another Parakeetism: these words are spoken by me, after MACHIAVEL, in relation to Dictatorian Power, in which they are so far from concluding against Rotation, that this in case of a Dictator is more especially necessary (*maxima libertatis custodia est, ut magna imperia diuturna non sint, & temporis motus imponatur, quibus juris imponi non potest*) which could not be more confirm'd than by him, who in the example of MARIUS shews that the contrary course spoil'd all.

Mamercor apud Liv 1. 4.

THE Romans, if they had sent a Successor to PUBLIUS PHILO at Palæopolis, it may be might have let the Victory slip out of his hands, it may be not; however this had bin no greater wound to the Commonwealth, than that her Acquisition would have bin slower, which ought not to com in competition with the safety of a Government, and therefore amounts not to a Dilemma, this being a kind of Argument that should not be stub'd of one horn, but have each of equal length and danger. Nor is it so certain that increase is slower for Rotation, seeing neither was this interrupted by that, nor that by this, as the greatest Actions of Rome, the Conquest of Carthage by SCIPIO AFRICANUS, of Macedon by FLAMINIUS, and of ANTIOCHUS by ASIATICUS, are irrefragable Testimonys.

I WOULD be loth to spoil the Considerer's preferment; but he is not a safe Counsellor for a Prince, whose Providence not supplying the defect of Rotation, whether in civil or military affairs, with something of like nature, exposes himself if not his Empire as much to danger as a Commonwealth. Thus the Sons of ZERVIAH, JOAB Captain of the Host, and ABISHAI his Brother, were too strong for

2 Sam. 3. 30.



Book I

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for DAVID, thus the Kings of *Israel* and of *Juda* fill most of them by their Captains or Favourites, as I have elsewhere observ'd more particularly. Thus BRUTUS being standing Captain of the Guards, could cast out TARQUIN, thus SEJANUS had means to attempt against TIBERIUS, OTHO to be the Rival of GALLIA, CASPERIUS AELIANUS of NERVA, CASSIUS of ANTONINUS, PERENNIS of COMMODUS, MAXIMINUS of ALEXANDER, PHILIPPUS of GORDIAN, AEMILIANUS of GALLUS, INGEBUS LOLITIANUS, AUREOLUS, of GALLIENUS, MAGNESIUS of CONSTANTIUS, MAXIMUS of GRATIAN, ARBOGASTIS of VALENTINIAN, RUFFINUS of ARCADIIUS, STILICO of HONORIUS. Go from the West into the East: upon the death of MARCIANUS, ASPARIS alone, having the command of the Arms, could prefer LEO to the Empire, PHOCAS deposing MAURITIUS of the same, HERACLIUS depose PHOCAS, LEO ISAUURIUS do as much to THEODOSIUS ADRAMITTENUS, NICEPHORUS to IRENE, LEO ARMINIUS to MICHAEL CUROPALATES, ROMANUS LAGAPENUS to CONSTANTIN, NICEPHORUS PHOCAS to ROMANUS PUER, JOHANNES ZISMISCUS to NICEPHORUS PHOCAS, ISAAC COMNENUS to MICHAEL STRATIOTICUS, BOTOINIATES to MICHAEL the Son of DUCAS, ALFANIUS COMNENUS to BOTOINIATES, which work continu'd in such manner till the destruction of that Empire. Go from the East to the North. GUSTAVUS attain'd to the Kingdom of *Sweden*, by his Power and Command of an Army, and thus SECECHUS came near to supplant BOLISLAUS the Third of *Poland*. If WALLESTEIN had liv'd, what had become of his Master? In *France* the Race of PHARAMOND was extinguish'd by PIPIN, and that of PIPIN in like manner, each by the Major of the Palace, a standing Magistracy of exorbitant Trust. Go to the *Indys*. You shall find a King of *Pegu* to have bin thrust out of the Realm of *Tangu* by his Captain General. Nay go where you will, tho this be pretty well, you shall add more than one example. But as to the Prevaricator, if he was not given to make such mouths, as eat up nothing else but his own words, I need not have brought any other Testimony to absolve a Commonwealth of Malice in this order than his own, where he says, *That when some Person overtops the rest in Commands, it is a Disease of Monarchy which easily admits of this cure, that he be reduc'd to a less Volum, and level'd to an equality with the rest of his Order.* Now a Prince can no otherwise level a Nobleman, that excels the rest thro Command, to equality with his Order, than by causing those of the same Order to take their turns in like Command. Good Wits have ill Memories. But, says he, *I know not what advantage Mr. HARRINGTON may foresee from the Orders of this Rotation, for my part I can discover no other effect of it than this, that in a Commonwealth like that of Oceana, taking in the Many (for in Venice he confesses it to be otherwise) where every man will press forward towards Magistracy, this Law by taking off at the end of one year some Officers, and all at the end of three, will keep the Republic in a perpetual Minority. No man having time allow'd him to gain that Experience, which may serve to lead the Commonwealth to the understanding of her true Interest either at home or abroad.*

Confid p 47,

4b

C. 1. fid. p 93

WHAT I have confess'd to be otherwise in *Venice*, I have shewn already at least so far as concerns the present occasion, the causes of that

that defect being incompatible with a Commonwealth consisting of *Chap. 12.*  
the Many; otherwise why was not the like found in *Athens* or *Rome*?  
where tho every man prest forward towards Magistracy, yet the Ma-  
gistrats were, for illustrious examples, more in weight and number  
than are to be found in all the rest of the world.

IF where Elections were the most expos'd to the Ambition of the  
Competitor, and the humors of the People, they yet fail'd not to ex-  
cel all others that were not popular, what greater Vindication can  
there be of the natural integrity of popular Suffrage even at the worst?  
But this, where it is given by the Ballot, is at the best, and free from  
all that pressing for Magistracy in the Competitor, or Faction of the  
People that can any ways be laid to the former: or let the Considerer  
consider again, and tell me by what means either of these in such a  
State can be dangerous or troublesome; or if at worst the Orders for  
Election in *Oceana* must not perform that part, better than a Croud  
and a Sheriff. Well; but putting the case the Elections which were  
not quarrel'd much withal be rightly stated, yet this Law for Terms  
and Vacations, *by taking off at the end of one year som Officers, and all*  
*at the end of three, will keep the Republic in perpetual Minority, no*  
*man having time allow'd him to gain that Experience, which may serve*  
*to lead the Commonwealth to the understanding of her true Interest at home*  
*or abroad.* Because every man will prest forward for Magistracy,  
therefore there ought not to be Terms and Vacations, lest this should  
keep the Commonwealth in perpetual Minority. I would once see an  
Argument that might be reduc'd to Mode and Figure. The next  
Objection is, that these Orders *take off at the end of one year some Officers,*  
which is true, and *that at the end of three years they take off all,*  
which is false; for whereas the Leaders of the Commonwealth are  
all triennial, the Orders every year take off no more than such only  
as have finish'd their three years term, which is not all, but a third  
part. Wherefore let him speak out; three years is too short a term  
for acquiring that knowledge which is necessary to the leading of a  
Commonwealth. To let the courses of *Israel* which were monthly,  
and the annual Magistracys of *Athens* and *Rome* go; if three years be  
too short a term for this purpose, what was three months? A Parla-  
ment in the late Government was rarely longer liv'd than three  
months, nor more frequent than once in a year; so that a man having  
bin twelve years a Parliament-man in *England*, could not have born  
his Magistracy above three years, tho he were not necessarily sub-  
ject to any Vacation. Whereas a Parliament in *Oceana* may in twelve  
years have born his Magistracy six, notwithstanding the necessity of his  
Vacations. Now which of these two are most straiten'd in the time  
necessary to the gaining of due experience or knowledge for the leading  
of a Commonwealth? Nevertheless the Parliament of *England* was  
seldom or never without men of sufficient Skill and Ability, tho the  
Orders there were more in number, less in method, not written, and  
of greater difficulty than they be in *Oceana*. There, if not the Parla-  
ment-man, the Parliament itself was upon Terms and Vacations, which  
to a Council of such a nature is the most dangerous thing in the  
world, being Dissolution, whether to a body natural or political, is  
Death. For if Parliaments happen'd to rise again and again, this was  
not so much coming to themselves (seeing a Council of so different

Genius has not bin known) as a new Birth; and a Council that is every year new born indeed must keep a Commonwealth in perpetual Minority, or rather infancy, always in danger of being overlaid by her Nurse, or straitl'd by her Guardian: whereas an Assembly continu'd by Succession, or due Rotation regulated by Terms, giving sufficient time for digestion, grows up, and is like a man, who tho he changes his Flesh, neither changes his Body nor his Soul. Thus the Senat of *Venice* changing Flesh, tho not so often as in a Commonwealth consisting of the Many were requisit, yet ofteneft of any other in the world, is, both in Body and Soul, or Genius, the most unchangeable Council under Heaven. Flesh must be chang'd, or it will stink of it self; there is a Term necessary to make a man able to lead the Commonwealth to her Interest, and there is a Term that may inable a man to lead the Commonwealth to his Interest. In this regard it is, that, according to MAMERCUS, the Vacations are (*maxima libertatis custodia*) the Keepers of the Libertys of *Oceana*.

THE three Regions into which each of the leading Councils is divided, are three Forms, as I may say, in the School of State: for them of the third, tho there be care in the choice, it is no such great matter what be their skill; the Ballot which they practis'd in the Tribe being that in the performance wherof no man can be out: and this is all that is necessary to their Novitiat or first year, during which time they may be Auditors. By the second, they will have seen all the Scenes, or the whole Rotation of the Orders, so facill, and so intelligible, that at one reading a man understands them as a Book, but at once acting as a Play; and so methodical, that he will remember them better. Tell me then what it is that can hinder him for the second year from being a Speaker; or why for the third, should he not be a very able Leader.

THE Senat and the Prerogative, or Representative of the People, being each of like constitution, drop annually four hundred, which in a matter of ten years amount to four thousand experienc'd Leaders, ready upon new Elections to resume their leading.

ANOTHER thing which I would have consider'd is, whether our most eminent men found their Parts in Parliament, or brought them thither. For if they brought them, think you not the military Orders of the Youth, the Disciplin of the Tribes, the eight years Orbs of the Embassadors, the provincial Armys of *Oceana*, likely to breed men of as good Parts, as to such matters? Nor have Astronomers that familiarity with the Stars, which men without these Orbs will have with such as are in them. He is very dull, who cannot perceive that in a Government of this frame the Education must be universal, or diffus'd throout the whole Body. Another thing which is as certain as comfortable, is, that the pretended depth and difficulty in matters of State is a mere cheat. From the beginning of the World to this day, you never found a Commonwealth where the Leaders having honesty enough, wanted skill enough to lead her to her true Interest at home or abroad: that which is necessary to this end, is not so much Skill as Honesty; and let the Leaders of *Oceana* be dishonest if they can. In the leading of a Commonwealth right, this is certain, Wisdom and Honesty are all one: and tho you shall find defects in their Virtue, those that have had the lowest, have ever bin and for ever shall be, the wisest.

ROME was never ruin'd, till her Balance being broken, the Nobility Chap 12. forsaking their antient Virtue, abandon'd themselves to their Lusts, and the Senators, who, as in the case of JUGURTHA, were all brib'd, turn'd Knaves, at which Turn all their Skill in Government (and in this never men had bin better skill'd) could not keep the Commonwealth from overturning. CICERO, an honest man, labor'd might and main, POMPONIVS ATTICUS, another, despair'd; CAIO tore out his own Bowels, the Poignards of BRUTUS and CASSIVS neither consider'd Prince nor Father: But the Commonwealth had sprung her Planks, and spilt her Ballast, the world could not save her.

FOR the close, the Prevaricator, who had judg'd before, that there was much reason to expect som of the Clergy (against all of whom Mr. HARRINGTON has declar'd War) would undertake the Quarrel, tells me in the last line, that there be to whom he has recommended the Disquisition of the Jewish Commonwealth. Confid p 36  
p 94

IT is a miserable thing to be condemn'd to the perpetual Budget, once turn an honest man to me. In the mean time, that it may be further seen, how much I am delighted in fair play, since some Divines, it may be, are already at work with me, and I have not so fully explain'd my self upon that Point, which with them is of the greatest concernment, that they can yet say, they have peep'd into my hand, or seen my game, as I have won this trick, Gentlemen, or speak, so I play them out the last Card in the next Book for Up.

An Advertisment to the Reader, or a Direction contain'd in certain Querys, how the Commonwealth of *Oceana* maybe examin'd or answer'd by divers sorts of men, without spoiling their high Dance, or cutting off any part of their Elegance, or freeness of Expression.

To the Scholar that has pass'd his Novitiat in Story.

- I. **W**HETHER the Balance of Property in Land conung thro Civil Vicissitude by slow and undiscern'd degrees, to alter as it did, and to stand as it does in *Oceana*, any other Government could have bin introduc'd, otherwise than by the interposition of foren Arms, that could have suffisied naturally without Violence or Reluctancy, or fteddily without frequent Changes, Alterations, and Plunges, except that only of the Commonwealth propos'd?
- II. **W**HETHER the Balance in Land so standing, as has bin shewn, the Commonwealth propos'd, being once establish'd, were without the immediate hand of God, as by Pestilence, Famin, or Inundation, to be alter'd or broken; and which way?

## To the Godly Man.

- I. **W**HETHER Human Prudence be not a Creature of God, and to what end God made this Creature?
- II. **W**HETHER the Commonwealth of Israel in her main Orders, that is to say, the Senat, the People, and the Magistracy, was not erected by the same Rules of human Prudence with other Commonwealths?
- III. **W**HETHER JETHRO were not a Heathen?
- IV. **W**HETHER God did not approve of the Advice of JETHRO, in the Fabric of the Commonwealth of Israel?
- V. **W**HETHER the natural Body of a Godly Man can any otherwise be said to support and nourish it self in the Air, or between Heaven and Earth, than by a figurative Speech? or whether it be any more possible for the Political Body of a People so to do, than for the natural Body of a Godly Man?

## To the Grandee, or Learned Commonwealthsman.

- I. **W**HETHER a noble Housekeeper has a Horsekeeper, that is as well to live as himself; and whether the Housekeeper, should be lose his Estate, would not be a Horsekeeper rather than want Bread?
- II. **W**HETHER Riches and Poverty, more or less, do not introduce Command or Obedience, more or less, as well in a public as in a private Estate?
- III. **W**HETHER the Introduction of Command or Obedience, more or less, either in a public or private Estate, does not form or change the Genius of a Man, or of a People accordingly? Or what is the reason why the Peasant of France is base, and the lower People in England of a high Courage?
- IV. **W**HETHER the Genius of the People of Oceana, has bin of late years, or be devoted or addicted to the Nobility and Clergy as in former times?
- V. **W**HETHER the Genius of the People of Oceana, not being addicted to the Nobility and Clergy as formerly, can be said to be for Monarchy, or against it?
- VI. **W**HETHER the People be not frequently mistaken in Names, while as to Things they mean otherwise; or whether the People of Oceana desiring Monarchy in Name, do not in Truth desire a Government of Laws, and not of Men?
- VII. **W**HETHER for these Reasons, not to know how to hold the Balance or Foundation of a Government steady, nor yet to reform, or vary the Orders of the same (as the Foundation comes to vary) be not to deliver a Nation to certain Ruin and Destruction?

## To the Rational Man.

- I. **W**HETHER there be any thing in this Fabric or Model that is contradictory to itself, to Reason, or to Truth?
- II. **W**HETHER a Commonwealth that is fram'd intire or complete in all her necessary Orders, without any manner of contradiction to her self, to Reason, or to Truth, can yet be false or insufficient?

T H E



THE  
SECOND BOOK;  
OR, A  
Political Discourse  
CONCERNING  
ORDINATION:

Against

Dr. H. HAMMOND,

Dr. L. SEAMAN,

And the Authors they follow.

---

*Optat Aprum aut fulvum descendere monte Leonem.*

E. W.

## Advertisement to the READER.

**B**OOKS, especially whose Authors have got themselves Names, are Leaders; wherefore in case any of these err in Leading, it is not only lawful, but matter of Conscience to a man that perceives it, as far as he is able, to warn others. This were Apology enough for my writing against Dr. HAMMOND and Dr. SEAMAN; and yet I have happen'd to be brought under a farther Obligation to this enterprise, their Books have bin sent me by way of Objection against what I have formerly said of Ordination, and am daily more and more confirm'd I shall make good. However, there can be no great hurt in this Essay, Truth being, like Venison, not only the best Quarry, but the best Game.

### Order of the Discourse.

**T**O manage the present Controversy with the more Clearness, I have divided my discourse into five Parts or Chapters.

**THE First**, explaining the words Chirotonia and Chirothesia, paraphrastically relates the Story of the Perambulation made by the Apostles PAUL and BARNABAS thro the Citys of Lycaonia, Pisidia, &c. by way of Introduction.

**THE Second** shews those Citys, or most of them, at the time of this Perambulation, to have bin under popular Government. In which is contain'd the whole Administration of a Roman Province.

**THE Third** shews the Deduction of the Chirotonia from Popular Government, and of the Original Right of Ordination from the Chirotonia. In which is contain'd the Institution of the Sanhedrim or Senat of Israel by MOSES, and of that at Rome by ROMULUS.

**THE Fourth** shews the Deduction of the Chirothesia from Monarchical or Aristocratical Government, and the second way of Ordination from the Chirothesia. In which is contain'd the Commonwealth of the Jews as it stood after the Captivity.

**THE Fifth** debates whether the Chirotonia, us'd in the Citys mention'd, was (as is pretended by Dr. HAMMOND, Dr. SEAMAN, and the Authors they follow) the same with the Chirothesia, or a far different thing. In which are contain'd the divers kinds of Church-Government introduc'd and exercis'd in the age of the Apostles.

**I AM** entering into a Discourse so much, for the Words, upon a Language not vulgar, which therefore I shall use no otherwise than by way of Parenthesis, not distracting the Sense; and for the Things, upon Customs that are strange, which therefore I shall interpret as well as I can. Now to make my way into the parts of this discourse, that (whereas they who have hitherto manag'd it in English, might, in regard of their Readers have next as well written it in Greek) I may not be above the vulgar capacity, I shall open both the Names whereof, and the Things wherupon we are about to dispute, by way of Introduction.

# Political Discourse

## CONCERNING

# ORDINATION.

### The INTRODUCTION,

### OR

### First Chapter.

**T**HE Names or Words wherof we are about to dispute are *Grec*, the one *Chirotonia*, the othe'r *Chirothesia*. The first signification of the word *Chirotonia*, in *SUIDAS*, imports a certain leud action of the hand, which seems also by the *Grec* that renders it by the same word, to have bin innumated in *Iſa*. 5. 9. In the second signification with *SUIDAS*, it is *ἐλογη, πάντων υἱέρεσι*, *Election* (that is to say of Magistrats) or *Ratification* (that is to say of Laws) *by the Many*: which amounts both by his Testimony, and that generally of ancient Authors, to this, that the most usual and natural signification of the word *Chirotonia* is *Popular Suffrage*, whether given, as when they speak of *Athens*, by the holding up of hands; or as when they speak (as dos *SUIDAS* in the place mention'd) of *Rome*, and other Commonwealths (whose Suffrage was not given with this Ceremony) without holding up of hands.

*CHIROTHESIA* (*ἱερεὺς χυρῶν*) is a word that in the strict signification imports *laying on of hands*, and no more: but the *Jews* using to confer their Ordination most commonly by laying on of hands, and yet sometimes by word of mouth, or by letter, the word both as it relates to the custom of the *Jewish* Commonwealth, and Ordination thence transplanted into the Church of *CHRIST*, signifies Ordination confer'd by one man, or a few men, that is to say, by som distinct Order from the People, whether with imposition of hands, or without it.

THESE words thus interpreted, I shall throout my discourse (which else must have run altogether upon the *Grec*) presume, as already I have don, to take for good *English*, and so procede to the things wherof we are to dispute; first, by opening the Scene of this Perambulation, which will be don best by the help of *ERASMUS*, a man as for his Learning not inferior to any, so for his freedom not addicted to Interests or Partys. For the remainder then of this Introduction, I shall begin with the nineteenth Verse of the eleventh, and continue my discourse to the end of the fourteenth Chapter of the *Acts*; interweaving the Text where it is darker with the Paraphrase of that excellent Author, for light, and his Paraphrase with the Text, where it is clearer, in the manner following.

THEY

Book II.

Acts 11. 19.

*THEY* whom the heat of Persecution from the Death of STEPHEN had dispers'd, travel'd thro the Citys and Villages as far as Phenice, and the adjacent Iland of Cyprus; as also thro Antiochia, which lies between Phenice and Cilicia, preaching the Gospel receiv'd from the Apostles, which nevertheless they dar'd not to communicat but to such only as were of the Jewish Nation, not out of Envy, but a kind of Superstition, they believing that to do otherwise were to give the Childrens Bread to Dogs, which Christ had forbid.

BUT som of them that believ'd, being of Cyprus and Cyrene, when they came to Antioch, had the boldness to speak of CHRIST to the Greecs, preaching the Lord Jesus, in which they made such progress thro the Blessing of God upon them and their Labors, that a great number of these also believing the Gospel, were turn'd to the Lord. The tidings of these things coming to the ears of the Church which was at Jerusalem, a man of Apostolical Sincerity, BARNABAS the Levite, a Cyprian born, was sent by the Apostles to take a view of what was don upon the places; and if he found it to be according to the will of God, to approve of it, by authority of the Apostles. So great caution in receiving the Gentils to the Gospel was not, that the thing was not greatly desir'd by the Apostles; but lest it should afterwards be repeal'd or made void by the Jews, as don rashly, or that the Gentils should rely less upon what was done, as concerning it needed ratification by the Law. Wherefore BARNABAS so soon as he came to Antioch, and found the Greecs by Faith, and without profession of the Law, to have receiv'd the same Grace of God with the Jews, was very much joy'd that the number of Believers increas'd, and exhorted them to remain constant in their Enterprize of adhering to the Lord. For he was a good man, and full of the Holy Spirit, and of Faith. Wherefore thro his ministry it came to pass, that a multitude of other Believers were added to the former. Now Antioch being not far from Cilicia, the Neighborhood of the place invited him to seek PAUL, the fittest helper in this work, as chosen by CHRIST to preach his name to the Gentils and Kings of the Earth. For when PAUL fled from Jerusalem, the Disciples had conducted him to Cesarea of Phenice, whence he went to Tarsus; whom therefore when BARNABAS had found there, he brought to Antioch, hoping in a City both famous and populous (but with a confus'd mixture of Jews and Greecs) to receive the better fruit thro the aid of an Apostle more peculiarly design'd to this work. These two being conversant a whole year in the Church of Antioch, which by the confluence both of Jews and Greecs became very numerous, so many were added by their preaching, that whereas hitherto, not exposing the name of CHRIST to envy, they had bin call'd Disciples, they now began first at Antioch from the name of their Founder to be call'd Christians. In these times certain Prophets came from the City of Jerusalem to Antioch, wher-  
of one nam'd AGABUS standing up in the Congregation, signify'd by inspiration, that there should be a great Dearth thro the whole world; which came to pass under CLAUDIUS CÆSAR, the Successor of CALIGULA. At this time they at Jerusalem, partly because they were poor at their conversion to the Gospel, partly because they had deposited their Goods in common, and partly because they had misplac'd by the Priests for their profession of CHRIST, imagin'd that by the contribution of such as had wherewithal, especially among the believing Gentils, Money should be sent to the relief of the Christians dwelling in Judea; but so that this Contribution was not to be forc'd but free, and according to every mans ability. This Money thus gather'd was sent by PAUL and BARNABAS to the Elders.

at Jerusalem, to be distributed at their discretion to such as were in need. While PAUL and BARNABAS were thus employ'd, King HEROD, the same that beheaded JOHN, and return'd CHRIST cloth'd, thro derision, in white, to PILAT, being griev'd to see this kind of People increase, and the Name of JESUS King of the Jews to grow famous in divers Nations, became concern'd to root out such a Faction, and so spreading; wherefore he stretch'd forth his hand to vex certain of the Church, kill'd JAMES the Brother of JOHN with the Sword; and because he saw it pleas'd the Jews proceeded further to take PETER also, who being imprison'd, was afterward miraculously deliver'd. But PAUL and BARNABAS having perform'd the Trust committed to them by the Brethren, and deliver'd the Contribution for relief of the Poor to the Apostles, return'd from Jerusalem to Antioch, taking with them JOHN, whose Surname was MARC.

NOW the Church of Antioch flourish'd in such manner, that she had som fill'd with the gift of Prophecy, and others with that of Teaching; among whom was BARNABAS and SIMEON, alias NIGER, together with LUCIAS a Cirenian, and MANAEN who had bin brought up with HEROD the Tetrarch, whom he left to com to CHRIST: but the chief of them was SAUL, indow'd with all the Gifts and Graces Apostolical. While all these were intent upon the Ministry of the Church, employing their several Gifts to the Glory of God, and in his most acceptable Service, the Salvation of Souls, with fasting and prayer, the Holy Ghost being stir'd up by their Zeal, signified his Will by the Prophets, saying, Separat me BARNABAS and PAUL for the Work wherto I have call'd them, namely, to be Doctors of the Gentils, that by them I may propagat the Gospel. The command of the Spirit was obey'd, and BARNABAS with PAUL, to the end that every one might see who are chosen, were separated from the rest; and when the Congregation had unanimously implor'd the favor of God by prayer and fasting, the most eminent in Authority among them laid their hands upon the Persons so separated, and sent them wherever the Spirit of God should direct them. By this impulse therefore BARNABAS and PAUL went to Seleucia, being a Promontory of Antiochia, and thence sail'd into the Island of Cyprus, where they landed at Salamis, a famous City upon the Eastern part of the Island; they preach'd not human Inventions, but the Word of God, nor that by stealth, but in the Synagoges of the Jews, wherof thro the Neighbourhood of Syria there was store. This Honor by the Commandment of CHRIST was always defer'd to the Jews, that the Gospel should be first offer'd to them, lest they being a querulous and repining Nation, should complain that they were despis'd. Thus travel'd these Apostles thro the whole Island, till they came to Raphos, a City consecrated to VENUS upon the Western Coast of Cyprus. Here they found a certain Magician call'd BARJESUS, that is, the Son of JESUS a Jew, both by Nation and Religion, under which color he falsely pretended to the gift of Prophecy. This man follow'd the Court of SERGIUS PAULUS, Proconsul or Governor of the Island for the Romans, otherwise a prudent man, but this sort of Vermine insinuat it self into the best to chuse, that so their Corruption may do the greater and more compendious mischief to mankind. The Proconsul nevertheless having understood the Gospel to be planting throu Cyprus, not only forbore to stop the ears of others, but by sending for BARNABAS and PAUL, seem'd desirous to open his own. Wherefore BARJESUS endeavoring to resist the growth of the Word, as an Enemy to Caesar, and repelling the Truth with Raillood, a strife arose between these two Prophets and a false one (for such is the Interpretation



tion of the Syriac word ELYMAS) whom PAUL at length confuted of spiritual blindness, by taking away the Eyes of his body, miraculously struck in the presence of the Proconsul, who at the same time receiving the light of the Gospel, embrac'd the Christian Faith. This being don at Paphos, PAUL embark'd there with his Associates for the lesser Asia, and came to Perga, being a City of Pamphylia; here JOHN, whose Surname was MARC, left them, and return'd to Jerusalem, while they, when they had visit'd Pamphylia, travel'd to Antiochia, a City of Pisidia, where having enter'd a Synagog, they sat after the usual manner with the rest, attentive to the Law and the Prophets, wherof when the Parts appointed were read, and no man stood up, the Rulers of the Synagog perceiving that the Strangers by their habit were Jews, and such as by their aspect promis'd more than ordinary, sent to them, desiring that if they had any word of exhortation for the People, they would speak. Whereupon PAUL standing up, preach'd to them CHRIST; whence came the Word of the Lord to be divulg'd throuth that Region, tho the Jews out of envy to the Gentils, stirring up the devoutest Matrons (an Art not unknown in these times) and by them the chief of the City, rais'd such Sedition in it, and Tumult against the Apostles, that PAUL and BARNABAS being cast out, shook off the dirt from their feet against them, and went thence to Iconium a City of Lycaonia. When they were com to Iconium, entring with the Jews after the custom into the Synagog, they preach'd, as they had at Antioch, the Gospel of Jesus Christ, and with such efficacy, that multitudes both of the Jews and Greeks believ'd. Here again the Envy of the Jews became the Author of Sedition, by which means the City was divided into two Parts or Factions, wherof one stood for the unbelieving Jews, and the other for the Apostles. At length when such of the Gentils as were join'd with the Jews, and the Rulers of the City, made an assault upon the Apostles, to offer violence and stone them; they being aware of it, fled to Lystra (a City of Lycaonia, which is a part of Pamphylia) and Derbe. At Lystra there was a man lame of his feet from the Womb, who having listen'd to PAUL with great Attention and Zeal, was miraculously cur'd by the Apostle; when the People seeing what PAUL had don, cry'd out, The Gods were descended in the likeness of men: a persuasion that might gain the more easily upon the minds of the Lycaonians for the Fable of JUPITER and MERCURY, said to have descended in human shape, and bin entertain'd by LYCAON, from whom the Lycaonians receiv'd their name. Wherefore they call'd BARNABAS for the gravity of his aspect, JUPITER; PAUL for his Eloquence, MERCURY: and the Priest of JUPITER, who dwelt in the Suburbs, brought Bulls and Garlands to the Gates of the House where the Apostles were, to have offer'd Sacrifice with the People, which the Apostles obbarring, vigorously dissuaded. In the mean time certain Jews by Nation that were Unbelievers, coming from Antioch of Pisidia, and Iconium, drew the People to the other extreme, who from sacrificing to the Apostles fell on joining them, a work which was brought so near to an end, that PAUL being driven by them out of the City, was left for dead, tho he soon after recover'd, and went thence with BARNABAS to Derbe: when they had propagated the Gospel there also, they return'd to Lystra, Iconium, and Antiochia, confirming the Disciples whom they had converted. Now because the propagation of the Gospel requir'd that the Apostles should be moving thro divers Nations, they characterizing them Elders in every Congregation or Church, that is, ordaining them Elders by the Votes of the People in every City, left them to perform the Duties of the absent Apostles, and

and when they had fasted and pray'd, commended them to the Lord. These things being brought to a conclusion, or finish'd at Antioch in Pisidia, when they had perambulated this Country, they also visited Pamphylia; sowing the Gospel where it was not yet sown, and confirming those who already believ'd, till they came to Perga: where having order'd their affairs, they proceeded to Attalia, being a maritim City of Pamphylia; and from thence they sail'd back to Antioch of Syria, whence they first set out, with Commission from the Elders, to preach the Gospel to the Gentils, and where by the Chirothefia, or Imposition of hands, Prayer and Fasting, they had bin recommended to the Grace of God, and design'd to the Work now finish'd.

IN this Narrative you have mention both of the *Chirotonia* and of the *Chirothefia*, or Imposition of hands, but of the former as of Ordination; for by that such were made Presbyters or Church-Officers as were not so before: of the latter not, I think, as of Ordination, at least in the sen'e we now take it; but as of designation of Persons to an occasional and temporary imployment, that had bin ordain'd before, for so sure had PAUL at least. However, that which is offer'd by this Narrative to present consideration, is no more than the bare Story.

## CH A P. II.

*That the Citys, or most of them nam'd in the Perambulation of the Apostles PAUL and BARNABAS, were at that time under popular Government. In which is contain'd the Administration of a Roman Province.*

THE Romans of all Nations under Heaven were indow'd, as with the highest Virtues, so with the greatest human Glory; which proceeded from this especially, that they were in love with such as were in love with their Liberty. To begin with their dawn, the *Privernates* (a free People inhabiting the City and Parts adjoining, which at this day is call'd *Piperno*, som fifty miles from Rome, and five from *Sesse*) being the second time conquer'd by the Romans, it was consulted in the Senat what course should be taken with them; where while som, according to the different temper of men, shew'd themselves hotter, and others cooler, one of the *Privernates* more mindful of the condition wherein he was born, than of that wherein he was slain, happen'd to render all more doubtful: for being ask'd by a Senator of the severer judgment, what Punishment he thought the *Privernates* might deserve, Such (says he) as they deserve who believe themselves worthy of Liberty. At the courage of which answer, the Consul (perceiving in them that had bin vehement enough before against the *Privernates* but the greater animosity, to the end that by a gentler Interrogatory he might draw som softer answer from him) reply'd, And what if we inflict no punishment at all, but pardon you; what Peace may we expect of you? Why if you give us a good one (said the other) a steady and perpetual Peace, but if an ill one, not long. At which a certain Senator falling openly upon ruffling and threatening the *Privernat*, as if those words of his tended to som practice or intention to stir up the Citys in Peace to Sedition, the better part of the Fathers being quite of another mind, declar'd, That they had heard the voice of a Man, and of a Freeman. For why, said they,

Book II. *should it be thought that any Man or People will remain longer under such a Burden as they are not able to bear, than till they can throw it down? There a Peace is faithful, where it is voluntary; if you will have Slaves, you are not to trust them but their Fetters.* To this opinion the Consul especially inclining, inclin'd others, while he openly profess'd, *That they who had no thought but upon their Liberty, could not but be thought worthy to be Romans:* whereupon the Decree pass'd by Authority of the Fathers, which was afterwards propos'd to the Congregation, and ratify'd by the Command of the People, whereby the *Præternates* were made Citizens of *Rome*. Such was the Genius of the *Roman Commonwealth*; where by the way you may also observe the manner of her Debate and Result (*Autoritate Patrum & Jussu Populi*) by the Advice of the Senat, and the *Chirotonia* of the People.

BUT that which in this place is more particularly offer'd to consideration, is her usual way of proceeding in case of Conquest with other Nations: for tho bearing a haughty brow towards such as, not contented to enjoy their Liberty at home, would be her Rivals abroad, she dealt far otherwise, as with *Carthage*; this case excepted, and the pillaging and polling of her Provinces, which happen'd thro the Avarice and Luxury of her Nobility, when the Balance of popular Power being broken, her Empire began towards the latter end to languish and decline; the way which she took with the *Præternates* was that which she usually observ'd with others throout the course of her Victories, and was after the Change of Government made good at least in some part by the *Roman Emperors*, under whom were now those Citys mention'd in the present Perambulation of the Apostles PAUL and BAR-NABAS. STRABO for his credit among human Authors is equal to any; he liv'd about the time of this Perambulation, and being a *Greece*, is less likely to be partial: Of that therefore which I have affirm'd to have bin the course of the *Romans* in their Victories, I shall make choice of this Author for a witness; first where he epitomizes the Story of *Athens* after this manner: *When the Carians by Sea, and the Ægeotians by Land wasted Attica, CECROPS the Prince, to bring the People under shelter, planted them in twelve Citys, Cecropia, Tetrapolis, Epacrea, Decelæa, Eleusis, Aphydna, Thoricus, Brauron, Cytherus, Sphectus, Cephissia, Phalerus; which THESEUS is said to have contracted into one call'd Athens. The Government of this City had many changes; at first it was Monarchical, then Popular: This again was usurp'd by the Tyrants PISISTRATUS and his Sons, whence recover'd, it fell afterwards into the hands of the Few, as when the four hundred once, and again the thirty Tyrants were impos'd by the Lacedæmonians, in the War of Peloponnesus: which Yoke the Athenians (by means of their faithful Army) shaking off, restored their popular Government, and held it till the Romans attain'd to the Dominion of Greece. Now tho it be true that they were not a little disturb'd by the Kings of Macedon; to whom they were forc'd to yield some kind of obedience; they nevertheless preserv'd the form of their Commonwealth so intire, that there be who affirm it never to have bin better administr'd, than at such time as Macedon was govern'd by CASSANDER: for this Prince, tho in other things more inclining towards the Tyrant, having taken Athens by Surrender, us'd not the People ill, but made DEMETRIUS PHALEREUS the Disciple of THEOPHRASTUS the Philosopher, chief Magistrat among them; a man so far from ruining their popular State (as in the Commentaries he wrote upon this kind of Government*

vernment is attested) that he repair'd it. Nevertheless, whether suspected or envy'd for his greatness without support by the Macedonians, after the death of CASSANDER he fled into Egypt, while his Enemies breaking down his Statues (as som say) made homely Vessels of them. But the Romans having receiv'd the Athenians under their popular form, left them their Laws and Libertys untouch'd, till in the war with MITHRIDATES they were forc'd to receive such Tyrants as that King was pleas'd to give them; wherof ARISTON the greatest, when the Romans had retaken the City from him, being found trampling upon the People, was put to death by SYLLA, and the City pardon'd, which to this day (he wrote about the reign of TIBERIUS) not only enjoys her Libertys, but is high in honor with the Romans. This is the Testimony of STRABO agreeing with that of CICERO, where disputing of Divine Providence, he says that to affirm the World to be govern'd by Chance, or without God, is as if one should say that Athens were not govern'd by the Areopagits. Nor did the Romans by the deposition of the same Author (or indeed of any other) behave themselves worse in Asia (the scene of our present discourse, where the same PAUL, of whom we are speaking, being born at Tarsus, a City of Cilicia, that had acquir'd like or greater Privilege by the same bounty, was also a Citizen of Rome) than in Greece. Asia is understood in three significations: First, for the third part of the World answering to Europe and Africa. Secondly, for that part of Asia which is now call'd *Natolia*. Thirdly, for that part of it which AT TALUS King of Pergamum, dying without Heirs, bequeath'd and left to the People of Rome: this contain'd Mysia, Phrygia, Æolis, Ionia, Caria, Doris, Lydia, Lycaonia, Pisidia, and by consequence the Citys wherof we are speaking. To all these Countrys the Romans gave their Liberty, till in favor of ARISTONICUS, the Bastard of EUMENES, many of them taking Arms, they were recover'd, brought into subjection, and fram'd into a Province.

WHEN a Consul had conquer'd a Country, and the Romans intended to form it into a Province, it was the custom of the Senat to send (*decem Legatos*) ten of their Members, who with the Consul had power to introduce and establish their provincial way of Government. In this manner Asia was form'd by MARCUS AQUILIUS Consul; afterwards so excellently reform'd by SCÆVOLA, that the Senat in their Edicts us'd to propose his example to succeeding Magistrats, and the Inhabitants to celebrat a Feast to his Name. Nevertheless MITHRIDATES King of Pontus (all the Romans in this province being massacred in one day) came to possess himself of it, till it was recover'd at several times by SYLLA, MURENA, LUCULLUS and POMPEY. The Romans, in framing a Country into a Province, were not accusom'd to deal with all the Inhabitants of the same in a like manner, but differently according to their different merit. Thus divers Citys in this were left free by SYLLA, as those of the *Ilisenses*, the *Chians*, *Rhodians*, *Lycians* and *Magneshians*, with the *Gyzicens*, tho the last of these afterwards for their practices against the Romans forfeited their Liberty to TIBERIUS, in whose Reign they were for this reason depriv'd of the same.

TAKING Asia in the first sense, that is, for one third part of the World, the next Province of the Romans in this Country was Cilicia, containing Pamphylia, Isauria, and Cilicia more peculiarly so call'd. Here CICERO was sometimes Proconsul, in honor to whom part of Phrygia,

## The Prerogative

THE PROVINCE

*Phrygia*, with *Pisidia*, and *Lycaonia*, were taken from the former, and added to this Jurisdiction, by which means the Citys wherof we are speaking came to be of this Province. Adjoining hereto was the Commonwealth of the *Lycians*, which the Romans left free: into this also the City of *Attaha* by som is computed, but *Iconium* both by STRABO and CICERO; the latter wherof being Proconsul, in his Journey from *Laodicea*, was receiv'd by the Magistrats and Deputys of this City. *Lyjira* and *Derbe*, being Citys of *Lycaonia*, must also have bin of the same Province. Next to the Province of *Cilicia* was that of *Syria*, containing *Comagene*, *Seleucis*, *Phœnicia*, *Cœlosyria*, and *Judea* or *Palestin*. In *Seleucis* were the four famous Citys, *Seleucia*, *Antiochia*, *Apamea* (the last intire in her Liberty) and *Laodicea*. *Comagene* and *Judea* were under Kings, and not fram'd into Provinces, till in the time of the Emperors.

THE fourth Province of the Romans in *Asia* was that of *Bithynia* with *Pontus*: these were all acquir'd or confirm'd by the Victories of POMPEY the Great. STRABO, who was a Cappadocian born at *Amasia*, relates a story worthy to be remember'd in this place. From the time, says he, that the Romans, having conquer'd ANTIOCHUS, became Moderators of *Asia*, they contracted Leagues of Amity with divers Nations; where there were Kings, the honor of address was defer'd to them, with whom the Treatys that concern'd their Countrys were concluded. But as concerning the Cappadocians, they treated with the whole Nation, for which cause the Royal Line of this Realm coming afterwards to fail, the Romans gave the People their freedom or leave to live under their own Laws: and when the People hereupon sending Embassadors to Rome, renounc'd their Liberty, being that to them which they said was intolerable, and demanded a King; the Romans amaz'd there should be men that could so far despair, permitted them to chuse, of their Nation, whom they pleas'd; so ARIOBARZANES was chosen, whose Line again in the third Generation coming to fail, ARCHELAUS was made King by ANTONY (where you may observe, in passing, that the Romans impos'd not Monarchical Government, but for that matter us'd to leave a People as they found them) Thus at the same time they left PONTUS under King MITHRIDATES, who not containing himself within his bounds, but extending them afterwards as far as Colchis and Armenia the Less, was reduc'd to his terms by POMPEY; who divesting him of those Countrys which he had usurp'd, distributed som part of them to such Princes as had assisted the Romans in that War, and divided the rest into twelve Commonwealths, of which, added to *Bithynia*, he made one Province. When the Roman Emperors became Monarchs, they also upon like occasions made other distributions, constituting Kings, Princes, and Citys, som more, som less, som wholly free, and others in subjection to themselves. Thus came a good, if not the greater part of the Citys in the Lesser *Asia*, and the other adjoining Provinces, to be som more, som less free; but the most of them to remain Commonwealths, or to be erected into popular Governments, as appears yet clearer by the intercourse of PLINY, while he was Pretor or Governor of *Bithynia*, with his Master the Emperor TRAJAN; a piece of which I have insert'd in the Letters following.



PLINY to TRAJAN.

SIR;

IT is provided by POMPEY's Laws for the *Bithynians*, that no <sup>Plin Ep 1</sup> man under thirty years of Age be capable of Magistracy, or of the Senat: by the same it is also establish'd, that they who have born Magistracy may be Senators. Now because by a latter Edict of AUGUSTUS, the lesser Magistracys may be born by such as are above one and twenty; there remains with me these doubts, whether he that being under thirty, has born Magistracy, may be elected by the Censors into the Senat; and if he may, whether of those also that have not born Magistracy, a man being above one and twenty, seeing at that Age he may bear Magistracy, may not by the same interpretation be elected into the Senat, tho he has not born it: which is here practis'd and pretended to be necessary, because it is somewhat better, they say, that the Senat be fill'd with the Children of good Familys, than with the lower sort. My opinion being ask'd upon these points by the new Censors, I thought such as being under thirty have born Magistracy, both by POMPEY's Laws, and the Edict of AUGUSTUS, to be capable of the Senat; being the Edict allows a man under thirty to bear Magistracy, and the Law, a man that has born Magistracy, to be a Senator. But as to those that have not born Magistracy, tho at the age in which they may bear it, I demur till I may understand your Majesty's pleasure, to whom I have sent the Heads both of the Law and of the Edict.

TRAJAN to PLINY.

YOU and I, dearest PLINY, are of one mind. POMPEY's Laws are so far qualify'd by the Edict of AUGUSTUS, that they who are not under one and twenty may bear Magistracy, and they who have born Magistracy may be Senators in their respective Citys: but for such as have not born Magistracy, tho they might have born it, I conceive them not eligible into the Senat till they be thirty years of age.

PLINY to TRAJAN.

SIR;

POWER is granted to the *Bithynian* Citys by POMPEY's Law, to adopt to themselves what Citizens they please, so they be not Foreners, but of the same Province; by the same Law it is shewn in what cases the Censors may remove a man from the Senat: Among which nevertheless it is not provided what is to be don in case a foren Citizen be a Senator. Wherefore certain of the Censors have thought fit to consult me, whether they ought to remove a man that is of a foren City for that cause out of the Senat. Now because the Law, tho it forbids the adoption of a Forener, commands not that a Forener for that cause should be remov'd out of the Senat, and I am inform'd there be foren Citizens almost in every Senat; so that many, not only Men, but Citys might suffer Concusson by the

“ resti-

“ restitution of the Law in that part, which thro a kind of consent  
 “ seems to be now grown obsolete, I conceive it necessary to have  
 “ your Majesty’s Resolution in the case, to which end I have sent a  
 “ Breviat of the Law annex’d

## TRAJAN to PLINY.

“ **W**ITH good cause, dearest PLINY, have you doubted what  
 “ answer to return to the Censors, inquiring whether they  
 “ ought to elect a man into the Senat that is of another City, tho of  
 “ the same Province, seeing on the one side the Authority of the Law,  
 “ and of Custom on the other to the contrary, might well disorder  
 “ you To innovat nothing for the time past, I think well of this  
 “ expedient. they who are already elected Senators, tho not accord-  
 “ ing to the Law, of what City soever they be, may remain for the  
 “ present, but for the future POMPEY’s Laws should return to their  
 “ full virtue, which if we should cause to look back, might create  
 “ trouble.

THIS might serve, but there will be no hurt in being a little fuller in the discovery of Provincial Government

THE Provinces so fram’d, as has bin shewn, were subdivided into certain Circuits call’d *Dioces*; that of *Asia* had six, *Alabande*, *Smyrna*, *Ephesus*, *Adramyttis*, *Pergamum*. That of *Cilicia* had also six, the *Pamphylian*, *Isaurian*, and *Cilician*, the Metropolis wherof was *Tarsus*, a free City, to these were taken out of the Province of *Asia*, *Cybra*, *Sinnade*, *Apermenia* what were the *Dioces* of the other two SIGONIUS, whom I follow, does not shew. At these in the Winter (for the Summer was spent commonly with the Army) the People of the Province assembled at set times, as at our *Affizes*, where the *Roman* Governors did them Justice.

THE Governors or Magistrates, to whose care a Province was committed, were of two kinds: the first and chief was Consul or Pretor, which appellations differ’d not in Power, but in Dignity, that of Consul being more honorable, who had twelve *Lictors*, whereas the Pretor had but six, if the annual Magistracy of either of these came to be prorog’d, he was call’d *Proconsul* or *Propretor*.

THE second kind of Magistrat in a province was the Questor, Receiver or Treasurer, who being also annual, was attended by *Lictors* of his own; if he dy’d within his year, the Consul, Proconsul, or Pretor might appoint one for that time in his place, who was call’d *Proquestor*. The Power of the Consul, Proconsul, or Pretor, was of two kinds, the one Civil, the other Military; the former call’d Magistracy, the latter Empire.

THE Pomp of these assuming and exercising their Magistracy was reverend; the Consul or Proconsul had Legats, sometimes more but never under three, appointed him by the Senat: these were in the nature of Counsellors to assist him in all Affairs of his Province; he had Tribuns, Colonels, or Field Officers, for the military part of his Administration; he had also Secretaries, Sergeants, Herald or Criers, *Lictors* or Insignbearers, Interpreters, Messengers, Divines, Chamberlains, Physicians; and besides these his Compositions, which for the most

most part were of the younger sort of Gentlemen or Gallants that accompany'd him for his Ornament, and their own Education. Into this the somewhat like Train of the Questor (who by the Law was in place of a Son to the Proconsul, and to whom the Proconsul was to give the regard of a Father) being cast, it made the Pretorian Cohort or Guard always about the Person of the Proconsul, who in this Equipage having don his Devotions at the Capitol, departed the City, *Paludatus*, that is in his Royal Mantle of Gold and Purple, follow'd for some part of the way with the whole Train of his Friends, wishing him much joy and good speed.

IN his Province he executed his twofold Office, the one of Captain General, the other of the supreme Magistrat. In the former relation he had an army either receiv'd from his Predecessor, or new levy'd in the City; this consisted in the one half of the Legions (as I have elsewhere shewn) and in the other of Associates: for the greatness of the same, it was proportion'd to the Province, or the occasion; to an ordinary Province in times of Peace, I believe an Army amounted not to above one Legion with as many Auxiliaries, that is, to a matter of twelve thousand Foot, and twelve hundred Horse. The Magistracy or Jurisdiction of the Proconsul, or Pretor, was executed at the Metropolitan City of each *District*, which upon this occasion was to furnish the Pretorian Cohort with Lodging, Salt, Wood, Hay, and Stable-room at the charge of the Country. These, tho' CICERO would hardly receive any of them, were, towards the latter time of the Commonwealth, extended by the Provincial Magistrats to so great a burden to the People, that it caus'd divers Laws to be pass'd in Rome (*de repetundis*) for restitution to be made to the Provinces, by such as had injur'd them. Upon such Laws was the prosecution of VERRES by CICERO. When and where this kind of Court was to be held, the Consul, Proconsul, or Pretor, by Proclamation gave timely notice. Being assembl'd at the time, and the City appointed, in the Townhall stood a Tribunal; upon this the *Sella Curulis*, or a Chair of State, in which sat the Consul, Proconsul, or Pretor, with his Pretorian Cohort or Band about him, furnish'd with all manner of Pomp, and Officers requisite to the Ornament or Administration of so high a Magistracy. The Jurisdiction of this Court was according to the Laws made for the administration of the Province; but because they could not foresee all things (as appear'd by the Questions which PLINY put upon the Laws of POMPEY, to TRAJAN) it came to pass, that much was permitted to the Edicts of the Provincial Pretors, as was also in use at Rome with the Pretors of the City: and if any man had judg'd otherwise in his Province, than he ought to have don in the City, made an Edict contrary to the Law of his Province, or judg'd any thing otherwise than according to his own Edict, he was held guilty of, and questionable for a heinous Crime. But what the Law of this or that Province (which differ'd in each) was, would be hard particularly to say; only in general it was for the main very much resembling that of Sicily, call'd *Rupilia*.

*LEGE Rupilia, or by the Law of RUPILIUS, a Cause between one Citizen and another being of the same City, was to be try'd at home by their own Laws. A Cause between one Provincial and another being of divers Cities, was to be try'd by Judges whom the Pretor should appoint by lot. What a privat man claim'd of a People, or a People of a privat man,*

Book II, *was to be refer'd to the Senat of som third City. Upon what a Roman* *clam'd of a Provincial, a Provincial was to be appointed Judg. Upon what a Provincial claim'd of a Roman, a Roman was to be appointed Judg. For decision of other Controversys, select Judges from among the Romans (not out of the Pretorian Cohort, but out of such Romans, or other Citizens free of Rome, as were present in the same Court) were to be given. In criminal Causes, as Violence, Peculat, or Treason, the Law, and the manner of proceeding was the same in the Provinces, as in Rome.*

FOR the Tributs, Customs, Taxes, Levys of Men, Mony, Shipping, ordinary or extraordinary, for the common defence of the Roman Republic, and her Provinces, the Consuls, Proconsuls, or Pretors proceeding according to such Decrees of the Senat as were in that case standing or renew'd upon emergent occasions; in gathering these lay the Magistracy or office of the Questor: if the Proconsul were indispos'd, or had more business than he could well turn his hand to, Courts of this nature might be held by one or more of his Legats. With matter of Religion they meddl'd not; every Nation being to far left to the liberty of Conscience, that no violence for this cause was offer'd to any man: by which means both Jews and Christians, at least till the time of the persecuting Emperors, had the free exercise of their Religion throout the Roman Provinces. This the Jews lik'd well for themselves, nor were they troubl'd for the Heathens, but to the Christians they always grudg'd the like privilege. Thus when they could no otherwise induce PILAT to put Christ to death, they accus'd CHRIST of affecting Monarchy, and so affrighted PILAT, being a mean condition'd fellow, while they threaten'd to let TIBERIUS know he was not CÆSAR's Friend, that he comply'd with their ends. But when at Corinth, where GALLIO (a man of another temper) was Proconsul of Achaia, they would have bin at this sport again, and with a great deal of Tumult had brought PAUL before the Tribunal, GALLIO took it not well, that they should think he had nothing else to do than to judg of Words, and Names, and Questions of their Law; for he car'd no more for the Disputes between the Christians and the Jews, than for those between the Epicureans and the Stoics. Wherefore his Lictors drave them from the Tribunal, and the officious Corinthians, to shew their Love to the Proconsul, fell on knocking them out of the way of other business.

NOW tho the Commonwealth of the Achæans, being at this time a Roman Province under the Proconsul GALLIO, enjoy'd no longer her common Senat, Strategus and Demurges, according to the model shewn in the former Book; yet remain'd each particular City under her antient form of Popular Government, so that in these, especially at Corinth, many of the Grecs being of the same judgment, the Jews could not dispute with the Christians without Tumult. Of this kind was that which happen'd at Ephesus, where Christianity growing so fast, that the Sacerdotts of Diana's Temple began to fear they should lose their Trade; the Jews being better of Heathenism than Christianity, set ALEXANDER, one of their pack, against PAUL.

THIS place (in times when men will understand no otherwise of human story than makes for their ends) is fallen hapely unto my hand; seeing that which I have said of a Roman Province, will be thus no less than prov'd out of Scripture. For the Chancellor of Ephesus perceiving the Ecclesiæ (so it is in the Original) or Assembly

(as in our Translation) uncall'd by the Senat, or the Magistracy to be tumultuously gather'd in the Theater (their usual place, as in *Syracusa* and other Citys, of meeting) betakes himself to appeale the People with divers arguments : among which he has these. First, as to matter of Religion, *You have brought hither, says he, these men which are neither robbers of Temples, (Churches our Bible has it before there was any Church to be robb'd) nor yet blasphemers of the Gods :* In which words (seeing that they offering no scandal, but only propagating that which was according to their own judgment, were not obnoxious to Punishment) he shews that every man had liberty of Conscience. Secondly, as to Law : If *DEMETRIUS and the Craftsmen which are with him have a matter against any man, the Law, says he, is open.* Thirdly, as to the matter of Government, which appears to be of two parts, the one Provincial, the other Domestic : For the former, says he, there are (*ἀνθύπατοι*) Proconsuls (he speaks in the plural number with relation to the Legats, by whom the Proconsul sometimes held his Courts ; otherwise this Magistrat was but one in a Province, as at this time for *Asia* *PUBLIUS SULLIUS*) and to the latter, says he, *if you desire any thing concerning other matters, that is, such as appertain to the Government of the City (in which the care of the Temple was included) it shall be determin'd in a lawful Ecclesia, or Assembly of the People.* By which you may see that notwithstanding the Provincial Government, *Ephesus*, tho she was no free City, (for with a free City the Proconsul had nothing of this kind to do) had (*ἀυτονομία*) the Government of her self (as those other Citys mention'd in *PLINY's* Epistles) by the Senat, and the People, for wherever one of these is nam'd, as the Senat by *PLINY*, or the People by *LUKE*, the other is understood. When the Chancellor had thus spoken, he dismiss'd the *Ecclesia*. It is *LUKE's* own word, and so often as I have now repeated it, so often has he us'd it, upon the same occasion. Wherefore I might henceforth expect two things of Divines ; first, that it might be acknowleg'd that I have good Authors, *LUKE* and the Chancellor of *Ephesus*, for the word *Ecclesia* in this sense ; and secondly, that they would not persuade us, the word *Ecclesia* has lost its signification, lest they condemn this place of Scripture to be no more understood. The manner of Provincial Government being thus prov'd, not only out of profane Authors, but out of Scripture it self ; and the Citys that were least free having had such power over themselves, and their Territories ; why, if the *Romans* took no more of them for this protection, than was paid to their former Lords, did they not rather undertake the patronage of the World than the Empire ; seeing *Venice*, and *Dantzic*, while the one was tributary to the Turk, the other to the King of *Poland*, were nevertheless so free Estates, that of a King, or a Commonwealth that should have put the rest of the world into the like condition, no less in our day could have bin said ? And yet that the *Romans*, when the nature of the Eastern Monarchys shall be rightly consider'd, took far less of these Citys than their old Masters, will admit of little doubt. *CICERO* surely would not ly ; he, when Proconsul of *Cilicia*, wrote in this manner concerning his Circuit, to his friend *SERVILIUS* : *Two days I stand at Laodicea, at Apamea five, at Sinnadæ three, at Pilomelis five, at Iconium ten ; than which Jurisdiction or Government there is nothing more just or equal.* Why then had not those Citys their Senats and their



Book II. *Ecclesia*, or Congregations of the People, as well as that of *Ephesus*, and those wherof *PLINY* gives an account to *TRAJAN*?

*CORINTH* was in *Achaia*; *Perga* of *Pamphylia*, *Antioch* of *Pisidia*, *Iconium*, *Lystra*, *Derbe* of *Lycaonia*, were in *Cilicia*; and with these, as som reckon, *Attalia*. *Ephesus* and the other *Antioch* were in *Syria*. *Achaia*, *Cilicia*, and *Syria*, were *Roman* Provinces at the time of this Perambulation of the Apostles: The Citys under Provincial Administration, whether free or not free, were under Popular Government; whence it follows, that *Corinth*, *Ephesus*, *Antioch* of *Syria*, *Antioch* of *Pisidia*, *Perga*, *Iconium*, *Lystra*, *Derbe*, *Attalia*, being at this time under Provincial Administration, were at the same time under Popular Government. There has been no hurt in going about, for the proof of this; tho indeed to shew that these Citys (had *quandam* *autoritatem*) were under Popular Government, we needed have gone no further than the Text, as where the Chancellor of *Ephesus*, to get rid of a tumultuous *Ecclesia* or Assembly of the People, promises them a lawful one. In *Iconium*, *Lystra*, *Derbe*, and the rest, you hear not of any King (as where *HEROD* stretch'd out his hand to please the *Jews*, and vex the Church) but of the People, of their Rulers, of their Assemblies, and of their Tumults. The People at *Lystra* are now agreed to give the Apostles divine Honors; and anon, both at *Iconium* and *Lystra*, to stone them. Now to determin of divine Honor or of Life and Death, are acts of Sovereign Power. It is true, these nevertheless may happen to be usurp'd by a mere Tumult; but that cannot be said of these Congregations, which consisted as well of the Magistrates and Rulers, as of the People, and where the Magistrates shew that they had no distinct Power wherby to restrain the People, nor other means to prevail against them, than by making of Partys: Which Passages, as they prove these Commonwealths on the one side to have bin ill constituted, evince on the other, that these Citys were under Popular Government.

### CH A P. III.

*The Deduction of the Chirotonia from Popular Government, and of the Original Right of Ordination from the Chirotonia. In which is contain'd the Institution of the Sanhedrim or Senat of Israel by MOSES, and that of Rome by ROMULUS.*

DIVINES generally in their way of disputing have a bias that runs more upon Words than upon Things; so that in this place it will be necessary to give the Interpretation of som other Words, wherof they pretend to take a strong hold in their Controversys. The chief of these has bin spoken to already, *Chirotonia* being a word that properly signifies *the Suffrage of the People*, wherfore it is properly us'd, implies Power; wherfore tho the Senat decrees by Suffrage as well as the People, yet there being no more in a Decree of the Senat than Authority, the Senat is never said to *Chirotonize*, or very seldom and improperly, this word being peculiar to the People. And thus much is imply'd in what went before.

THE next word in Controversy is *Psephisma*, which signifies a *Decree* or *Law*; and this always implying Power, always implies the Suffrage of the People, that is, where it is spoken of Popular Government: for tho a *Psephisma* or Decree of the *Athenian* Senat was a Law for a year before it came to the Suffrage or *Chirotonia* of the People, yet the Law or Constitution of *SOLON*; wherby the Senat had this Power, originally deriv'd from the *Chirotonia* of the People.

THE third Word ( $\kappa\alpha\theta\iota\sigma\tau\acute{\alpha}\iota$ ) signifies to *constitute* or *ordain*; this in the political Sense of the same implies not *Power*, but *Authority*: for a man that writes or proposes a Decree or Form of Government, may be said ( $\kappa\alpha\theta\iota\sigma\tau\acute{\alpha}\iota$ ) to *propose* or *constitute* it, whether it be confirm'd by the *Chirotonia* of the People or not; nay with *HALICARNASSÆUS* the word signifies no more than barely to call or assemble a Senat,  $\beta\omicron\upsilon\lambda\eta\lambda\upsilon\ \upsilon\pi\epsilon\rho\ \tau\iota\upsilon\delta\epsilon\ \kappa\alpha\theta\iota\sigma\tau\acute{\alpha}\nu\alpha\iota$ .

NOW if these Words be sometimes otherwise taken, what Words be there in any Language that are not often us'd improperly? But that understood politically, they must of necessity be understood as I have shewn, or will so, intangle and disorder Government, that no man shall either make head or foot of it, is that which I make little question to evince in the surest way, that is, by opening the nature of the Things whence they derive, and wherof they are spoken by the best Authors.

AND because the Words (tho the things they signify were much more antient) derive all from *Athens*, I shall begin by this Constitution to shew the proper use of them. *Chirotonia* in *Athens*, as has bin shewn out of *SUIDAS* (who speaking of *Rome* refers to this) was Election of Magistrats, or enacting Laws by the Suffrage of the People; which, because they gave by holding up their hands, came thence to be call'd *Chirotonia*, which signifies *holding up of hands*. The Legislative Assembly, or Representative of the People, call'd the *Nomothetæ*, upon occasion of repealing an old Law, and enacting a new one, gave the *Chirotonia* of the People: And yet says the *Athenian* Law ( $\delta\iota\alpha\chi\epsilon\iota\rho\tau\omicron\mu\alpha\iota\upsilon\ \delta\epsilon\iota\ \pi\omicron\iota\omega\iota\ \tau\acute{\alpha}\varsigma\ \pi\rho\omicron\tau\epsilon\iota\varsigma\ \pi\epsilon\rho\ \tau\acute{\alpha}\tau\omega\upsilon\ \tau\omega\upsilon\ \nu\omicron\mu\omega\upsilon$ ) *Let the Proedri give or make the Chirotonia to either Law*. The *Proedri*, as was shewn in the former Book, were the ten Presidents of the *Prytans*; which *Prytans* upon this occasion were Presidents of the *Nomothetæ*. Again, whereas it was the undoubted Right and Practice of the People to elect their Magistrats by their *Chirotonia* ( $\kappa\alpha\upsilon\ \upsilon\mu\epsilon\iota\varsigma\ \epsilon\upsilon\alpha\kappa\alpha\upsilon\ \pi\alpha\lambda\iota\epsilon\varsigma\ \kappa\alpha\upsilon\ \tau\omicron\upsilon\ \delta\epsilon\iota\sigma\epsilon\varsigma\ \kappa\alpha\theta\epsilon\sigma\tau\acute{\alpha}\nu\alpha\iota\ \chi\epsilon\iota\rho\tau\omicron\mu\alpha\iota\upsilon\ \epsilon\pi\alpha\tau\eta\gamma\eta\sigma\iota$ ) it is nevertheless

Demost. contra Timocr.

shewn by *POLLUX* to have bin the peculiar Office of the *Thesmothetæ*, ( $\epsilon\pi\alpha\tau\eta\gamma\eta\sigma\iota\ \chi\epsilon\iota\rho\tau\omicron\mu\alpha\iota\upsilon$ ) to *chirotonize* the Magistrats. For as the *Proedri* were Presidents of the People in their Legislative Capacity, so were the *Thesmothetæ*, upon occasion of Elections: thus the *Chirotonia* of the *Proedri* or of the *Thesmothetæ* signifies nothing else but the *Chirotonia* of the People, by which they had enacted all their Laws, and elected all their Civil or Ecclesiastical Magistrats or Priests, as the *Rex Sacrificus*, and the *Orgeones*, except som by the Lot; which Ordination, as is observ'd by *ARISTOTLE*, is equally popular. This whether ignorantly or wilfully unregarded, has bin, as will be seen hereafter, the cause of great absurdity; for who sees not that to put the *Chirotonia*, or Sovereign Power of *Athens* upon the *Proedri* or the *Thesmothetæ*, is to make such a thing of that Government as can no wise be understood?

Phil. 1.

L. 8. c. 34

Book II. WHAT the People had pass'd by their *Chirotonia*, was call'd *Psephisma*, an Act or Law. And because in the *Nomothetæ* there were always two Laws put together to the Vote, that is to say, the old one, and that which was offer'd in the room of it, they that were for the old Law were said (*ἀποφασίζουσιν*) to pronounce in the Negative; and they that were for the new (*καταφασίζουσιν*) to pronounce for the Affirmative.

THESE Laws, these Propositions, or this frame of Government, having bin propos'd first by *SOLON*, and then ratify'd or establish'd by the *Chirotonia* of the *Athenian* People; *ARISTOTLE* says of him (*τῷ δὲ δημοκρατίαν κατέστησε*) that he *instituted* or *constituted* the popular Government; which Constitution implies not any Power in *SOLON*, who absolutely refus'd to be a King, and therefore the word *καταφασίζουσιν* as to him implies no more than Authority. I have shew'd you the Words in controversy, and the things together in the Mint; now whether they that as to *Athens* introduc'd them both, understood either, I leave my Reader by comparing them to judg.

IT is true that the Things express'd by these Words have bin in som Commonwealths more, in others less antient than the *Greek* Language; but this hinders not the *Greeks* to apply the Words to the like Constitutions or Things, wherever they find them, as, by following *HALICARNASSÆUS*, I shall exemplify in *Rome*.

Lib 2

Ο ΔΕ ΡΟΜΟΥΣ, ἐπειδὴ ταῦτα διέκρινεν, βουλευτὰς ἑαυτὸς ἔγνω καταστήσασθαι. *ROMULUS, when he had distributed the People into Tribes and Parishes, proceeded to ordain the Senat*: in this manner the Tribes were three, and the Parishes thirty; out of every Tribe he elected three Senators, and out of every Parish three more, all by the Suffrage of the People. These therefore came to ninety nine chosen by the *Chirotonia*; to which he added one more, not chosen by the *Chirotonia*, but by himself only: Which Election we may therefore say was made by the *Chirothebia*; for as in this Chapter I am shewing that the *Chirotonia* is Election by the Many, so in the next I shall shew that the *Chirothebia* is Election by One, or by the Few. But to keep to the matter in hand; the Magistrat thus chosen by *ROMULUS* was (*præfatus urbi*) the Protector of the Commonwealth, or he who, when the King was out of the Nation or the City, as upon occasion of war, had the exercise of Royal Power at home. In like manner with the Civil Magistracy were the Priests created (tho som of them not so antiently) for the *Pontifex Maximus*, the *Rex Sacrificus*, and the *Flamens*, were all ordain'd by the Suffrage of the People (*Pontifex Tributis, Rex Centuriatis, Flamines Curiatis*) the latter of which, being no more than Parish Priests, had no other Ordination than by their Parishes. All the Laws, and all the Magistrats in *Rome*, even the Kings themselves, were according to the Orders of this Commonwealth to be created by the *Chirotonia* of the People; which nevertheless is by *APPIAN* sometimes call'd *ἐπιόρχων χειροτονία*, the *Chirotonia* of the Tribuns, whether these Magistrats were Presidents of the Assembly of the People, or elected by them. *Sic Romani Historici non raro loquuntur, Consulens qui comitia habuerit creasse novos Magistratus, non aliam ob causam nisi quia suffragia receperit, Et Populum moderatus est in eligendo.*

Civ. Inst.  
L. 4. cap 3  
§. 15.

Dion. Hal.  
l. 8.

WHAT pass'd the *Chirotonia* of the People, by the *Greeks* is call'd *Psephisma*: *μελλόντος δὲ διαλύσθαι τῆς ἐκκλησίας, ἀνέστη δὲ Μάκωνος υἱὸς καὶ ἐψέφησεν· τὸ μὲν δὲ μὲν ἔχει καλῶς* When the Congregation of the People

ple was to be dismiss, MARCUS standing up, said, Your Psephisma, Chap. 3.  
that is your Act, is exceeding good, &c.

THIS Policy, for the greater part, is that which ROMULUS (as was shewn) is said (κατασκευάσαι) to have instituted or ordain'd, tho it be plain that he ordain'd it no otherwise than by the *Chirotonia* of the People.

THUS you have another example of the three words in controversy (*Chirotonia*, κατασκευάσαι, *Psephisma*) still apply'd in the same sense, and to the same things. Have I not also discover'd already the original right of Ordination, whether in civil or religious Orders? This will be scandalous. How! derive Ordination as it is in the Church of CHRIST, or as it was in the Church of the Jews, from the Religion, or rather Superstition of the Heathens! I meddle not with their Religion, nor yet with their Superstition, but with their Ordination which was neither, but a part of their Policy. And why is not Ordination in the Church or Commonwealth of CHRIST, as well a political thing as it was in the Churches or Commonwealths of the Jews, or of the Heathens? Why is not Election of Officers in the Church as well a political thing, as Election of Officers in the State? and why may not this be as lawfully perform'd by the *Chirotonia* in the one, as in the other?

THAT MOSES introduc'd the *Chirotonia*, is expressly said by PHILO, tho he opposes it to the Ballot, in which I believe he is mistaken, as not seeing that the Ballot including the Suffrage of the People, by that means came as properly under the denomination of the *Chirotonia*, as the Suffrage of the Roman People; which tho it were given by the Tablet, is so called by Grec Authors. All Ordination of Magistrates, or of the Senators or Elders of the *Sanhedrim*, of the Judges or Elders of inferior Courts, of the Judge or Suffes of *Israel*, of the King, of the Priests, of the Levites, whether with the Ballot or *viva voce*, was perform'd by the *Chirotonia* or Suffrage of the People. In this (especially if you admit the Authority of the Jewish Lawyers, and Divines call'd the Talmudists) the Scripture will be clear, but their Names are hard; wherefore not to make any Discourse more rough than I need, I shall here set them together. The Authors or Writings I use, by way of Paraphrase upon the Scripture, are the *Gemara*, *Babylonia*, *Midbar Rabba*, *Sepher Sipbri*, *Sepher Tanchuma*, *Solomon Jarchius*, *Chskuny*, *Abarbanel*, *Ajsh Israel*, *Pesketha Zotertha*. These and many more being for the Election of the *Sanhedrim* by the Ballot, I might have spoken them more briefly; for the truth is, in all that is Talmudical I am assisted by SELDEN, GROTIUS, and their Quotations out of the Rabbys, having in this Learning so little Skill, that if I miscall'd none of them, I shew'd a good part of my Acquaintance with them.

NOR am I wedded to GROTIUS or SELDEN, whom sometimes I follow, and sometimes I leave, making use of their Learning, but of my own Reason. As to the things in this present Controversy, they were no other in Athens and Rome than they had been in the Commonwealth of Israel.

WHEN MOSES came to institute the Senat he ask'd counsil of Namb 11.  
God. And the Lord said, Gather to me seventy men of the Elders of  
Israel; and MOSES went out and told the People the words of the Lord: V 16, 24  
that is, proposed the Dictat of the supreme Legislator to the *Chirotonia*  
of the Congregation. What else can we make of these words of Mo-

SEES to the People? *Take ye wise men, and understanding, and know among your Tribes* (קַח אֲנֹכִי אֲנֹכִי אֲנֹכִי וְיָדְעִים וְיָדְעִים וְיָדְעִים וְיָדְעִים) *and I will constitute them Rulers over you.* Now how the People could otherwise take or chuse these Rulers or Magistrats thus propos'd, than by their *Chirotonia*, let Divines—shew, or notwithstanding the Constitution of MOSES, both the Senat of *Israel*, and the inferior Courts, were decreed by the *Chirotonia* of the People. For the People upon this Proposition resolv'd in the Affirmative, or *answer'd and said, The thing which thou hast spoken is good for us to do.* Thus then was the *Pfephisma* or Decree of the People of *Israel*, whereupon says MOSES (קָמַטְנוּ אֲנֹכִי עִי אֲנֹכִי) *I constituted or ordain'd them Governors.* In which example you have the three words, or the three things again, nor as to the things, is it, or ever was it, otherwise in any Commonwealth. Whence it is admirable in our Divines, who will have *κράτος*, *constitut d*, to be the word of Power, that they do not see by this means they must make two Powers in the same Government, the *κράτος* or Constitution of the *Legislator*, and the *Chirotonia* or Suffrage of the People. or else say that the Commonwealth of *Israel* was instituted by the Power of the Legislator, and the Authority of the People, than which there is nothing more absurd. But the People stand not upon their first *Pfephisma*, or Result, that *the thing was good for them to do*, but did accordingly. The manner of their proceeding at different times was somewhat different, for it was sometimes *ura voce*, sometimes by the Lot, without the Suffrage, and sometimes by the Ballot, which consisted not of the Lot only, but of the Suffrage. Each of these are equally popular (for neither of them gives an advantage to any Person or Party) but not equally prudent ways of proceeding, the Lot committing too much to Fortune, except in some kinds of business, as first in the division of Lands, whence the Suffrage was properly excluded: for the Divisions being made by three Deputies out of each Tribe, if there happen'd to fall some advantage or disadvantage to any man by the Lot, it was equal or impartial; whereas if it had fallen by the Suffrage, it must have bin unequal, or partial. Such was the cause why the Lot in the Division of the Land of *Canaan* was us'd without the Suffrage. In case of a Crime committed by an unknown Author, but among many of whom some one or more must have bin guilty, as in the cases of *ACHAN* and *JONATHAN*, the Lot was also us'd without the Suffrage, somewhat after the manner of Decimation in an Army, when many that are guilty throw the Dice, and he on whom the Lot falls is punish'd; yet with considerable difference, for whereas Decimation is not us'd but for punishment, where the Persons are as well known as the Guilt, this use of the Lot in *Israel* was for the discovery of the unknown Author of some known Crime, that some one of many being put to the question (who if either by his own confession, or other proof he were found guilty, was punish'd accordingly, otherwise not) Men might have less encouragement that their Crimes would be the more hidden, or less punishable for company, or the shadow of it.

WHEN the People were set upon the introduction of a new Magistracy, and car'd not at all who should be the man, as in the Election of *SAUL*, at which time the *Philistines* lay hard upon them, and they look'd upon the Case they hop'd from a King, without coveting the trouble which he was like to have; it seems to me there was a third use of the Lot without the Suffrage. BUT



BUT that the common use of the Lot in *Israel* imply'd also the Suffrage, and was of the nature of the Ballot at this day in *Venice*, is little to be doubted; or you may satisfy your self, when you have consider'd the manner how the Senat or Sanhedrim was first elected (*κατακρίναι*) or constituted by MOSES.

UPON the *Psephisma*, or decree of the Legislator and the People, *The thing which thou hast spoken is good for us to do*, they proceeded to election of Competitors in this manner. Each of the twelve Tribes (to be hereafter as well locally, as they were yet but genealogically divided) were to make the Election, not excluding the Thirteenth, nor yet nominally taking it in; for LEVI, tho genealogically as distinct a Tribe as any of them, yet was not design'd locally so to be, but to have the right of promiscuous Inhabiting, Cohabiting, or Marriage with all or any of the rest, and with right of Suffrage accordingly; for this cause the Tribes being Thirteen, are reckon'd but Twelve. So each of the twelve Tribes elected among themselves by their Suffrages, six wise men, and understanding, and known among them; who being elected, were written; and being written, were deliver'd each in a several Scrol to MOSES. MOSES having receiv'd all the Scrols had seventy two Competitors, which caus'd a Fractiō; for the Senat, as is plain by the Text (*gather me seventy men, that they may stand with thee*) was to consist but of Seventy with MOSES, that is, in all, of seventy one. So MOSES having two Competitors more than he needed, caus'd two Urns to be brought, into one of which he cast the seventy two Competitors, or Names written in the Scrols; and into the other seventy two Scrols, of which two were blanks, and seventy were inscrib'd with the word *Presbyter*. This being don, the whole Congregation pray'd, and when they had pray'd gave forth their Lots.

THE Lots were given forth after this manner. First a Lot was drawn out of the Urn of the Magistracy, then another out of the Urn of the Competitors. The Competitor to whose name a Blank was drawn, departed: but he to whose name a Prize was drawn, or given forth, became a Magistrat.

THEY who had thus gain'd Magistracy were *ἐνκαταβηταὶ*, by this *Psephisma* decreed to be together of the number of the seventy Elders. But whereas in the Urn of Magistracy there were two Blanks, two that had bin written Competitors must of necessity have fail'd of Magistracy. So ELAD and MEDAD being of them that were written Competitors by the Tribes, yet went not up to the Tabernacle; Numb. 11. that is, attain'd not to be (*ἐνκαταβηταὶ*) number'd among the seventy, who were to sit in the Court of the Tabernacle; as afterwards they did in the Pavement, or stone-Chamber, in the Court of the Temple.

IN this place I shall mind you but once more of the three Words in controversy. MOSES the Legislator (*κατίστας*) constituted the People *chirotoniz'd*; and that which they had *chirotoniz'd*, was *Psephisma*, their Decree.

THERE be in these times that are coif'd with such Opinions, that to shew Scripture to be Reason, is to make it lose weight with them; and to talk of the *Talmudists*, is to profane it: Of these I shall only desire to know how they understand that place of ELAD and MEDAD; for if they can no otherwise make sense of it than as

Book II.

I have don, it is a sufficient proof (letting the *Talmudists* go) of all that I have said. What therefore has the Hierarchy, and the Presbytery for their opinion that the Sanhedrim was instituted by the *Chirothesia*, or Imposition of Hands?

THERE is in the Old Testament no mention of laying on of Hands by way of Ordination, or Election, but only by MOSES in the designation of JOSHUA for his Successor: and in this MOSES did first as ROMULUS afterwards in the Election of the Prefect or Protector of Rome, but upon a far greater exigence; for the Commonwealth of Rome, when ROMULUS did the like, was seated or planted, but the Commonwealth of Israel, when MOSES did this, was neither seated nor planted, nor indeed a Commonwealth, but an Army design'd to be a Commonwealth. Now between the Government that is necessary to an Army, and that which is necessary to a Commonwealth, there is a vast difference. The Government even of the Armys of Rome, when she was a Commonwealth, was nevertheless Monarchical: in this regard MOSES himself exercis'd a kind of Dictatorial Power for his life; and the Commonwealth being not yet planted, nor having any Balance wherupon to weigh her self, must either have bin left at his death to the care of som Man whom he knew best able to lay her Foundation, or to extreme hazard. Wherefore this Ordination, which was but accidental, regarding the present military condition of the People, MOSES most prudently distinguishes from the other; in that he shew'd them how they should manage their Commonwealth, in this he bequeaths them the Man whom he thinks the most likely to bring them to be a Commonwealth: of which judgment and undertaking of MOSES, JOSHUA the next illustrious Example, most worthily acquitted himself.

THERE is in these Elections another remarkable passage, but such a one as, being so far from political that it is supernatural, does not properly appertain to this discourse, and so I shall but point at it. When the Elders, thus chosen, were set round about the Tabernacle, the Lord came down in a cloud, and took of the spirit of MOSES, and gave it to the seventy Elders; and it came to pass, that when the Spirit rested upon them, they prophesied and did not cease. So JOSHUA was full of the Spirit of Wisdom, for MOSES had laid his hands upon him. And PAUL minds TIMOTHY, Stir up the Gift of God which is in thee by the laying on of my hands. But the *Talmudists* themselves do not pretend that their Ordination was further accompany'd with supernatural indowments than the first Institution; and if Divines were as ingenuous, no less might be acknowledg'd of theirs. MOSES was a Prophet, the like to whom has not bin in Israel; and has there bin an Apostle like PAUL in the Christian Church? Every body cannot do Miracles, we see they can't. Take heed how you deny Sense, for then bread may be flesh. If we be not to make choice of a political Institution without a miraculous test or recommendation; either Ordination was at first accompany'd with supernatural Gifts, and from thenceforth, as I conceive, neither. Divines methinks as such should not be so much concern'd in the Ordination of the Sanhedrim, or of JOSHUA, who were Magistrate, as the People or the Magistrate: yet if these should hence infer that their Election, Ordination, or Designation of persons confer'd supernatural Gifts, Divines would hardly allow of it; and why are the People, or the Magistrate oblig'd to allow

Numb. 11.  
24, 25.

Deut. 34. 9.

1 Tim. 1. 6.

allow more to that of a Clergy ? To return.

SUCH as I have shewn was the Ordination of the Senat, or great Sanhedrim, that of the lesser Sanhedrim, or inferior Courts, was of like nature, for it follows; *I took the chief of your Tribes, wise men and known (ἐπιστάτας) and made them Heads over you, Captains of thousands, and Captains of hundreds, &c.* which were other Magistrats than according to our custom, we should readily expect to be intimated by such words, for they were the Judges of the inferior Courts, those that sat in the gates of each City, and others that appertain'd to the Villages, as in the next Verse: *And I charg'd your Judges at that time, saying, Hear the Causes, and judg righteously.*

Deut. 15.

THE next Magistrat whose Election coms to be consider'd is the Dictator, or Judge of Israel. Where it is said of this People, that the Lord rais'd them up Judges, which deliver'd them out of the hands of those that spoil'd them, it is to be understood, says SIGONIUS, that God put it into the mind of the People to elect such Magistrats, or Captains over them. For example, when the Children of Ammon made war against Israel, God rais'd up JEPHTHA, whose Election was after this manner: *The Elders went to fetch JEPHTHA, out of the Land of Tob, and when they had brought him to Mizpeh (which in those days was the place, where ἐκκλησία Ἰσραὴλ, the Congregation of Israel usually assembled) the People made him Head and Captain over them.* Now that the Election of the King was as much in the Chirotonia of the People, as that of the Judge, is past all Controversy, seeing the Law speaking of the People says thus: *One from among thy Brethren shalt thou set King over thee;* and accordingly when the Government was chang'd to Monarchy, it was not SAMUEL, but the People that would have it so; thus SAUL was chosen King by the Lot. Where the contradiction of GROTIUS is remarkable, who in this place to shew that the Lot is of Popular Institution, quotes ARISTOTLE; and yet when he coms to speak of the Lots that were cast at the Election of MATTHIAS, says it was that it might appear not whom the Multitude, but whom God had ordain'd; as if the Magistrat lawfully elected by the People, were not elected by God, or that the Lot which thus falls into the Lap were not at the disposing of the Lord. But if the League by which the People receiv'd DAVID into the Throne, or the Votes by which first the People of Jerusalem, and afterwards the Congregation of Israel (as was shewn in the former Book) made SOLOMON King, were of the Lord; then Election by the People was of the Lord and the Magistrat that was elected by the Chirotonia of the People, was elected by the Chirotonia of God: for as the Congregation of Israel is call'd in Scripture (ἐκκλησία Ἰσραὴλ) the Ecclesia or Congregation of God; so the Chirotonia of this Congregation is call'd by JOSEPHUS (ἐν χιροτονίᾳ) the Chirotonia of God, who, as I noted before out of CAPELUS, was in this Commonwealth Political King, or Civil Legislator (sans comparaison) as SOLON in Athens, and ROMULUS in Rome; that is to propose to the People (Hæc est lex quam MOSES proposuit) and whatever was propos'd, by God, or the lawful Magistrat under him, and chirotoniz'd or voted by the People, was Law in Israel, and no other. Nay, and the People had not only power to reject any Law that was thus propos'd, but to repeal any Law that was thus enacted: for if God intending Popular Government should have ordain'd it otherwise, he must have contradicted himself;

Judg 2 16

De Rep Heb

Judges 11

Deut 17 15.

Arist Pol.

B 6 c 21

De Imp. S.P.

c 10.

Judges 20.

Jos 1. 4.

## Book II.

Josephus, 16  
c 5

himself, wherefore he plainly acknowledges to them this power, where (*ὅτι αὐτοὶ χιροτονήσαντες τὸν βασιλέα*) they rejected him (whom they had formerly chirotoniz'd or chosen King) that he should not reign over them; and elected SAUL. This if God had withstood by his Power, he must have introduc'd that kind of Monarchy which he had declar'd against; wherefore he chose rather to abandon this sottish and ingrateful People to the most inextricable yoke of deserv'd slavery, telling them, when he had warn'd them and they would not hear him, that they should cry to him and he would not hear them, one title of whose words pass'd not unfulfill'd.

BY this time I have shewn that all the Civil Magistrats in Israel were chosen by the *Chirotonia* of the People, or, to follow JOSEPHUS, by the *Chirotonia* of God, which is all one; for the *Chirotonia* of the President of the Congregation, as I have instanc'd in that of the *Proedri*, of the *Thefmothetæ*, of the Consuls, of the Tribuns, and the *Chirotonia* of the Congregation is the same thing, and of the Congregation of Israel God, except only at the voting of a King, was President.

TO com then from the Civil Magistrats to the Priests and Levites, these were chosen in two ways, either by the Lot, or by the *Chirotonia*.

THE office and dignity of the High Priest being the greatest in Israel, and by the institution to be hereditary, caus'd great disputes in the Election: to this MOSES by the command of God had design'd AARON his Brother; which Designation, the Command of God being at first either not so obvious as that relation, or the ambition of others so blind that they could not or would not see it, caus'd great combustion. First, thro the conspiracy of KORAH, DATHAN, and ABIRAM; and next by the murmuring of the Princes of the Tribes, all emulous of this Honor. KORAH being not only a great man, but of the Tribe of LEVI, could not see why he was not as worthy of the Priesthood, consideration had of his Tribe, as AARON; and if any other Tribe might pretend to it, DATHAN and ABIRAM being descended from REUBEN were not only of the elder House, but troubld to see a younger prefer'd before them. Wherefore these having gain'd to their Party three hundred of the most powerful men of the Congregation, accus'd MOSES of affecting Tyranny, and doing those things which threaten'd the Liberty of the Commonwealth; as under pretence of Divination to blind the Eyes of the People, preferring his Brother to the Priesthood without the Suffrage of the Congregation: of which charge MOSES acquitting himself in the Congregation, tells the People that AARON was chosen both by God, and (said the outrageous people with rebellion) by their Suffrages, which (KORAH being upon this occasion miraculously destroy'd) were thereupon once more given by the People. Nevertheless the Princes of the Tribes continuing still discontented, and full of murmur, God decided the Controversy by a second miracle, the budding of AARON'S Rod: (and soon after this miracle the Lord appeared unto MOSES, saying, Lay the rods before thee, the tribe which I have chosen, I will give thee, and I will be to thee as a Father.) being here confirm'd by the *Chirotonia* of God, he was confirm'd in that honor. Now that the *Chirotonia* of God in this place of JOSEPHUS signifies the *Chirotonia* of the People, is plain by that in Scripture, where they made SOLOMON KING, and chose to him Peace. After the Captivity, &c.

Numb 16  
Josephus 4Chron 29  
22

in other things, so in this power the Sanhedrim came, as I conceive, to overreach the People: JOSHUA the Son of JOSEPH being thus elected high Priest by the Sanhedrim, and this Honor thenceforth (as appears by MAIMONIDES) being at the disposing of this Court. Nor could any inferior Priest serve at the Altar, except he had acqui'd that right by the Lot, as is not only deliver'd by the same Author and by JOSEPHUS, but in Scripture. Now the Lot, as was shewn, giving no Prerogative either to any person or party, is as popular an Institution as the *Chirotonia*. So in election of Priests, the Orders of *Israel* differ'd not from human Prudence, nor those of other Commonwealths, the Priests of JUPITER having bin elected after the same manner in the Commonwealth of *Syracusa*; the *Augustales*, and the *Vestals* in that of *Rome*: and if the right of bearing holy Magistracy, being in *Israel* confin'd to one Tribe or Order, may seem to make any difference, it was for some time no otherwise in *Athens*, nor in *Rome*, where the Patricians or Nobility assum'd these Offices, or the greatest of them to themselves, till the People in those Citys disputed that Custom, as introduc'd without their consent, which the People of *Israel* could not fairly do, because it was introduc'd by their consent.

TO com to the *Levits* in their original Ordination, God commanded MOSES saying, *Thou shalt bring the Levits before the Tabernacle of the Congregation, and thou shalt gather the whole assembly of the Children of Israel, and they shall put their hands upon the Levits.* This in the sound of the words may seem to imply the *Chirothesia*, or Imposition of Hands, but take heed of that; Divines will not allow the *Chirothesia* to be an Act of the People: but in this proceeding the whole people acted in the Ordination of the *Levits*, wherefore the *Levits* also were ordain'd by the *Chirotonia*, Consent, Vote, or Suffrage of the whole People imply'd in this action. But for the Ordination of Priests and Levits, whatever it was, it is not to the present purpose; Divines deriving not theirs from Priests and Levits, but from Dukes, Generals and Magistrats, from that of JOSHUA and of the Sanhedrim, always provided, that this were of the same nature with the former, that is, by the *Chirothesia*, or Imposition of Hands, and not by the *Chirotonia* of the People. However the Ordination of the Magistracy was certainly Political; and so in this deduction they themselves confess that their Ordination also is a Political Constitution: yet whereas MOSES is commanded by God to bring AARON and his Sons to the door of the Tabernacle of the Congregation, and having wash'd them there, to adorn them with the Priestly Robes, with the Miter, and to anoint them; whereas he is commanded (the Children of *Israel* having first laid their hands upon the Levits) to cleanse them, and offer them for an Offering: Divines of the Hierarchy and the Priesthood (tho it be otherwise with WALLIUS and such as acknowledge Popular Government) give the Congregation, or Consent of the People for nothing, and put the whole Ordination of the Priests and Levits upon the washing and cleansing, or other Ceremonys of Consecration: as if to put the Ordination of SAUL upon the Ceremony of anointing by SAMUEL, tho perform'd by the immediate Command of God, were not absolutely contradictory to Scripture, and to the known Law of *Israel*, which speaking of the People, expressly says, *One from among thy Brethren shalt thou set King over thee;*

Chap. 3.

Grot ad Hag 1. 1. Joseph de Bel Jud 1. 4. Maimon. Hal Cele Hamikdash, cap 4. & 5. 2 Chron 24. 5 & 25 8. & 26 13

Numb 8. 9. 10.

Exod 29

Numb 8.

upon



upon which place says PHILO, *Most wise MOSES never intended that the Royal Dignity should be acquir'd by Lot, but chose rather that the King should be elected by the Chirotonia, or suffrage of the whole People. The Congregations of the People assembled upon this as upon other public affairs, and requir'd a sign or confirmation from God: so far as much as by his will Man is to the rest of Nature, what the Face is to the Body. Wherto agrees that of the Heathens, Os homini sublime dedit, Cælumque tueri jussit, and their Divinations upon the like occasions by Intrals, none of which were ever understood as destructive of the liberty of the People, or of the freedom of their Chirotonia.*

WHERE SOLOMON is made King, and ZADOC Priest by the People, tho the Ceremony of anointing was doubtless perform'd, and perhaps by the Prophet NATHAN, it is wholly omitted in the place as not worth the speaking of. The opinion that the Ordination of the Priests and Levites lay in the Ceremonys of their Consecration, is every whit as sober and agreeable to reason, as if a Man should hold the Kings of England to have bin made by the Unction of the Bishops. *Israel* from the Institution of MOSES to the Monarchy, was a Democracy, or Popular Government; in Popular Government the Consent of the People is the Power of the People, and both the Priests and Levites were ordain'd by the Consent of the People of *Israel*.

TO bring these things to the Citys in the perambulation of the Apostles, which by the former Chapter I have prov'd to have bin Popular Governments; it is acknowledg'd by GROTIUS to the Citys of *Asia*, not only that they us'd the *Chirotonia*, but in the strictest sense of the word, that is, to give their Suffrage by the holding up of Hands. And that they had the liberty of their Religion, the choice of their Magistrats, both Civil and Ecclesiastical in their *Ecclesia*, or Congregations, has bin also undeniably evidenc'd; whence it must needs follow that there were Citys in *Asia* (*χειροτονήσαντες αὐτοὺς ὑπερβόλις καὶ ἐκκλησίαις*) *chirotonizing or ordaining them Elders*, that is, Magistrats and Priests in every Congregation (with Reverence be it spoken) long before CHRIST was in the flesh, or the Apostles any of them were born. Wherefore to sum up what in this Chapter I conceive to be sufficiently prov'd, I may boldly conclude, *That the Chirotonia derives from popular Constitution, and that there was a way of Ordination by the Chirotonia.*

#### CHAP. IV.

*The deduction of the Chirothesia from Monarchical or Aristocratical Government, and of the second way of Ordination from the Chirothesia. In which is contain'd the Commemurallib of the Jews as it stood after the Captivity.*

WHAT pleases the Prince, says JUSTINIAN, has the force of a Law, *striking the People in his Creation have deriv'd their whole Power upon his Person; which is with the most. But when Popular Government is chang'd into Monarchical, either the whole Power of the People, or a great part of it must of necessity accrue to the King.*  
Hence

Hence says SAMUEL, he will appoint him Captains over Thousands, and Captains over Fiftys: in which words perhaps is intimated the Judges of the inferior Courts, or Jerubonian Prefectures, so that hereby SAMUEL tells the People they shall no more have the Election of their Rulers, but the King will have it; who, it may be, chang'd the nature of som of these Magistracies, or added others; for when DAVID came to reign over all Israel, JOAB was over the Host (his Strategus or General) JEHOSHAPHAT was Recorder, ZADOK and ABIMELEC were the Priests, SERAIAH was the Scribe, and BEN-NAIAH was over the Pelethits, and the Cherethits; that is, was Captain of his Regiments of Guard, call'd perhaps by these names, as those of ROMULUS were call'd Celeres. But it should seem that few or none of these Officers were elected by the *Chirotonia*, that is by the People, but by the Prince, which kind of Election, as will be shewn anon, may be call'd *Chirothesia*. For the deduction of this kind of Ordination, or Election, we shall do well to hearken first to Dr. HAMMOND; who in his Query, or Discourse concerning Ordination by the Imposition of Hands, puts it thus. *To lift up the Hands was a Ceremony in Prayer, and accordingly to lay hands on any (differing no otherwise from lifting up, than by the determining that Action to a particular Object, the Person that was pray'd for) was generally among the Jews a Ceremony of benediction us'd first by the Father to the Children, in blessing the Blessing upon them (and with that a succession to som part of his Estate or Inheritance) as appears in JACOB's blessing the Children of JOSEPH: he stretch'd out his right hand, and laid it upon EPHRAIM's head, and his left hand on MANASSES, and so he blest'd, &c. From thence it was accommodated among them to the communicating of any part of Power to others as assistants, or to the deriving of any successive Office from one to another. Thus when MOSES had from Heaven receiv'd, and long us'd his Commission to be under God the Ruler of the People, the seventy Elders were by God's appointment assum'd to assist him: it being certain from the Jewish Writings, tho the sacred Scripture has no occasion to mention it, that the succession of the seventy Elders under the name of Sanhedrim or Council was continu'd thro all Ages by their creating others in the place of those that dy'd, by this Ceremony of Imposition of Hands. To this purpose are the clear words of MAIMONIDES: MOSES our Master created the seventy Elders by Imposition of Hands, and the Divine Majesty rested on them; and those Elders impos'd Hands on others, and others on others, &c. So a little before the departure of MOSES out of this life, when a Successor was to be provided for him, God commands him to take JOSHUA, and lay his hands upon him. And Moses laid his hands upon him, and gave him a Charge as the Lord commanded by the hand of MOSES: that is, deriv'd to him by this Ceremony the Authority which himself had, and constituted him his Successor in that Government. And so it is repeated, JOSHUA was full of the spirit of Wisdom, for MOSES had laid his hands upon him.*

THIS is the Doctor's deduction of the *Chirothesia*, or Ordination by the laying on of Hands, from the Commonwealth of Israel: and, says he, from the three Uses of this Ceremony there, that is, first in praying for another; secondly, in paternal benediction; thirdly, in creating Successors in power, either in whole, or in part, derive three sorts of things in the New Testament, to which this Ceremony of laying on of Hands

Chap. 4.

1 Sam 8 12

1 Sam 8 15

1 Cor 12 11

Exod 17 11

Gen 48 14

Numb 11

17

The Similitude

6 4

Numb 12 13

12, 13

Deut 34 9

accm-

Book II accommodat'd. That of Prayer simply taken was of two sorts, either for  
 Mar 16 18 the cure of Diseases, or pardoning of Sins. For Diseases: They shall  
 lay hands on the sick, and they shall recover. For Sins they were don  
 away also by this Ceremony in the absolution of Penitents, to which belongs  
 1 Tim 5 22 that Exhortation of PAUL to TIMOTHY, Lay hands suddenly on no  
 man, that is, not without due examination and proof of his Penitence,  
 lest thou be partaker of other men's Sins. From the second, that of Pa-  
 Mar 10 16 ternal Benediction, was borrow'd, first that of blessing Infants with the  
 Ceremony of Imposition of Hands, as it differ'd from Baptism. And se-  
 condly, that of confirming those of fuller age, that had bin formerly baptiz'd.  
 Lastly, to the creating Successors in any Power, or communicating any  
 part of Power to others, as to Assistants, is answerable that Imposition of  
 Acts 6 Hands in Ordination so often mention'd in the New Testament, sometimes in  
 the lower degree, as in the ordaining of Deacons, elsewhere in the highest  
 degree, setting Governors over particular Churches, as generally when by  
 that laying on of Hands it is said, they receiv'd the Holy Ghost;   
 Luke 24 49 when as the Holy Ghost contains all the *χαρίσματα* requir'd to the pastoral  
 Function, and so signifys Power from on high: the Authority and Function  
 itself, so it be given by Imposition of Hands, makes the parallel exact be-  
 tween this of Christian Ordination, and that observ'd in the creating Suc-  
 cessors in the Jewish Sanhedrim. So far the Doctor.

NOW say I, if the Scripture be silent as to the Ordination of the  
 Deut 1 Elders in Israel, what means that place; Take ye wise men, and under-  
 standing, and known among your Tribes, and I will make them Rulers over  
 you? Once in their lives let them give us the sense of it, or of that  
 other, where ELDAD and MEDAD were of those that were written, and  
 yet went not up to the Tabernacle: Otherwise that we hear no more of  
 Numb 11 these, is from the silence of Divines, and not of the Scripture. But  
 if the Scripture be not silent in this point, is there not a great deal of  
 fancy in going on to cure the Sick, to pardon Sins, to bless Infants, con-  
 firm the Baptiz'd, ordain Ministers, nay, give the Holy Ghost, and all  
 the Graces belonging to the pastoral Function, from a place that has no such  
 thing in it? for if the Sanhedrim according to Scripture were not ordain'd  
 by the *Chirothesia*, there is no such thing to be deriv'd by the *Chirothesia*  
 from the Sanhedrim. The first *Chirotonia* indeed of the Sanhedrim  
 was accompany'd with miraculous indowments; wherefore if they  
 will derive these Gifts and Graces from the Sanhedrim, why are they  
 sworn Enemies to the *Chirotonia*? Again, the Sanhedrim was a Civil  
 Court or Senat; wherefore then by this Title should not these  
 Gifts and Graces be rather pretended to by the Civil Magistrat, than  
 by Divines? What becoms of the Priest AARON and his Lots? is he  
 left to the Civil Magistrat, while Divines derive themselves from Ge-  
 neral JOSHUA and his *Chirothesia*? But if the Sanhedrim and infe-  
 rior Judicatorys were otherwise ordain'd originally; then no Magi-  
 strat in Israel was originally ordain'd by the *Chirothesia*, but only  
 JOSHUA. It is admirable that Divines should look upon God, as if in  
 the institution of a Commonwealth he had no regard at all to human  
 Prudence, but was altogether fix'd upon their vain advantages. Who  
 made human Prudence? or to what end was it made? Any man that  
 understands the Policy, and considers that God was now proceeding  
 according to this Art (as in his constitution of the Senat, and of the  
 People or Congregation, is most obvious) must needs see that this  
 Power he indulg'd to Moses of making his own choice of one

man; could not possibly be intended as a permanent Constitution; for whereas he intended Popular Government, nothing is plainer than that a People not electing their own Magistrats can have no Popular Government. How absurd is it to conceive that God having already made an express Law, that the People if at any time they came under Monarchy, should yet have the election of their King, would now make a Law that the People being under a Commonwealth, should no longer have the election of their Magistrats? For who sees not that to introduce the *Chirothesia* as a standing Ordinance, had bin to bar the People of this power? *Israel* at this time, tho design'd for a Commonwealth, had no Land, no foundation to balance her self upon, but was an Army in a Wilderness, incompass'd about with Enemies. To permit to the People in this case, the choice of all their Civil Magistrats, was nevertheless safe enough, nay best of all: for at the election of wise men, and understanding, and known among their Tribes, so far as was needful to civil administration, their skill must needs have bin at any time sufficient; but the Commonwealth was yet in absolute necessity of a Protector, and of Dictatorial Power. Now to know who was fittest in this case to succede MOSES, requir'd the Wisdom of God, or of MOSES; and therefore was not yet late to be ventur'd upon a People so new in their Government. For these reasons, I say, MOSES us'd the *Chirothesia* for once, and no more; or let them shew me among all the Dictators, Judges, or Kings, that succeeded JOSHUA, any one that was chosen by the *Chirothesia*, and be all Dictators. It is now above three thousand years since the institution of the Sanhedrim, from which time the ambitious Elders first, then the Talmudists, and of latter ages Divines have bin perpetually striving for, or possessing themselves of this same Oligarchical Invention of the *Chirothesia* pretended to be deriv'd from MOSES; tho there be neither any such Precept of God or Christ in the Old or New Testament, nor any unanimous result upon the point, either by the Talmudists or Divines themselves. And for the clear words quoted by the Doctor out of MAIMONIDES, they are such to which I shall in due time shew MAIMONIDES to be elsewhere of a clear contrary opinion. But in this Controversy, without yom clearer deduction of the *Chirothesia*, we shall make no happy progress; in this therefore I shall follow SELDEN the ablest Talmudist of our age, or of any.

THE Commonwealth of *Lacedemon* (if I could stand to shew it) has strange-resemblances to that of *Israel*, not only in the Agrarian, which is nothing to the present purpose, but in the Senat, which to prevent catching another time, I do not say was a Judicatory only, but not only a Senat, but a Judicatory also. For LYCURGUS of all other Legislators was in this the likest to God, or to MOSES, that his work was so exquisitely perfected at once, and his Laws so comprehensive, that if the Senat had had no other function than to make or propose new Laws there being little or nothing of that wanting, they would have had little or nothing to do. Now it being thus, and much more than thus in *Israel*, the Sanhedrim was not only the Senat, but the supreme Judicatory. And because one Court in a Territory of any Extent is no where sufficient to this end; therefore the Sanhedrim had divers branches diffused not only to the Citys of *Judea*, but even to the Villages; these were call'd the Lesser Sanhedrim, or the *Jethroonian Presbyteries*.

Book II. THE Great Sanhedrim consisting, as has bin shewn, of 70 Elders, sat first in the Tabernacle, and afterwards in the Court of the Temple.

SeldeneSyn.

THE *Jethronian* Prefectures consisted som of three and twenty Elders, and others but of three. Of the former kind there were two in the gates of the Temple, and one sitting in the gates of every City; of the latter there was one almost in every Village.

Vol. Grot. ad  
Deut. 17. 8.

THE power of the *Jethronian* Court, consisting of twenty three Elders, was in matter of Judicature equal with that of the great Sanhedrim, only in cases of difficulty they observ'd this Precept. *If there arise a matter too hard for thee in judgment between Blood and Blood, between Plea and Plea, between Stroke and Stroke, being matter of Controversy within thy gates; then shalt thou arise, and get thee up into the place which the Lord thy God shall chuse (in the future, for the Commonwealth was yet but design'd, not plant'd) and thou shalt com to the Priests and the Levites, and to the Judge that shall be in those days, and inquire, and they shall shew thee the sentence of Judgment: That is, thou shalt consult the Sanhedrim, or if there be no Sanhedrim, the Suffes or Judge of Israel.* The reason why the Sanhedrim in this Text is mention'd under the name of the Priests and Levites is, that these about the beginning of this Commonwealth having (as were also the Egyptian Priests at the same time) bin the learnedst Men, whether for Lawyers, or Physicians, there were scarce any other chosen into the Sanhedrim, tho towards the latter end it happen'd to be far otherwise. For whereas sacrificing was ceasing, the Priests injoying a fat Idleness, became in latter times so heavy, that as to the Election of the Sanhedrim not only the Levites of inferior rank were upon the matter wholly laid by, but the High-Priest himself sometimes omitted, the rest of the Tribes far excelling this in Learning.

THE power of the *Triumvirats*, or three Judges in the Villages, extended no farther than to inflict stripes to a certain number, and pecuniary mulcts to a certain sum. These possibly had the same recourie upon occasion of difficulty to the Judges in the Gates, as the Judges in the Gates had to the Sanhedrim: but their power is not so much to the present purpose, which regards only their manner of Election. This having bin institutively exercis'd, as has bin shewn by the *Chirotonia*, or Ballot of the People, came sooner or later (I find no man that can resolve upon the certain time) to the *Chirothesia*. For tho when a Judge in the gates was dead, that Court elected his Successor out of their Disciples (each Court in the Gates had 99 Disciples that were their constant Auditors) or out of the *Triumvirats*; and when an Elder of the Sanhedrim dy'd, the Sanhedrim elected his Successor out of the Courts in the Gates, more particularly those in the Gates of the Temple by Suffrages; yet no man was capable of being elected into any of these Courts that was not a Presbyter, nor was any man a Presbyter that had not receiv'd the *Chirothesia*: nor could any man confer the *Chirothesia* that had not first receiv'd it, or bin so ordain'd a Presbyter himself: nor tho he were so ordain'd, could he confer the like Ordination, but in the presence of two others, whether ordain'd or not ordain'd; and no Ordination could be confirm'd but either this way, or by som one of the Judicators. The manner how this Ordination was confirm'd, if the party were present, was either by laying on of Hands, or by saying a Verse or Charm; or if he were absent, by a Letter, or Patent.

Mikotzi Mif  
na Gemara.

Abr. Zaccuth.  
Maimonides.



AN Elder thus ordain'd was call'd *Rabbi*, might have Disciples, Chap. 4.  
 teach, practise, or expound the Law, declare what was thereby free  
 or forbidden (which with them was call'd *binding and loosing*) ordain  
 others with the assistance mention'd, or be capable of Election into  
 some one, or any Court of Justice, according to the nature of his Or-  
 dination, the Conditions mention'd at the conferring of the same, or the  
 gift that was in him by the laying on of the hands of the Presbytery: which  
 in some extended no farther than to shew how Meat should be kill'd and  
 dress'd, how Uncleanneſs should be purify'd, what were Vices of the  
 body, what might be eaten or drunk, and what not; in others it ex-  
 tended to some one or more, or all the Facultys express'd; but I am  
 inclining to believe that a plenary Ordination us'd not to be confer'd but  
 by the great Sanhedrim, or at least some one of the *Jethronian* Courts.

THEY us'd also to confer this Ordination some time occasionally,  
 and for a season in this manner. *Receive the gift of judicary Ordina-* Maimon Tit.  
*tion, or the right of binding and loosing, till such time as you return to* San. cap. 4.  
*us in the City.* Where the Christian Jews still following their former  
 Customs in higher matters, as the observation of the Sabbath, and of  
 Circumcision, even to such a degree, that PAUL not to displease them  
 took TIMOTHY and circumcis'd him, seem to me to have follow'd  
 this custom, who, when the Prophets at *Antioch* had inform'd them  
 that PAUL and BARNABAS were to be separated to an extraordi-  
 nary work, laid their hands upon them, and sent them away: for other-  
 wise as to Ordination PAUL and BARNABAS had that before; at least  
 PAUL by ANANIAS, and for any such Precept in the Christian Re-  
 ligion there was none, AEs. 13 3  
 AEs. 9. 12

JOSEPHUS, PHILO, and other Authors that tell us the Com-  
 monwealth of *Israel* was an Aristocracy, look no farther than the in-  
 troduction of the *Chirothesia* by the Presbyterian Party, which must  
 have taken date some time after the Captivity, or the restitution of the  
 Commonwealth by EZRA, there being not one syllable for it in  
 Scripture, but enough to the contrary, seeing God introduc'd the *Chi-*  
*rotonia*. By which it is demonstrable that a Presbyterian Party may  
 bring a Popular Government to Oligarchy, and deface even the work  
 of God himself, so that it shall not be known to after-ages; as also  
 that Ecclesiastical Writers (for such are the *Talmudists*) may pretend  
 that for many hundred years together, as Divines also have don, to be  
 in Scripture, which neither is, nor ever was there. But have I yet  
 said enough to shew that Ordination, especially as in this Example,  
 not of a Clergy, but of a Magistracy, whether by the *Chirotonia*, or  
*Chirothesia*, is a Political Institution? or must I rack my brains for Ar-  
 guments to prove that an Order or a Law having such influence upon  
 the Commonwealth, that being introduc'd or repeal'd, it quite alters  
 the whole frame of the Government, must needs be of a political nature,  
 and therefore not appertain to Divines, or to a Clergy, but to the Ma-  
 gistrat, unless their Traditions may be of force to alter the Govern-  
 ment as they please? All is one, they can abate nothing of it, let what  
 will com of the Government, the *Chirothesia* they must and will have.  
 Then let them have Monarchy too, or Tyranny; for one of these,  
 according as the balance happens to stand with or against their *Chiro-*  
*thesia*, is the certain consequence; either Tyranny as in *Israel*, or Mo-  
 narchy as in the *Papacy*; and, from that or the like Principle, in all

*Gath* Enquiries: which Examples, to begin with *Israel*, well deserve the pains to be somewhat more diligently unfolded.

ALL Elections in *Israel*, save those of the Priests who were eligible by the Lot, being thus usurp'd by the Priestly Party, and the People by that means divested of their *Chirotonia*; some three hundred years before CHRIST, HILLEL Senior High Priest, and Archon or Prince of the Sanhedrim, found means to draw this Power of Ordination, in shew somewhat otherwise, but in effect to himself, and his *Chirothesia*: for by his influence upon the Sanhedrim it was brought to pass, that whereas formerly any man ordain'd might, in the manner shewn, have ordain'd his Disciples, it was now agreed that no man should be ordain'd without the Licence of the Prince, and that this Power should not be in the Prince, but in the presence of the Father of the Sanhedrim, or Speaker of the House. Thus the Aristocracy of *Israel* becoming first Oligarchical, took (according to the nature of all such Governments) long steps towards Monarchy, which succeeding in the *Asmonean* Family, commonly call'd the *Maccabees*, was for their great merit, in vindicating the *Jews* from the Tyranny of ANTIOCHUS, confirm'd to them by the universal consent and *Chirotonia* of the People. Nevertheless to him that understands the Orders of a Commonwealth, or has read the *Attican*, *Lacedemonian*, or *Roman* Story, it will be plain enough that but for their Aristocracy they needed not to have bin so much beholden to, or to have stood so much in need of one Family. It is true, both the merit of these Princes, and the manner of their free Election by the People, seem to forbid the name of Tyranny to this Institution: but so it is, that let there be never so much Merit in a Man, or Inclination of the People to the Prince, or the Government that is not founded upon the due balance, the Prince, in that case must either govern in the nature of a Commonwealth, as did those of this Family, reforming the policy after the *Lacedemonian* Model, or turn Tyrant, as from their time, who liv'd in the Age of the *Grecian* Monarchy, did all their Successors, till under the *Romans* this Nation became a Province: From which time such Endeavors and Insurrections they us'd for the recovery of their antient Policy, that under the Emperor ADRIAN (who perceiv'd at what their Ordination, being not of Priests, but of Magistrates, and of a Senat pretending to Sovereign Judicature and Authority, seem'd to aim) there came, says the *Talmud*, against the *Israelites* an *Edict* out of the Kingdom of the Wicked (meaning the Roman Empire) whereby whosoever should ordain, or be ordain'd, was to be put to death, and the School or City in which such an Act should be done, to be destroy'd: whereupon Rabbi JEHUDA BEN BABA (lest Ordination should fall in *Israel*) went forth, and standing between two great Mountains, and two great Cities, and between two Sabbathdays journeys from *Osa* and *Sephara*, ordain'd five *Presbyters*. For this Feat the Rabbi is remember'd by the *Talmudists* under the Name of Ordinator; but the same, as it follows, being discover'd by the *Roman* Guards, they shot his Body thro with so many Darts, as made of him a Sieve: Yet staid not the business here, but so obstinate continued the *Jews* in the Superstition to which this kind of Ordination was now grown, that whereas by the same it was unlawful for them to ordain in a *Stran* Land, and at home they could not be brought to abstain, the Emperor banish'd them all out of their

own Country; whence happen'd their total Dispersion. That of *Chap 4*  
 thing which at the first was a mere delusion, such Religion should  
 com in time, and with education to be made that not only they who  
 had receiv'd advantage could suffer Martyrdom, but they that had lost  
 by it, would be utterly lost for it, were admirable in the case of this  
 People, if it were not common in the case of most in the World at this  
 day: Custom may bring that to be receiv'd as an Ordinance of God, for  
 which there is no color in Scripture. For to consult MAIMONIDES  
 a little better upon this point: *Whereas, says he, they grant, in case it* *Hduc 8 m*  
*should happen that in all the Holy Land there remain'd but one Presbyter,*  
*that Presbyter, assisted by two other Israelites, might ordain the seventy, or*  
*great Sanhedrim, and the Sanhedrim so constituted might constitute and*  
*ordain the lesser Courts, I am of opinion that were there no Presbyter in the*  
*Land, yet if all the Wise Men of Israel should agree to constitute or ordain*  
*Judges, they might do it lawfully enough. But if so, then how comes it to*  
*pass that our Ancestors have bin so solicitous, lest Judicature should fail*  
*in Israel? Surely for no other cause than that from the time of the Cap-*  
*tivity the Israelites were so dispers'd that they could not upon like occasions*  
*be brought together. Now I appeal whether the clear Words of MAI-*  
*MONIDES, where he says, that our Master Moses ordain'd the San-*  
*hedrim by the Chirothesia, be not more clearly and strongly contra-*  
 dicted in this place, than affirm'd in the other; since acknowledging that  
 if the People could assemble, they might ordain the Sanhedrim, he  
 gives it for granted, that when they did assemble, they had power to  
 ordain it; and that MOSES did assemble them upon this occasion, is  
 plain in Scripture. Again, if the power of Ordination falls ultimately  
 to the People, there is not a stronger argument in Nature that it is  
 thence primarily deriv'd. To conclude, the Chirothesia of the Pres-  
 byterian Party in Israel is thus confess'd by the Author no otherwise  
 necessary, than thro the defect of the Chirotonia of the People: which  
 Ingenuity of the Talmudist, for any thing that has yet past, might be  
 worthy the Imitation of Divines.

IN tracking the Jews from the restitution of their Commonwealth  
 after the Captivity to their dispersion, it seems that the later Monarchy  
 in Israel was occasion'd by the Oligarchy, the Oligarchy by the Ari-  
 stocracy, and the Aristocracy by the Chirothesia; but that this Monar-  
 chy, tho erected by magnanimous and popular Princes, could be no less  
 than Tyranny deriv'd from another Principle, that is, the insufficiency of  
 the balance: For tho from the time of the Captivity, the Jubile was  
 no more in use, yet the Virgin MARY as an Heiress, is affirm'd by som  
 to have bin marry'd to JOSEPH by virtue of this Law: *Every Daugh-*  
*ter that possesses an Inheritance in any Tribe of the Children of Israel, shall*  
*be Wife to one of the Family of the Tribe of her Fathers, &c.* By which  
 the Popular Agrarian may be more than suspected to have bin of great-  
 er vigor than would admit of a well-balanc'd Monarchy.

Numb 27 8

THE second Presbytery, which is now attain'd to a well-balanc'd  
 Empire in the Papacy, has infinitely excell'd the pattern, the Lands of  
 Italy being most of them in the Church. This, if I had leisure,  
 might be track'd by the very same steps: At first it consisted of the  
 seventy Parish Priests, or Presbyters of Rome; now seventy Cardi-  
 nals creating so themselves a High Priest, or Prince of their Sancti-  
 tude, the Pope, but for the Superstition wherto he has brought Re-  
 ligion,

Book II. ligation, and continues by his *Chirothesia* to hold it, a great and a Reverend Monarch, establish'd upon a solid Foundation, and governing by an exquisit Policy, not only well-balanc'd at home, but deeply root-ed in the greatest Monarchys of Christendom, where the Clergy by virtue of their Lands are one of the three States.

THE Maxims of *Rome* are profound; for there is no making use of Princes without being necessary to them, nor have they any regard to that Religion which does not regard Empire. All Monarchys of the *Gothic* Model, that is to say, where the Clergy by virtue of their Lands are a third estate, subsist by the Pope, whose Religion creating a reverence in the People, and bearing an aw upon the Prince, preserves the Clergy, that else being unarm'd, become a certain Prey to the King or the People; and where this happens (as in *HENRY* the Eighth) down goes the Throng; for so much as the Clergy loses, falls out of the Monarchical into the Popular Scale. Where a Clergy is a third Estate, Popular Government wants Earth, and can never grow: but where they dy at the root, a Prince may sit a while, but is not safe: nor is it in nature (except he has a Nobility or Gentry able without a Clergy to give balance to the People) that he should subsist long or peaceably: For wherever a Government is founded on an Army, as in the Kings of *Israel* or Emperors of *Rome*, there the saddest Tragedys under Heaven are either on the Stage, or in the Tuning-house. These things consider'd, the *Chirothesia* being originally nothing else but a way of Policy excluding the People, where it attains not to a balance that is sufficient for this purpose, brings forth Oligarchy or Tyranny, as among the *Jews*: And where it attains to a balance sufficient to this end, produces Monarchy, as in the Papacy, and in all *Gothic* Kingdoms.

THE Priests of *Egypt*, where, (as it is describ'd by *SICULUS*) their Revenue came to the third part of the Realm, would no question have bin exactly well fitted with the *Chirothesia* pretended to by modern Divines. Suppose the Apostles had planted the Christian Religion in those Parts, and the Priests had been all converted, I do not think that Divines will say, that having alter'd their Religion they needed to have deserted their being a third Estate, their overbalance to the People, their Lands, their Preeminence in the Government, or any Part of their Policy for that: and I am as far from saying so as themselves.

ON the other side, as *PAUL* was a Citizen of *Rome*, let us suppose him to have bin a Citizen of *Athens*, and about (καθίσταται) to constitute the Christian Religion in this Commonwealth, where any Citizen might speak to the People: Imagin then he should have said thus: Men of Athens, that which you ignorantly seek I bring to you, the true Religion; but to receive this, you must not alter your former Belief only, but your ancient Customs. Your Political Assemblies have bin hitherto call'd Ecclesiaz; this word must lose the ancient sense, and be no more understood but of Spiritual Consistories; and so whereas it has bin of a Popular, it must henceforth be of an Aristocratical, or Presbyterian signification. For your Chirotonia, that also must follow the same rule; insomuch as on whomsoever one or more of the Aristocracy or Presbytery shall lay their hands, the same is understood by virtue of that Action to be chirotoniz'd. How well would this have sounded in *Athens*, and how ill in *Athens*? Certainly

tainly the Policy of the Church of CHRIST admits of more Prudence and Temperament in these things: Tho the Apostles being *Jews* themselves, satisfy'd the converted *Jews* that were us'd to Aristocracy, by retaining somewhat of their Constitutions, as the *Chirothesia*, yet when PAUL and BARNABAS com to constitute in Popular Commonwealths, they are (*Χιροτονουσαντες αυτοις πρεσβυτερας παρ' ιερωνειμων*) *Chirotonizing them Elders in every Congregation.*

CHAP. V.

*Whether the Chirotonia mention'd in the fourteenth of the Acts be indeed, as is pretended by Dr. HAMMOND, Dr. SEAMAN, and the Authors they follow, the same with the Chirothesia, or a far different thing. In which are contain'd the divers kinds of Church-Government introduc'd and exercis'd in the age of the Apostles.*

EITHER I have impertinently intruded upon the Politics, or cannot be said so much to meddle in Church-matters, as Churchmen may be said to have meddled in State-matters: For if the *Chirotonia* be Election by the many, and the *Chirothesia* be Election by one, or by the Few, the whole difference between Popular and Monarchical Government falls upon these two words; and so the question will be, Whether the Scriptures were intended more for the advantage of a Prince, of a Hierarchy or Presbytery, than of the People. But that God in the Old Testament instituted the *Chirotonia*, not only in the Commonwealth, as by the Election of the Sanhedrim, but in the Monarchy, as in the Election of the Kings, is plain: So if there remains any advantage in Scripture to Kings, to the Hierarchy or Presbytery, it must be in the New Testament. Israel was God's chosen People, and God was Israel's chosen King: That God was pleas'd to bow the Heavens, and come down to them, was his choice, not theirs; but in that upon his Proposition, and those of his Servant MOSES, they resolv'd to obey his Voice, and keep his Covenant, they chose him their King. In like manner, the Church is CHRIST's chosen People, and CHRIST is the Church's chosen King. That CHRIST taking flesh was pleas'd to bow the Heavens, and com down in a more familiar capacity of proposing himself to Mankind, was his own choice, not theirs: but in that the Church upon his Proposition, or those of his Apostles sent by him, as he was sent by the Father, resolv'd to obey his Voice, and keep his Covenant, she has chosen him her King. Whatever in Nature or in Grace, in Church or in State, is chosen by Man according to the Will of God, is chosen by God, of whom is both the Will and the Deed. Which things consider'd, I wonder at Dr. HAMMOND, who says, *Sure the Jewish and Heathen Citys, to whom the Gospel by CHRIST'S Command was to be preach'd, were not to chuse their Guides or Teachers.* CHRIST was not chosen by them to whom he preach'd; for says he, *ye know not chosen me.* He came from Heaven, sent by his Father on that Errand; and happy they whom he was thus pleas'd to chuse, to call, and



Book II. *and preach to. And when his Apostles, after his example, go and preach to all Nations, and actually gather Disciples, they chose their Auditors, and not their Auditors them. To make short work, I shall answer by explaining his Words as they fall.*

A ROMAN chusing whether he would speak to the Senat or the People, chose his Auditors, and not they him: Nevertheless if it were the Consul, they chose him, and not he them. It is one thing to be a Speaker to a People, that have the liberty, when that's don, to do as they think fit, and another thing to be a Guide, whom the People have consented, or oblig'd themselves to follow: which distinction not regarded, makes the rest of his Argumentation recoil upon himself; while he proceeds thus: *And they that gave up their Names to the Obedience of the Gospel* (chose the Preachers, as I should think, of that Gospel their Guides) *one branch of this Obedience obliges them* (by their own consent it seems, because before they gave up their Names) *to observe those that* (being thus plac'd over them by their consent) *are plac'd over them by God: such not only are their Civil Magistrates* (who succede to their places by, and govern according to the Laws which the People have chosen) *but also their Pastors, whom the Holy Ghost either mediately* (according to the Rules of Church Discipline in Scripture) *or immediately* (upon some such miraculous Call, as the People shall judg to be no imposture) *has set over them.* From which words the Doctor, not considering those Qualifications I have shewn all along to be naturally inherent in them, concludes *that a Bishop is made by the Holy Ghost, and not by the People.*

IF he would stand to this yet it were something; for if the Holy Ghost makes a Bishop, then I should think that the Holy Ghost ordain'd a Bishop, and so that the Election and Ordination of a Bishop were all one. But this hereafter will appear to be a more dangerous Concession than perhaps you may yet apprehend. Wherefore when all is don, you will not find Divines, at least Dr. HAMMOND, to grant that the Holy Ghost can ordain: he may elect indeed, and that is all; but there is no Ordination without the *Chirothesia* of the Bishops, or of the Presbytery. Take the Doctor's word for it.

§ 107  
Act 20: 28


WHEN St. PAUL says of the Bishops of Asia, *that the Holy Ghost had set them Overseers*, I suppose that it is to be understood of their Election or Nomination to those Dignities: for so CLEMENT speaks of St. JOHN, who constituted Bishops of those that were signify'd by the Spirit; where the Spirit's Signification notes the Election or Nomination of the Persons, but the constituting them was the Ordination of St. JOHN.

GOD may propose, as the Electors do to the great Council of Venice; but the Power of the Council, that is to resolve or ordain, is in the Bishop, says Dr. HAMMOND, and in the Presbytery, says Dr. SEAMAN. Indeed that Election and Ordination be distinct things, is to Divines of so great Importance, that losing this hold, they lose all: For, as I said before, whatever is chosen by Man according to the Will of God, that is, according to Divine Law, whether natural or positive, the same, whether in State or Church, is chosen by God, or by the Holy Ghost, of whom is both the Will and the Deed. To evade this, and keep all in their own hands, or *Chirothesia*, Divines have invented this distinction, that Election is one thing, and Ordination another: God may elect, but they must constitute; that is. God may propose. but they must resolve. And yet GROTIUS, who

who in these things is a great Champion for the Clergy, has little more to say upon this Point than this. *Whether we consider ancient or modern Times, we shall find the manner of election very different not only in different Ages and Countries, but in different years of the same age, and places of the same Country, so uncertain it is to determin of that which the Scripture has left uncertain.* And while men dispute not of Right, but of Convenience, it is wonderful to see what probable Arguments are brought on all sides. Give me CYPRIAN and his times, there is no danger in popular Election. Give me the Nicene Fathers, and let the Bishops take it willingly. Give me THEODOSIUS, VALENTINIAN, and CHARLES the Great, than Royal Election there is nothing safer. Upon the heels of these Words treads Dr. HAMMOND in this manner: That Election and Ordination are several things, is sufficiently known to every man that measures the nature of Words either by usage or Dictionaries; only for the convincing of such as think not themselves oblig'd to the observation of so vulgar Laws, I shall propose these evidences. In the Story of the Creation of the Deacons of Jerusalem, there are two things distinctly set down, one propos'd to the multitude of Disciples to be done by them, another reserv'd to the Apostles; that which was propos'd to the Multitude was to elect, &c. Election of the Persons was by the Apostles permitted to them, but still the (καταστήσειν) constituting is reserv'd to the Apostles. Then comes Dr. SEAMAN: Be it granted, as it is by Protestants generally, that PAUL and BARNABAS made Elders with the consent of the People, their Consent is one thing, and their Power another.

WHERE in the first place I for my particular, who have had the Books of Dr. HAMMOND and Dr. SEAMAN sent to me by way of Objection, need not go a step further. All that I have inserted in my *Occana* concerning Ordination, is in these three Votes acknowledg'd and confirm'd: For the Probationer to be there sent by a University to a Cure that is vacant, may by a Doctor, or the Doctors of the same University already ordain'd, receive Imposition of Hands, if that be thought fit to be added, and then the Election of the same Probationer by the People does no hurt, nay, says GROTIUS, is of the right of Nature; for it is naturally permitted to every Congregation to procure those things which are necessary to their conservation, of which number is the Application of Function. So Merchants have the right of electing of a Master of their Ship; Travellers of a Guide in their way, and a free People of their King. The Merchant, it seems, does not make the Master of his Ship, the Traveller his Guide, nor the free People their King, but elect them. As if VAN TRUMP had bin Admiral, a Robber upon the Highway had bin a Scout, or the Guide of an Army, or SAUL a King before they were elected. The point is very nice, which instead of proving, he illustrates in the beginning of the same Chapter by these three similitudes.

THE first is this, The Power of the Husband is from God, the Application of this Power to a certain Person is from consent, by which nevertheless the right is not given; for if this were by consent, the Matrimony might be dissolv'd by consent; which cannot be. As if an apparent retraction of Matrimonial Consent, as when a Wife consents to another than her own Husband, or commits Adultery, did not deliver a man from the bond of Marriage by the Judgments of CHRIST. There is an imperfection or cruelty in those Laws, which make Marriage to

Book II.  last longer than a man in humanity may be judg'd to be a Husband, or a woman a Wife: To think that Religion destroys Humanity, or to think that there is any defending of that by Religion which will not hold in Justice, or natural Equity, is a vast error.

THE second Similitude is this: *Imperial Power is not in the Princes that are Electors of the Empire; wherefore it is not given by them, but applied by them to a certain Person.*

1 Pet 2 13

THIS is answer'd by PETER, where he commands Obedience to every Ordinance of Man (or, as som nearer the Original, every Power created by men) whether it be to the Roman Emperor, as Supreme, or to the Proconsuls of *Asia* and *Phrygia*, as sent by him; for this is the sense of the *Greek*, and thus it is interpreted by GROTIUS. Now if the then Roman Emperor were a Creature of Man, why not the now Roman Emperor?

THE last Similitude runs thus: *The Power of Life and Death is not in the Multitude before they be a Commonwealth; for no privat Man has the right of Revenge; yet it is apply'd by them to som Man, or Political Body of Men.* But if a Man invades the Life of another, that other, whether under Laws or not under Laws, has the right to defend his own Life, even by taking away that (if there be no other probable Remedy) of the Invader. So that men are so far from having bin void of the power of Life and Death, before they came under Laws, that Laws can never be so made as wholly to deprive them of it after they com under them: wherefore the Power of Life and Death is deriv'd by the Magistrat from, and confer'd upon him by the consent or *Chirotonia* of the People, wherof he is but a mere Creature, that is to say, an Ordinance of Man.

THUS these Candles being so far from lighting the House, that they dy in the Socket, GROTIUS has bin no less bountiful than to grant us that the People have as much right (where there is no human Creature or Law to the contrary) to elect their Churchmen, as Merchants have to elect their Seamen, Travellers their Guides, or a free People their King; which is enough a conscience. Nor is Dr. HAMMOND straiter handed: Election, says he, was permitted by the Apostles to the Multitude, and therefore the same may be allow'd, always provided the *(κλεις-ισμος)* constituting be reserv'd to the Pastors, or ordain'd Doctors and Preachers. And Dr. SEAMAN, upon condition the People will not say that it was don by their power, but think it fair that it was don by their consent, is also very well contented. So all stands streight with what I have heretofore propos'd. Let no man then say, whatever follows, that I drive at any Ends or Interests, these being already fully obtain'd and granted; nevertheless for truth sake I cannot leave this Discourse imperfect. If a Politician should say that the Election and the Ordination of a Roman Consul or Pontifex were not of like nature; that the *κλεις-ισμος*, Contract of the Senat as *Rome* with the People in the Election of NUMA (*ut cum populo regem iussissent, id sic ratum esset, si patres auctores fierent*) included or imply'd the Sovereign power to be in the Fathers; that the Consent of this People was one thing, and their Power another: If, I say, he should affirm these or the like in *Athens*, *Lacedemon*, or any other Commonwealth that is or has bin under the Sun, there would be nothing under the Sun more ridiculous than that Politician. But should men pretending to Government of  
any

any kind be not oblig'd to som consideration of these Rules in Nature and universal Experience; yet I wonder how the word (*καθ' ὅσον*) to constitute, with which they make such a flourish, did not lead them, otherwise than they follow; this, as it was said of *SOLO* by *ARISTOTLE*, being that which I have already shewn to be us'd both in the *Greek* of the Scripture, for the constitution of the Sanhedrim by *MOSES*, and in other Authors for that of the Senat by *ROMULUS*, each of which was then elected by the People: whence it may appear plainly that this is no word, as they pretend, to exclude popular Suffrage, but rather to imply it. And indeed that it is of no such nature as necessarily to include Power, could not have bin overseen in the New Testament, but voluntarily where (*ὁ δὲ καθ' ὅσον ὁν Παῖς*) they are signify'd by it that conducted *PATL*. But they have Miracles: such indeed as have neither words nor reason for them, had need of Miracles. And where are these same Miracles? why the Apostles by the *Chirothesia* or laying on of hands confer'd the Holy Ghost. So they did not only when they us'd that Ceremony in reference to Ordination, but when they us'd it not in that relation, as to those that were newly baptiz'd in *Samaria*, Men and Women: now it is not probable, that these, who should seem to have been numerous, were all ordain'd, at least the Women; and so the Miracle is to be attributed to the Hands of the Apostles, and not to Ordination in general. *JOSHUA* was full of the Spirit (not because he had been ordain'd by the *Chirothesia*, for so had many of them that crucify'd *CHRIST* and persecuted the Apostles, but) because *MOSES* had laid his hands upon him.

*WOULD* Divines be contented that we should argue thus; The *Chirotonia* or Suffrage of the People of *Israel* at the first institution was follow'd with miraculous Indowments, therefore whoever is elected by the People shall have the like? Or what have they to shew why the Argument is more holding as to their *Chirothesia*, seeing for above one thousand years all the Hierarchy and Presbytery laid together have done no more Miracles than a Parish Clergy?

*A CONTINU'D* Miracle, as that the Sea ebbs and flows, the Sun always runs his admirable course, is Nature. Intermittent Nature, as that the waters of the Red Sea were mountains, that the Sun stood still in the Dial of *AHAZ*, is a Miracle. To continue the latter kind of Miracle were to destroy the former, that is, to dissolve Nature. Wherefore this is a certain rule, that no continu'd external Act can be in the latter sense miraculous. Now Government, whether in Church or State, is equally a continu'd external Act. An internal continu'd Act may indeed be natural, or supernatural, as Faith.

*A NATURAL* Man, being even in his own natural apprehension fearfully and wonderfully made, is by the continu'd Miracle of Nature convinc'd that the World had a Creator, and so comes to believe in that which is supernatural; whence it is that all Nations have had som Religion: and a Spiritual Man being convinc'd by the purity of *CHRIST*'s Doctrine, and the Miracles whereby it was first planted, is brought to the Christian Faith. However *CHRIST* may require such continu'd Faith or Spiritual exercise of his Church as is supernatural, he requires not any such continu'd Act or bodily exercise of his Church as is supernatural. But the Government of the Church is a continu'd Act, or bodily exercise. It should be heeded that to delude the sense is not to do Miracles, but to use Imposture. Now to per-

suade us, That Monarchical, Aristocratical, Popular, or mixt Government have not always bin in Nature, or that there has ever bin any other in the Church, were to delude sense. Wherefore give me leave (in which I am confident I shall use no manner of Irreverence to the Scripture, but on the contrary make the right use of it) to discourse upon Church-Government according to the Rules of Prudence.

THE Gospel was intended by Christ to be preach'd to all Nations, which (Princes and States being above all things exceeding tenacious of their Power) is to me a certain Argument that the Policy of the Church must be so provided for, as not to give any of them just cause of Jealousy, there being nothing more likely to obstruct the growth of Religion: and truly the nearer I look to the Scripture, the more I am confirm'd in this opinion.

First way of  
Ordination in  
the Church of  
Christ.  
Acts 1.

CHRIST being taken up into Heaven, the first Ordination that we find was that of the Apostle MATTHIAS after this manner.

THE Aristocracy of the Church, that is the Apostles, assembled the whole Congregation of Disciples or Believers at Jerusalem, being in number one hundred and twenty, where PETER (it having as it should seem bin so agreed by the Apostles) was Proposer; who standing up in the midst of the Disciples, acquainted them, that whereas JUDAS was gone to his Place, the occasion of their present meeting was to elect another Apostle in his room: whereupon proceeding to the Suffrage, they appointed two Competitors, JOSEPH and MATTHIAS, whose Names being written each in a several Scrol, were put into one Urn, and at the same time two other Lots, wherof one was a blank, and the other inscrib'd with the word *Apostle*, were put into another Urn; which don, they pray'd and said, *Thou Lord which knowest the hearts of all men, shew whether of these two thou hast chosen.* The Prayer being ended, they gave forth their Lots, and the Lot fell upon MATTHIAS (*ὃς συναλειψίσθη μετὰ τῶν ἑνδεκά ἀποστόλων*) and by this *Psephisma* (the very popular word, and not only so, but being apply'd to the Ballot, is the very literal and original signification) he was added to the eleven Apostles. So you have the first way of Ordination in the Church, after Christ was taken up into Heaven, perform'd by the Election or *Chirotonia* of the whole Church.

NOW except any man can shew that MATTHIAS ever receiv'd the imposition of hands, these several things are already demonstrated. First, that the *Chirotonia* is not only the more antient way of Ordination in the Commonwealth of *Israel*, but in the Church of CHRIST. Secondly, that the *Chirothesia* or imposition of Hands is no way necessary to Ordination in the Christian Church. Thirdly, that the Disciplin of the Christian Church was primitively Popular; for to say that in regard of the Apostles it was Aristocratical, is to forget that there is no such thing, without a mixture of Aristocracy, that is without the *Senat*, as a Popular Government in Nature. Fourthly, that Ordination in the Commonwealth of *Oceana* being exactly after this pattern, is exactly according to the Disciplin of the Church of CHRIST. And fifthly, that Ordination and Election in this example are not two, but one and the same thing.

THE last of these Propositions having bin affirm'd by Mr. HOBBS, Dr. HAMMOND tells him plainly, that his assertion is far from all truth: Let us therefore consider the Doctor's Reasons, which are these; *Seeing the Congregation, says he, is affirm'd by the Gentleman to have ordain'd,*



dain'd, and it is plain by the words of ST. LUKE that God elects, Election and Ordination by this Example must be distinct things: which in another place going about to fortify with this Argument, *That it was don by Lottery*, and SOLOMON says, *The Lot is at the disposing of the Lord*, he utterly overthrows without and beyond help; for in this SOLOMON not denying, but rather affirming that he was chosen King by the People, plainly shews that Election by the People is Election by God. Where it is affirm'd, that God rais'd up Judges in *Israel*, it is not deny'd that the People elected them. The Doctor is at it in MAIMONIDES more than once, *that the Divine Majesty rested upon such as were ordain'd by Imposition of Hands*. But whereas it is affirm'd by MAIMONIDES more often, *that when the People (Ecclesia Dei) or Congregation of Israel assembl'd, then the Divine Majesty, or the Holy Ghost rested upon them*; of this he never takes any notice. The People, whether in *Israel*, *Athens*, *Lacedemon*, or *Rome*, never assembl'd for enacting of Laws, or Election of Magistrats, without Sacrifice and imploring the assistance of God, to whom when their work was perform'd, they always attributed the whole Result or Election: and would the Doctor have Christians to allow him but a Piece? For whereas God electing there had, in the sense both of *Jews* and *Heathens*, his choice of all, God electing here had in the sense of Divines, but his choice of two, which were next this or none, but that indeed where he has not the whole he has none at all. Is that then far from all truth, which the Gentleman, or that which the Divine has said, either in this part, or where he adds, *that the hundred and twenty in the Text are never mention'd but once, and then it is in a Parenthesis*? I will but transcribe the place.

Dr H. of imposition  
5 115

AND in those Days PETER stood up in the midst of the Disciples, *Acts i 15* and said (the number of the Names together were about an hundred and twenty) &c. Are the Disciples in the Parenthesis, or out of it? Are they but once mention'd, and that is in a Parenthesis? Or are they but once number'd, and that is in a Parenthesis? If a Gentleman should do thus, what would they say? Or, what were ill enough to be said? But to mend the Text, and bring the Disciples into the Parenthesis, they have more ways than one; whereas the Heathen People, while the Priests were willing, mix'd these Dutys with Devotions, Divines will not suffer a Christian People upon like occasions to pray: for where it is said, *They pray'd*, it went before, *they appointed two*, and it follows, *They gave out their Lots*; which antecedent and consequent, if the People pray'd, must be equally understood of them, and so they could be no Parenthesis. Therefore pray they must not, or Divines are lost. But how will they silence them? To shew you this art I must transcribe the Heads of the Chapter.

THE Apostles being return'd from Mount Olivet to Jerusalem, went up into an upper room, where abode both PETER and JAMES, *Verse 13.* and JOHN, and ANDREW, JAMES the Son of ALPHEUS, and SIMON ZELOTES, and JUDAS the Brother of JAMES.

AND in those days PETER stood up in the midst of the Disciples, and said (the number of Names together were about one hundred and twenty)

15

MEN and Brethren,

OF these men which accompany'd with us all the time that the Lord Jesus went in and out amongst us,

16

21.

MUST

*MUST* one be ordain'd to be a Witness with us of his Resurrection.

*AND* they appointed two, *JOSEPH* and *MATTHIAS*.

*AND* they pray'd, and said, *Thou Lord which knowest the hearts of all men, shew whether of these two thou hast chosen.*

*AND* they gave forth their Lots, and the Lot fell upon *MATTHIAS*,  
 ὁ ὅτι οὐκ ἔμελλεν μὴ εἶναι ἐκ τῶν ἀποστόλων.

*THEY* whom *PETER* acquainted that one must be ordain'd, one would verily believe were the hundred and twenty Disciples, in the midst of whom he stood up, and made the Proposition; and so much the rather, because this was no more than the Apostles knew before, and (in all right understanding of Government and Sense) were already agreed upon, it being the office of the Aristocracy or Senat in a Commonwealth (and such exactly were the Apostles in the Church) upon all new Orders or Elections to be made; first, to debate and determine by themselves, and then to propose to the *Chiretonia* or ultimat result of the People. But Divines say absolutely no, which word to make good, *They appointed two*, and *they pray'd*, and *they gave forth their Lots*, being sentences that stand plainly together, or hunt in couples, must leap sheer over nine Verses, *PETER*'s whole Oration (which by this means is no more than a Parenthesis neither) and over the hundred and twenty Disciples, without touching a hair of their heads, to light plain upon the thirteenth Verse, and the eleven Apostles! Never man us'd his Grammar so since he threw it at a Pear tree! Yet that *CHRISTOSTOM* (who understood *Greece*) allows of no such construction, is confess'd by the learnedst of this opinion; and whereas they fly to the *Latin* Fathers, that retreat is wholly cut off by *DAVID BLUNDEL* in his very learned Treatise of the right of the People in the Church-Government.

Grotius.

*BUT* what do we stand upon words? Are these such wherof the things to which they relate may be Interpreters? Or to what things can they relate but the Institution of the Sanhedrim by *MOSES*? That at the Institution of the Sanhedrim the Competitors were elected by the Suffrage of the People, and from thence that the Ballot of *Israel* consisted not only of a Lot but of a Suffrage too, has bin already demonstrated out of Scripture; and that the Election of *MATTHIAS* was by the Ballot of *Israel* is no less apparent in itself, than fully confess'd upon the place by *GROTIUS*.

*Demonstration that God never ordain'd any "only Ecclesiastical or Civil, but upon the Principles of Human Prudence*  
 Josh. 9. 11.

*THEY* that under color of Religion in matter of Government, slight Prudence, are mistaken, or do not mean honestly. Neither *GOD* nor *CHRIST* ever instituted any Policy whatsoever upon any other Principles than those of Human Prudence. The Embassadors sent from the *Gibeonites* to *JOSHUA* deliver their Message in this manner; *The Elders and all the Inhabitants of our Country spake to us, saying, Go meet them, and say to them, We are your Servants; therefore now make ye a League with us.* They that had power to send Embassadors and to make a League with a foren Nation, had sovereign Power; this sovereign power was in the Elders, or Senat, and in the People of *Gibeon*: wherfore God constituting his Commonwealth for the main Orders (that is to say, the Senat and the People) upon the same Principles on which the *Gibeonites* had long before built theirs, laid his Foundations upon no other than human Prudence. So for the inferior Courts they were transcrib'd by *MOSES* out of the Commonwealth of *Midian*, upon advice  
 " of

" of JETHRO his Father in Law. According to such patterns was Chap. 5.  
 " *Israel* fram'd, and by that of *Israel* this first Policy of the Church of  
 " CHRIST so exactly, as (*sans comparason*) any man shall shew  
 " the Commonwealth of *Oceana* to have bin transcrib'd out of *Rome*  
 " or *Venice*. Let them that would have the Government be somewhat  
 " between Earth and Heaven, consider this place.

NOR is the Ecclesiastical Policy only subject to Human Prudence, but to the same vicissitudes also wherto Human Prudence is subject, both in her own nature, and as she is obnoxious to the State wherein she is planted, and that inavoidably; as I com now to demonstreat by the Alterations which happen'd even in the Age of the Apostles themselves; for this at the Election of MATTHIAS being alter'd, the next form of Ecclesiastical Policy introduc'd in their times, is resembl'd by GROTIUS to that of *Athens*, of which, for the better clearing of what follows, it is necessary that I first say something by way of Introduction.

THE *Theismothetæ*, being in number six, were Magistrats of the highest dignity, power, and rank in *Athens*. These, says ARISTOTLE, were elected by the *Chirotonia* or Suffrage of the People; and says POLLUX, being elected underwent the Inquisition of the Senat, where they were to answer to those Interrogatories, *Whether they worship'd the God of their Country? Whether they had bin dutiful to their Parents? born Arms for the Commonwealth? paid Dutys or Taxes?* In which Particulars the Senat being satisfy'd, *They were sworn and crown'd with Myrtle*: which coms to this, that the (*εὐχριστία*) or Constitution being reserv'd to the Senat, the *Theismothetæ* were elected by the *Chirotonia* of the People. Now tho' the Government of *Athens* throuth the Citys of *Asia* (being most of them of the like Model) was most known, I will not say that the Apostles wrote their Orders out of *Athens*, but seeing all Political Institutions must needs be according to Human Prudence, and there is nothing to be written out of this but what will fall even with som other Government that is or has bin, I may say, as GROTIUS has said before me, that the frame of Church Government in the insuing Example was after the manner of *Athens*. Anst 2 lib 1.  
c 10  
Pol lib. 8 c 9

WHEN the number of the Disciples, or Believers, was multiply'd, there arose a murmuring among such of the *Jews* as having bin bred in *Alexandria* or other parts, were for their Language (which was *Greek*) partly strangers, against the *Hebrews* or converted *Jews*, that spoke their own Language, as if these indeed us'd them like strangers, their Widows being neglected, or not dealt so liberally withal, as those of the *Hebrews* in the Contributions due for their constant maintenance. Second wave of  
Ord nation in  
the Church of  
Christ.

HEREUPON the twelve Apostles, after the manner of the Senat, having without all question debated the business among themselves, as appears by the speech upon which they were agreed, assembl'd the People, which is still Senatorian, or call'd the multitude of the Disciples to them, and said, It is not reason that we should leave preaching, or the Word of God, to be taken up with this, tho charitable, nay, seeing we have introduc'd Community of goods, most just and necessary imployment of providing Food and Cloathing for every one of our Fellowship or Community (the Christians in these times, much after the manner of the *Lacedemonian* Convives, us'd to eat in publick and together) to do this as it ought to be don, were to becom

Book II. Catechers, and be taken up in serving Tables, *Wherefore, Brethren,* (take the wise men and understanding, and known among you) *look out seven men of honest report, full of the Holy Ghost, and of Wisdom* (ὡς νουθετοῦμαι ὑμεῖς τῷ ἁγίῳ πνεύματι καὶ σοφίᾳ) *whom we may appoint over this business.*

*THIS* Saying, that is, this Proposition of the Senat or Apostles, *plac'd the whole Multitude,* (like that of MOSES, *the thing which thou hast said is good for us to do*) *So they chose STEPHEN, PHILIP, PROCHORUS, NICANOR, TIMON, PARMENAS, and NICOLAS,* whom being elected, *they sit before the Apostles, who when they had pray'd, laid their hands upon them.*

WHAT fuller demonstration can be given of any thing, than that in this example Ordination and Election are one and the same, that this was confer'd by the *Chirotonia* of the People? If there be any possible way of making this clearer, it must be by opposition. wherefore let us see what Divines have to say to the contrary.

GROTIUS gives us all we ask from this place, which he gives for nothing, because it concerns not the Election of Pastors, but of Deacons. As if STEPHEN and PHILIP had not only bin Preachers of the Gospel, but don Miracles. What Dr. SEAMAN denies or grants in relation to the same, I have endeavor'd to understand, but it will not do. Dr. HAMMOND is so plain, that his Objections may be of use. He, to prove that the Ordination of these Deacons was not in the *Chirotonia* of their Disciples, but in the *Chirotonia* of the Apostles, has these Arguments.

*THERE* be two things distinctly set down, Election, permitted to the People, and the (καταρχή) constituting reserv'd to the Apostles.

TO which I answer, that there were two things set down by the *Athenian* Law, Election of the *Thesmothetæ* by the People, and the (καταρχή) constituting of them by the Senat; yet that the Ordination was in the Power, and that the Power was in the People of *Athens*: he that makes a doubt, is not resolv'd whether the most popular Commonwealth that ever was, were a Democracy.

BUT, says he, *this looking out of men, or chusing, was permitted to the multitude by the Apostles with these three bounds: First, to take seven, neither more nor fewer: Secondly, those men generally known and well reputed of: And thirdly, full of the Spirit, and of Discretion or parts fit for Government.* To which I answer, That the Election of the *Thesmothetæ* was permitted by the Law to the People of *Athens* with these three bounds; First to take six, neither more nor fewer: Secondly, those generally known and reputed of: Thirdly, in such estimation for their honesty and ability for Government, as in their consciences (to which also they made Oath) they should judge fittest for the Commonwealth. Yet is all this so far from any proof that *Athens* was no Democracy, or that the Sovereign Power, whether in enacting of Laws, or election of Magistrats by the Lot or the Suffrage (institutions equally popular) was not in the People, that it amounts to the strongest argument that the People were Sovereign, and the Commonwealth was Democratical. Could Truth desire greater advantage than redounds from such opposition? We have another example of the same Model, in which because it has bin paraphras'd upon already in the Introduction, I shall be briefer here. In the Church of *Antioch*, where the Disciples were

now

now become so numerous, that they began to be call'd Christians, there were among them Prophets: so being assembl'd on occasion, as I conceive, of giving an extraordinary Commission after the manner of the people of *Athens* when they elected Ambassadors, or (that I may avoid strife upon a point so indifferent) to chuse two new Apostles, *The Holy Ghost said, Separat me BARNABAS and SAUL for the Work wherto I have appointed them*: that is (for so it is render'd by all Interpreters) the Holy Ghost spake those words by the mouths of the Prophets. Now the Prophets being well known for such, this Suffrage of theirs was no sooner given, than (as one that can allow Prophets to be leading men may easily think) follow'd by all the rest of the Congregation: So the whole multitude having fasted and pray'd, the most eminent among them, or the Senatorian Order in that Church, laid their hands upon PAUL and BARNABAS, who being thus sent forth by the Holy Ghost, departed to *Seleucia*.

TO evade this apparent Election, or *C'irotonia* of the whole Congregation, whereby these Apostles or Ambassadors to the Churches of the *Gentils* were ordain'd, Divines have nothing to say, but that they were elected by the Holy Ghost: As if the *Chirotonia* of the People were more exclusive to election by the Holy Ghost, than the *Chirothesia* of the Aristocracy, for which in the mean time they contend. But if neither of these were indeed exclusive of the Holy Ghost, how is it possible in this frame (where tho' of natural necessity an Aristocracy must have bin included, yet the Aristocracy is not in the Text so much as distinguish'd from the People, or once nam'd) that the Power, and so the Ordination should not have bin in the People? The Council of the Apostles, of the Elders, and of the whole Church at *Jerusalem*, and other Councils, not of Apostles, nor of the whole Church, in other times or places, us'd this form in their Acts; *It seems good to the Holy Ghost, and to us*: But does this, whether a true or a pretended stile, exclude that Act from being an Act of that whole Council? Or how comes it to pass that because PAUL and BARNABAS were separated by the Holy Ghost, they were not ordain'd by the *Chirotonia* of the whole Christian People at *Antioch*? Acts 15. 22.

THE *Chirothesia* can be no otherwise understood in nature, nor ever was in the Commonwealth of the *Jews*, than Election by the few: And so even under the mere *Chirothesia*, Ordination and Election were not two, but one and the same thing. If MOSES ordain'd JOSHUA his Successor by the *Chirothesia*, he elected JOSHUA his Successor by the *Chirothesia*; and for what reason must it be otherwise with the *C'irotonia*? That a Pharisee could do more with one hand, or a pair of hands, than a Christian Church or Congregation can do with all their hands, is a Doctrin very much for the honor of the true Religion, and a soverain Maxim of Ecclesiastical Policy.

THE third Constitution of Church-Government in Scripture (whether consisting of Bishops or Presbyters, between which at this time a man shall hardly find a difference) runs wholly upon the Aristocracy, without mention of the People, and is therefore compar'd by GROTIUS to the *Sanbedrim* of *Israel*, as that came to be in these days; from whence Divines also generally and truly confess that it was taken up: to which I shall need to add no more, than that it is an Order for which there is no Precept, either in the Old Testament of God, or in the New Testament of Christ. This therefore thus taken up by the Third way of Ordination in the Church of Christ.  
Grot. ad Tit. 4. 14.



Book II. Apostles from the *Jews*, is a clear demonstration that the Government of the Church, in what purity soever of the Times, nay tho' under the inspection of the Apostles themselves, has bin obnoxious to that of the State wherein it was planted. The *Sanhedrim*, from the institution of the *Chirothesia*, for a constant Order, consisted of no other Senators than such only as had bin ordain'd by the Imposition of Hands; which came now to be confer'd by the Prince, in the presence, or with the assistance of the *Sanhedrim*. The same Order was observ'd by the *Jewish* Synagogues, of which each had her Archon; nor would the *Jews* converted to the Christian Faith, relinquish the Law of MOSES, wherto this way of Ordination, among other things, tho' erroneously, was vulgarly attributed: whence in the Church, where it consisted of converted *Jews*, Ordination was confer'd by the Archon, or first in order of the Presbytery, with the assistance of the rest. Hence PAUL, in one place, exhorts TIMOTHY thus: *Neglect not the Gift that is in thee, which was given thee by Prophecy, with the laying on of the hands of the Presbytery.* And in another thus: *Wherefore I put thee in remembrance, that thou stir up the Gift of God which is in thee by the putting on of my hands.*

I GRANT Divines, that Ordination by this time was wholly in the Presbytery; what say they then to the distinction of Ordination and Election? Are these still two distinct things, or may we hence, at least, compute them to be one and the same? If they say Yes, why then might they not have bin so before? If they say No, who in this place, but the Presbytery, elected? Why, says Dr. HAMMOND, it is plain that *the Spirit of Prophecy elected*. But to give account of no more than is already perform'd, were the spirit of History rather than of Prophecy, to which it appertains to tell things before they be don; as did the Prophets now living in this Church, that TIMOTHY should com to be ordain'd: So the place is interpreted by GROTIUS: and how it should be otherwise understood I cannot see. But putting the case som Aët preceded, as SAUL and DAVID were elected Kings by Prophecy; yet did ever man say that for this SAUL or DAVID were any whit the less elected Kings by the People? To the contrary in every well-order'd Commonwealth (*a Jove principum*) the disposing of the Lot, and of the Suffrage too, has universally bin attributed to God.

THE Piety of Divines in persuading the People that God elects for them, and therefore they need not trouble themselves to vote, is as if they should persuade them that God provides their daily Bread, and therefore they need not trouble themselves to work. To conclude this point with Dr. HAMMOND's own words upon the same occasion; this distinction of Ordination and Election is in Divines *the procreative Mistake, or Ignorance producing all the rest.*

THE reason why PAUL ordain'd now after this manner among the *Jews*, is to me an irrefragable argument that he ordain'd not after this manner among the *Gentils*: for whereas the first Ordination in the Christian Church, namely that of MATTHIAS, was perform'd by the *Chirotonia*, which by degrees came now in complacency with the *Jews* to the *Chirothesia*; it seems he was contented not to alter the worst of political Institutions or Customs, where he found them confirm'd by long and universal Practice: and if so, why should any man think that he would go about to alter, or weed out the best, where they