



THE  
STUMBLING-BLOCK  
OF  
DISOBEDIENCE & REBELLION

Cunningly imputed by P. H. unto  
CALVIN, removed in a Letter to  
the said P. H. from I. H.

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*Let no man put a Stumbling-block in his brothers way, Rom. 14. 13.*

*sir,*  
I Gave my judgment upon your late book  
(that I mean against *Calvin*) in such man-  
ner among some Gentlemen, that they de-  
sired me to write something in Answer to it,  
which if there happen to be need I may;  
In the mean time it will, perhaps, be enough if I acquaint  
you with as much as I have acquainted them. In this  
book

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book of yours you speak some things as a Polititian only, others as a Polititian and a Divine too. Now to repeat a few, and yet as many I think as are needful of each kind, I shall begin with the former.

The Rise, Progress, and Period of the Commonwealth of *Lacedemon* is observable in Authors by these steps,

1. The Insufficiency of the Monarchy.
2. The Form of the Commonwealth.
3. An Infirmity in the Form, and a cure of it.
4. The Corruption and Dissolution of the whole.

All which happened within the compass of eight hundred years.

To the first you say, *That the Spartan Kings were as absolute Monarchs as any in those times, till Eurytion, or Eurypon, to procure the favour and good will of the Ras-call-rabble (so you commonly call the people) purchas'd nothing but the losse of Royalty, beside an empty name unto his Family, thence called the Eurypontidæ.*

It is true that *Plutarch* in the Life of *Lycurgus* says, That *Eurypon* was the first, who to obtain favour with the people, let loose the reins of Government, and this he saith there without shewing any necessity that lay upon the King so to do; nevertheless that such necessity there was is apparent in *Agis*, where he affirmeth, That a King of *Lacedemon* could never come to be equal unto any other King, but only by introducing Equality among the people; forasmuch as a servant or Lieutenant of *Seleucus*, or *Ptolomy*, was worth more then ever were all the Kings of *Sparta* put together. Which latter speech if a man consider the narrowness of the Laconick Territory, being but a part of *Peloponnesus*, must needs evince the former action to have been not so voluntary in *Eurypon*, as in prudence unavoidable. But *Eurypon* having by this means rather confessed the infirmity of the Monarchy, then introduced any cure of the Government, it remain-

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ed that the people not yet brought under fit Orders must needs remain in disorders as they did till the institution of the Commonwealth.

The Monarchy that is or can be absolute, must be founded upon an Army planted by Military Colonys upon the overballance of Land being in dominion of the Prince; and in this case there can neither be a Nobility, nor a People to gratifie, at least without shaking the foundation, or disobliging the Army. Wherefore the Spartan Kings having a Nobility or People to gratifie, were not absolute. It is true, you call the Kings of *France* absolute, so do others, but it is known that in the whole world there is not a Nobility nor a People so frequently flying out or taking Armes against their Princes as the Nobility and People of *France*.

The Monarch that is founded upon a Nobility, or a Nobility and the people (as by the rise and progress of the Norman line in our story is apparently necessary) must gratifie the Nobility or the Nobility and the people with such Laws and liberties as are fit for them, or the government (as we have known by Experience, is found in *France*, and no doubt was seen by *Eurypon*) becometh Tyrannical, be the Prince otherwise never so good a Man.

Thus *Carilans* in whose Reigne the Commonwealth was instituted by *Lycurgus*, is generally affirmed to have been a good man, and yet said by *Aristotle* to have been a Tyrant; it remaineth therefore with you to shew how a good man can otherwise be a Tyrant then by holding Monarchical government without a sufficient balance, or if you please, how he that shall undertake the like, (be he never so good or well deserving a man) can be any other, Or confesse that not the favour of Princes (by which if they be well balanced they lose nothing) nor the usurpation of the people (by which without a popular balance they get nothing) but the infirmity of the Monarchy

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caused the Common wealth of Lacedemon. And what  
 left is said by Plutarch, or thus rendred by your self;  
 Not the people only sent messages to Lycurgus for his coun-  
 sel, but the Kings were as desirous he should return from  
 his travels, in hope that his presence would bridle and re-  
 strain the people; but Lycurgus applyed not himself unto  
 either, being resolv'd to frame both into one Common-  
 wealth.

P.41.

To the form of this Common Wealth, you say, That  
 whatever the Kings lost, the people got little by this altera-  
 tion, being left out of all employment in affairs of state,  
 and forced to yeild obedience unto Thirty Masters, whereas  
 before they had but two.

P.43.

A strange affirmation seeing the Oracle conteyning  
 the model of Lacedemon is thus recorded by your Au-  
 thor, When thou hast divided the people into Tribes and  
 linages, thou shalt establish the Senate, consisting with the  
 two Kings of thirty Senators, and assemble the people as  
 there shall be occasion, where the Senate shall propose and  
 dismiss the people without suffering them to debate. Now  
 who seeth not that the people having no right to debate,  
 must therefore have had the right to resolve, or else  
 were to be assembled for nothing? but the Ultimate re-  
 sult is the soveraign power in every government. It is  
 true the Greek of the Oracle is obsolete, and abstruse,  
 but then it is not only interpreted by Plutarch in the  
 sense I have given, but by the Verses of the Poet Ty-  
 reus, which the Kings themselves, though they would  
 have made other use of, acknowledged unto the people  
 to be Authentick.

*They having of Apollo sought,  
 This Oracle from Delphos brought;  
 Unto the Spartan Kings, among  
 The Senators, it doth belong.*

To

[ 5 ]

*To moderate in Royal Chairs,  
 And give their Votes in all Affairs;  
 And when they have proposed these,  
 The People chose what ere they please.*

Of many other Testimonies, I shall add no more  
 then one out of the Isocrates; I am not ignorant (saith  
 he, to the Arcopagites) that the Lacedemonians flourish  
 for this cause especially, that their government is popu-  
 lar.

To the infirmity of this form, and the cure of it you  
 say; That the Royalty and power of the Kings being  
 thus impaired, the people absolutely discharged from hav-  
 ing any hand at all in publick government, and the Autho-  
 rity of the Senate growing every day more insolent and pre-  
 dominant by reason that (albeit the Senators were elected  
 by the people) they had their places for term of life, the  
 Kings resolved upon a course of putting the people into such  
 a condition as might inable them to curb and controle the  
 Senators, to which end they ordained the Ephori, Magi-  
 strates to be annually chosen out of the body of the peo-  
 ple.

P.45.

In which first you make that to be a practise of the  
 Kings against the Senate, which by your Author is plain  
 to have been a combination of the Kings, and the Se-  
 nate against the people; for the people upon the info-  
 lency and predominancy of the Kings, and the Senate,  
 fell, as is in that case, the inevitable nature of them,  
 upon counsel how to defend themselves, and so assumed  
 the power of debate. Hereupon the Kings Theopompus  
 and Polidore would have added unto the tenor of the  
 Oracle, that if the people went about by debate to  
 change the propositions of the Senate, it should be law-  
 ful for the Kings and the Senate to null the result of the  
 people; which practise if it had pass, must have made the  
 Kings

Kings and the Senate altogether uncontrollable, wherefore the people incensed at it, put a bitt into the mouth of the Senate, by the institution of the Ephori: This is the clear sense of *Plutarch*, which he taketh out of *Plato*, who affirmeth the Ephorate to have been set up against the hereditary power of the Kings; with whom agree both *Aristotle* and *Cicero*; the former affirming this Magistracy to contain the whole Common Wealth, inasmuch as the people having obtained it, were quiet; and the later that the Ephori in *Lacedemon* were so opposed to the Kings, as the Tribunes in Rome to the Consuls. Now if other Authois attribute the institution of the Ephori unto the Kings, and there be a story affirmed as well by *Plutarch* as others, that *Theopompus* having thus created the Ephori, and being told by his Queen he had done that which would leave narrower power to his children, answer'd well, that it would leave that which would be narrower, but longer: This is neither any Riddle nor kind of contradiction to the former sense: Seeing, when we say that *Henry* the Third instituted the Parliament to be assistant to him in his government, we no more doubt of that, then how it is to be understood. Nor if his Queen had said as shee of *Lacedemon*, and our King had made the like answer, would that have alter'd any thing, or proved the woman to have been, (as you will have it) the better Prophet, seeing either Government lasted longer for either reformation, nor came to alter, but through the alteration of the ballance, which was nothing to the womans prophecy.

The ruine of this Ballance, and corruption of the Common wealth, you wholly omit to the end, that picking up your objections against the Government in vigour, out of the rubbish and dissolution of it, you may cast dust in mens eyes, or perswade them that the Ephori trusting to the power and interest, they had in the

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Commonalty, came to usurp upon the Kings, and to be Tyrants as they are called by *Plato* and *Aristotle*, so you affirm.

But the truth is thus recorded by *Plutarch* in the life of *Agis*. So soon as the *Lacedemmoans* having ruin'd *Athens*, became full of gold and silver, the Common wealth began to break; Nevertheless, the lots or division of lands made by *Lycurgus* yet remaining, the Equality of the foundation held good, till *Epistadens* an ill-natur'd fellow became Ephore, and having a mind to disinherit his son, got a Law to pass whereby any man might dispose of his lot as he pleased: This by him pursued of meer malice to his son, was hurri'd on by the avarice of others, whose riches came thus to eat the people so cleerly out of their lands, that in a short time there remained not above an hundred Freeholders in all *Sparta*. This he shews to have been the rise of the Oligarchy: The Oligarchy thus balanced totally excluded the people, and murder'd *Agis*, the first King that was ever put to death by the Ephori; and to these times (about which *Plato* and *Aristotle* lived) relateth that Tyranny, which they who (as was shewn) commended the Ephorate in the Common wealth, now laid unto it in Oligarchy. Thus have you fetcht arguments against a Common wealth, that are nothing to it. Again, whereas *Agis* and *Cleomenes*, by the restitution of the lots of *Lycurgus* were assertors of popular power, you insinuate them to have been assertors of Monarchy; such is your play with humane Authois, or as a politician. Now let us see, whether you have dealt any thing better with Scripture, or been more careful as a Divine. In order to this Discovery, I shall repeate that peice of *Calvin*, which you call the stumbling block of disobedience. *Calvin* having preached obedience to your good approbation comes at length to this expression. But still I must be understood of private persons; for if there be

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De Leg. 3.

Pol. lib. 1.

De Leg 3.

P. 55.

Calv. Inſt. lib. now any popular officers ordained to moderate the licentious-  
 c. 10. S. 31. nefs of Kings (ſuch as were the Ephori, ſet up of old a-  
 gainſt the Kings of Sparta, the Tribunes of the people a-  
 gainſt the Roman Conſuls, and the Demarches againſt the  
 Athenian Senate, of which power perhaps as the world now  
 goes, the three eſtates are ſeized in each ſeveral Kingdom  
 when ſolemnly aſſembled) ſo far am I from hindring them  
 to put reſtraints upon the exorbitant power of Kings, as  
 their office binds them, that I conceive them rather to be  
 guilty of perfidious diſſimulation, if they connive at Kings  
 when they play the Tyrants, or wantonly inſult on the  
 people; in that ſo doing they betray the liberty of the ſub-  
 ject, of which they know themſelves to be made Guardians  
 by Gods own ordinance.

What Calvin ſayes of the Athenian Demarches, they  
 having been Magiſtrates of another nature, is a miſtake,  
 but ſuch an one, as deſtroys no other part of his af-  
 fertion, the reſt of the Parentheſis, or that which he ſaith  
 of the Ephori, and the Tribunes being confirmed as hath  
 been already ſhewn by Plato and Ariſtole, by Cicero  
 and Plutarch. Wherefore of the Ephori and the Tri-  
 bunes enough; now why the eſtates in a Gothick Mo-  
 del ſhould be of leſs power, no Polititian in the world  
 ſhall ever ſhew a reaſon; the eſtates are ſuch by virtue  
 of their eſtates, that is of their over-balance in domi-  
 nion, you are then either ſpeculatively to ſhew how the  
 over-balance of dominion ſhould not amount unto Em-  
 pire, or practically that the over-balance of dominion  
 hath not amounted unto Empire, and that in a quiet  
 Government, or it can be no otherwiſe in a quiet Go-  
 vernment, then that the over-balance of dominion  
 muſt amount unto Empire. This principle being now  
 ſufficiently known, is the cauſe it may be why you chuſe  
 in this place to ſpeak rather like a Divine, as you ſuppoſe,  
 then a Polititian. For you would ſain learn, you ſay, of  
 Calvin, in what part of the Word of God we ſhall find any  
 ſuch

P. 190.

ſuch Authority given to ſuch popular Magiſtrates, as he  
 tells us of.

To which by the way I answer, That God founded  
 the Iſraelitiſh Government upon a popular balance,  
 that we find the people of Iſrael judging the tribe of  
 Benjamin, and by the Oracle of God, levying War a-  
 gainſt them, which are acts of Sovereign power, there-  
 fore a popular ballance, even by the ordinance of God  
 himſelf expreſſed in Scripture, amounted unto Em-  
 pire. Judg. 20.

But you, when you have asked in what part of the  
 Word of God we ſhall find any ſuch Authority given to popu-  
 lar Magiſtrates; answer, Not in the Old Teſtament you are  
 ſure. For when Moſes firſt ordained the Seventy Elders,  
 it was not to diminiſh any part of that power which was in-  
 veſted in him, but to eaſe himſelf of ſome part of the burthen  
 lying upon him, as you will have to appear plainly by the  
 18<sup>th</sup> of Exodus, where Moſes upon the advice of Jethro  
 choſe able men out of all Iſrael, and made them Rulers of  
 Thouſands, Rulers of Hundreds, Rulers of Fifties, and  
 Rulers of Tens. Now I am ſure that about this time the  
 number of the men of Iſrael was above ſix hundred thou-  
 ſand, and ſo any man may be ſure that the elders thus  
 choſen (ſhould we count but the Rulers of the thouſands  
 only) muſt have come at the leaſt to ſix hundred, where-  
 fore, you cannot be ſure that this makes any thing to the  
 election of the ſeventy elders. Num. 1. 46.

Well, but out of theſe (ſay you) God afterwards in the  
 Eleventh of Numbers, willed Moſes to choſe the ſeventy  
 Elders.

You may do me a greater favour than you can sudden-  
 ly imagine, to tell me really for what cauſe, or upon  
 what authority your ſpeech is ſo poſitive, that God wil-  
 led Moſes to chooſe the ſeventy Elders out of thoſe that  
 were choſen in the Eighteenth of Exodus; For whereas  
 Moſes is willed to chooſe them out of ſuch as he knew to

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be elders, such there were in honour among the people, though not in power before the election of those advised by *Jethro*, as appears. *Ex.* 3. 16. & 4. 29. But had this been as you would have it, what is the necessity; that because there lay an appeal unto *Moses* from those in *Exodus* (that is from the *Jethronian* Elders, or Courts which sat afterwards in the gates of the Temple, and of every City,) therefore there must needs lye an appeal from the seventy Elders, or the *Sanhedrim* unto *Moses*, especially while the whole stream of *Jewish* writers or *Talmudists*, (who should have had some knowledg in their own Common-Wealth) unanimously affirms that there was no such thing? Whereupon to

*Grotius ad Ex.*  
18. 21.

the election of the former Elders, saith *Grotius*, in the place of these came the Judges in the gates, and in the place of *Moses* the *Sanhedrim*. Nor need we go farther than the Scripture, for the certainty of this assertion, where the seventy are chosen not to stand under *Moses*, but with him, not to diminish his burthen, or bear it under him, with an appeal in difficult cases to him, as is expressed in the election of the *Jethronian* Elders, but to bear the burden with him, and without any mention of such appeal. *Moses* before the election of the *Jethronian* Judges had the whole burthen of Judicature lying upon him, after their election, the burden of the appeals only, wherefore if the seventy Elders were indeed instituted to bear the burthen with *Moses*, there thenceforth lay no appeal unto *Moses*, which is yet clearer in this precept, *If there arise a matter of controversy within thy gates, (which plainly is address to the Jethronian Courts) too hard for thee in judgment, then shalt thou come unto the Priest and the Levite (by which in the sense of all Authors Jewish and Christian is understood the Sanhedrim), or to the Judg that shall be in those dayes (the Suffes or Dictator) and they shall show thee the sentence of judgment; whence by the clear sense of Scripture*

*Num.* 11.

*Deut.* 17. 8.

all

all matter of appeal in Israel, lay unto the *Sanhedrim*. Your next Argument, that there must be nothing in all this but easing the supreme Magistrate of some part of the burthen, which was before too heavy for him, without any diminution, in the least respect of his power; is, that when God had taken of the Spirit which was upon *Moses*, and put it upon the seventy Elders, the Spirit yet rested upon *Moses* in as full a measure as it did at first: I grant in a fuller, for I believe his wisdom was the greater for this diminution of his power, it being through the nature of the ballance, apparently impossible that he could be any more then a Prince in a Common-wealth; but your argument can be of no force at all, unless you will have him to have been less wise, for not assuming sovereign power, where without confusion, it was altogether impossible he should have held it: A Prince in a Common-wealth subsisteth by making himself, or being made of use unto the free course of popular orders; but a sovereign Lord can have no other subsistence or security, then by cutting off or tearing up all roots, that do naturally shoot or spring up into such branches. To conclude, if the Congregation of the people, in law to be made, had such power as was shewn, and in law, so made, the ultimate appeal lay unto the *Sanhedrim*; why, are not here two estates in this Common-wealth, each by Gods own ordinance, and both plain in Scripture? well, but when they came (you will say) to make unto themselves Kings, what ever power they had formerly, was now lost. This at best were but to dispute from the folly of a people against an ordinance of God, for what less is testified by himself in those words to *Samuel*,<sup>1 Sam. 8. 7.</sup> *They have not rejected thee, but they have rejected me that I should not reign over them.* The Government of the Senate and the people, is that only which is or can be the government of lawes and not of men, and the government of lawes and not of men, is the govern-

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ment of God and not of men: *He that is for the government of Laves*, is for the government of God, and he that is for the government of a man, is for the government of a beast. Kings, no question, where the ballance is monarchical, are of divine right, and if they be good the greatest blessing; that the government so standing can be capable of; but the ballance being popular, as in Israel, in the Grecian, in the Sicilian Tyrannies, they are the direst curse that can befall a nation. Nor are divines, who will always have them to be of divine right, to be hearkened to, seeing they affirm that which is clean contrary to Scripture, for in this case saith *Hosea*, *They have set up Kings and not by me, they have made Princes and I knew it not.* Pharaoh may impose the making of brick without the allowance of straw, but God never required of any man or of any government, that they should live otherwise, then according to their estates. It is true if a mans want make him a servant; there are rules in Scripture that injoyne him the duty of a servant: But shew me the rule in Scripture that obligeth a man who can live of himself unto the duty of a servant. Hath God less regard unto a nation then to a man? Yet the people of Israel, continuing upon a popular Agrarian, though God forwarned them, that by this means they would make themselves servants, would needs have a King; whence saith the same Proph. t. *O Israel, thou hast destroyed thyself, but in me is thine help, I will be thy King* (which foretels the restitution of the Commonwealth, for) *where is any ether that may save thee in all thy cities? and thy Judges of whom thou saidst give me a King and Princes. I gave thee a King in mine anger* (that is in *Saul*) *and I took him away in my wrath* (that is in the captivity, so at least saith *Rabbi Bichai*, with whom agree *Nachmoni*, *Gerschome*, and others. *Kimchi*, it is true, and *Maimonides* are of opinion, that the people making a King, displeas'd God not in the matter, but in the form

form only, as if the root of a tree, the ballance of a government, were form only and not matter: nor do our divines yet, who are divided into like partys, see more then the *Rabbys*. Both the Royalists and the Common-wealthsmen of each sort, that is whether divines or *Talmudists* appeal unto the letter of the law, which the Royalists (as the Translators of our Bible) render thus; *When thou shalt say* (the Common-wealthsmen, as *Didaci* thus, *If thou come to say*) *I will set a King over me, like all the nations that are about me, thou shalt in any wise set him King over thee, whom the Lord thy God shall choose.* The one party will have the law to be positive, the other contingent, and with a mark of detestation upon it, for so where God speaketh of his peoples doing any thing like *the nations that were about them* it is every where else understood. But let these (which are no nicities) be as you will; who seeth not that to argue from this place, for the necessity of the King, is as if one from that foregoing should argue for the necessity of the Judges. The words are these, *Thou shalt come unto the Priest and to the Levite* (which, as was said, is to the *Sanhedrim*) *and (that is or) to the Judge that shall be in those dayes.* Yet that the Judge not by any necessity implied in these words, but through the meer folly of the people came to be set up in Israel, is plain by *Josephus*, where he shews that the Israelites laying by their Armes. And betaking themselves unto their pleasures, while they did not as God had commanded, root out the Canaanites from among them, but suffered them to dwell with them, suffered also the form of their Commonwealth to be corrupted, and the Senate to be broken; the Senators nor other solemn Magistrates being elected as formerly, which both in word and fact is confirmed also by the Scripture. In words, as where it is thus written. *When Josua had let the people go* (that is, had dismissed the Army, & planted them upon their popular bal-

Judg. 16.

balance) the children of Israel went every man unto his inheritance to possess the land, and the people served the Lord all the dayes of Josua, and all the dayes of the Elders that out-lived Josua (that is, while the Sanhedrim continued after him, but when the Elders hereof came to dye, and the people elected them no successors) they did evil in the sight of the Lord (and having broken their civil orders, forsook also their religion, the government whereof depended upon the Sanhedrim) and served Baalim. And for the matter of fact included in these words, it farther appears, where Judah said unto Simeon his brother come up With me into my Lot, that we may fight against the Cananites, and I likewise will go with thee into thy lot; so Simeon went with him. By which the tribes leaguig at their pleasure one with another, it is plain, that the Sanhedrim their common Ligament was broken: Now except a man shall say that this neglect of Gods ordinance was according unto the law of God, there is no disputing from that law to the necessity of the judg, which happened through no other then this exigence (*quippe aut rex, quod abominandum, aut quod unum libera civitatis consilium est, senatus habendus est*) wherefore the judg of Israel was not necessitated by the will of God, but foreseen only by his Providence, not imposed by the law, but provided by it as an expedient in case of necessity, and if no more can be pleaded from the law, for the judg against whom God never declared, much less is there to be pleaded from the same for the King, against whom he declared so often. There is nothing more clear nor certain in Scripture, then that the Commonwealth of Israel was instituted by God, the judges and the Kings no otherwise then through the imprudence and importunity of the people. But you who have no better name for the people in a common-wealth, then the rascal rabble will have Kings at a venture to be of divine right, and to be absolute; whereas in truth if divine right be derived unto

Pacuvius apud  
Livium. lib. 23

unto Kings from these of the Hebrews only, it is most apparent that no absolute King can be of divine right: for these Kings if they were such by the law alledged, then by the same law they could neither multiply horses nor wives, nor silver, nor gold, without which no King can be absolute; but were to keep all the words of this law and these statutes, and so by consequence were regulated Monarchs; Nay, could of right enact no law, but as those by David for the reduction of the Ark, for the regulation of the Priests, for the election of Solomon, which were made by the suffrage of the people, no otherwise then those under the Kings of Rome, and ours under the late Monarchy. What then is attributed by Calvin unto popular Magistrates, that is not confirmed by Scripture and reason? yet nothing will serve your turn but to know what power there was in the Sanhedrim, to control their Kings: to which I answer, that both Skickardus and Grotius with the full consent of the Talmudists have assured you, that in case the King came to violate those lawes and statutes it was in the power of the Sanhedrim, to bring him unto corporal punishment. Moreover it is shewn by the later out of Josephus, that Hircanus, when he could not deliver Herod from the Sanhedrim by power, did it by art: Nor is your evasion so good as that of Hircanus, while you having nothing to say to the contrary, but that Herod when he was questioned, was no King. shuffe over the business without taking any notice as to the point in controversy, that Hircanus who could not save Herod from the question was King.

The manner of the restitution of the Sanhedrim made by Jehosaphat plainly shews, that even under the Monarchy the power of the Sanhedrim was coordinate with that of the King, at least, such is the Judgment of the Jewish writers, for saith Grotius, the King (as is rightly noted by the Talmudists,) was not to judg in some cases, and to

Dan. 17.

De jure B. ac. p.  
Lib. 1. Cap. 15

Chr. 19.

Ad Mat. 5.



to this the words of *Zedekia* seem to relate, where to the *Sanhedrim* demanding the Prophet *Jeremiah*, he said *Behold he is in your hands, for the King is not he that can do any thing without you.* Nor (except *David*) had ever any King session or vote in this council: to which soon after he adds, that this court continued till *Hered* the great, whose insolencie, when exalting it self more and more against the law, the *Senators* had not in time as they ought, suppressed by their power; God punished them in such manner for the neglect of their duty, that they came all to be put to death by *Hered*, except *Samear* only, whose foresight and frequent warning of this or the like calamity they had as frequently concerned. In which words *Cicero* following the unanimous consent of the *Talmudists* (if they knew any thing of their own orders) expressly attributes the same power unto the *Sanhedrim*, and chargeth them with the same duty in *Israel*, that is attributed unto the three estates in a Gothic Model, and charged upon these by *Calvin*.

Thus that there never lay any appeal from the *Sanhedrim*, unto *Moses* nor (except when the Jews were in captivity, or under provincial government) to any other Magistrate, as also that they had power upon their King, being that your self say, *Is the objection Paramount, and which not answered, you confess that the three estates convened in Parliament, or any other popular Magistrate Calvin dreames of, notwithstanding, a discontinuance, or non usage on their parts, or any prescription alledged by Kings to the contrary, may resume and exercise that Authority which God hath given them when ever they shall find a fit time for it.* And this letter shewing plainly that you have in no wise answered this objection; it remains that your whole book (even according to your own acknowledgment,) is confuted by this Letter. Or if you be of another mind, I shall hope to hear farther from you.