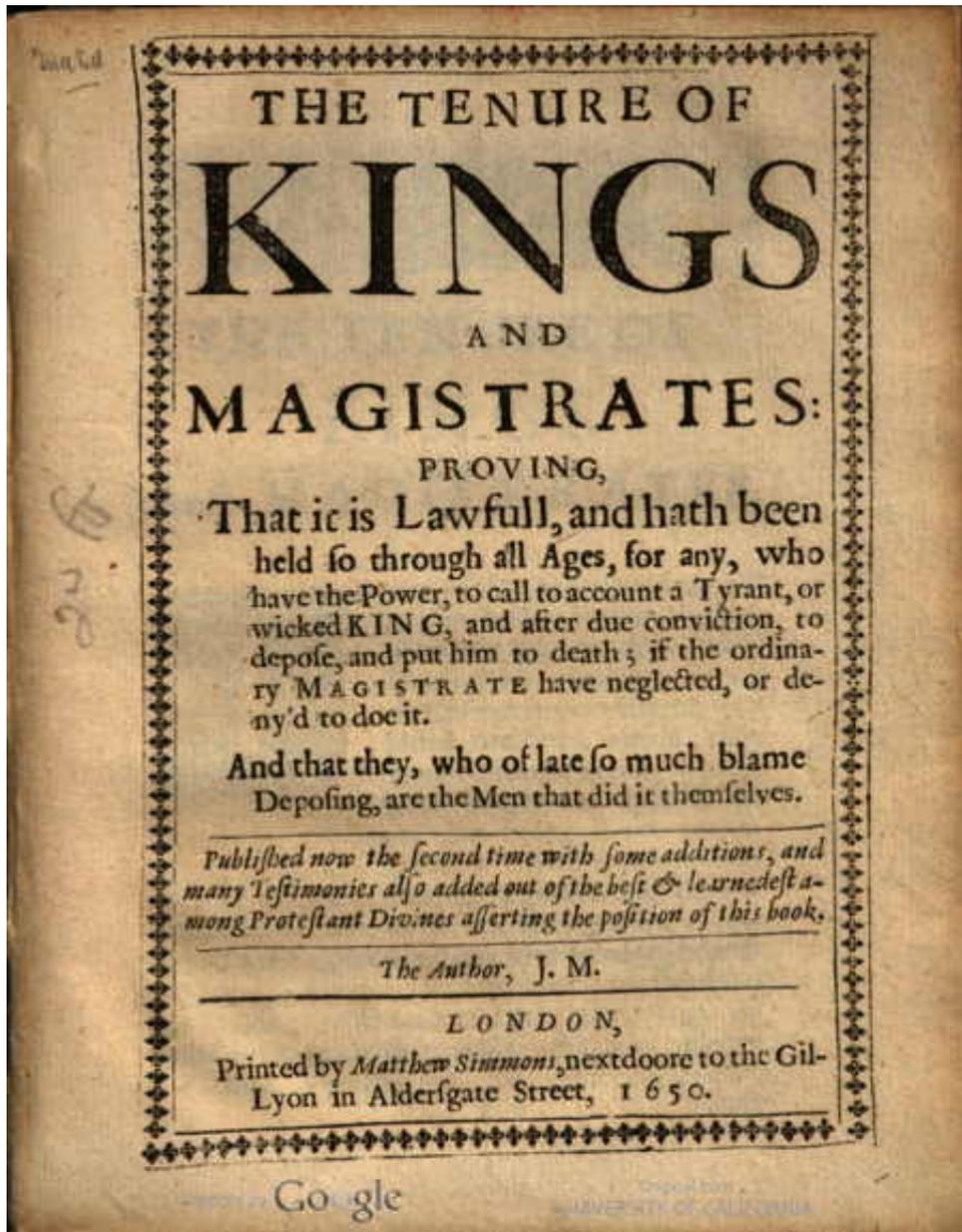


JOHN MILTON

The Tenure of Kings and Magistrates (1650)





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John Milton, *The Tenure of Kings and Magistrates: Proving, That it is Lawfull, and hath been held so through all Ages, for any who have the Power, to call to account a Tyrant, or wicked KING, and after due conviction, to depose and put him to death; if the ordinary MAGISTRATE have neglected or deny'd to doe it. And that they, who of late, so much blame Depositing, are the Men that did it themselves. Published now the second time with some additions, and many Testimonies also added out of the best & learnedest among Protestant Divines asserting the position of this book. The Author, J. M.* (London, Printed by Matthew Simmons, nextdoore to the Gilded Lyon in Aldersgate Street, 1650.)

Editor's Note

The partly modernised English spelling is from the critical edition by William Talbot Allison, who also indicates in the notes the differences between the 1st edition of 1649 and this, the second edition of 1650.

The tenure of kings and magistrates, by John Milton; ed. with introduction and notes by William Talbot Allison. Yale Studies in English, v. 40. (New York, H. Holt and company, 1911.)

Editor's Introduction

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

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

[1]

THE TENURE OF KINGS AND MAGISTRATES.

If Men within themselves would be govern'd by reason, and not generally give up their understanding to a double tyrannie, of Custome from without, and blind affections within, they would discern better, what it is to favour and uphold the Tyrant of a Nation. But being slaves within doores, no wonder that they strive so much to have the public State conformably govern'd to the inward vitious rule, by which they govern themselves. For indeed none can love freedom heartilie, but good men; the rest love not freedom, but licence; which never hath more scope or more indulgence then under Tyrants. Hence is it, that Tyrants are not oft offended, [2] nor stand much in doubt of bad men, as being all naturally servile; but in whom vertue and true worth most is eminent, them they feare in earnest, as by right their Masters, against them lies all thir hatred and suspicion. Consequentlie neither doe bad men hate Tirants, but have been alwaies readiest with the falsifi'd names of *Loyalty* and *Obedience*, to colour over their base compliances. And although sometimes for shame, and when it comes to their owne grievances, of purse especially, they would seeme good patriots, and side with the better cause, yet when others for the deliverance of their Countrie, endu'd with fortitude and Heroick vertue to feare nothing but the curse writt'n against those *That doe the work of the Lord negligently*, would goe on to remove, not onely *Jer. 48. 19.* the calamities and thraldomes of a people, but the roots and causes whence they spring, streight these men, and sure helpers at need, as if they hated onely the miseries but not the mischiefes, after they have juggl'd and palter'd with the World, bandied and borne armes against their King, devested him, disanointed him, nay, curs'd him all over in their pulpits and their pamphlets, to the ingaging of sincere and reall men, beyond what is possible or honest to retreat from, not onely turne revoltors from those principles, which onely could at first move them, but lay the staine of disloyaltie, and worse, on those proceedings, which are the necessarie consequences of their owne former actions; nor dislik'd by themselves, were they manag'd to the intire advantages of their owne Faction; not considering the while that he toward whom they boasted new fidelitie, [3] counted them accessory; and by those Statutes and Laws which they so impotently brandish against others, would have doom'd them to a traytors death, for what they have done alreadie. 'Tis true, that most men are apt enough to civill Wars and commotions as a noveltie, and for a flash, hot and active; but through sloth or inconstancie, and weakness of spirit either fainting ere their owne pretences, though never so just, be halfe attain'd, or through an inbred falshood and wickednesse, betray oft times to destruction with themselves, men of noblest temper join'd with them for causes, which they in their rash undertakings were not capable of.[1]

If God and a good cause give them Victory, the prosecution whereof for the most part, inevitably drawes after it the alteration of Lawes, change of Government, downfall of princes with their Families; then comes the task to those Worthies which are the soule of that Enterprize, to bee swett and labour'd out amidst the throng and noises of vulgar and irrational men. Some contesting for privileges, customes, formes, and old intanglement of iniquitie, their gibrish Lawes, though the badge of thir ancient slavery. Others who have beene fiercest against their Prince, under the notion of a Tyrant, and no meane incendiaries of the Warre against him, when God out of his Providence and high disposall hath deliver'd him into the hand of brethren, on a suddaine and in a new garbe of Allegiance, which their doings have long since cancell'd; they plead for him, pity him, extoll him, [4] protest against those that talke of bringing him to the tryall of Justice, which is the Sword of God, superiour to all mortall things, in whose hand soever by apparent signes his testified wil is to put it. But certainly, if we consider who and what they are, on a suddaine grown so pitifull, wee may conclude, their pittie can be no true and Christian commiseration, but either levitie and shallownesse of minde, or else a carnall admiring of that worldly pompe and greatness, from whence they see him fall'n; or rather lastly a dissembl'd and seditious pity, fain'd of industry to beget new commotions.[1] As for mercy, if it bee to a Tyrant, under which name they themselves have cited him so oft in the hearing of God, of Angels, and the holy Church assembl'd, and there charg'd him with the spilling of more innocent blood by farre, then ever *Nero* did, undoubtedly the mercy which they pretend, is the mercy of wicked men; and their mercies, wee read, are cruelties; hazarding the welfare of a whole Nation, *Prov. 12. 10.* to have sav'd one, whom so oft they have tearm'd *Agag*; and villifying the blood of many *Jonathans*, that have sav'd *Israel*; insisting with much nicenesse on the unnecessariest clause of their Covnant[1]; wherein the feare of change, and the absurd contradiction of a flattering hostilitie had hamperd them, but not scrupling to give away for complements, to an implacable revenge, the heads of many thousand Christians more.

Another sort there is, who comming in the course of these affairs, to have thir share in great actions, above the forme of Law or Custome, at [5] least to give thir voice and approbation, begin to swerve, and almost shiver at the Majesty and grandeur of som noble deed, as if they were newly enter'd into a great sin; disputing presidents, formes and circumstances, when the Commonwealth nigh perishes for want of deeds in substance, don with just and faithfull expedition. To these I wish better instruction, and vertue equall to their calling; the former of which, that is to say, Instruction, I shall endeavour, as my dutie is, to bestow on them; and exhort them not to startle from the just and pious resolution of adhering with all their assistance[2] to the present Parliament and Army, in the glorious way wherein Justice and Victorie hath set them; the onely warrants, through all ages, next under immediate Revelation, to exercise supream power in those proceedings, which hitherto appeare equall to what hath been don in any age or Nation heretofore justly or magnanimouslie. Nor let them be discourag'd or deterr'd by any new Apostate Scar crowes, who under show of giving counsell, send out their barking monitories and *memento's*, emptie of ought else but the

spleene of a frustrated Faction. For how can that pretended counsell bee either sound or faithfull, when they that give it, see not for madnesse and vexation of their ends lost, that those Statutes and Scriptures which both falsly and scandalously, they wrest against their Friends and Associates, would by sentence of the common adversarie fall first and heaviest upon their owne heads. Neither let milde and tender dispositions be foolishly softn'd from their dutie and perseverance [6] with the unmasculine Rhetorick of any puling Priest or Chaplain, sent as a friendly Letter of advice, for fashion-sake in private, and forthwith publish't by the Sender himselfe, that wee may know how much of friend there was in it, to cast an odious envie upon them, to whom it was pretended to be sent in charitie. Nor let any man be deluded by either the ignorance or the notorious hypocrisie and self-repugnance of our dancing Divines, who have the conscience and the boldnesse to come with Scripture in their mouthes, gloss'd and fitted for thir turnes with a double contradictory sense, transforming the sacred veritie of God to an Idol with two faces, looking at once two several ways; and with the same quotations to charge others, which in the same case they made serve to justifie themselves For while the hope to bee made Classic and Provinciall Lords led them on, while pluralities greas'd them thick and deepe, to the shame and scandall of Religion, more then all the Sects and Heresies they exclaime against, then to fight against the Kings person, and no lesse a Party of his Lords and Commons, or to put force upon both the Houses, was good, was lawfull, was no resisting of Superiour powers; they onely were powers not to be resisted, who countenanc'd the good and punish't the evill. But now that thir censorious domineering is not suffer'd to be universall, truth and conscience to be freed, Tithes and Pluralities to be no more, though competent allowance provided, and the warme experience of large gifts, and they so good at taking them; yet now to exclude and seize on [1] impeach't Members, [7] to bring Delinquents without exemption to a faire Tribunall by the common Nationall Law against murder, is now to be no lesse then *Corah*, *Dathan* and *Abiram*. He who but erewhile in the pulpits was a cursed Tyrant, an enemy to God and Saints, laden with all the innocent blood spilt in three Kingdomes, and so to bee fought against, is now, though nothing penitent or alter'd from his first principles, a lawfull Magistrate, a Sovrane Lord, the Lords Anointed, not to be touch'd, though by themselves imprison'd. As if this onely were obedience, to preserve the meere uselesse bulke of his person, and that onely in prison, not in the field, and to disobey his commands, denie him his dignitie and office, every where to resist his power but where they thinke it onely surviving in thir owne faction.

But who in particular is a Tyrant cannot be determind in a generall discourse, otherwise then by supposition; his particular charge, and the sufficient prooffe of it must determine that: which I leave to Magistrates, at least to the uprighter sort of them, and of the people, though in number lesse by many, in whom faction least hath prevaild above the Law of nature and right reason, to judge as they finde cause. But this I dare owne as part of my faith, that if such a one there be, by whose Commission whole massachers have been committed on his faithfull subjects, his Provinces offered to pawne or alienation, as the hire of those whom he

had solicited to come in and destroy whole Cities and Countries; be hee King, or Tyrant, or Emperour, the Sword of Justice is above [8] him; in whose hand soever is found sufficient power to avenge the effusion, and so great a deluge of innocent blood. For if all humane power to execute, not accidentally but intendedly, the wrath of God upon evill doers without exception, be of God; then that power, whether ordinary, or if that faile, extraordinary so executing that intent of God, is lawfull, and not to be resisted. But to unfold more at large this whole Question, though with all expedient brevity, I shall here set downe from first beginning, the originall of Kings; how and wherefore exalted to that dignitie above thir Brethren; and from thence shall prove, that turning to tyranny they may bee as lawfully deposd and punished, as they were at first elected: This I shall doe by authorities and reasons, not learnt in corners among Schismes and Heresies, as our doubling Divines are ready to caluminate, but fetch'd out of the midst of choicest and most authentic learning, and no prohibited Authors, nor many Heathen, but Mosaical, Christian, Orthodoxal, and which must needs be more convincing to our Adversaries, Presbyterial.

No man who knows ought, can be so stupid to deny that all men naturally were borne free, being the image and resemblance of God himselfe, and were by privilege above all the creatures, borne to command and not to obey: and that they livd so,[1] till from the root of *Adams* transgression, falling among themselves to doe wrong and violence, and foreseeing that such courses must needs tend to the destruction of them all, they agreed by common league to bind each other from [9] mutual injury, and joyntly to defend themselves against any that gave disturbance or opposition to such agreement. Hence came Citties, Townes and Common-wealths. And because no faith in all was found sufficiently binding, they saw it needfull to ordaine some authoritie, that might restraine by force and punishment what was violated against peace and common right. This autoritie and power of self-defence and preservation being originally and naturally in every one of them, and unitedly in them all, for ease, for order, and least each man should be his owne partial judge, they communicated and deriv'd either to one, whom for the eminence of his wisdom and integritie they chose above the rest, or to more then one whom they thought of equal deserving: the first was calld a King; the other Magistrates. Not to be thir Lords and Maisters (though afterward those names in som places were giv'n voluntarily to such as had bin authors of inestimable good to the people) but, to be thir Deputies and Commissioners, to execute, by vertue of thir intrusted power, that justice which else every man by the bond of nature and of Cov'nant must have executed for himselfe, and for one another. And to him that shall consider well why among free persons, one man by civill right should beare authority and jurisdiction over another, no other end or reason can be imaginable. These for a while governd well, and with much equitie decided all things at thir owne arbitrement: till the temptation of such a power left absolute in thir hands, perverted them at length to injustice [10] and partialitie. Then did they, who now by tryall had found the danger and inconveniences of committing arbitrary power to any, invent Lawes either fram'd, or consented to by all, that should confine and limit the authority of whom they chose to govern them: that so man of whose failing they had proof,

might no more rule over them, but law and reason abstracted as much as might be from personal errors and frailties.[1] When this would not serve but that the Law was either not executed, or misapply'd they were constrained from that time, the onely remedy left them, to put conditions and take Oaths from all Kings and Magistrates at thir first instalment to doe impartial justice by Law: who upon those termes and no other, receav'd Allegiance from the people, that is to say, bond or Covnant to obey them in execution of those Lawes which they the people had themselves made, or assented to. And this oft times with express warning, that if the King or Magistrate prov'd unfaithfull to his trust, the people would be disingag'd. They added also Counselors and Parlements, not to be onely at his beck, but with him or without him, at set times, or all times, when any danger threatn'd to have care of the public safety. Therefore saith *Claudius Sesell*[2], a French Statesman, *The Parlament was set as a bridle to the King*; which I instance rather[3], because that Monarchy is granted by all to be farre more absolute then ours. That this and the rest of [11] what hath hitherto been spok'n is most true, might be copiously made appeare throughout all Stories, Heathen and Christian; eev'n of those Nations where Kings and Emperours have sought meanes to abolish all ancient memory of the peoples right by their encroachments and usurpations. But I spare long insertions[4], appealing to the German, French, Italian, Arragonian, English, and not the least the Scottish histories: Not forgetting this onely by the way, that *William* the Norman, though a Conqueror, and not unsworne at his Coronation, was compell'd a second time to take oath at *S. Albanes*, ere the people would be brought to yeild obedience.

It being thus manifest that the power of Kings and Magistrates is nothing else, but what is onely derivative, transferr'd and committed to them in trust from the people, to the Common good of them all, in whom the power yet remaines fundamentally, and cannot be tak'n from them, without a violation of thir natural birthright, and seeing that from hence *Aristotle* and the best of Political writers have defin'd a king, him who governs to the good and profit of his people, and not for his owne ends, it follows from necessary causes, that the Titles of Sovran Lord, natural Lord, and the like, are either arrogancies, or flatteries, not admitted by Emperors and Kings of best note, and dislikt by the Church both of Jews, *Isai.* 26. 13. and ancient Christians, as appears by *Tertullian* and others. Although generally the people of Asia, and with them the Jews also, [12] especially since the time they chose a King, against the advice and counsel of God, are noted by wise authors much inclinable to slavery.

Secondly, that to say, as is usual, the King hath as good right to his crown and dignitie, as any man to his inheritance, is to make the subject no better then the Kings slave, his chattell, or his possession that may be bought and sould, And doubtless, if hereditary title were sufficiently inquir'd, the best foundation of it would be found but either in courtesie or convenience. But suppose it to be of right hereditarie, what can be more just and legal, if a subject for certaine crimes be to forfeit by Law from himselfe and posterity, all his inheritance to the King, then that a King for crimes proportionall, should forfeit all his title and inheritance to the people: unless the people must be thought created all for him, he not for

them, and they all in one body inferior to him single, which were a kinde of treason against the dignitie of mankind to affirm.

Thirdly it followes, that to say Kings are accountable to none but God, is the overturning of all Law and government. For if they may refuse to give account, then all covnants made with them at Coronation; all Oathes are in vaine, and meer mockeries, all Lawes which they sweare to keep, made to no purpose; for if the King feare not God, as how many of them doe not? we hold then our lives and estates, by the tenure of his meer grace and mercy, as from a God, not a mortall Magistrate, a position that none but Court parasites or men besotted would maintain.[1] And[2] no Christian Prince not drunk with high mind, and prouder then those Pagan *Cæsars*, that deifi'd themselves, would arrogate so unreasonably above human condition, or derogate so basely from a whole Nation of men his brethren, as if for him onely subsisting, and to serve his glory, valuing them in comparison of his owne brute will and pleasure, no more then so many beasts, or vermine under his feet, not to be reasond with, but to be injurd[1]; among whom there might be found so many thousand men for wisdom, vertue, nobleness of mind and all other respects, but the fortune of his dignity, farr above him. Yet some would perswade us that this absurd opinion was King *Davids*; because in the 51 *Psalm* he cries out to God, *Against thee onely have I sinn'd*; as if *David* had imagin'd that to murder *Uriah* and adulterate his Wife, had bin no sinne against his Neighbour, when as that law of *Moses* was to the king expressly, *Deut. 17.* not to think so highly of himself above his Brethren. *David* therefore by those words could mean no other, then either that the depth of his guiltiness was known to God onely, or to so few as had not the will or power to question him, or that the sin against God was greater beyond compare then against *Uriah*. What ever his meaning were, any wise man will see that the patheticall words of a Psalm can be no certaine decision to a point that hath abundantly more certaine rules to goe by. How much more rationally spake the Heathen King *Demophoon* in a Tragedy of *Euripides* then these interpreters would put upon King *David*, *I rule not my people by tyranny, as if they were Barbarians; but am myself liable, if I doe unjustly, to suffer justly.* Not unlike was the speech of *Trajan*, the worthy Emperor, to one whom he made General of his Prætorian Forces. Take this drawne sword, saith he, to use for me, if I reigne well, if not, to use against me. Thus *Dion* relates. And not *Trajan* onely, but *Theodosius* the younger, a Christian Emperor and one of the best, caus'd it to be enacted as a rule undenyable and fit to be acknowledgd by all Kings and Emperors, that a Prince is bound to the Laws; that on the authority of Law the authority of a Prince depends, and to the Laws ought submit. Which Edict of his remaines yet unrepeald[1] in the Code of *Justinian.* l. 1. tit. 24. as a sacred constitution to all the succeeding Emperors. How then can any King in Europe maintaine and write himselfe accountable to none but God, when Emperors in thir own imperiall Statutes have writt'n and decreed themselves accountable to Law. And indeed where such account is not fear'd, he that bids a man reigne over him above Law, may bid as well a savage beast.

It follows lastly, that since the King or Magistrate holds his autoritie of the people, both originally and naturally for their good in the first place, and not his owne, then may the people as oft as they shall judge it for the best, either choose him [15] or reject him, retaine him or depose him though no Tyrant, meerly by the libertie and right of free born men to be govern'd as seems to them best. This, though it cannot but stand with plaine reason, shall be made good also by Scripture, *Deut. 17. 14. When thou art come into the Land which the Lord thy God giveth thee, and shalt say I will set a King over mee, like as all the Nations about mee.* These words confirme us, that the right of choosing, yea of changing thir owne government is by the grant of God himself in the people. And therefore when they desir'd a King, though then under another forme of goverment, and though thir changing displeasd him, yet he that was himself their King, and rejected by them, would not be a hindrance to what they intended, furdre then by perswasion, but that they might doe therein as they saw good, 1 *Sam. 8.* onely he reserv'd to himself the nomination of who should reigne over them. Neither did that exempt the King, as if hee were to God onely accountable, though by his especiall command anointed. Therefore *David first made a Covnant with the elders of Israel, and so was by them anointed King.*[1] 1 *Chron. 11.* And *Jehoiada* the Priest making *Jehoash* King, made a Cov'nant between him and the People, 2 *Kings 11. 17.* Therefore when *Roboam* at his comming to the Crowne, rejected those conditions which the Israelites brought him, heare what they answer him, *what portion have we in David, or inheritance in the son of Jesse.*[2] *See to thine own house David.* And for the like conditions not perform'd, all Israel before that time deposd *Samuell*; not for his own default, [16] but for the misgovement[3] of his Sons. But som will say to both these examples, it was evilly don. I answer, that not the latter, because it was expressely allow'd them in the Law to set up a King if they pleas'd; and God himself joynd with them in the work; though in some sort it was at that time displeasing to him, in respect of old *Samuell*, who had governd them upringhtly. As *Livy* praises the Romans, who took occasion from *Tarquinius* a wicked prince to gaine their libertie, which to have extorted, saith hee, from *Numa* or any of the good Kings before, had not bin seasonable. Nor was it in the former example don unlawfully; for when *Roboam* had prepar'd a huge Army to reduce the Israelites, he was forbydd'n by the Prophet, 1 *Kings 12. 24. Thus saith the Lord, yee shall not goe up, nor fight against your brethren, for this thing is from me.* He calls them thir brethren, not Rebels, and forbids to be proceeded against them, owning the thing himselfe, not by single providence, but by approbation, and that not onely of the act, as in the former example, but of the fitt season also; he had not otherwise forbydd to molest them. And those grave and wise Counselors whom *Rehoboam* first advis'd with, spake no such thing, as our old gray headed Flatterers now are wont, stand upon your birth-right, scorne to capitulate, you hold of God, and not of them; for they knew no such matter, unless conditionally; but gave him politic counsel, as in a civil transaction. Therefore Kingdom and Magistracy, whether supreme or subordinat, is[1] calld a *human ordinance*, 1 *Pet. 2. 13.* etc. which we are there taught [17] is the will of God wee should submitt to, so farr as for the punishment of evill doers, and the encouragement of them that doe well. *Submitt*[2] saith he,

as free men.^[3] *And there is no power but of God, saith Paul, Rom. 13.* as much as to say, God put it into mans heart to find out that way at first for common peace and preservation, approving the exercise therof; else it contradicts *Peter* who calls the same authority an Ordinance of man. It must also be understood of lawfull and just power, els we read of great power in the affaires and Kingdomes of the World permitted to the Devill: for saith he to Christ, *Luke, 4. 6. all*^[4] *this power will I give thee and the glory of them, for it is deliverd to me, and to whomsoever I will, I give it:* neither did hee ly, or Christ gainsay what hee affirm'd: for in the thirteenth of the *Revelation* wee read how the dragon gave to the Beast *his power, his seat,* and great authority: which beast so autoriz'd most expound to be the tyrannical powers and Kingdomes of the earth. Therefore Saint *Paul* in the forecited Chapter tells us that such Magistrates hee meanes, as are, not a terror to the good but to the evill, such as beare not the sword in vaine, but to punish offenders, and to encourage the good. If such onely be mentioned here as powers to be obeyd, and our submission to them onely requird, then doubtless those powers that doe the contrary, are no powers ordaind of God, and by consequence no obligation laid upon us to obey or not to resist them. And it may bee well observd that both **[18]** these Apostles, whenever they give this precept, express it in termes not *concret* but *abstract*, as logicians are wont to speake, that is, they mention the ordinance, the power, the autoritie before the persons that execute it, and what that power is, lest we should be deceavd, they describe exactly. So that if the power be not such, or the person execute not such power, neither the one nor the other is of God, but of the Devill and by consequence to bee resisted. From this exposition *Chrysostome* also on the same place dissents not, explaining that these words were not writt'n in behalf of a tyrant. And this is verify'd by *David*, himself a King, and likeliest to bee Author of the *Psalme* 94. 20. which saith, *Shall the throne of iniquity have fellowship with thee.*^[1] And it were worth the knowing, since Kings^[2] and that by Scripture boast the justness of thir title, by holding it immediatly of God, yet cannot show the time when God ever set on the throne them or thir forefathers, but onely when the people chose them; why by the same reason, since God ascribes as oft to himself the casting down of Princes from the throne, it should not be thought as lawful, and as much from God when none are seen to do it but the people, and that for just causes. For it needs must be a sin in them to depose, it may as likely be a sin to have elected. And contrary if the peoples act in election be pleaded by a King, as the act of God, and the most just title to enthrone him, why may not the peoples act of rejection be as well pleaded by the people as the act of God, and the most just reason to depose him? So that we see the **[19]** title and just right of reigning or deposing in reference to God, is found in Scripture to be all one; visible onely in the people, and depending meerly upon justice and demerit. Thus farr hath bin considerd briefly the power of Kings and Magistrates; how it was, and is originally the peoples, and by them conferrd in trust onely to bee imployd to the common peace and benefit; with libertie therefore and right remaining in them to reassume it to themselves, if by Kings or Magistrates it be abus'd; or to dispose of it by any alteration, as they shall judge most conducing to the public good.

We may from hence with more ease, and force of argument determin what a Tyrant is, and what the people may doe against him. A Tyrant whether by wrong or by right comming to the Crowne, is he who regarding neither Law nor the common good, reigns onely for himself and his faction: Thus *St. Basil* among others defines him. And because his power is great, his will boundless and exorbitant, the fulfilling whereof is for the most part accompanied with innumerable wrongs and oppressions of the people, murders, massacres, rapes, adulteries, desolation, and subversion of Citties and whole provinces, look how great a good and happiness a just King is, so great a mischeife is a Tyrant; as hee the public Father of his Countrie, so this the common enemy. Against whom what the people lawfully may doe, as against a common pest, and destroyer of mankind, I suppose no man of cleare judgement need goe further to be guided then by the very principles of [20] nature in him. But because it is the vulgar folly of men to desert thir owne reason, and shutting thir eyes to think they see best with other mens, I shall shew by such examples as ought to have most waight with us, what hath bin don in[1] this case heretofore, The *Greeks* and *Romans*, as thir prime Authors witness, held it not onely lawfull, but a glorious and Heroic deed, rewarded publicly with Statues and Garlands, to kill an infamous Tyrant at any time without tryal; and but reason, that he who trod down all Law, should not bee voutsaf'd the benefit of Law. Insomuch that *Seneca* the Tragedian brings in *Hercules* the grand suppressor of Tyrants, thus speaking,

Victima haud ulla amplior
 Potest, magisque opima mactari Jovi
 Quam rex iniquus

There can be slaine
 No sacrifice to God more acceptable
 Then an unjust and wicked King

But of these I name no more lest it bee objected they were Heathen; and come to produce another sort of men that had the knowledge of true Religion. Among the Jews this custome of tyrant-killing was not unusual. First, *Ehud*, a man whom God had raysd to deliver Israel from *Eglon* King of *Moab*, who had conquerd and rul'd over them eightene years, being sent to him as an Ambassador with a present, slew him in his owne house. But hee was a forren Prince, an enemy, and *Ehud* besides had special warrant from God. To the first I answer, it imports not whether forren or native: For no Prince so native but [21] professes to hold by Law; which when he himselfe over-turnes, breaking all the Covnants and Oaths that gave him title to his dignity, and were the bond and alliance between him and his people, what differs he from an outlandish King, or from an enemy? For look how much right the King of *Spaine* hath to govern us at all, so much right hath the King of *England* to govern us tyrannically. If he, though not bound to us by any league, comming from *Spaine* in person to subdue us or to destroy us, might lawfully by the people of *England* either bee slaine in fight, or put to death in captivity, what hath a native King to plead, bound by so many Covnants, benefits and honours to the welfare of his people, why he through the contempt of all Laws

and Parlements, the onely tie of our obedience to him, for his owne wills sake, and a boasted praerogative unaccountable, after sev'n years warring and destroying of his best subjects, overcom and yeilded prisoner, should think to scape unquestionable as a thing divine, in respect of whom so many thousand Christians destroy'd, should lye unaccounted for, polluting with thir slaughterd carcasses all the Land over, and crying for vengeance against the living that should have righted them. Who knows not that there is a mutual bond of amity and brother-hood between man and man over all the World, neither is it the English Sea that can sever us from that duty and relation: a straiter bond yet there is between fellow-subjects, neighbours and friends; but when any of these doe one to another so as hostility could doe no worse, what doth [22] the Law decree less against them, then open enemies and invaders? or if the law be not present, or too weake, what doth it warrant us to less then single defence or civil warr? and from that time forward the Law of civill defensive warr, differs nothing from the Law of forren hostility. Nor is it distance of place that makes enmitie, but enmity that makes distance. He therefore that keeps peace with me, neer or remote of whatsoever Nation, is to mee as farr as all civil and human offices an Englishman and a neighbour: but if an Englishman forgetting all Laws, human, civil and religious offend against life and libertie to him offended and to the Law in his behalf, though born in the same womb, he is no better then a Turk, a Sarasin, a Heathen. This is Gospel, and this was ever Law among equals: how much rather then in force against any King whatsoever[1], who in respect of the people is confesd inferior and not equal: to distinguish therefore of a Tyrant by outlandish, or domestic is a weak evasion. To the second that he was an enemy, I answer, what Tyrant is not? yet *Eglon* by the Jewes had bin acknowledged as thir Sovran, they had servd him eigheteene yeares, as long almost as wee our *William* the Conqueror, in all which time he could not be so unwise a Statesman but to have tak'n of them Oaths of Fealty and Allegiance by which they made themselves his proper subjects, as thir homage and present sent by *Ehud* testifyd. To the third, that he had special warrant to kill *Eglon* in that manner, it cannot bee granted, because not expressd; tis plain, that he was raysd by God to [23] be a Deliverer, and went on just principles, such as were then and ever held allowable, to deale so by a Tyrant that could no otherwise be dealt with. Neither did *Samuell* though a Profet, with his owne hand abstain from *Agag*; a forren enemy no doubt; but mark the reason[1], *As thy sword hath made women childless*; a cause that by the sentence of Law it selfe nullifies all relations, and as the Law is between Brother and Brother, Father and Son, Maister and Servant, wherfore not between King or rather Tyrant and People? And whereas *Jehu* had special command to slay *Jehoram*, a successive and hereditarie Tyrant, it seemes not the less imitable for that; for where a thing grounded so much on natural reason hath the addition of a command from God, what does it but establish the lawfulness of such an act. Nor is it likely that God who had so many wayes of punishing the house of *Ahab* would have sent a subject against his Prince, if the fact in it selfe as don to a Tyrant had bin of bad example. And if *David* refus'd to lift his hand against the Lords anointed, the matter between them was not tyranny, but private enmity, and *David* as a private person had bin his own revenger, not so much the

peoples[2]; but when any tyrant at this day can shew to be the Lords anointed, the onely mention'd reason why *David* withheld his hand, he may then but not till then presume on the same privilege.

We may pass therefore hence to Christian times. And first our Saviour himself, how much he favourd Tyrants and how much intended they [24] should be found or honourd among Christians, declares his minde not obscurely; accounting thir absolute autoritie no better then Gentilisme, yea though they flourishd it over with the splendid name of benefactors; charging those that would be his Disciples to usurp no such dominion; but that they who were to bee of most autoritie among them, should esteem themselves Ministers and Servants to the public. *Matt. 20. 25. The Princes of the Gentiles exercise Lordship over them,* and *Mark 10. 42. They that seem to rule,* saith he, either slighting or accounting them no lawful rulers, *but yee shall not be so, but the greatest among you shall be your Servant.* And although hee himself were the meekest, and came on earth to be so, yet to a Tyrant we hear him not voutsafe an humble word: but *Tell that fox,* *Luc. 13.[1]* And wherfore did his Mother, the Virgin *Mary* give such praise to God in her profetic song, that he had now by the comming of Christ, *Cutt down Dynasta's or proud Monarchs from the throne,* if the Church, when God manifests his power in them to doe so, should rather choose all miserie and vassalage to serve them, and let them still sit on thir potent seats to bee ador'd for doing mischief. Surely it is not for nothing that tyrants by a kind of natural instinct both hate and feare none more then the true Church and Saints of God, as the most dangerous enemies and subverters of Monarchy, though indeed of [25] tyranny; hath not this bin the perpetual cry of Courtiers, and Court Prelates? where of no likelier cause can be alleg'd, but that they well discern'd the mind and principles of most devout and zealous men, and indeed the very discipline of Church, tending to the dissolution of all tyranny. No marvel then, if since the faith of Christ receav'd, in purer or impurer times, to depose a King, and put him to death for tyranny hath bin accounted so just and requisit, that neighbour Kings have both upheld and tak'n part with subjects in the action. And *Ludovicus Pius*, himself an Emperor, and sonne of *Charles* the great, being made Judge, *Du Haillan* is my author, between *Milegast* King of the *Vultzes* and his Subjects, who had depos'd him, gave his verdict for the subjects, and for him whom they had chos'n in his room. Note here that the right of electing whom they please is by the impartial testimony of an Emperor in the people. For, said he, *A just Prince ought to be prefer'd before an unjust, and the end of government before the prerogative.* And *Constantinus Leo*, another Emperor in the *Byzantine* Laws saith, *that the end of a King is for the general good, which he not performing is but the counterfet of a King.* And to prove that some of our owne Monarchs have acknowledg'd that thir high office exempted them not from punishment, they had the Sword of *St. Edward* born before them by an Officer, who was calld Earle of the Palace, eev'n at the times of thir highest pomp and solemnitie[1], to mind them, saith *Matthew Paris*, the best of our Historians, that if they errd, the Sword had power to restraine them. [26] And what restraint the Sword comes to at length, having both edge and point, if any Sceptic will needs[2] doubt, let him feel. It is also affirm'd from diligent

search made in our ancient books of Law, that the Peers and Barons of England had a legal right to judge the King: which was the cause most likely, for it could be no slight cause, that they were call'd his Peers, or equals. This however may stand immovable, so long as man hath to deale with no better then man; that if our Law judge all men to the lowest by thir Peers, it should in all equity ascend also, and judge the highest. And so much I find both in our own and forren Storie, that Dukes, Earles, and Marqueses were at first not hereditary, not empty and vain titles, but names of trust and office, and with the office ceasing, as induces me to be of opinion, that every worthy man in Parlament, for the word Baron imports no more, might for the public good be thought a fit Peer and judge of the King; without regard had to petty caveats and circumstances, the chief impediment in high affairs, and ever stood upon most by circumstantial men. Whence doubtless our Ancestors who were not ignorant with what rights either Nature or ancient Constitution had endowd them, when Oaths both at Coronation, and renewd in Parlament would not serve, thought it no way illegal to depose and put to death thir tyrannous Kings. Insomuch that the Parlament drew up a charge against *Richard the second*, and the Commons requested to have judgement decree'd against him, that the realme might not bee endangerd. And *Peter Martyr*, [27] a divine of formost rank, on the third of *Judges* approves thir doings. *Sir Thomas Smith* also a Protestant and a Statesman, in his Commonwealth of England putting the question whether it be lawfull to rise against a Tyrant, answers, that the vulgar judge of it according to the event, and the lerned according to the purpose of them that do it. But far before these days, *Gildas*, the most ancient of all our Historians, speaking of those times wherein the Roman Empire decaying quitted and relinquishd what right they had by Conquest to this Iland, and resign'd it all into the peoples hands, testifies that the people thus re-invested with thir own original right, about the year 446, both elected them Kings, whom they thought best (the first Christian British Kings that ever raign'd heer since the Romans) and by the same right, when they apprehended cause, usually depos'd and put them to death. This is the most fundamentall and ancient tenure that any King of England can produce or pretend to; in comparison of which, all other titles and pleas are but of yesterday. If any object that *Gildas* condemns the Britanes for so doing, the answer is as ready; that he condemns them no more for so doing, then hee did before for choosing such, for, saith he, *They anointed them Kings, not of God, but such as were more bloody then the rest*. Next hee condemns them not at all for deposing or putting them to death, but for doing it over hastily, without tryal or well examining the cause, and for electing others worse in thir room. Thus we have heer both Domestic and most ancient examples that the people of [28] Britain have deposd and put to death thir Kings in those primitive Christian times. And to couple reason with example, if the Church in all ages, Primitive, Romish, or Protestant held it ever no less thir duty then the power of thir Keyes, though without express warrant of Scripture, to bring indifferently both King and Peasant under the utmost rigor of thir Canons and Censures Ecclesiastical, eev'n to the smiting him with a final excommunication, if he persist impenitent, what hinders but that the temporal Law both may and ought, though without a special text or President, extend with like indifferance the civil

Sword, to the cutting off without exemption him that capitally offends. Seeing that justice and Religion are from the same God, and works of justice oftentimes more acceptable. Yet because that some lately with the tongues and arguments of Malignant backsliders have writt'n that the proceedings now in Parliament against the King, are without president from any Protestant State or Kingdom, the examples which follow shall be all Protestant and chiefly Presbyterian.

In the yeare 1546. The *Duke of Saxonie, Lantgrave of Hessen*, and the whole Protestant league raysd open Warr against *Charles the fifth* thir Emperour, sent him a defiance, renounc'd all faith and allegiance toward him, and debated long in Counsell whether they should give him so much as the title of *Cæsar*. *Sleidan*. l. 17. Let all men judge what this wanted of deposing or of killing, but the power to doe it.

In the year 1559. the^[1] Scotch Protestants [29] claiming promise of thir Queen Regent for libertie of conscience, she answering that promises were not to be claim'd of Princes beyond what was commodious for them to grant, told her to her face in the Parliament then at *Sterling*, that if it were so, they renounc'd thir obedience; and soone after betook them to Armes. *Buch. Hist*. l. 16. certainly when allegiance is renounc'd, that very hour the King or Queen is in effect depos'd.

In the year 1564. *John Knox* a most famous divine and the reformer of *Scotland* to the Presbyterian discipline, at a generall Assembly maintaind op'nly in a dispute against *Lethington* the Secretary of State, that Subjects might and ought execute God's judgements upon thir King; that the fact of *Jehu* and others against thir King having the ground of Gods ordinary command to put such and such offenders to death was not extraordinary, but to be imitated of all that preferr'd the honour of God to the affection of flesh and wicked Princes; that Kings, if they offend, have no privilege to be exempted from the punishments of Law more then any other subject; so that if the King be a Murderer, Adulterer, or Idolator, he should suffer not as a King, but as an offender: and this position hee repeates againe and againe before them. Answerable was the opinion of *John Craig* another learned Divine, and that Lawes made by the tyranny of Princes, or the negligence of people, thir posterity might abrogate and reform all things according to the original institution of Common-welths^[1]. And *Knox* being commanded by the Nobilitie to write to *Calvin* and other learned [30] men for thir judgements in that question, refus'd; alleging that both himselfe was fully resolv'd in conscience, and had heard thir judgements^[2], and had the same opinion under handwriting of many the most godly and most learned that he knew in Europe; that if he should move the question to them againe, what should he doe but shew his owne forgetfulness or inconstancy. All this is farr more largely in the Ecclesiastic History of *Scotland* l. 4. with many other passages to this effect all the book over; set out with diligence by Scotchmen of best repute among them at the beginning of these troubles, as if they labourd to inform us what wee were to doe and what they intended upon the like occasion.

And to let the world know that the whole Church and Protestant State of *Scotland* in those purest times of reformation, were of the same beleif, three years after, they met in the feild *Mary* thir lawful and hereditary Queen, took her prisoner, yeilding before fight, kept her in prison and the same yeare deposd her. *Buchan. Hist. l. 18.*

And four years after that, the Scots in justification of thir deposing Queen *Mary*, sent Embassadors to Queen *Elizabeth*, and in a writt'n Declaration alleag'd, that they had us'd towards her more lenity then shee deserv'd; that thir Ancestors had heretofore punishd thir Kings by death or banishment; that the Scots were a free Nation, made King whom they freely chose, and with the same freedom, un-Kingd him if they saw cause, by right of ancient laws and Ceremonies yet remaining, and old customes yet among the High-landers in [31] choosing the head of thir Clanns, or Families; all which with many more arguments bore witness that regal power was nothing else but a mutuall Covnant or stipulation between King and people. *Buch. Hist. l. 20.* These were Scotchmen and Presbyterians; but what measure then have they lately offer'd, to think such liberty less beseeming us then themselves, presuming to put him upon us for a Maister whom thir law scarce allows to be thir own equall? If now then we heare them in another straine then heretofore in the purest times of thir Church, we may be confident it is the voice of Faction speaking in them, not of truth and Reformation.[1]

In the year 1581. the States of *Holland*, in a general Assembly at the *Hague*, abjur'd all obedience and subjection to *Philip* King of *Spaine*; and in a Declaration justifie thir so doing; for that by [32] his tyrannous goverment against faith so oft'n[1] giv'n and brok'n, he had lost his right to all the Belgic Provinces; that therefore they deposd him and declar'd it lawful to choose another in his stead. *Thuan. l. 74.* From that time, to this no State or Kingdom in the World hath equally prosperd: But let them remember not to look with an evil and prejudicial eye upon thir neighbours walking by the same rule.

But what need these examples to Presbyterians, I mean to those who now of late would seem so much to abhorr deposing, whenas they to all Christendom have giv'n the latest and the liveliest example of doing it themselves. I question not the lawfulness of raising Warr against a Tyrant in defence of Religion, or civil libertie; for no Protestant Church from the first *Waldenses* of *Lyons*, and *Languedoc* to this day but have don it round, and maintaind it lawfull. But this I doubt not to affirme, that the Presbyterians, who now so much condemn deposing, were the men themselves that deposd the King, and cannot with all thir shifting and relapsing, wash off the guiltiness from thir owne hands. For they themselves, by these thir late doings have made it guiltiness, and turnd thir own warrantable actions into Rebellion.

There is nothing that so actually makes a King of *England*, as rightful possession and Supremacy *in all causes both civil and Ecclesiastical*; and nothing that so actually makes a Subject of *England*, as those two Oaths of Allegiance and Supremacy observd *without*

equivocating, *or any mental reservation*. Out of doubt then when the King shall [33] command things already constituted in Church, or State, obedience is the true essence of a subject, either to doe, if it be lawful, or if he hold the thing unlawful, to submit to that penaltie which the Law imposes, so long as he intends to remaine a subject. Therefore when the people or any part of them shall rise against the King and his authority executing the Law in any thing establishd, civil or ecclesiastical, I doe not say it is rebellion, if the thing commanded, though establishd, be unlawfull, and that they sought first all due means of redress (and no man is furder bound to Law) but I say it is an absolute renouncing both of Supremacy and Allegiance, which in one word is an actual and total deposing of the King, and the setting up of another supreme authority over them. And whether the Presbyterians have not don all this and much more, they will not put mee I suppose, to reck'n up a seven yeares story fresh in the memory of all men. Have they not utterly broke the Oath of Allegiance, rejecting the Kings command and authority sent them from any part of the Kingdom, whether in things lawful or unlawful? Have they not abjur'd the Oath of Supremacy by setting up the Parliament without the King, supreme to all thir obedience, and though thir Vow and Covnant bound them in general to the Parliament, yet somtimes adhering to the lesser part of Lords and Commons that remain'd faithful, as they terme it, and eev'n of them, one while to the Commons without the Lords, another while to the Lords without the Commons? Have they not still declar'd thir meaning, whatever their [34] Oath were, to hold them onely for supreme whom they found at any time most yeilding to what they petitioned? Both these Oaths which were the straitest bond of an English subject in reference to the King, being thus broke and made voide, it follows undeniably that the King from that time was by them in fact absolutely deposd, and they no longer in reality to be thought his subjects, notwithstanding thir fine clause in the Covnant to preserve his person, Crown, and dignitie, set there by som dodging Casuist with more craft then sinceritie to mitigate the matter in case of ill success, and not tak'n I suppose by any honest man, but as a condition subordinate to every the least particle that might more concerne Religion, liberty, or the public peace. To prove it yet more plainly that they are the men who have deposd the King, I thus argue. We know that King and Subject are relatives, and relatives have no longer being then in the relation; the relation between King and Subject, can be no other then regal authority and subjection. Hence I inferr past their defending, that if the Subject who is one relative, takes[1] away the relation, of force he takes away also the other relative; but the Presbyterians, who were one relative, that is say subjects, have for this sev'n yeares tak'n away the relation, that is to say, the Kings autoritie, and thir subjection to it, therefore the Presbyterians for these sev'n yeares have removd and extinguish[2] the other relative, that is to say the King, or to speake more in brief have depos'd him: not onely by depriving him the execution of his autoritie, but by conferring [35] it upon others. If then thir Oathes of subjection brok'n, new Supremacy obey'd, new Oathes and Covnants tak'n, notwithstanding frivolous evasions, have in plaine termes unking'd the King, much more then hath thir sev'n yeares Warr not depos'd him onely, but outlawd him, and defi'd him as an alien, a rebell to

Law, and enemie to the State. It must needs be cleare to any man not averse from reason, that hostilitie and subjection are two direct and positive contraries; and can no more in one subject stand together in respect of the same King, then one person at the same time can be in two remote places. Against whom therefore the Subject is in act of hostility we may be confident that to him he is in no subjection: and in whom hostility takes place of subjection, for they can by no meanes consist together, to him the King can bee not onely no King, but an enemie. So that from hence wee shall not need dispute whether they have depos'd him, or what they have defaulted towards him as no King, but shew manifestly how much they have don toward the killing him. Have they not levied all these Warrs against him whether offensive or defensive (for defence in Warr equally offends, and most prudently before hand) and giv'n Commission to slay where they knew his person could not bee exempt from danger? And if chance or flight had not sav'd him, how oft'n had they killd him, directing thir Artillery without blame or prohibition to the very place where they saw him stand? And converted his revenew to other uses, and detain'd from him [36] all meanes of livelyhood, so that for them long since he might have perisht, or have starv'd?[1] Have they not hunted and pursu'd him round about the Kingdom with sword and fire? Have they not formerly deny'd to treat with him, and thir now recanting Ministers preach'd against him, as a reprobate incurable, an enemy to God and his church markt for destruction, and therefore not to bee treated with? Have they not beseig'd him, and to thir power forbid him Water and Fire, save what they shot against him to the hazard of his life? Yet while they thus assaulted and endangerd it with hostile deeds, they swore in words to defend it with his Crown and dignity; not in order, as it seems now, to a firm and lasting peace, or to his repentance after all this blood; but simply without regard, without remorse or any comparable value of all the miseries and calamities suffer'd by the poore people, or to suffer hereafter through his obstinacy or impenitence. No understanding man can be ignorant that Covnants are ever made according to the present state of persons and of things; and have ever the more general laws of nature and of reason included in them, though not express'd. If I make a voluntary Covenant as with a man to doe him good, and hee prove afterward a monster to me, I should conceive a disobligement. If I covnant, not to hurt an enemie, in favor of him and forbearance, and hope of his amendment, and he, after that, shall doe me tenfould injury and mischief to what hee had don when I so Covnanted, and still be plotting what may tend to my destruction, I question not but [37] that his after actions release me; nor know I Covenant so sacred that withholds mee from demanding justice on him. Howbeit, had not thir distrust in a good cause, and the fast and loos of our prevaricating Divines oversway'd, it had bin doubtless better, not to have inserted in a Covenant unnecessary obligations, and words not works of a supererogating Allegiance to thir enemy; no way advantageous to themselves, had the King prevail'd as to thir cost many would have felt; but full of snare and distraction to our friends, useful onely, as we now find, to our adversaries, who under such a latitude and shelter of ambiguous interpretation have ever since been plotting and contriving new opportunities to trouble all againe. How much better had it bin, and more becoming an

undaunted vertue to have declard op'nly and boldly whom and what power the people were to hold Supreme, as on the like occasion Protestants have don before, and many conscientious men now in these times have more then once besought the parlament to doe, that they might go on upon a sure foundation, and not with a ridling Covnant in thir mouthes seeming to sweare counter almost in the same breath Allegeance and no Allegeance; which doubtless had drawn off all the minds of sincere men from siding with them, had they not discern'd thir actions farr more deposing him then thir words upholding him; which words made now the subject of cavillous interpretations, stood ever in the Covnant by judgement of the more discerning sort an evidence of thir feare not of thir [38] fidelity. What should I return to speak on, of those attempts for which the King himself hath oft'n charg'd the Presbyterians of seeking his life, whenas in the due estimation of things, they might without a fallacy be sayd to have don the deed outright. Who knows not that the King is a name of dignity and office, not of person: Who therefore kills a King, must kill him while he is a King. Then they certainly who by deposing him have long since tak'n from him the life of a King, his office and his dignity, they in the truest sence may be said to have killd the King: not onely by thir deposing and waging Warr against him, which besides the danger to his personal life, set him in the fardest opposite point from any vital function of a King, but by thir holding him in prison vanquishd and yeilded into thir absolute and *despotic* power, which brought him to the lowest degradement and incapacity of the regal name. I say not by whose matchless valour next under God, lest the story of thir ingratitude thereupon carry me from the purpose in hand which is to convince them, that they which I repeat againe, were the men who in the truest sense killd the King, not onely as is provd before, but by depressing him thir King farr below the rank of a subject to the condition of a Captive, without intention to restore him, as the Chancellour of *Scotland* in a speech told him plainly at *Newcastle*, unless hee granted fully all thir demands, which they knew he never meant. Nor did they Treat or think of Treating with him, till thir hatred to the Army that deliverd them, not thir love or duty to the [39] King, joyn'd them secretly with men sentencd so oft for Reprobates in thir own mouthes, by whose suttle inspiring they grew madd upon a most tardy and improper Treaty. Wheras if the whole bent of thir actions had not bin against the Kinge himselfe, but against his evill Councel,[1] as they faind, and publishd, wherefore did they not restore him all that while to the true life of a King, his Office, Crown, and Dignity, while he was in thir power, and they themselves his nearest Counselers. The truth therefore is, both that they would not, and that indeed they could not without thir owne certaine destruction, having reduc'd him to such a final pass, as was the very death and burial of all in him that was regal, and from whence never King of *England* yet reviv'd, but by the new re-inforcement of his own party, which was a kind of resurrection to him. Thus having quite extinguisht all that could be in him of a King, and from a total privation clad him over, like another specifical thing, with formes and habitudes destructive to the former, they left in his person, dead as to Law and all the civil right either of King or Subject the life onely of a Prisner, a Captive and a Malefactor. Whom the equal and impartial hand of justice finding, was no more to spare

then another ordinary man; not onely made obnoxious to the doome of Law by a charge more than once drawn up against him, and his own confession to the first article at *Newport*, but summonsd and arraignd in the sight of God and his people, cursd and devoted to perdition worse then any *Ahab*, or *Antiochus*, with exhortation to curse all those in the name of God [40] that made not warr against him, as bitterly as *Meroz* was to be curs'd, that went not out against a Canaanitish King, almost in all the Sermons, Prayers, and Fulminations that have bin utterd this sev'n yeares by those clov'n tongues of falshood and dissention, who now, to the stirring up of new discord, acquitt him; and against thir owne discipline, which they boast to be the throne and scepter of Christ, absolve him, unconfound him, though unconverted, unrepentant, unsensible of all thir pretious Saints and Martyrs whose blood they have so oft layd upon his head: and now againe with a new sovran anointment can wash it all off, as if it were as vile, and no more to be reckn'd for then the blood of so many Dogs in the time of Pestilence: giving the most opprobrious lye to all the acted zeale that for these many years hath filld thir bellies, and fed them fatt upon the foolish people. Ministers of sedition, not of the Gospell, who while they saw it manifestly tend to civil Warr and bloodshed, never ceasd exasperating the people against him; and now that they see it likely to breed new commotion, cease not to incite others against the people that have savd them from him, as if sedition were thir onely aime, whether against him or for him. But God as we have cause to trust, will put other thoughts into the people, and turn them from looking after these firebrands,[1] of whose fury, and fals prophecies we have enough experience; and from the murmurs of new discord will incline them to heark'n rather with erected minds to the voice of our supreme [41] Magistracy, calling us to liberty and the flourishing deeds of a reformed Commonwealth; with this hope that as God was heretofore angry with the Jews who rejected him and his forme of Government to choose a King, so that he will bless us, and be propitious to us who reject a King to make him onely our leader and supreme governour in the conformity as neer as may be of his own ancient goverment; if we have at least but so much worth in us to entertaine the sense of our future happiness, and the courage to receive what God voutsafes us: wherein we have the honour to precede other Nations who are now labouring to be our followers. For as to this question in hand what the people by thir just right may doe in change of goverment, or of governour, we see it cleerd sufficiently; besides other ample authority eev'n from the mouths of Princes themselves. And surely that shall boast, as we doe, to be a free Nation, and not have in themselves the power to remove, or to abolish any governour supreme, or subordinate[2] with the goverment itself upon urgent causes, may please thir fancy with a ridiculous and painted freedom, fit to coz'n babies; but are indeed under tyranny and servitude; as wanting that power, which is the root and sourse of all liberty, to dispose and *oeconomize* in the Land which God hath giv'n them, as Maisters of Family in thir own house and free inheritance. Without which natural and essential power of a free Nation, though bearing high thir heads, they can in due esteem be thought no better then slaves and vassals born, in the tenure [42] and occupation of another inheriting Lord. Whose goverment, though not illegal, or intolerable, hangs over them as a Lordly scourge, not as free

government; and therefore to be abrogated. How much more justly then may they fling off tyranny or tyrants?[1] who being once depos'd can be no more then privat men, as subject to the reach of Justice and arraignment as any other transgressors. And certainly if men, not to speak of Heathen, both wise and Religious have don justice upon Tyrants what way they could soonest, how much more mild and human then is it to give them faire and op'n tryall? To teach lawless Kings und all that[2] so much adore them, that not mortal man, or his imperious will, but Justice is the onely true sovran and supreme Majesty upon earth. Let men cease therefore out of faction and hypocrisie to make out-crys and horrid things of things so just and honorable.[3] And if the Parlament and Military Council do what they doe without president, if it appeare thir duty, it argues the more wisdom, vertue, and magnanimity, that they know[4] themselves able to be a president to others. Who perhaps in future ages if they prove not too degenerat, will look up with honour and aspire toward these exemplary, [43] and matchless deeds of thir Ancestors, as to the highest top of thir civil glory and emulation. Which heretofore in the persuance of fame and forren dominion spent it self vain-gloriously abroad; but henceforth may learn a better fortitude to dare execute highest Justice on them that shall by force of Armes endeavour the oppressing and bereaving of Religion and thir liberty at home: that no unbridl'd Potentate or Tyrant, but to his sorrow for the future, may presume such high and irresponsible licence over mankinde to havock and turn upside-down whole Kingdoms of men as though they were no more in respect of his perverse will then a Nation of Pismires. As for the party calld Presbyterian, of whom I beleive very many to be good and faithful Christians misled by som of turbulent spirit, I wish them earnestly and calmly not to fall off from thir first principles; nor to affect rigor and superiority over men not under them; not to compell unforcible things in Religion especially, which if not voluntary, becomes a sin; nor to assist the clamor and malicious drifts of men whom they themselves have judg'd to be the worst of men, the obdurat enemies of God and his Church; nor to dart against the actions of thir brethren, for want of other argument those wrested Lawes and Scriptures thrown by Prelats and Malignants against thir own sides, which though they hurt not otherwise, yet tak'n up by them to the condemnation of thir own doings, give scandal to all men and discover in themselves either extreame passion, or apostacy. Let them not oppose thir best friends and associats [44] who molest them not at all, infringe not the least of thir liberties; unless they call it thir liberty to bind other mens consciences, but are still seeking to live at peace with them and brotherly accord. Let them beware an old and perfet enemy, who though he hope by sowing discord to make them his instruments, yet cannot forbear a minute the op'n threatning of his destind revenge upon them, when they have servd his purposes. Let them feare therefore, if they bee wise, rather what they have don already, then what remaines to doe, and be warn'd in time they put no confidence in Princes whom they have provokd, lest they be added to the examples of those that miserably have tasted the event. Stories can inform them how *Christiern* the second, King of *Denmark* not much above a hundred yeares past, driv'n out by his Subjects, and receavd againe upon new Oaths and conditions, broke through them all to his most bloody revenge; slaying his chief opposers

when he saw his time, both them and thir children invited to a feast for that purpose. How *Maximilian* dealt with those of *Bruges*, though by mediation of the German Princes reconcil'd to them by solemn and public writings drawn and seald. How the massacre at *Paris* was the effect of that credulous peace which the French Protestants made with *Charles* the ninth thir king: and that the main visible cause which to this day hath sav'd the *Netherlands* from utter ruine, was thir finall not beleiving the perfidious cruelty which as a constant maxim of State hath bin us'd by the Spanish Kings on thir Subjects that have tak'n [45] armes and after trusted them; as no later age but can testifie, heretofore in *Belgia* it self, and this very yeare in *Naples*. And to conclude with one past exception, though farr more ancient, *David*, when once hee had tak'n Armes, never after that trusted *Saul*, though with tears and much relenting hee twice promis'd not to hurt him. These instances, few of many, might admonish them both English and Scotch not to let thir owne ends, and the driving on of a faction betray them blindly into the snare of those enemies whose revenge looks on them as the men who first begun, fomented and carri'd on beyond the cure of any sound or safe accomodation all the evil which hath since unavoidably befall'n them and thir king.

I have something also to the Divines, though brief to what were needfull; not to be disturbers of the civil affairs, being in hands better able, and more belonging, to manage them; but to study harder and to attend the office of good Pastors, knowing that he whose flock is least among them hath a dreadfull charge, not performd by mounting twice into the chair with a formal preachment huddl'd up at the odd hours of a whole lazy week, but by incessant pains and watching *in season and out of season, from house to house* over the soules of whom they have to feed. Which if they ever well considerd, how little leasure would they find to be the most pragmatial Sidesmen of every popular tumult and Sedition? And all this while are to learne what the true end and reason is of the [46] Gospel which they teach; and what a world it differs from the censorious and supercilious lording over conscience. It would be good also they liv'd so as might perswade the people they hated covetousness, which worse then heresie, is idolatry; hated pluralities and all kind of Simony; left rambling from Benefice to Benefice, like rav'nous Wolves, seeking where they may devour the biggest. Of which if som, well and warmly seated from the beginning, be not guilty, twere good they held not conversation with such as are: let them be sorry that being call'd to assemble about reforming the Church, they fell to progging and solliciting the Parliament, though they had renouncd the name of Priests, for a new setling of thir Tithes and Oblations; and double lin'd themselves with spiritual places of commoditie beyond the possible discharge of thir duty. Let them assemble in Consistory with thir Elders and Deacons, according to ancient Ecclesiastical rule, to the preserving of Church discipline, each in his several charge, and not a pack of Clergie men by themselves to belly cheare in thir presumptuous Sion, or to promote designes, abuse and gull the simple Laity, and stirr up tumult, as the Prelats did, for the maintenance of thir pride and avarice. These things if they observe and waite with patience, no doubt but all things will goe well without their importunities or exclamations: and the Printed letters which they send subscrib'd with the

ostentation of great Characters and little moment, would be more considerable then now they are. But if they be the Ministers of Mammon [47] instead of Christ, and scandalize his Church with the filthy love of gaine, aspiring also to sit the closest and the heaviest of all Tyrants, upon the conscience, and fall notoriously into the same sins, whereof so lately and so loud they accus'd the Prelates, as God rooted out those[1] immediately before, so will he root out them thir imitators: and to vindicate his own glory and Religion will uncover thir hypocrisie to the open world; and visit upon thir own heads that *curse ye Meroz*, the very *Motto* of thir Pulpits, wherwith so frequently, not as *Meroz*, but more like Atheists they have mock'd[2] the vengeance of God, and the zeale of his people.[3] And that they be not what they goe for, true Ministers of the Protestant doctrine, taught by those abroad, famous and religious men, who first reformd the Church, or by those no less zealous, who withstood corruption and the Bishops heer at home, branded with the name of Puritans and Nonconformists, wee shall abound with testimonies to make appeare; that men may yet more fully know the difference between Protestant Divines and these Pulpit-firebrands.

Luther.

Lib. contra Rusticos apud Sleidan. l. 5.

Is est hodie rerum status, etc. *Such is the state of things at this day, that men neither can, nor will, nor indeed ought to endure longer the domination of you Princes.*

Neque vero Cæsarem, etc. *Neither is Cæsar to make warr as head of Christ'ndom, Protector of the Church, Defender of the Faith; these Titles being fals and Windie, and most Kings being the greatest Enemies to [48] religion. Lib. De bello contra Turcas. apud Sleid. l. 14.* What hinders then, but that we may depose or punish them?

These also are recited by *Cochlaeus* in his *Miscellanies* to be the words of *Luther*, or some other eminent Divine, then in *Germany*, when the Protestants there entred into solemn Covenant at *Smalcaldia*. *Ut ora iis obturem, etc. That I may stop thir mouthes, the Pope and Emperor are not born but elected, and may also be depos'd, as hath bin oft'n don.* If *Luther*, or whoever els thought so, he could not stay there; for the right of birth or succession can be no privilege in nature to let a Tyrant sit irremoveable over a Nation free born, without transforming that Nation from the nature and condition of men born free, into natural, hereditary and successive slaves. Therefore he saith further; *To displace and throw down this Exactor, this Phalaris, this Nero, is a work well pleasing to God;* Namely, for being such a one: which is a moral reason. Shall then so slight a consideration as his happ to be not elective simply, but by birth, which was a meer accident, overthrow that which is moral, and make unpleasing to God that which otherwise had so well pleasd him? Certainly not: for if the matter be rightly argu'd, Election much rather than chance, bindes a man to content himself with what he suffers by his own bad Election. Though indeed neither the one nor other bindes any man, much less any people to a necessary sufferance of those wrongs and

evils, which they have abilitie and strength enough giv'n them to remove.

[49]

Zwinglius. tom. I. articul. 42.

Quando vero perfidè, etc. *When Kings raigne perfidiously, and against the rule of Christ, they may according to the word of God be depos'd.*

Mihi ergo compertum non est, etc. *I know not how it comes to pass that Kings raigne by succession, unless it be with consent of the whole people. ibid.*

Quum vero consensu, etc. *But when by suffrage and consent of the whole people, or the better part of them, a Tyrant is depos'd or put to death, God is the chief leader in that action. ibid.*

Nunc cum tam tepidii sumus, etc. *Now that we are so luke warm in upholding public justice, we indure the vices of Tyrants to raigne now a dayes with impunity; justly therefore by them we are trod underfoot, and shall at length with them be punisht. Yet ways are not wanting by which Tyrants may be remoov'd, but there wants public justice. ibid.*

Cavete vobis ô tyranni, etc. *Beware yee Tyrants for now the Gospell of Jesus Christ spreading farr and wide, will renew the lives of many to love innocence and justice; which if yee also shall doe, yee shall be honourd. But if yee shall goe on to rage and doe violence, ye shall be traml'd on by all men. ibid.*

Romanum imperium imò quodq; etc. *When the Roman Empire or any other shall begin to oppress Religion, and wee negligently suffer it, wee are as much guilty of Religion so violated, as the Oppressors themselves. Idem epist. ad Conrad. Somium.*

Calvin on Daniel. c. 4. v. 25.

Hodie Monarchae semper in suis titulis, etc. *Now adays Monarchs pretend alwayes in thir Titles, to be Kings by the grace of God: but how many of them to [50] this end onely pretend it, that they may raigne without controule; for to what purpose is the grace of God mentioned in the Title of Kings, but that they may acknowledge no Superiour? In the meane while God, whose name they use, to support themselves, they willingly would tread under thir feet. It is therefore a meer cheat when they boast to raigne by the grace of God.*

Abdicant se terreni principes, etc. *Earthly Princes depose themselves while they rise against God, yea they are unworthy to be numberd among men: rather it behooves us to spitt upon thir heads then to obey them. On Dan: c. 6. v. 22.*

Bucer on Matth. c. 5.

Si princeps superior, etc. *If a Sovran Prince endeavour by armes to defend transgressors, to subvert those things which are taught in the word of God, they who are in authority under him, ought first to dissuade him; if they prevaile not, and that he now beares himself not as a Prince, but as an enemy, and seeks to violate privileges and rights granted to inferior Magistrates or commonalities, it is the part of pious Magistrates, imploring first the assistance of God, rather to try all ways and means, then to betray the flock of Christ, to such an enemy of God: for they also are to this end ordain'd, that they may defend the people of God, and maintain those things which are good and just. For to have supreme power less'n's not the evil committed by that power, but makes it the less tolerable, by how much the more generally hurtful. Then certainly the less tolerable, the more unpardonably to be punish'd.*

Of Peter Martyr we have spoke before.

Paraeus in Rom. 13.

Quorum est constituere magistratus, etc. *They [51] whose part it is to set up Magistrates, may restrain them also from outrageous deeds, or pull them down; but all Magistrates are set up either by Parliament, or by Electors, or by other Magistrates; they therefore who exalted them, may lawfully degrade and punish them.*

Of the Scotch Divines I need not mention others then the famousest among them, *Knox*, and his fellow Labourers in the reformation of Scotland; whose large Treatises on this subject, defend the same Opinion. To cite them sufficiently, were to insert thir whole Books, writt'n purposely on this argument. *Knox Appeal*; and to the Reader; where he promises in a postscript that the Book which he intended to set forth, call'd, The second blast of the Trumpet, should maintain more at large, that the same men most justly may depose, and punish him whom unadvisedly they have elected, notwithstanding birth, succession, or any Oath of Allegiance. Among our own Divines, *Cartwright* and *Fenner*, two of the Larnedest, may in reason satisfy us what was held by the rest. *Fenner* in his Book of Theologie maintaining, That *they who have power, that is to say, a Parliament, may either by faire meanes or by force depose a Tyrant*, whom he defines to be him, that wilfully breakes all, or the principal conditions made between him and the Common-wealth. *Fen. Sac. Theolog. c. 13.* and *Cartwright* in a prefix'd Epistle testifies his approbation of the whole Book.

Gilby de Obedientia. p. 25. and 105.

Kings have thir autoritie of the people, who may upon occasion re-assume it to themselves.

Englands Complaint against the Canons.

The people may kill wicked Princes as monsters and cruel beasts.

Christopher Goodman of Obedience.

When Kings or Rulers become blasphemers of God, oppressers and murderers of thir subjects, they ought no more to be accounted Kings or lawfull Magistrates, but as privat men to be examind, accus'd, condemn'd and punisht by the Law of God, and being convicted and punisht by that Law, it is not mans but Gods doing, *c. 10. p. 139.*

By the civil laws a foole or Idiot born, and so prov'd, shall loose the lands and inheritance whereto he is born, because he is not able to use them aright. And especially ought in no case be sufferd to have the government of a whole Nation; But there is no such evil can come to the Common-wealth by fooles and idiots as doth by the rage and fury of ungodly Rulers; Such therefore being without God ought to have no authority over Gods people, who by his Word requireth the contrary. *c. 11. p. 143, 144.*

No person is exempt by any Law of God from this punishment, be he King, Queene, or Emperor, he must dy the death, for God hath not plac'd them above others, to transgress his laws as they list, but to be subject to them as well as others, and if they be subject to his laws, then to the punishment also, so much the more as thir example is more dangerous. *c. 13. p. 184.*

When Magistrates cease to doe thir Duty, the people are as it were without Magistrates, yea worse, and then God giveth the sword into the peoples hand, and he himself is become immediatly thir head. *p. 185.*

If Princes doe right and keep promise with you, [53] then doe you owe to them all humble obedience: if not, yee are discharg'd, and your study ought to be in this case how ye may depose and punish according to the Law, such Rebels against God and oppressors of thir Country. *p. 190.*

This *Goodman* was a Minister of the *English Church* at *Geneva*, as *Dudley Fenner* was at *Middleburrough*, or some other place in that country. These were the Pastors of those Saints and Confessors who flying from the bloody persecution of Queen *Mary*, gather'd up at length thir scatterd members into many Congregations; wherof som in upper, some in lower *Germany*, part of them settl'd at *Geneva*, where this Author having preachd on this subject, to the great liking of certain lerned and godly men who heard him, was by them sundry times and with much instance requir'd to write more fully on that point. Who therupon took it in hand, and conferring with the best lerned in those parts (among whom *Calvin* was then living in the same City) with their special approbation he publisht this treatise, aiming principally, as is testify'd by *Whittingham* in the Preface, that his brethren of *England* the Protestants, might be perswaded in the truth of that Doctrine concerning obedience to Magistrates.

These were the true Protestant Divines of *England*, our fathers in the faith we hold; this was their sense, who for so many yeares labouring under Prelacy, through all stormes and persecutions kept Religion from extinguishing and deliverd it pure to us, till there arose a covetous and ambitious generation of Divines (for Divines they call themselves) who feining on a sudden to be new [54] converts and Proselytes from Episcopacy, under which they had long temporiz'd, op'nd thir mouthes at length, in shew against Pluralities and Prelacy, but with intent to swallow them down both; gorging themselves like Harpy's on those simonious places and preferments of thir outed predecessors, as the quarry for which they hunted, not to pluralitie onely but to multiplicite: for possessing which they had accusd them thir Brethren, and aspiring under another title to the same authoritie and usurpation over the consciences of all men.

Of this faction divers reverend and lerned Divines, as they are stil'd in the Phylactery of thir own Title page, pleading the lawfulness of defensive Armes against this king, in a Treatise call'd *Scripture and Reason*, seem in words to disclaime utterly the deposing of a king; but both the Scripture and the reasons which they use, draw consequences after them, which without their bidding conclude it lawfull. For if by Scripture, and by that especially to the *Romans*, which they most insist upon, Kings, doing that which is contrary to Saint *Pauls* definition of a Magistrat, may be resisted, they may altogether with as much force of circumstance be depos'd or punishd. And if by reason the unjust authority of Kings *may be forfeited in part, and his power be reassum'd in part, either by the Parlament or People, for the case in hazard and the present necessitie*, as they affirm, p. 34. there can no Scripture be alleg'd, no imaginable reason giv'n, that necessity continuing, as it may alwayes, and they in all prudence and thir duty may take upon them to foresee it, why in such a case they may [55] not finally amerce him with the loss of his Kingdom, of whose amendment they have no hope. And if one wicked action persisted in against Religion, Laws and liberties may warrant us to thus much in part, why may not forty times as many tyrannies, by him committed, warrant us to proceed on restraining him, till the restraint become total. For the ways of justice are exactest proportion; if for one trespass of a king it require so much remedie or satisfaction, then for twenty more as hainous crimes, it requires of him twentyfold; and so proportionably, till it com to what is utmost among men. If in these proceedings against thir king they may not finish by the usual cours of justice what they have begun, they could not lawfully begin at all. For this golden rule of justice and moralitie, as well as of Arithmetic, out of three termes which they admitt, will as certainly and unavoydably bring out the fourth, as any Probleme that ever *Euclid*, or *Apollonius* made good by demonstration.

And if the Parlament, being undeposable but by themselves, as is affirm'd, p. 37, 38, might for his whole life, if they saw cause, take all power, authority, and the sword out of his hand, which in effect is to unmagistrate him, why might they not, being then themselves the

sole Magistrates in force, proceed to punish him who being lawfully depriv'd of all things that define a Magistrate, can be now no Magistrate to be degraded lower, but an offender to be punished. Lastly, whom they may defie, and meet in battell, why may they not as well prosecute by justice? For lawfull warr is [56] but the execution of justice against them who refuse Law. Among whom if it be lawfull (as they deny not, *p.* 19, 20) to slay the king himself coming in front at his own peril, wherefore may not justice doe that intendedly, which the chance of a defensive warr might without blame have don casually, nay purposely, if there it finde him among the rest. They aske *p.* 19. *By what rule of Conscience or God, a State is bound to sacrifice Religion, Laws and liberties, rather then a Prince defending such as subvert them, should com in hazard of his life.* And I ask by what conscience, or divinity, or Law, or reason, a State is bound to leave all these sacred concernments under a perpetual hazard and extremity of danger, rather then cutt off a wicked prince, who sitts plotting day and night to subvert them: They tell us that the Law of nature justifies any man to defend himself, eev'n against the King in Person: let them shew us then why the same Law may not justifie much more a State or whole people, to doe justice upon him, against whom each privat man may lawfully defend himself; seeing all kind of justice don, is a defence to good men, as well as a punishment to bad; and justice don upon a Tyrant is no more but the necessary self-defence of a whole Common wealth. To Warr upon a king, that his instruments may be brought to condigne punishment, and thereafter to punish them the instruments, and not to spare onely, but to defend and honour him the Author, is the strangest peece of justice to be call'd Christian and the strangest peece of reason to be call'd human, that by men of reverence and learning, [57] as thir stile imports them, ever yet was vented. They maintain in the third and fourth Section, that a Judge or inferior Magistrate, is anointed of God, is his Minister, hath the Sword in his hand, is to be obey'd by St. *Peters* rule, as well as the Supreme, and without difference any where exprest: and yet will have us fight against the Supreme till he remove and punish the inferior Magistrate (for such were greatest Delinquents) when as by Scripture and by reason, there can no more authority be shown to resist the one then the other; and altogether as much, to punish or depose the Supreme himself, as to make Warr upon him, till he punish or deliver up his inferior Magistrates, whom in the same terms we are commanded to obey, and not to resist. Thus while they, in a cautious line or two here and there stuf in, are onely verbal against the pulling down or punishing of Tyrants, all the Scripture and the reason which they bring, is in every leafe direct and rational to inferr it altogether as lawful, as to resist them. And yet in all thir Sermons, as hath by others bin well noted, they went much further. For Divines, if ye observe them, have thir postures and thir motions no less expertly, and with no less variety then they that practice feats in the Artillery-ground. Sometimes they seem furiously to march on, and presently march counter; by and by they stand, and then retreat; or if need be can face about, or wheele in a whole body, with that cunning and dexterity as is almost unperceavable; to winde themselves by shifting ground into places of more advantage. And [58] Providence onely must be the drumm, Providence the word of command, that calls them from above, but

always to some larger Benefice, or acts them into such or such figures, and promotions. At their turnes and doublings no men readier; to the right, or to the left; for it is their turnes which they serve chiefly; herein onely singular, that with them there is no certain hand right or left; but as their own commodity thinks best to call it. But if there come a truth to be defended, which to them, and their interest of this world seemes not so profitable, strait these nimble motionists can finde no eev'n leggs to stand upon: and are no more of use to reformation throughly performd, and not superficially, or to the advancement of Truth (which among mortal men is alwaies in her progress) then if on a sudden they were strook maime and crippl'd. Which the better to conceale, or the more to countenance by a general conformity to their own limping, they would have *Scripture*, they would have *reason* also made to halt with them for company; and would putt us off with impotent conclusions, lame and shorter then the premises. In this posture they seem to stand with great zeale and confidence on the wall of *Sion*; but like *Jebusites*, not like *Israelites*, or *Levites*: blinde also as well as lame, they discern not *David* from *Adonibezec*; but cry him up for the Lords anointed, whose thumbs and great toes not long before they had cut off upon their Pulpit cushions. Therefore he who is our onely King, the root of *David*, and whose Kingdom is eternal righteousness, with all those [59] that Warr under him, whose happiness and final hopes are laid up in that onely just and rightful kingdom (which we pray incessantly may com soon, and in so praying with hasty ruin and destruction to all Tyrants) eev'n he our immortal King, and all that love him, must of necessity have in abomination these blind and lame Defenders of *Jerusalem*; as the soule of *David* hated them, and forbid them entrance into Gods House, and his own. But as to those before them, which I cited first (and with an easie search, for many more might be added) as they there stand, without more in number, being the best and chief of Protestant Divines, we may follow them for faithful Guides, and without doubting may receive them, as Witnesses abundant of what wee heer affirm concerning Tyrants. And indeed I find it generally the cleere and positive determination of them all, (not prelatial, or of this late faction subprelatial) who have writt'n on this argument; that to doe justice on a lawless King, is to a privat man unlawful, to an inferior Magistrate lawfull: or if they were divided in opinion, yet greater then these here alleg'd, or of more authority in the Church, there can be none produc'd. If any one shall goe about by bringing other testimonies to disable these, or by bringing these against themselves in other cited passages of their Books, he will not onely faile to make good that fals and impudent assertion of those mutinous Ministers, that the deposing and punishing of a King or Tyrant, *is against the constant Judgement of all Protestant Divines*, it being [60] quite the contrary, but will prove rather, what perhaps he intended not, that the judgement of Divines, if it be so various and inconstant to it self, is not considerable, or to be esteem'd at all. Ere which be yielded, as I hope it never will, these ignorant assertors in their own art will have prov'd themselves more and more, not to be Protestant Divines, whose constant judgement in this point they have so audaciously bely'd, but rather to be a pack of hungrie Church-wolves, who in the steps of *Simon Magus* their Father, following the hot sent of double Livings and Pluralities, advousons, donatives,

inductions and augmentations, though uncall'd to the Flock of Christ, but by the meer suggestion of thir Bellies, like those priests of *Bel*, whose pranks *Daniel* found out; have got possession, or rather seis'd upon the Pulpit, as the strong hold and fortress of thir sedition and rebellion against the civil Magistrate. Whose friendly and victorious hand having rescu'd them from the Bishops, thir insulting Lords, fed them plenteously, both in public and in privat, rais'd them to be high and rich of poore and base; onely suffer'd not thir covetousness and fierce ambition, which as the pitt that sent out thir fellow locusts, hath bin ever bottomless and boundless, to interpose in all things, and over all persons, thir impetuous ignorance and importunity.

THE END

Endnotes

- [1] Second edition omits *of*. A new paragraph is also indicated here.
- [1] Sec. ed. *discord*.
- [1] Sec. ed. adds *wrested*.
- [2] Sec. ed. *strength and assistance*.
- [1] Sec. ed. *upon*.
- [1] A new sentence begins here in sec. ed.
- [1] Sec. ed. adds: ‘While as the Magistrate was set above the people, so the law was set above the Magistrate.’
- [2] *Sesel* in sec. ed.
- [3] Sec. ed. reads: ‘which I instance rather, not because our English Lawyers have not said the same long before, but because that French Monarchy, is granted by all to be a farr more absolute then ours.’
- [4] In the sec. ed. the sentence is thus expanded: ‘appealing to the known constitutions of both the latest Christian Empires in Europe, the Greek and German, besides the French, Italian, Arragonian, English, and not least, the Scottish Histories.’
- [1] The sec. ed. adds: ‘*Aristotle*, therefore, whom we commonly allow for one of the best interpreters of nature and morality, writes in the fourth of his Politics chap. 10. that Monarchy unaccountable, is the worst sort of Tyranny; and least of all to be endur’d by free born men.’
- [2] In sec. ed. *surely* follows *and*.
- [1] Sec. ed. reads *trod on*.
- [1] Sec. ed. omits *unrepeald*.
- [1] Sec. ed. adds 2 *Sam.* 5. 3.
- [2] An interrogation mark is used in place of the period in sec. ed.
- [3] Sec. ed. reads *Misgoverment*.

[1] In sec. ed. *without difference* follows *is*.

[2] In sec. ed. *Alike* precedes *submitt*.

[3] Sec. ed. adds: ‘But to any civil power unaccountable, unquestionable, and not to be resisted, no not in wickedness, and violent actions, how can we submitt as free men?’

[4] Begins with a capital in sec. ed.

[1] Sec. ed. has question mark.

[2] Sec. ed. supplies *in these days* after *Kings*.

[1] The text reads *is*, evidently a misprint.

[1] Sec. ed. *whatever*.

[1] Sentence ends here in sec. ed.

[2] A period replaces the semicolon in sec. ed.

[1] Sec. ed. adds: ‘So far we ought to be from thinking that Christ and his Gospel should be made a Sanctuary for Tyrants from justice, to whom his Law before never gave such protection.’

[1] Sec. ed. has plural form.

[2] Sec. ed. omits *needs*.

[1] *The* begins a new sentence in sec. ed.

[1] The comma is evidently a misprint; a period takes its place in sec. ed.

[2] The word is singular in sec. ed.

[1] Sec. ed. adds: ‘What no less in *England* then in *Scotland*, by the mouthes of those faithful Witnesses commonly call’d Puritans, and Nonconformists, spake as clearly for the putting down, yea the utmost punishing of Kings, as in thir several Treatises may be read; eev’n from the first raigne of *Elizabeth* to these times. Insomuch that one of them, whose name was *Gibson*, foretold *James*, he should be rooted out and conclude his race, if he persisted to uphold Bishops. And that very inscription stampt upon the first Coines at his Coronation, a naked Sword in a hand with these words, *Si mereor, in me, Against me, if I deserve*, not only manifested the judgement of that State, but seem’d also to presage the sentence of Divine justice in this event upon his Son.’

[1] Sec. ed. has *many times*.

[1] Sec ed. *take*.

[2] Sec ed. *extinguished*.

[1] The sentence reads thus in sec. ed.: ‘Have they not sequester’d him, judg’d or unjudg’d, and converted his revenew to other uses, detaining from him as a grand Delinquent, all meanes of livelyhood, so that for them long since he might have perisht, or have starv’d?’

[1] Sec. ed. *but only against his evill counselors*.

[1] Sec. ed. reads: ‘and turn them from giving eare or heed to these Mercenary noisemakers.’

[2] A comma follows *subordinate* in sec. ed.

[1] The question-mark is replaced by a semicolon in sec. ed.

[2] Sec. ed. *who*.

[3] The sec. ed. adds: ‘Though perhaps till now no Protestant State or kingdom can be alleg’d to have op’nly put to death thir King, which lately some have writt’n, and imputed to thir great glory; much mistaking the matter. It is not, neither ought to be the glory of a Protestant State, never to have put thir King to death; It is the glory of a Protestant King never to have deserv’d death.’

[4] Sec. ed. *knew*.

[1] Sec. ed. adds *wicked ones*.

[2] The sec. ed. reads: ‘Blasphem’d the vengeance of God, and traduc’d the zeale of his people.’

[3] The first edition ends here.