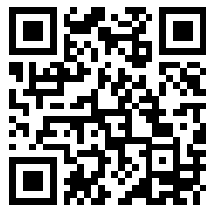

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AN

ASSERTION OF THE GOVERNMENT

OF THE

CHURCH OF SCOTLAND,

IN

THE POINTS OF RULING ELDERS, AND OF THE AUTHORITY OF PRESBYTERIES
AND SYNODS.

WITH

A POSTSCRIPT,

IN ANSWER TO A TREATISE LATELY PUBLISHED AGAINST
PRESBYTERIAL GOVERNMENT.

Adhibete concilios et seniores plebis ecclesiasticos viros, et inquirent diligenter quæ sint istæ dissensiones.—*Gesta Purgat. Cæcil & Felic.*
Quorum (conciliorum) est in ecclesia saluberrima auctoritas.—*August.*, epist. 118.

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TO THE READER.

IT is high time for those who have been long praying for the peace of Jerusalem, and with bleeding hearts have beheld the sorrows of Sion, now to bestir themselves with an extraordinary diligence, and to contribute their most serious and incessant endeavours for the settling of these present commotions about church affairs, in such a manner, that the sacred twins, Truth and Peace, may both cohabit under one roof; and that this great and good work of reformation may not be blasted in the bud, nor fade in the flourish, but may be brought forward to that full maturity which shall afford a harvest of joy to us, and to all the churches of God.

One controversy there is about the government of the church, and it is of such consequence, that were it well resolved upon, and rightly agreed, it should facilitate a right resolution in other matters which are in question. Now, because *longum iter per præcepta, breve per exempla*, 'the way is long by precepts, short by platforms;' therefore I have carefully observed the policy and government of other reformed churches. And because the nearness of relation swayeth my affection at least half a thought more unto that which is Scotland's (*cæteris paribus*) than unto that which is more remote from us, therefore I was most solicitous to see a delineation of the government of that famously reformed neighbour church, which, when I had read, and read over again, I did conclude with myself, that if these two points at which most exception is taken, I mean the office of ruling elders and the authority of presbyters and synods, which also are things common to the other reformed churches, could be upon good grounds maintained, there is no other thing of any moment to be objected against it.

And with these thoughts I was so tossed, that I could not rest satisfied with the *quid* without the *quare*, but did conceive as great languor and desire for a demonstration of that form of church government, as before I had for a declaration of the same. Whereupon I have purchased to myself from Scotland, this ensuing treatise, which, having fully satisfied my own mind in the asserting of those most controverted points, I have resolved to communicate and publish the same unto others, for the reasons following:

First, for the satisfaction of such as do, through ignorance or mistaking, stumble at such a form of ecclesiastical government: I do not much

marvel to see those that are of a simple understanding, so far conquered, as to scruple the office of ruling elders,* having heard the big words and lavish expressions of some opposites against the same; yet a poor piece it is which one of them would usher in with a tinkling epistle, in which

Projicit ampullas et sesquipedalla verba.

He maketh offer to forfeit his life to justice, and his reputation to shame, if any living man can show that ever there was a ruling elder in the Christian world, till Farell and Viret first created them. I shall not desire to take him at his word for his life, but if he be not able to give a satisfactory answer unto that which is here said, both from Scripture and from antiquity, for ruling elders, then hath he given sentence against his own reputation for ever. And so much the more, that having in that Assertion of Episcopacy boldly averred,† that the name of the elders of the church, in all antiquity, comprehendeth none but preachers and divines; and that therefore none but they may be called *seniores ecclesie*, though some others happily may have the title of *seniores populi*, because of their civil authority; notwithstanding the reading of the observations of Justellus, and of both the Casaubons, hath now so far changed his tone,‡ that in his late answer to *Smectymnus*, he acknowledgeth that beside pastors and doctors, and beside the magistrates or elders of the cities, there are to be found in antiquity, *seniores ecclesiastici*, ecclesiastical elders also, only he allegeth they were but as our church-wardens, or rather as our vestry-men; whereas, indeed, they were judges in ecclesiastical controversies, and (in some sort) instructors of the people, as shall be made to appear. Meanwhile we do observe what trust is to be given to this bold speaker, who hath been forced to yield what he had before, with high swelling words, denied.

Another instance of the same kind is to be noted in his Remonstrance, when he speaketh of the prescript forms of prayer, which the Jewish church had ever from the days of Moses, where-with also Peter and John, when they went up into the temple at the ninth hour of prayer, did join; to make good his allegiance, he addeth,§

* Bishop Hall's Assertion of Episcopacy by Divine Right.

† Page 208, 209, 211.

‡ Page 146.

§ Page 11.

"the forms whereof are yet extant and ready to be produced." Yet this he handsomely eateth up in his Defence;* where he gives us to understand, that those set forms of prayer are indeed specified by Capellus, a writer of our own age, but that the book itself which contained these prayers, is perished a thousand years ago. Well, he is now content to say, that once those forms were extant; and this, forsooth, he will prove from a certain Samaritan chronicle in the custody of his faithful friend the Primate of Armagh, wherein he hath found a story which transporteth him as much as the invention of the demonstration did Archimedes, when he cried, 'Εἰρησα, ἴησα, 'I have found it, I have found it.' Yet, *credat Judarus Apella, non ego*. But this lieth not now in my way. Only (till a full answer be ready), I thought it not amiss to give some taste of the man's vain arrogant humour, whose best weapons are great words. As for his last record which he fetcheth from Abrahamus Scultetus, against ruling elders; all that, and much more, hath been, and here shall be, abundantly confuted.

Others there be who call in question the power and authority of ecclesiastical presbyteries, and of synods, against which also some few pens have been put to paper, and have passed a censure no less hard than unseasonable, which, methinks, might well have been spared, unless there had been stronger and more convincing reasons for it. These I shall beseech, that with minds void of prejudice, they take into consideration the second part of this treatise, written with no heat nor sharpness of word, but with plainness, and strength of reason: and, withal, I shall expect that they will not think the worse of the author for being ready to answer him that asketh a reason of him, or for writing a justification of the government of the Church of Scotland, to such as did desire to be more thoroughly resolved concerning the same, but that rather they will make use hereof, as a key by Divine Providence put into their hands, to open a door unto further light.

Secondly, There is so much the more reason for asserting these two points, by how much they have been mainly opposed by Satan; for he it was whose cunning conveyance of old made the office of ruling elders to come into dissuetude, through the sloth, or rather the pride, of the teachers, as Ambrose† complaineth; and yet time hath not so obliterated that ancient order, but that the footsteps of the same are yet to be seen in our officials, chancellors, commissaries, churchwardens and high-commission men, yea, at Rome itself, in the cardinals. The same old serpent it was whose instigation made Licinius, whilst he did intend the total ruin of the church, to fall upon this as the most effectual means for his purpose, that he should straightly inhibit all councils, meetings and conferences concerning the affairs of the church, by which means the Christians of his time were drawn into one of two snares. *Aut enim legem*, &c.: "For (saith Eus-

chius) either it behoved us to be obnoxious to punishment by violating the law, or to overthrow the rites and ordinances of the church, by giving obedience in that which the law did command; for great and weighty deliberations, undertaken about things controverted, cannot proceed in any other manner or way, but by the right managing of councils." The Arminians, in the Netherlands, found out another of Satan's wiles; they were not able to hinder the assembling of a free and lawful synod, but, for their next best, they required of the synod of Dort twelve conditions, and the ninth was, that there should not be in that synod any determination or decree concerning the matters in controversy, but only an accommodation or conference, and that still it should be free to the particular churches to accept or to reject the judgment of the synod. This was a way of endless controversy, and justly cried down in the synod.

Moreover Satan, ever wise in his own principles, finding the church of Scotland like an invincible Samson, by reason of such a constitution and government, as being preserved in integrity, could neither admit heresy nor schism, did make use of the prelacy as his traitorous Dalilah to betray that Samson into the hands of the now adverse Philistines the Papists, by stealing away both their ruling elder, and the authority of their presbyteries and synods; for he had well observed that, in these two things, did their great strength lie, and that without these two, the ministers of the word being like so many *scopæ dissolutæ*, both sparsed, and by themselves alone, might easily be brought under the yoke. When thus the Romish-affected Dalilah had taken away their strength from them, she was bold to utter her insulting voice in the Service-book and book of Canons, The Philistines be upon thee, Samson—The Papists be upon thee, Scotland. In this case they did not (as Samson then) presume that the Lord was with them as at other times—they knew he was departed from them—they cried out, "Return, we beseech thee, O God of hosts; look down from heaven, and behold, and visit this vine; and the vineyard which thy right hand hath planted," Psal. lxxx. 14, 15. They did again "ask the way to Zion, with their faces thitherward, saying, Come, and let us join ourselves to the Lord in a perpetual covenant that shall not be forgotten," Jer. l. 5. And now (glory be to the great name of God in the church throughout all generations) they have, by his healing hand, quickly recovered their strength. Strength I may well call it, for, saith a learned divine, as in things which are done by bodily strength, so in things which are managed by councils, *vis unita fortior*, power being put together is the stronger; and in this he doth agree with Bellarmine, that though God, by his absolute power, can preserve his church without synods, yet, according to ordinary providence, they are necessary for the right government of the church. The interweaving and combining of strength, by

* De Vita Const., lib. 1., cap. 44.

† Vide Acta Syno. Dord., sess. 25.

‡ Whittak., contr. 3; de Concil., quest. 1.

joining the ruling elders of every congregation, with the pastor or pastors thereof, into a particular eldership, by joining also commissioners, pastors and elders, from many particular elderships, ordinarily into a classical presbytery, and more solemnly provincial synod. Finally, By joining commissioners, pastors and elders, from many classical presbyteries into a national assembly, this doth indeed make a church "beautiful as Tirza, comely as Jerusalem, terrible as an army with banners," Cant. vi. 4.

It is not to be expected but this form of church government shall still be disliked by some (whose dislike shall notwithstanding the more commend it to all pious minds), I mean by profane men, who escape not without censure under presbyteries and synods, as they did under the Prelacy, by heretics who cannot find favour with a national synod of many learned and godly men, as they did with a few popish prelates, by Machiavellians also, who do foresee that presbyterial synodical government, being conformed not to the Lesbian rule of human authority, but to the inflexible rule of divine institution, will not admit of any innovations in religion, be they never so conducive to political intentions.

Some there be "who whet their tongue like a sword, and bend their bows to shoot their arrows, even bitter words." (Psal. lxxiv. 3.) They would wound both the office of ruling elders, and the authority of presbyteries and synods, with this hateful imputation, that they are inconsistent with the honour and prerogative of princes. Sure I am, when our Saviour saith, "Render therefore unto Cæsar the things which are Cæsar's; and unto God the things that are God's" (Matt. xxii. 21), he doth plainly insinuate that the things which are God's need not to hinder the things which are Cæsar's. And why shall it be forgotten that the prelates did assume to themselves all that power of determining controversies, making canons, ordaining, suspending, deposing, and excommunicating, which now presbyteries and synods do claim as theirs by right? To me it

appeareth a grand mystery, and worthy of deliberation in the wise consistory of Rome, that the power of presbyteries and synods being merely ecclesiastical, being rightly used, and nothing encroaching upon the civil power, is, notwithstanding, an intolerable prejudice to kings and princes. But the very same power in prelates, though both abused and mixed with civil power, is not, for all that, prejudicial to sovereignty.

Yet if the fear of God cannot mollify the tongues of these men, one would think that they should be bridled with respect to the King's most excellent majesty, who hath been graciously pleased to approve and ratify the present government of the Church of Scotland, perceiving, I trust, that God's honour and his honour, God's laws and his laws, may well subsist together.

Lastly, As, in publishing this assertion, I intend to satisfy the scrupulous, and to put in silence the malicious; so also to confirm the consciences of such as are friends and favourers to the right way of church government. "Whatsoever is not of faith is sin" (Rom. xiv. 23), saith the Apostle, yea, though it be in a matter otherwise indifferent, how much more is it necessary that we halt not in our judgment concerning the government of the church, but walk straight in the plerophory and full assurance of the same, from the warrants of the word of God—I say again, from the warrants of the word of God—for as it is not my meaning to commend this form, because it is Scotland's, so I hope assuredly that my countrymen will not despise God's ordinance, because it is Scotland's practice, but rather follow them in so far as they follow Christ and the Scripture. This, therefore, I pray, that thy love may abound yet more and more in knowledge and in all judgment, that thou mayest approve the things that are excellent (Phil. i. 9). "Consider what I say; and the Lord give thee understanding in all things." (2 Tim. ii. 7.) Amen.

ASSERTION

OF THE

GOVERNMENT OF THE CHURCH OF SCOTLAND, &c.

THE FIRST PART.

CONCERNING RULING ELDERS.

CHAPTER I.

OF THE WORDS ELDER, LAY ELDER, RULING ELDER.

THE word *elder* answereth to $\pi\alpha\tau\epsilon\rho$ (*zaken*) in the Hebrew, and $\pi\rho\epsilon\sigma\beta\upsilon\tau\epsilon\rho\omicron\varsigma$ in the Greek. It hath four different significations: 1. It noteth age; 2. Antiquity; 3. Venerability; 4. An office. In the first signification, *elder* is opposed to *younger*, as 1 Tim. v. 1, "Rebuke not an elder, but entreat him as a father, and the younger men as brethren." 1 Pet. v. 5, "Likewise ye younger, submit yourselves unto the elder." In this sense was the apostle John called the elder, because he outlived the other apostles, 2 John i.; iii. 1. In the second signification, *elder* is opposed to *modern*, Matt. xv. 2, "Why do thy disciples transgress the tradition of the elders?" that is, of them of old time, Matt. v. 21. In the third signification we find the word, Isa. iii., where the Lord saith, that he would take away from Israel "the prudent and the ancient," *vezaken*; that is, the worthies among them, and such as were respected for wisdom. The same word (and peradventure, in the same sense), is turned elder, Exod. ii. 16, *Eth-zikne Israel*, the elders of Israel. So the Spanish *seijor*, the French *seigneur*, the Italian *signore*, all coming from the Latin *senior*, signify a man of respect, or one venerable for dignity, gifts, prudence, or piety. Contrariwise, men of no worth, nor wisdom, men despica-

ble for lack of gifts and understanding, are called children, Isa. iii. 4, 12; Eph. iv. 14. But it is the fourth signification which we have now to do withal, and so an elder is a spiritual officer, appointed by God, and called to the government of the church, Acts xiv. 23, "When they had by voices made them elders in every church." They have the name of elders, because of the maturity of knowledge, wisdom, gifts, and gravity, which ought to be in them: for which reason also the name of senators was borrowed from *senes*.

Before we come to speak particularly of those elders of which our purpose is to treat, it is fit we should know them by their right name, lest we nick-name and miscall them. Some reproachfully, and others ignorantly, call them lay elders. But the distinction of the clergy and laity is popish and anti-christian; and they who have narrowly considered the records of ancient times, have noted this distinction as one of the grounds whence the mystery of iniquity had the beginning of it.¹ The name of clergy appropriate to ministers, is full of pride and vain-glory, and hath made the holy people of God to be despised, as if they were profane and unclean in comparison of their ministers. Gerhard² likeneth those who take to themselves the name of *clergy*, to the Pharisees, who called themselves by that name: for that their holiness did separate

¹ Catal. Test. Verit. lib. ii., col. 93. Osiand. cent. l., p. 81.

² Loc. Theol., tom. 6, n. 37.

them from the rest of the Jews: for this etymology of the name Pharisee, he citeth Tertullian, Origen, Epiphanius, Ambrose, and confirmeth it from Luke xviii. 10. Hence was it that some councils discharged the laity from presuming to enter within the choir, or to stand among the clergy near the altar.¹ Two reasons are alleged why the ministers of the church should be called *κληρος*. First, Because the Lord is their inheritance: Secondly, Because they are the Lord's inheritance. Now, both these reasons do agree to all the faithful people of God; for there is none of the faithful who may not say with David, Psal. xvi. 5, "The Lord is the portion of my inheritance;" and of whom also it may be said, that they are the Lord's inheritance, or lot; for Peter giveth this name to the whole church, 1 Pet. v. 3. Where (if it were needful) we might challenge Bishop Hall,² who borroweth a gloss from Bellarmine and Gregorius de Valentia, telling us, that Peter chargeth his fellow-bishops not to domineer over their clergy, so shutting out of the text, both the duty of pastors (because the bishops only are meant by elders), and the benefit of the people, because the inferior pastors are the bishop's flock, according to this gloss; for Peter opposeth the lording over the *κληρος*, to "being ensamples to the flock." Surely, if this popish gloss be true, Protestants, in their commentaries and sermons, have gone wide from that text. But Matthias, the apostle, was chosen by lot, Acts i. 26. What then? By what reason doth the canon law draw from hence a name common to all the ministers of the gospel?³ Let us then banish from us such popish names, and send them home to Rome. Bellarmine thought we had done so long ere now,⁴ for he maketh this one of his controverted heads, Whether we may rightly call some Christians the clergy, and others the laity, or not, ascribing the negative to Protestants, the affirmative to the Church of Rome.

Yet beside the clergy and the laity, Papists hold that there is a third sort in the church distinct from both, whom they call *regulares*.⁵ These are such of their religious orders as are not taken up with con-

templation alone (like the monks) but with action, such as the Dominicans, Franciscans, &c.,¹ who help and assist the clergy in their ecclesiastical employments, though they themselves be not admitted into any particular charge in the church. Now he who will needs side with the Papists in the distinction of clergy and laity, may also with them admit a third member of the distinction, and make ruling elders of that sort, especially since the reason why the regular canons are assumed as helpers to parish priests, is, *propter multitudinem fidelis populi, et difficultatem inveniendi curatos sufficientes et idoneos*, saith Cardinal Cajetan,² adding further, *male consultum populo Christiano invenitur sine hujusmodi supplemento*. Which reasons agree well to ruling elders; for, 1. Parishes contain so many, that the minister cannot oversee all and every one without help. 2. Sufficient and fit ministers shall hardly be everywhere found. 3. It is found by experience, that sin and scandal are never well taken heed to, and redressed, where ruling elders are not. To let all this pass, if any man will needs retain the name of lay elders, yet, saith Gersomus Bucerus,³ What aspersion is that to our churches? Is it any other thing than that which Papists object to us for admitting laymen into councils? They who have place in the highest and most supreme assemblies of the church, wherein the weightiest matters are determined, ought much more to be admitted into inferior meetings, such as presbyteries are.

But if we will speak with Scripture, we shall call them ruling elders, Rom. xii. 8, "he that ruleth;" 1 Tim. v. 17, "elders that rule well." They are called ruling elders, *non quia soli sed quia solum præsunt*. Pastors rule the church even as they do; but pastors do something more, from which they may be designed; whereas the elders of which we are to speak, have no other employment, which can give them a designation, except the ruling of the church only. That wicked railer Lysimachus Nicenor, who assumed the name, but forgot to put on the visor of a Jesuit, in his Congratulatory (I should say calumnious) Epistle, p. 61, allegeth that they are called ruling elders, because the ministers are their ruled elders. If he were a Jesuit, he may re-

¹ Synod. Turon. 2. Can. 3. Syn. Constant. 6. can. 69.

² Of Episcop. by Divine Right, p. 212.

³ D. 21, ca. Cleros.

⁴ De Cleric. lib. i., cap. 1.

⁵ Bell. Præ Fat. ante Lib. de Cleric.

¹ Bell., lib. ii.; de Mon. cap. 1.

² In. 2. 2. 4. 88. art. 4.

³ De Gub. Eccl. p. 28.

member that in their own society, besides their priests, doctors, preachers, confessionaries, &c., they have also rectors or regents,¹ whose office it is to see the rules of their order kept, to observe the behaviour of every one, and, when they perceive any seeds of heresy, to signify the same to the provincial, and he to the general. Yet are these rectors among the lowest ranks of their officers, so that Jesuits need not stumble when we call our elders ruling elders.

CHAPTER II.

OF THE FUNCTION OF RULING ELDERS, AND WHAT SORT OF OFFICERS THEY BE.

Notwithstanding all the multiplicity of popish orders, yet Peter Lombard,² treading the vestiges of the primitive simplicity, did observe that the apostles left only two sacred orders to be perpetual in the church, the order of deacons and the order of elders. The administration of deacons is exercised about things bodily; the administration of elders about things spiritual. The former about the goods; the latter about the government of the church. Now, elders are of three sorts: 1. Preaching elders, or pastors; 2. Teaching elders or doctors; 3. Ruling elders. All these are elders, because they have voice in presbyteries, and all assemblies of the church, and the government of the church is incumbent to them all; not only to the pastor and elder, but to the doctor also. The bishop of Doune, in his *Examen Conjuracionis Scotica*, p. 35, allegeth that our Church of Scotland did never yet determine whether doctors and deacons have right of voicing in the consistories and assemblies of the church. But had he read our Book of Policy, he might have found that it excludeth deacons from being members of presbyteries and assemblies, cap. 8, but admitteth doctors into the same, cap. 5, "The doctor being an elder, (as said is,) should assist the pastor in the government of the kirk, and concur with the elders, his brethren, in all assemblies, by reason the interpretation of the word, which is only judge in ecclesiastical matters, is committed

to his charge." But they differ, in that the pastor laboureth in the word of exhortation, that is, by the gift of wisdom applyeth the word to the manners of his flock, and that in season and out of season, as he knoweth their particular cases to require. The doctor laboureth in the word of doctrine, that is, without such applications as the pastor useth; by simple teaching he preserveth the truth and sound interpretation of the Scriptures, against all heresy and error. The ruling elder doth neither of these, but laboureth in the government and policy of the church only. The Apostle hath distinguished these three sorts of elders, 1 Tim. v. 17, "Let elders that rule well be counted worthy of double honour, especially they who labour in the word and doctrine." Where, as Beza noteth, he distinguished *the word*, which is the pastor's part, from *doctrine*, which is the doctor's part. Even as Rom. xii. 7, 8, he distinguisheth teaching from exhortation; and 1 Cor. xii. 8, putteth "the word of wisdom," and "the word of knowledge," for two different things. Now, beside those elders which labour in the word, and those which labour in doctrine, Paul speaketh to Timothy of a third sort of elders, which labour neither in the word nor doctrine, but in ruling well. Hence it appeareth how truly the Book of Policy, cap. 2, saith, That there are four ordinary, perpetual, and necessary offices in the church, the office of the pastor, the doctor, the elder, and the deacon; and that no other office, which is not one of these four, ought to be received, or suffered in the church.

But when we speak of elders, *Non personatos*, &c.—'We will not have disguised and histrionical men, puffed up with titles, or idols dead in sins, to be meant, but holy men, who, being endued with faith in God, and walking in his obedience, God authorising them, and the church, his spouse, choosing and calling them, undertake the government thereof, that they may labour to the conservation and edification of the same in Christ,' saith Junius.¹—A ruling elder should pray for the spirit and gifts of his calling, that he may do the duties of his calling, and not be like him that played the souldan, but a souter; he must do his office neither *ὕποκριτως* and *pro forma*, he himself being *parcus deorum cultor et*

¹ M. Elias Hasen Mullerus. Hist. Ordin. Jes. p. 68.

² Lib. iv. dist. 4.

¹ Eccles., lib. ii., cap. 3.

infrequens; nor ἐπιστικῶς, doing all through contention and strife about particulars. *Si duo de nostras tollas pronomina rebus, prelia* (I may say *jurgia*) *cessarent, pax sine lite foret;*¹ nor δεσπορικῶς, empiring and lording among his brethren and fellow-elders, "Whosoever will be great among you, let him be your minister; and whosoever will be chief among you, let him be your servant," Matt. xx. 26, 27, saith the only Lord and Head of the church; nor yet ἀγαπητικῶς, setting himself only to do a pleasure, or to get preferment to such as he favoureth; nay, nor νομοθετικῶς, only by establishing good orders and wholesome laws in the church, but he must carry himself ὑπηρετικῶς, serviceably and ministerially; for as his function is *officium* and *jurisdictio*, so it is *munus*, a burdensome service and charge laid upon him.

That a ruling elder may be such an one as he ought to be, two sorts of duties are requisite, namely, duties of his conversation, and duties of his calling. The duties of his conversation are the same which the apostle Paul requireth in the conversation of the minister of the word, that he be blameless, having a good report, not accused of riot, or unruly; vigilant, sober, of good behaviour, given to hospitality, a lover of good men, just, holy, temperate, not given to wine, no striker, not greedy of filthy lucre, not self-willed, not soon angry, but patient, not a brawler, not covetous, one that ruleth well his own house, having his children in subjection, with all gravity, one that followeth after righteousness, godliness, faith, love, patience, meekness, &c., 1 Tim. iii. 2—7; vi. 11; Tit. i. 6—8. These and such like parts of a Christian and exemplary conversation being required of pastors, as they are elders, belong unto ruling elders also. This being plain, let us proceed to the duties of their calling.

For the better understanding whereof, we will distinguish, with the schoolmen, a twofold power, the power of order, and the power of jurisdiction, which are different in sundry respects: 1. The power of order comprehendeth such things as a minister, by virtue of his ordination, may do without a commission from any presbytery or assembly of the church, as to preach the word, to minister the sacraments, to celebrate marriage, to visit the sick, to catechise, to ad-

monish, &c. The power of jurisdiction comprehendeth such things as a minister cannot do himself, nor by virtue of his ordination; but they are done by a session, presbytery or synod, and sometimes by a minister or ministers, having commission and authority from the same, such as ordination and admission, suspension, deprivation and excommunication, and receiving again into the church, and making of laws and constitutions ecclesiastical, and such like, whereof we boldly maintain that there is no part of ecclesiastical jurisdiction in the power of one man, but of many met together in the name of Christ. 2. The power of order is the radical and fundamental power, and maketh a minister susceptible and capable of the power of jurisdiction. 3. The power of order goeth no farther than the court of conscience; the power of jurisdiction is exercised in external and ecclesiastical courts. 4. The power of order is sometime unlawful in the use, yet not void in itself. The power of jurisdiction, when it is unlawful in the use, it is also void in itself. If a minister do any act of jurisdiction, as to excommunicate, or absolve without his own parish, wanting also the consent of the ministry and elders of the bounds where he doth the same, such acts are void in themselves, and of no effect; but if without his own charge, and without the consent aforesaid, he baptise an infant, or do any such thing belonging to the power of order, though his act be unlawful, yet is the thing itself of force, and the sacrament remaineth a true sacrament.

Now to our purpose. We aver that this twofold power of order and jurisdiction belongeth to ruling elders as well as to pastors. The power of jurisdiction is the same in both; for the power and authority of all jurisdiction belongeth to the assemblies and representative meetings of the church, whereof the ruling elders are necessary constituent members, and have the power of decisive voicing no less than pastors. Howbeit, the execution of some decrees enacted by the power of jurisdiction belongeth to ministers alone, for pastors alone exercise some acts of jurisdiction, as imposition of hands, the pronouncing of the sentence of excommunication, the receiving of a penitent, &c. Are not these things done in the name and authority of some assembly of the church, higher or lower? Or are they any other than the executions of the decrees

¹ Meum et Tuum.

and sentences of such an assembly wherein ruling elders voiced. The power of order alone shall make the difference betwixt the pastor and the ruling elder; for, by the power of order, the pastor doth preach the word, minister the sacraments, pray in public, bless the congregation, celebrate marriage, which the ruling elder cannot; therefore it is falsely said by that railing Rabbshakeh (whom before I speak of), *Ep.*, p. 7, That the ruling elders want nothing of the power of the minister, but that they preach not, nor baptise in public congregations; yet other things, which the pastor doth, by his power of order, the ruling elder ought also to do by his own power of order. And if we would know how much of this power of order is common to both, let us note that pastors do some things by their power of order, which all Christians ought to do by the law of charity. Things of this sort a ruling elder may and ought to do by his power of order, and by virtue of his election and ordination to such an office. For example, every Christian is bound in charity to admonish and reprove his brother that offendeth, first privately, then before witnesses; and if he hear not, to tell it to the church, Lev. xix. 17; Matt. xviii. 15—17. This a ruling elder ought to do by virtue of his calling, and with authority, 1 Thess. v. 12; private Christians ought in charity to instruct the ignorant, John iv. 29; Acts xviii. 26; to exhort the negligent, Heb. iii. 15; x. 24, 25; to comfort the afflicted, 1 Thess. v. 11; to support the weak, 1 Thess. v. 14; to restore him that falleth, Gal. vi. 1; to visit the sick; Matt. xxv. 36, 40; to reconcile those who are at variance, Matt. v. 9; to contend for the truth, and to answer for it, Jude, ver. 3; 1 Pet. iii. 15, all which are incumbent to the ruling elder, by the authority of his calling. To conclude, then, the calling of ruling elders consisteth in these two things: 1. To assist and voice in all assemblies of the church: which is their power of jurisdiction; 2. To watch diligently over the whole flock all these ways which have been mentioned, and to do by authority that which other Christians ought to do in charity: which is their power of order. And the elder which neglecteth any one of these two whereunto his calling leadeth him, shall make answer to God for it; for the word of God, the discipline of this kirk, the bonds of his own calling and covenant, do all bind sin upon his soul, if

either he give not diligence in private, by admonishing all men of their duty as the case requireth; or if he neglect to keep either the ecclesiastical court and consistory within the congregation where his charge is, or the classical presbytery and other assemblies of the church, which he is no less bound to keep than his pastor, when he is called and designed thereunto.

CHAPTER III.

THE FIRST ARGUMENT FOR RULING ELDERS TAKEN FROM THE JEWISH CHURCH.

Having showed what ruling elders are, it followeth to show Scripture and divine right for them. Our first argument is taken from the government and policy of the Jewish church thus: Whatsoever kind of office-bearers the Jewish church had, not as it was Jewish, but as it was a church, such ought the Christian church to have also. But the Jewish church, not as it was Jewish, but as it was a church, had elders of the people, who assisted in their ecclesiastical government, and were members of their ecclesiastical consistories; therefore such ought the Christian church to have also. The proposition will no man call in question; for *quod competit alicui qua tali competit omni tali*,—that which agreeth to any church as it is a church, agreeth to every church. I speak of the church as it is a political body and settled ecclesiastical republic, let us see then to the assumption: The Jewish church, not as it was a church, but as it was Jewish, had an high priest, typifying our great High Priest Jesus Christ. As it was Jewish, it had musicians to play upon harps, psalteries, cymbals, and other musical instruments in the temple, 1 Chron. xxv. 1, concerning which hear Bellarmine's confession, *de Bon. Oper.*, lib. i., cap. 17, "Justinus saith that the use of instruments was granted to the Jews for their imperfection, and that therefore such instruments have no place in the church. We confess, indeed, that the use of musical instruments agreeth not alike with the perfect, and with the imperfect, and that therefore they began but of late to be admitted in the church." But as it was a church, and not as Jewish, it had four sorts of ordinary office-bearers, priests, Levites, doctors, and elders, and

we conformably have pastors, deacons, doctors and elders. To their priests and Levites Cyprian¹ doth rightly liken our pastors and deacons, for howsoever sundry things were done by the priests and Levites, which were typical and Jewish only, yet may we well parallel our pastors with their priests, in respect of a perpetual ecclesiastical office common to both, namely, the teaching and governing of the people of God, Mal. ii. 7; 2 Chron. xix. 8; and our deacons with their Levites, in respect of the cure of ecclesiastical goods, and of the work of the service of the house of God in the materials and appurtenances thereof, a function likewise common to both, 1 Chron. xxvi. 20; xxiii. 24, 28. The Jewish church had also doctors and schools, or colleges for the preservation of true divinity among them,² and of tongues, arts and sciences, necessary thereto, 1 Chron. xv. 22, 27; 2 Kings xxii. 14; 1 Sam. xix. 20; 2 Kings ii. 3, 5; Acts xix. 9. These office-bearers they had for no typical use, but we have them for the same use and end for which they had them. And all these sorts of office-bearers among us we do as rightly warrant from the like sorts among them, as other whiles we warrant our baptising of infants from their circumcising of them, our churches by their synagogues, &c.

Now that the Jewish church had also such elders as we plead for, it is manifest; for, besides the elders of the priests, there were also elders of the people joined with them in the hearing and handling of ecclesiastical matters, Jer. xix. 1, "Take of the ancients of the people, and of the ancients of the priests." The Lord, sending a message by the prophet, would have a representative body of all Judah to be gathered together for receiving it, as Tremellius noteth. So 2 Kings vi. 32, "Elisha sat in his house, and the elders sat with him." We read, 2 Chron. xix. 9, that with the priests were joined some of the chief of the fathers of Israel, to judge ecclesiastical causes and controversies. And howsoever many things among the Jews in the latter times, after the captivity, did wear to confusion and disorder, yet we find, even in the days of Christ and the apostles, that the elders of

the people still sat and voiced in council with the priests, according to the ancient form, as is clear from sundry places of the New Testament, Matt. xvi. 21; xxi. 23; xxvi. 57, 59; xxvii. i. 12; Mark xiv. 43; Luke xxii. 66; Acts iv. 5. This is also acknowledged by the Roman annalist Baronius,¹ who confesseth further, That as this was the form among the Jews, so, by the apostles, was the same form observed in their times, and seniors then admitted into councils. Saravia himself, who disputeth so much against ruling elders, acknowledgeth what hath been said of the elders of the Jews: *Seniores quidem invenio in confessu sacerdotum veteris synagoga, qui sacerdotes non erant*,—"I find, indeed (saith he²), elders in the assembly of the priests of the old synagogue, which were not priests." *Et quamvis paria eorum essent suffragia et autoritas in omnibus judiciis, cum suffragiis sacerdotum, &c.*—"And although (saith he³) their suffrages and authority in all judgments were equal with the suffrages of the priests, &c. But what then, think ye, he hath to say against us? He saith⁴ that the elders of the Jews were their magistrates, which, in things pertaining to the external government of the church, ought not to have been debarred from the council of the priests more than the Christian magistrate ought now to be debarred from the synods of the church. Now to prove that their elders were their civil magistrates, he hath no better argument than this: That the Hebrew word *zaken*, which is turned elder, importeth a chief man, or a ruler. We answer, first, This is a bold conjecture, which he hath neither warranted by divine nor by human testimonies; secondly, *Zaken* doth not ever signify a ruler, or a man in authority, as we have showed before; thirdly, Let us grant *zaken* to be a name of dignity, and to import a chief man; yet a chief man is not ever a magistrate, nor a ruler. It would only follow that they were of the chief of the fathers of Israel that were joined with the priests in the sanhedrim, and so it was, 2 Chron. xix. 8. *Non herule de plebe hominum lecti sed nobilissimi omnes*, saith P. Cunaus.⁵ They were, saith *Loc. Theol.*,

¹ Lib. i., ep. 9.

² Jun. Eccles., lib. ii., cap. 5; Mos. and Aaron, lib. ii., cap. 2; Alsted. Thesau. Chro., p. 235; Fennerus, Theol., lib. vii., p. 151, 152; Martyr, Loc. Com., class. 4, cap. 1, p. 745.

³ Anno. 58, n. 10.

⁴ De Divers. Grad. Minist. Evang., cap. 11, p. 108.

⁵ Ibid., p. 118.

⁶ Ibid., p. 108, 118.

⁷ De Repub. Jud., lib. i., cap. 12.

tom. vi., sect. 28: *Proceres tribuum qui al-
legabantur una cum sacerdotibus et scri-
bis in sacrum synedrium*. Fourthly, They
who were so joined in council with the priests,
2 Chron. xix. 8, are plainly distinguished
from the judges and magistrates, ver. 11;
and so are the princes and rulers dis-
tinguished from the elders, Acts iv. 5;
Judg. viii. 14; Deut. v. 23; Josh. viii. 33.
Fifthly, We would know whether he thought
that all the magistrates of the Jews sat in
council with the priests, or some of them only
—if some only, we desire either proof or pro-
bability, who they were, and how many—
if all, then should we, by the like reason,
admit not the supreme magistrate alone
(which he seemeth to say) into the synods
of the church, but all magistrates whatso-
ever, and what a confusion should that be?
Sixthly, Those elders that sat in the civil
sanhedrim were rulers by their sitting
there; but the elders which sat in the ec-
clesiastical sanhedrim, either were not ci-
vil magistrates, or at least sat not there as
magistrates. So do our magistrates some-
times sit with us, as members of our assem-
blies, not as magistrates, but as elders. Of
the distinction of those two courts, which
every one observeth not, we shall speak
more afterward.

We have said enough against Saravia,
but Bilson doth better deserve an answer,
who allegeth more specious reasons to prove
that the elders of the Jews were their civil
magistrates. He saith, There was no se-
nate nor seniors among the Jews, but such
as had power of life and death, of imprison-
ment, confiscation, banishment, &c., which
he maketh to appear thus: In the days of
Ezra, the punishment of contemnners was
forfeiture of their substance, and separation
from the congregation, Ezra x. 8; the trial
of secret murder was committed to the el-
ders of every city, Deut. xxi. 3, 4; they
delivered the wilful murderer unto the
avenger of blood, to be put to death, Deut.
xix. 12; they condemned a stubborn son
to death, Deut. xxi. 19; they chastened a
man who had spoken falsely of his wife, that
he found her not a virgin, Deut. xxii. 15,
16, 18. *Ans.* First, If it should be grant-
ed that the elders, spoken of in these places,
were civil magistrates, this proveth not that
there were no ecclesiastical elders among
the Jews. Justellus, in his *Annotations
upon the Book of the Canons of the Af-
rican Church*, distinguisheth betwixt the

civil elders mentioned,¹ can. 91, who were
called *seniores locorum*, or *urbium*, and the
ecclesiastical elders mentioned, can. 10, who
were called *seniores ecclesiæ* and *seniores
plebis*: the former name distinguishing
them from the civil elders; the latter distin-
guishing them from preaching elders. So
there might be the same two sorts of elders
among the Jews. And what then? It is
enough for us that we find, in the Jewish
church, some elders joined with the priests,
and employed in things ecclesiastical. The
elders and priests are joined together, both
in the New Testament, as Matt. xxvi. 59,
“The chief priests and elders;” so in other
places before cited. And likewise in the
Old Testament, Exod. xxi. 1, “Come up
unto the Lord, thou, and Aaron, Nadab
and Abihu, and seventy of the elders of
Israel;” Deut. xxvii. 1, “Moses with the
elders,” compared with ver. 9, “Moses and
the priests;” Zech. vii. 26, “The law shall
perish from the priest, and council from the
ancients;” Jer. xix. 1, “Take of the an-
cients of the people, and of the ancients of
the priests.” We find, also, the command-
ments of God first delivered to the elders,
and by them to the people, Exod. xii. 21,
28; xix. 7, 8. It is said, Deut. xxvii. 1,
“Moses, with the elders of Israel, com-
manded the people.” Upon which place
Hugo Cardinalis saith, *Argumentum*, &c.
—‘Here is an argument that a prelate
ought not to command anything without
the council of the elders.’

Secondly, But it cannot be proved that
these elders, in the places objected, were
judges or magistrates; nay, the contrary
appeareth from other places, which we have
before alleged for the distinction of elders
from magistrates or judges; whereunto we
may add, 2 Kings x. 1, “Unto the rulers
of Jezreel, to the elders, and to them that
brought up Ahab’s children;” and ver. 5,
“He that was over the house, and he that was
over the city, the elders also, and the bring-
ers up of the children;” Ezra x. 14, “The
elders of every city, and the judges thereof.”

Fourthly, We read of threescore and se-

¹ Bertram de Pol. Jud., cap. 16, saith, That these
elders did continue among the ten tribes, even after
the defection of Jeroboam. *Seniores erant qui in
mores et vitam piorum virorum, &c. inquirebant,
et reprehensionibus censurisque ecclesiasticis ani-
madvertebant. Horum seniorum et reliquæ eccle-
siæ cœtus et actiones moderabantur prophætæ: ita
ut ad prophætæ domum aliquando seniores conve-
nissent*, 2 Reg. vi. 32.

venteen elders in Succoth, Judg. viii. 14, whereas the greatest number of judges, in one city, among the Jews, was three for smaller matters, and three-and-twenty for greater matters. This objection Bilson himself moveth, but answereth it not.

Fifthly, As for the places which he objecteth against us, the first two of them make against himself. In Ezra x. 8, we find not only the civil punishment of forfeiture, but also, as Pellicanus on that place, and Zepperus, *de Pol. Eccl.*, lib. iii., cap. 7, do observe, the ecclesiastical punishment of excommunication, or separation from the congregation: the former answering to the council of the princes, the latter to the council of the elders. The place, Deut. xxi. 3, 4, maketh against him in three respects: First, The elders of the city did but wash their hands over the be-headed heifer, and purge themselves before the Lord from the bloodshed, which was a matter rather ecclesiastical than civil. *Necque enim*, &c.—‘For there was no need of a judge here, who should be present formally as judge,’ saith Bonfrerius, the Jesuit, upon that place. Secondly, The controversy was decided by the word of the priests, ver. 5. Thirdly, Tostatus thinketh that the elders and the judges are plainly distinguished, ver. 2, “Thy elders and thy judges shall come forth.” *Quæras hic*, &c.—Thou mayest here ask (saith Pelargus) why the elders of the people, and the judges, were both together called out,—I answer, because God will have both the magistrate and the subjects to be innocent, &c. As for the other places, that which seemeth to prove most for the civil power of the Jewish elders, is Deut. xxii., yet hear what that famous commentator, Tostatus Abulensis saith on that place: *Quando talis*, &c.—‘When such a cause was to be judged, because it was very weighty, the elders of the city did meet together with the judges thereof; for, in such facts, there is some place for conjecture, and the elders, who are the wiser sort, can herein be more attentive than others.’ So he noteth upon Ruth iv. 2, that the elders sat in the gate about the controversy betwixt Boaz and the other kinsman, not as judges, but as witnesses and beholders, that the matter might be done with the more gravity and respect, which doth farther appear from ver. 9, 11. In like manner we answer to Deut. xxi. 19, the judges decided that cause with advice and counsel

of the elders; and so the name of elders, in those places, may be a name not of office, but of dignity, signifying men of chief note, for wisdom, gravity, and experience. In which sense the word *elders* is taken, Gen. l. 7, as Tostatus and Rivetus expound that place. In the same manner we say of Deut. xix. 12; and, in that case, it is farther to be remembered, that the cities of refuge had a kind of a sacred designation and use, for the altar itself was sometimes a place of refuge, Exod. xxi. 14; and when the six cities of refuge were appointed, they were of the cities of the Levites, Num. xxxv. 6; that by the judgment and council of the Levites, who should best understand the law of God, such controversies might be determined, as Pellicanus on that place saith well; for this cause some read Josh. xx. 7, “They sanctified Kedesh,” &c. Besides, if it be true that these causes were judged, not in the city where the murder was committed, but in the city of refuge,¹ as Serrarius holdeth with Masius and Montanus, and allegeth for it some very considerable reasons, then doth Bilson’s argument, from Deut. xix. 12, fail also in this respect; for the elders there mentioned are the elders of the city where the murder was committed.

CHAPTER IV.

THE SECOND ARGUMENT, TAKEN FROM • MATT. XVIII. 17.

Our second argument we take from Matt. xviii. 17, “Tell the church.” Let an obstinate offender, whom no admonition doth amend, be brought and judged by the church,—where, first of all, it is to be condescended upon, That though he speaketh by allusion to the Jewish church, as is evident by these words, “Let him be unto thee as an heathen man and a publican,” yet he meaneth of the Christian church, when he saith, “Tell the church,” as may appear by the words following, “Whatsoever ye bind on earth,” &c., which is meant of the apostles and ministers of the gospel, John xx. 23; so that he did not send them to the sanhedrim of the Jews, when he bade them “Tell the church;” nor, 2. Doth he mean of the church universal, for then we should have none of our wrongs re-

¹ In Jos. xx., quæst. 3.

dressed, because we cannot assemble the church universal, nay, nor the representative of it, which is an œcumenic council; nor, 3. Can we understand it of the collective body of a particular church or congregation; for he who is the God of order, not of confusion, hath committed the exercise of no ecclesiastical jurisdiction to a promiscuous multitude; nor, 4. Can it be taken of a prelate, who, being but one, can no more be called "the church," nor one can be called many, or a member be called a body. *Non enim una persona potest dici ecclesia*, saith Bell., *de Eccles.*, lib. iii., cap. 17, *Cum ecclesia sit populus et regnum Dei*. It is plain that the church there spoken of is a certain number met together, "Where two or three are gathered together," &c.; nor, 5. Can we, with Erasmus and Bilson, expound it of the Christian magistrate,¹ which exposition, beside that, in a new-fangled language, it calleth the magistrate the church, and goeth about to overthrow all ecclesiastical jurisdiction. It is also utterly contrary to the purpose of Christ, and to the aim of that discipline which he recommendeth to be used, which is the good of our brother, and the gaining of him from his offence, whereas the exercise of civil jurisdiction of the magistrate is not intended for the good of the offender, and for the winning of him to repentance, but for the public good of the commonwealth, and for the preservation of peace, order and justice, therein according to the laws. Wherefore, by the church whereof our Master speaketh, we must needs understand such a representative meeting of the church, wherein a scandalous and obstinate person may and ought to be judged. And what is that? *Collegium presbyterorum*, saith Camero.² The presbytery whereof mention is made, 1 Tim. iv. 14, "Tell the church;" that is, *πρεσβυτεριον και ποιαιται*, saith Chrysostom, expounding the place,—he meaneth the presbytery made up of pastors and ruling elders. And so Zanchius³ and Junius⁴ expound him. The pastors were *πρεσβυτοι*, because of their presiding in the consistories of the church; the ruling elders were *πρεσβυτοι*, because of their ruling the flock. Whitgift saith,⁵ "Truth it is that

the place of Matthew may be understood of seniors, but it may be as well understood of any other, that, by the order of the church, have authority in the church." His confession, in behalf of seniors, we accept, but that he maketh this scripture like a nose of wax, and the government of the church like the French fashion, that we utterly abhor. But how is the presbytery called the church, and why? First, Even as the body is said to see, whenas the eyes alone do see: so saith Camero.¹ The church is said to hear that which they alone do hear who are as the eyes of the church. Secondly, It is a common form of speech to give the name of that which is represented to that which representeth it. So we commonly say, that this or that is done by the State of Holland, which is done by the senate at Hague. Now, though bishops or pastors alone cannot represent the church, because hearers also belong to the definition of the church, yet the presbytery can well represent the church, because it containeth, beside those who labour in the word, ruling elders put in authority by the church for the government thereof, as Gerhard rightly resolveth.² Our divines prove against Papists, that some of these, whom they call laics, ought to have place in the assemblies of the church, by this argument, among the rest, because otherwise the whole church could not be thereby represented. Thirdly, The Lord commanded that the children of Israel should lay their hands upon the Levites at their consecration, and that the whole congregation should be brought together for that effect, Num. viii. 9, 10. This, as some have observed out of Aben-Ezra,³ cannot be so understood, as if the many thousands, which were then in the host of Israel, had all laid their hands upon them, but the elders of Israel only representing them. So the Lord saith, "Speak to all the congregation of Israel," &c., Exod. xii. 3—21; but the execution of this command is expressed thus: "Then Moses called for all the elders of Israel, and said unto them," &c.; so Josh. xx. 6. Fourthly, Pastors and elders, as they are the ministers of Jesus Christ, so are they the ministers and servants of his spouse the church, 2 Cor. iv. 5. From that which hath been said, we may draw our argument in this form: Whatsoever courts do

¹ De Guber. Eccles., cap. 4, p. 70, 71.

² Prælect. tom. i., p. 23.

³ In 4 Præcept., col. 741.

⁴ Contr. 3, lib. ii., cap. 6.

⁵ D. of Tract. 17, cap. 2, div. 4.

¹ Ubi supra, p. 26.

² Loc. Theol., tom. vi., p. 137.

³ Treat. of Eccles. Discip., p. 87.

represent the church, these are made up of ruling as well as teaching elders.

But presbyteries, and all assemblies of the church, are courts which represent the church, therefore the proposition is proved thus: Whatsoever courts represent hearers as well as teachers, and the people as well as the ministry, these are made up of ruling as well as teaching elders.

But whatsoever courts do represent the church, these represent hearers as well as teachers, &c. It is plain enough that the church cannot be represented, except the hearers of the word, which are the far greatest part of the church, be represented. By the ministers of the word they cannot be represented more than the burghs can be represented in parliament by the noblemen, or by the commissioners of shires; therefore, by some of their own kind must they be represented, that is, by such as are hearers, and not preachers. Now some hearers cannot represent all the rest, except they have a calling and commission thereto; and who can those be but ruling elders?

CHAPTER V.

OUR THIRD ARGUMENT, TAKEN FROM ROMANS XII. 8.

Our third argument is grounded upon Romans xii. 8. The Apostle hath declared before, that, as there are many members in one body, and all the members have not the same office, for the office of the eye is to see, of the ear to hear, &c., so are there gifts given to the several office-bearers of the church, wherewith every one in his own office may glorify God and edify the church, ver. 4, with ver. 5, 6. These gifts, he saith, are differing, according to the grace given to us; that is, according to the holy charge and office given unto us by the grace and favour of God: so ver. 3, "Through the grace given unto me," saith Paul, that is, through the authority of my apostleship, which by grace I have obtained. Now, whiles he exhorteth every one to the faithful and humble use of his gift which he hath received for the discharge of his office, he illustrateth his exhortation by the enumeration of the ordinary ecclesiastical offices, ver. 6—8. And as Beza, Piscator, and

Junius, do well resolve the text.¹ First, he maketh a general division of functions in the church, making two sorts of the same prophecy, whereby is meant the faculty of expounding Scripture; and ministry comprehending all other employments in the church. Prophesying, the Apostle subdivideth into teaching, which is the doctor's part; and exhortation, which is the pastor's; ministry he subdivideth in giving, which is the deacon's part; ruling, which is the ruling elder's part; and showing mercy, which pertained to them who had care of the sick. Against this commentary which we have made upon the Apostle's words, Sutcliffe² objecteth a double injury which we do to pastors. First, if these our elders be the rulers here spoken of, then pastors ought not to rule; as if, forsooth, elders could not rule except they rule alone. Next, he saith, we make these elders as necessary to the church as pastors; so that a church cannot be where there are not ruling elders, even as there is not a church where there are not word and sacraments. Surely a church may happen to want pastors, and so to want both the preaching of the word and the use of the sacraments for that time; and so may it want elders and still remain a church, but defective and maimed. Howbeit, the pastors are more necessary than the elders, because they do not only rule, but preach beside.

But to pass this, there are other things which better deserve an answer; for one might object, 1. That the Apostle seemeth to speak of several gifts only, not of several offices. 2. If he speak of offices, by what reason make we prophecy and ministry general kinds, and all the rest particular offices? 3. Why would the Apostle put the deacon before the elder? 4. Bishop Andrews, in his *Sermon of the Worshipping of Imaginations*, maketh a fourth objection, that by our interpretation of this place, we make *qui miseretur* to be Latin for a widow.

To the first of these we answer, The Apostle's *protasis* speaketh of several offices, not in the same, but in several members: how then should we make his *apodosis* to speak of several gifts in the same, and not in several office-bearers of the church: wherefore, as seeing, hearing, tast-

¹ In illum locum Eccles. lib. ii., cap. 1.

² De Presbyt. p. 87.

ing, &c., do differ subjectively in respect of the members which do see, hear, &c., so speaketh the Apostle of teaching, exhorting, ruling, &c., as they are in different office-bearers. It is least of all credible which Bilson saith, *De Eccles. Gubern.* cap. 10, p. 186, 187, that the Apostle speaks not of the gifts of office-bearers, but of gifts distributed unto all the members of Christ's mystical body, even unto women. He had showed us a great secret, if he could have made it appear that all who are in the church, women and all, may both prophesy and rule. In this he shall have the praise of outstripping the Separatists. We know that private Christians may teach and exhort one another, but they do not so devote themselves thereto, as altogether to wait upon teaching and exhorting, which is the case the Apostle speaketh of.

To the second we say, that prophecy and ministry are put in *abstracto*, and joined with a plural *ἐχοντες*; but teaching, exhorting, giving, ruling, and showing mercy, are put in *concreto*, and to each of them the single article prefixed, which is a sufficient warrant to expound prophecy and ministry, as genera, and the rest as species. Chrysostom, considering the word ministry, saith, *Rem hic generalem ponit.*

To the third we answer, He which is first named, hath not always some prerogative or dignity above him which is last named; else do the Papists rightly argue that Peter was the chief of all the apostles, because they find him named before all the rest, Matt. x. 2; Acts i. 13. The Apostle intended to reckon out all ordinary offices in the church; but he intended not the precise order. Chrysostom, upon this same place saith, *Vide quomodo ista indifferenter ponat quod minutum est primo: quod magnum est posteriore loco*, Eph. iv. 11; he putteth pastors before teachers: here, to the Romans, he putteth teachers before pastors.

To the fourth we answer, That though it be ordinarily most convenient that the office of attending the sick be committed to women, yet it is not essentially necessary to the office. And as Aretius noteth upon the place,¹ we may under *ἐλεῶν* comprehend not only widows appointed to attend the sick, but old men appointed to receive and entertain strangers; which is also judi-

ciously observed by Martyr. Besides, when the Apostle, 1 Tim. v., teacheth what is required in widows, who should be made deaconesses, this he requireth among other things, that they be not such as live in pleasures and idleness, and take not care to provide for their own houses, ver. 6, 8, *εὐδέρις*; which, though Erasmus and Beza turn in the feminine, *quod si qua*, yet our English translators, and many good interpreters, turn it in the masculine. "And surely it shall have more weight if it agree to men as well as women," saith Calvin upon that place. Now, they who read in the masculine that which the Apostle saith there of widows, will not, we suppose, blame us for reading Rom. xii. 8 in the masculine also, "He that showeth mercy." We conclude our third argument thus:—

Whatsoever office-bearer in the church is different from pastors and teachers, and yet ruleth the church, he must needs be a ruling elder.

But *ὁ προϊστάμενος*, mentioned Rom. xii. 8, is different from pastors and teachers, and yet ruleth the church. *Ergo.*

CHAPTER VI.

ARGUMENT FOURTH, FROM 1 COR. XII. 28.

Our fourth argument is drawn from 1 Cor. xii. 28, where we find again an enumeration of sundry offices in the church (though not so perfect as that Rom. xii.) and amongst others, helps, that is, deacons; and governments, that is, ruling elders; where we cannot enough admire how the authors of the new English translation were bold to turn it thus, "helps in governments," so to make one of two, and to elude our argument. The original hath them clearly distinguished, *ἀντιλήψεις, κυβερνήσεις*. And I find some late editions of the English translation to have it as it is in the Greek, "helps, governments." How this change hath been made in the English Bibles, I know not. Chrysostom, expounding this place, doth not take helps and governments to be all one, as Bilson hath boldly, but falsely averred.¹ Nay, Chrysostom maketh the meaning of *ἀντιλήψεις* to be *ut pauperes suscipiamus*: and the

¹ Loc. Com. class. 4, cap. 1, p. 746.

¹ De Gub. Eccl. cap. 10, p. 204.

meaning of *κυβερνήσεις*, he expounded to be *præesse ac curam gerere et res administrare spirituales*. The former belongs to deacons, the latter to ruling elders. Two answers are made to this place.

First, Dr Field answereth,¹ That both here and Romans xii. 8, we reason *a genere ad speciem affirmative*; because the Apostle mentioneth governors whom he requireth to rule with diligence, therefore they were such elders as we plead for. Whitgift saith,² the word *governors*, 1 Cor. xii. 28; and *rulers*, Rom. xii. 8, is general, and may either signify Christian magistrates, or ecclesiastical, as archbishops, bishops, or whatsoever other by lawful authority are appointed in the church.

We reply, first, If the Apostle had mentioned rulers or governors alone,³ then might we have indeed guessed that he meant a general kind only, and no particular species: but since he hath enumerate so many species, as apostles, prophets, teachers, gifts of miracles, gifts of tongues, &c., surely they did either most ignorantly or most maliciously err, who tell us, that the Apostle putteth a genus in the midst of so many species. Secondly, The Apostle speaketh only of ecclesiastical officers, "God hath set some in the church," &c. What meant Whitgift to extend his words to the civil magistrates? T. C. answered him, that he could not distinguish betwixt the church and commonwealth, and so betwixt the church officers, and the officers of the commonwealth. He replied, that he could not put any such difference betwixt them, that the one may not be comprehended under the Apostle's word, as well as the other. "For I utterly renounce (saith he) that distinction invented by Papists, and maintained by you, which is, that Christian magistrates govern not in the respect they be Christians, but in the respect they be men; and that they govern Christians, not in that they be Christians, but in that they be men; which is to give no more authority to the Christian magistrate in the church of Christ, than to the great Turk." Let our opposites here go by the ears among themselves: for Mr

John Wemys holdeth,⁴ that all kings have alike jurisdiction in the church, infidels as well as Christian kings. We hold that Christian magistrates govern their subjects, neither as Christians, nor as men, but as magistrates; and they govern Christian subjects as Christian magistrates. In like manner, Christians are governed by magistrates, neither as they are Christians, nor as they are men, but as they are subjects, and they are governed by Christian magistrates, as they are Christian subjects. And we all maintain, that a Christian magistrate hath great authority over Christian subjects in things pertaining to the conservation and purgation of religion, which the great Turk, nor no infidel magistrate hath, or can have, except he become Christian. But what do I digressing after the impertinencies of a roving disputer? for what of all this? Let Christian magistrates govern as you will, will any man say that his office is ecclesiastical, or to be reckoned among apostles, prophets, teachers? &c. Wherefore,

Let us proceed to the other answer, which is made by Saravia:² he saith, that though the Apostle, 1 Cor. xii. 28, reckon out different gifts, we need not for that understand different persons, nor make different orders and offices in the church, of the gifts of miracles, healing, tongues, and prophecies, which might be, and were in one man. Whereupon he resolveth the text thus: That, first, Paul setteth down three distinct orders, apostles, prophets, and teachers; then he reckoneth forth these common gifts of the Holy Ghost (and the gift of governing amongst the rest) which were common to all the three. The Apostle saith not *governors*, but *governments*, saith Sutcliffe,³ to show that he meaneth of faculties, not of persons. So saith Bilson⁴ in like manner.

For confutation of all this, it is to be remembered: First, That the gifts spoken of by the Apostle, are given of God for the common good and edification of the church, "And God hath set some in the church," &c. Secondly, These gifts the Apostle considereth not *abstractive a subjectis*, but as they are in men endued with them, as is plain; for he had before reckoned forth the gifts themselves, ver. 8—10, and

¹ Of the Church, lib. v., cap. 26.

² Answer to the Admon. p. 114, 115.

³ Temporis illius conditio non de quibuslibet præfectis Paulum loqui ostendit quia tunc nulerant pii magistratus: sed de senioribus qui morum erant censors, saith Calvin upon Rom. xii. 8.

⁴ De Reg. Prim. p. 123.

² De Diver. Grad. Minist. Evang. cap. 11, p. 115.

³ De Presbyt. p. 87.

⁴ De Perpet. Eccles. Guber. cap. 10, p. 190, 191.

if here he did no more but reckon them over again, this were *actum agere*. He is now upon the use and exercise of these gifts by the office-bearers of the church, ver. 27, 29. And though the Apostle, ver. 28, speaketh concretively only of these three, apostles, prophets, and teachers, yet the rest must be understood in the same manner, *per metonymiam adjuncti*, as when we speak of magistracy and ministry, for magistrates and ministers; yea, the Apostle, ver. 29, 30, so expoundeth himself, where he speaketh concretively of the same things whereof he seemed before to speak abstractively. He speaketh of them as they are in different subjects, which is most evident, both by his *protasis*, wherein he did again press the same simile of the several offices, not of the same but of several members of the body; and likewise by the words immediately subjoined, "Are all apostles? are all prophets? are all teachers?" He would have stood here and said no more, if he had meant to distinguish these three orders only, as Saravia expoundeth him. But now to make it plainly appear that he spoke of the other gifts also, as they are in different persons, he addeth, "Are all workers of miracles? have all the gifts of healing? do all speak with tongues? do all interpret?" Where we may supply, *Are all for helps? are all for governments?* But can it be for nought that the Apostle omitteth these two, when he doth over again enumerate all the rest? ver. 29, 30. It is as if he had said, There are some who have none of those special, and (for the most part) extraordinary gifts. All are not apostles, all are not prophets, &c., for some have but common and ordinary gifts, to be deacons or elders for government.

There is a great controversy betwixt the Jesuits and the Doctors of Sorbon, about the meaning of this place which we have now expounded. The Jesuits, in their *Spongia*, cap. 5, sect. 50, written against the censure of the university of Paris, contend, that by *helps* the Apostle meaneth the regular canons who help the bishops and the priests in preaching, ministering the sacraments, and hearing confessions. By *governments* they say he meaneth secular priests, whom they call *parochi*. And because he putteth helps before governments, they infer that regular canons are of an higher degree in the hierarchy of the church than secular priests. This they

maintain (good men) for the credit of their own polypragmatic order, and not for the credit of other regular canons, you may be sure. The Doctors of Sorbon, in their *Vindiciæ Censuræ*, p. 378, 380, written by Aurelius, considered that they could not maintain the meaning of the Apostle to be only of different gifts (which no doubt they had answered, if they had thought it to carry any probability), therefore they acknowledge that under these gifts are contained also the degrees of the hierarchy. And that the Apostle's words do partly belong to the common gifts of the Spirit, as powers and interpretation of tongues, partly to the hierarchy: of this latter sort, p. 362, &c., they make helps and governments; and by "the helps" they seem to understand archdeacons and curates.

But now, to conclude this argument also, thus it is: They who have the gift and office of governing the church, and are different from them who have other gifts and offices in the church, can be no other than the ruling elders, which we plead for.

But these *κλῆρικοί*, spoken of 1 Cor. xii. 28, are such. *Ergo*.

CHAPTER VII.

ARGUMENT FIFTH, FROM 1 TIM. v. 17.

Our fifth argument is taken from a clear place, 1 Tim. v. 17, "Let the elders that rule well be counted worthy of double honour, especially they who labour in the word and doctrine." Hence we reason after this manner:—

These churches which had some elders that laboured not in the word and doctrine, yet were worthy of double honour for ruling well, had the very same ruling elders we plead for.

But the apostolic churches had some elders that laboured not in the word and doctrine, yet were worthy of double honour for ruling well. *Ergo*.

The argument riseth from the plain text, than which what can be clearer? But there are some who would darken light, and lighten darkness.

Dr Field¹ propoundeth three glosses upon this place for the frustration of our

¹ Of the Church, lib. v, cap. 26.

argument. First, That the guides of the church are worthy of double honour, both in respect of governing and teaching, but especially for their pains in teaching; so that the Apostle noteth two parts or duties of presbyterial offices, not two sorts of presbyters. This is manifestly against the text, which speaketh of officers, not of offices; of persons, not of duties; for it is not said, *especially for labouring, &c.*, but, "*especially they that labour,*" &c.

Secondly, he saith, Among elders some laboured principally in governing and ministering the sacraments, some in preaching. So Paul sheweth that he preached and laboured more than all the apostles, but baptised few or none, 1 Cor. xv. 10; i. 14. And when Paul and Barnabas were companions, and their travels equal, yet Paul was the chief speaker, Acts xiv. 12; so that though both were worthy of double honour, yet Paul especially. But for answer to this. First, We would gladly know what warrant had he for expounding Paul's more abundant labouring than all the apostles, of his preaching alone? Secondly, What warrant for such a distinction of elders, that some laboured principally in governing, some in preaching? Because Paul preached and did not baptise, and because he was the chief speaker when he and Barnabas travelled together: therefore some elders laboured in governing, some in preaching; good logic, forsooth. Thirdly, Thought he that the Apostle did ever account such ministers as do not mainly labour in preaching to be worthy of double honour? nay, it was never the Apostle's mind to allow any honour, far less double honour, either to non-preaching or to seldom-preaching ministers. *Ut quid enim doctor appellatur nisi ut doceat?* saith Chrysostom.¹ Fourthly, Tell me whether is preaching a duty belonging to all the ministers of the gospel or not? If it be not the duty of all, then it is the duty of none, but a work of supererogation or some such thing; for if some be not bound to preach by their presbyterial order and vocation, what is there that should bind others to preach? The order and calling of a presbyter is alike common to all. Now, if all be bound to preach (which Field himself seemeth to say in his first gloss, when he calleth pains in teaching a part or duty of the presbyterial office no less than governing)

how shall those presbyters be worthy of double honour, who do not the duties of their presbyterial office, but leave the one half of them undone?

Thirdly, saith Field, There were some that remained in certain places for governing of those who were already won by the preaching of the gospel: others travelled with great labour, from place to place, to preach Christ to such as had never heard of him. But these were worthy of double honour, but especially the latter, who did not build upon another's foundation, nor govern those whom others had gained. The poet would here answer:—

Non minor est virtus quam querere parta tueri.

A physician would haply say, that to prevent the recidivation is as much worth as the cure. But I answer, 1. There is no such opposition in the text, but a subordination rather: for elders who labour in the word and doctrine, are not contra-distinguished from elders that rule well, but are declared to be one kind of elders that rule well. 2. Though the apostles and evangelists travelled from one country to another, to preach Christ to such as never heard of him; yet where hath he read that some of these who were mere presbyters (for of such speaketh the text in hand) did so likewise? It rather appeareth from Acts xiv. 23; Tit. i. 5, that elders were ordained in every city, there to remain at their particular charges, and no elders find we ordained by the apostles *ordinatione vaga*.

We have heard Dr Field's three glosses upon this place in question. Sutcliffe¹ hath given us other three, which are no better. First, he saith, That if there be here any distinction of ruling elders, it is betwixt those that labour more abundantly and painfully, and betwixt those that labour not so much. This gloss is also received by Saravia,² by Tilen,³ by Bishop Hall⁴ in his *Assertion of Episcopacy by Divine Right*. They tell us, it is one thing to preach, another thing to labour in the word and doctrine. *Ans.* 1. It is not the ministry of the word, but the ministry of ruling which here the Apostle maketh common to both. 2. This exposition alloweth not only honour, but double honour; yea, a high

¹ De Presbyt. cap. 12.

² De Diver. Grad. Minis. Evang. cap. 13.

³ Paren. cap. 11, p. 38.

⁴ Episcop. by Divine Right, p. 219.

¹ Hom. 15, in 1 Tim.

degree of double honour to such as take no pains in preaching, but are sparing therein. 3. It maketh the Apostle's speech not to grow, but to fall: for *το κοπιῶν* when they have stretched it to the full, noteth only great labour, whereas to rule well, importeth both great labour and great prudence, dexterity, faithfulness, and charity, beside. 4. It maketh the last part of the speech, "in the word and doctrine," to be superfluous; for they hold that all the difference here, is in the measure or manner of labour, and no difference in *re subjecta*. 5. All who have any charge in the ministry are called *κοπιῶντες*, 1 Thess. v. 11. If they be at all faithful, and worthy of honour, then do they labour, 1 Cor. iii. 8, yea, in labouring, watch, as they that must give account, Heb. xiii. 17. 6. The Rhemists do interpret the Apostle in the same manner, 2 Cor. xi. 27: 1 Thess. ii. 9. But Cartwright answereth them: If he had meant any extraordinary labour, he would rather have said *μοχθοῦντες* than *κοπιῶντες*: for elsewhere he useth *μοχθος*, as a degree of painful travel above *κοπος*, which is put for common labour, Rom. xvi. 12.

But, it may be, the next commentary shall be better. The words, saith Sutcliffe, are to be rendered thus: "Let elders that rule well be counted worthy of double honour, labouring greatly in the word and doctrine:" so that the latter part of the speech is added exegetically, to show who they be that rule well, namely, these who labour greatly in the word and doctrine. That the words are so to be understood, he undertaketh to prove from the text itself: for, saith he, one who purposeth to say in Greek, *especially they who labour*, will not say, *μάλιστα οἱ κοπιῶντες*, but *μάλιστα οἱ κοπιῶσι*. Thus changing the participle into a verb, and the prepositive article *οἱ*, which is written with an aspiration alone, into the subjunctive, *οἱ*, *cum accentu gravi*, for this answereth to the relative *who*, which the prepositive article doth never. Moreover, saith he, if the Apostle would have distinguished elders into these that preach, and these that preach not, he would have added the adversative particle *δὲ* after *μάλιστα*: for *μάλιστα δὲ* signifieth indeed *especially*, but *μάλιστα* alone without *δὲ*, signifieth *greatly* or *much*, as here it doth. *Ans.* 1. This reading of his is very harsh, and had need to sound better before it contradict both the English translators and

the common current of Protestant interpreters. 2. He is not so very well skilled in the Greek as he boasteth to be, unless he maketh the Apostle Paul a great ignoramus in that language. For he putteth a participle with the prepositive article for a verb and a relative, Philip. iv. 7, *Καὶ ἡ εἰρήνη τοῦ Θεοῦ, ἡ ὑπερέχουσα πάντα νοῦν*,—"And the peace of God, which passeth all understanding. So Eph. iv. 22, *Τὸν παλαιὸν ἄνθρωπον, τὸν φθειρόμενον*,—"The old man which is corrupt;" and ver. 24, *Τὸν καινὸν ἄνθρωπον, τὸν κατὰ Θεὸν κτισθέντα*,—"The new man which after God is created. 1 Thess. v. 12, *Εἰδέναι τοὺς κοπιῶντας ἐν ὑμῖν*,—"To know them which labour among you." If Sutcliffe's rule hold, we may not read it so, but thus, *To know them labouring among you*. So Rev. vii. 14, *Οὗτοί εἰσιν οἱ ἐρχόμενοι ἐκ τῆς θλίψεως τῆς μεγάλης*,—"These are they who came out of great tribulation." Many places of this kind there are, which I need not cite. 3. An elipsis of the particle *δὲ* is no error, no not in members of an opposition, as Col. ii. 23, much less in the distinction of a species from the genus. 4. *Μάλιστα* without *δὲ*, is put for *especially*, as well as when it hath *δὲ*, 1 Tim. iv. 10, "Who is the Saviour of all men, specially of those that believe, *μάλιστα πιστῶν*." This skilled Grecian would have us to conceive it thus,—God is the Saviour of all men who believe much; and so it shall be a comfortless text for those of little faith.

Surely this man had need to be more happy in his third exposition; and now let us know what it is? He saith, That though we could evince that the Apostle here speaketh of some other elders besides the ministers of the word, yet we shall have no advantage for our ruling elders; for the Apostle being to prove that the ministers of the word ought to be maintained, why might he not, saith he, use this general proposition, That all rulers, whether public or domestic, whether civil or ecclesiastical, are to be honoured? When the Apostle speaketh of the choosing of deacons, he will have them to be such as have ruled their own houses well. This is his last refuge, and how weak, let any man judge. We have heard of many sort of rulers, but who did ever hear (before Sutcliffe told it) of domestic or civil elders that rule well. Had not the word elders been in the text, but the word *προεστῶτες* alone, he might have

been the bolder to have given this sense; but since the Apostle speaketh not generally of them that rule well, but of elders in the church that rule well, this marreth his gloss altogether.

Bilson¹ giveth yet another sense, That there were two sorts of elders, some who laboured in the word and doctrine, some who had the care of the poor; both were worthy of double honour; but especially they who laboured in the word. *Ans.* Deacons are distinguished from elders, Rom. xii.; 1 Cor. xii.; 1 Tim. iii., and by all antiquity. If we make deacons to be elders, and the care of the poor to be an act of ruling, then let us make what you will of the plainest scriptures.

I find in Didoclavius² three other interpretations beside the former: First, Bridges saith, That by elders who labour not in the word and doctrine, are meant rulers or inferior magistrates, chosen for compounding of civil controversies. *Ans.* 1. This is a strange language, to call civil magistrates by the name of elders. 2. The Apostle is speaking of ecclesiastical, not of civil office-bearers. 3. This exposition maketh pastors who labour in the word and doctrine, to be a sort of civil magistrates, because they are a kind of elders that rule well.

Next, Bishop King expoundeth this place of old and infirm bishops, who cannot labour in the word and doctrine. *Ans.* 1. The Apostle speaketh of presbyters, not of prelates. 2. To rule well importeth as great labour as preaching, and somewhat more, as I showed before, so that they who cannot labour in preaching, cannot labour in ruling neither. 3. They who have eviscerate and spent themselves in the work of the ministry, who have been (as long as they could stand upon their feet) valiant champions for the truth, against the enemies thereof, who have served their time according to the will of God, without the stain of heresy, schism, apostacy, or unfaithfulness, when they become old and infirm, they ought not to be the less honoured (as the impious verdict of this prelate would have it) but so much the more honour ought to be given to their hoar heads, found in the way of righteousness.

Another gloss is given by the same King, namely, that the Apostle would have minis-

ters, not only to live well, but to feed also by the word and doctrine. *Ans.* 1. The rising of the Apostle's words doth not concern duties, but persons, as we have said before. 2. To live well is not to rule well, unless we will make all who live godly, to rule well. 3. This gloss doth still leave a double honour to ministers that live well, though they do not preach.

We see now, our opposites have been trying all winds to fetch upon us; but here we leave them betwixt wind and wave; for this our last argument carrieth us away with full sail.

CHAPTER VIII.

THE TESTIMONY OF AMBROSE FOR RULING ELDERS VINDICATED.

If we look back beyond the times of declining unto the first and purest times of the church, we shall find ruling elders to be no new-fangled device at Geneva; but that the primitive government and policy of the church hath been in them restored. There is one place of Ambrose which cleareth it sufficiently. He, writing on 1 Tim. v. 1, "Rebuke not an elder," saith, *Unde et synagoga, &c.*—'Wherefore, both the Jewish synagogue, and after the church had senior or elders, without whose council nothing was done in the church, which, by what negligence it grew out of use, I know not, except perhaps by the sloth, or rather by the pride of the teachers, whilst they alone will seem to be something.' This sentence is also cited in *Glossa Ordinaria*, and it sheweth plainly that, as the Jewish, so the Christian church had some elders, who, though they were not teachers of the word, yet had a part of the government of the church upon their shoulders. But that this came into disuetude, partly through the sloth of the teachers and ministers of the word, whilst they were not careful to preserve the ordinances of God, and the right way of governing the church, and partly through their pride, whilst they would do all by themselves, and have no consorts,

Utinam modo nostra redirent
In mores tempora prisca.

But let us hear a triple divination, which the non-friends of ruling elders give forth

¹ De Perpet. Eccl. Gub. cap. 10.

² Altar Damasc. cap. 12.

upon this testimony.¹ First, Bishop Hall telleth us that it is not Ambrose, but a counterfeit who wrote that commentary upon the epistles, and for this he allegeth our own Parker against us. The truth is, Bellarmine and Scultingius taught him this answer. The place of Parker he citeth not in the margin, but I believe the place he meaneth of is *de Polit. Eccles.*, lib. ii. cap. 13, where he holdeth, indeed, that the author of these commentaries was not Ambrose, bishop of Milan, but sheweth withal that he nothing doubteth of the catholic authority of the commentaries themselves: *Hoc vero, &c.*—‘This (saith he) may befall the best author, whosoever he be, that some may ascribe his works to another. But that he lived before the Council of Nice, this addeth weight to his testimony of the seniors.’ These commentaries are commonly cited by our divines as Ambrose’s. I find them in Erasmus’s edition, both at Collen, 1532, and at Paris, 1551, acknowledged to be the genuine works of Ambrose, only the prefaces before the epistles are called in question. They are also acknowledged in the edition of Costerius at Basle, 1555; Sixtus Senensis ascribeth them to Ambrose in like manner; the edition of Collen, 1616, hath an observation prefixed, which repudieth many of his works, and these commentaries among the rest. Yet the last edition at Paris, 1632, hath expunged that observation, which they had not done if they had approved the same: howsoever that same observation maketh those commentaries to be as old as three hundred and seventy-two, or three hundred and seventy-three. Parkins, in his preparative before his demonstration of the problem, calleth in question the commentary upon the Hebrews, but no more. Rivet sheweth,² that these who reject them do neither give good reasons for their opinion, neither yet do agree among themselves; Bellarmine ascribing them to Hilarius Diaconus, Maldonat to Remigius Lugdunensis, the censors of Lorraine to the author of the questions of the Old and New Testaments. I believe that Cook, in his *Censura Scriptorum Veterum*, p. 134, hath touched the true cause why these commentaries are so much called in question, which is the perfidiousness of Papists, who, when they find anything therein, which they imagine to be for their

advantage, then they cry, Saint Ambrose saith thus: but when they find anything therein which maketh against them, then they say, as Hall doth, It is not Ambrose, but a counterfeit. I must confess that Hall is wiser in disclaiming the same than his fellows in acknowledging them, yet because he found that the testimony may be of force, though not Ambrose’s, and, beside, had no proof for this allegiance, he durst not trust to it, but thought upon another answer.

To proceed, then, to their next conjecture, Bilson, Sutcliffe, and Dr Field tell us,¹ that Ambrose meant of bishops who excluded other clergymen from their consultations; and that by the name of teachers he might fitly understand the bishops, seeing none but they have power to preach in their own right, and others but only by permission from them. This is a most desperate shift for a bad cause. For, first, There is no warrant, neither from Scripture nor antiquity, to distinguish bishops from other ministers of the word, by the name of teachers. Secondly, As for that reason alleged, that none but bishops have power to preach in their own right, it is contrary to that which Field himself saith in the very next chapter, where he holdeth that presbyters are equal with bishops in the power of order, and that they may preach and minister the sacraments, by virtue of their order, as well as bishops. Thirdly, Neither did the advising of bishops with presbyters cease in Ambrose’s time. For, as Field himself noteth out of the Fourth Council of Carthage, cap. 27 (which was holden shortly after Ambrose’s writing hereof), all sentences of bishops were declared to be void, which were not confirmed by the presence of their clergy. Let us also hear Jerome and Chrysostom (who lived both in the same age with Ambrose): “What doth a bishop (saith Jerome²), ordination excepted, which a presbyter may not do?” “By ordination alone (saith Chrysostom³) are the bishops higher, and this only they seem to have more than presbyters;” which were not true, if bishops had then governed the churches by themselves, excluding the council and advice of presbyters. Yea, though ordination was the only one thing which

¹ Episcop. by Div. Right, p. 226.

² Critic. Sacr., lib. iii., cap. 18.

¹ De Gub. Eccl., cap. 11, p. 210; De Presbyt., cap. 13; Of the Church, lib. v., cap. 26.

² Epist. ad Evag.

³ In 1 Tim., hom. 10.

made the difference, Ephes. iv. Ambrose himself sheweth that presbyters in Egypt did also ordain when the bishop was not present.

We have heard Sutcliffe and Dr Field, but Saravia, and after him Tilen, and after them both Hall, hath forged another gloss upon the place of Ambrose.¹ They boldly aver that the elders, without whose council, Ambrose saith, nothing was done in the church, were elders by age and not by office. We reply, First, Falsehood cannot keep its feet. Before we heard Saravia maintain that the seniors among the Jews, who sat in ecclesiastical assemblies with the priests, and had equal suffrages therein with the priests, were their rulers and their magistrates,—now he telleth us they were old men, elders by age only, not by office. Secondly, In his defence of that same twelfth chapter against Beza, he acknowledgeth that the Christian church had other elders by office besides the ministers of the word: “The church (saith he) hath had elders, some by divine institution, as the pastors of churches, and ministers of the word of God, others by condition of age or office, or estimation, or learning and experience.” How could he, then, restrict the words of Ambrose to elders by age only? Thirdly, Where was it ever read or heard that old men, who had no ecclesiastical office, were taken into the assemblies of the church, so that nothing was done without their counsel? Fourthly, The elders, of whom Ambrose speaketh, are opposed to the teachers, therefore they are not elders by age, for such are some of the teachers themselves. Fifthly, Ambrose, indeed, in his preceding words, had expounded the place of the Apostle (1 Tim. v. 1) of elders by age, but thereupon he took occasion to speak of elders by office also. Sixthly, That the elders, which we read to have been in the Jewish church, were not elders by age, Basil sheweth plainly,—whose testimony we shall hear by and by.

CHAPTER IX.

OTHER TESTIMONIES OF ANTIQUITY.

Thus having cleared the place of Ambrose, come we now to other testimonies of

the ancients. Tertullian, in his *Apologetic* against the nations, cap. 39, speaking of the meetings and assemblies of Christians, sheweth that, besides other things done therein, they had also corrections, censures and excommunications, and that in the exercise of this discipline, *Præsident probati quique seniores, honorem istum non pretio sed testimonio adepti*,—‘With us do sit all the approved seniors, as presidents or rulers, having obtained this honour not by price, but by a good testimony.’ Cyprian, in his *Epistles*,¹ doth often protest that, from the beginning of his bishopric, he did all things by common consent and advice, both of his clergy and people. Will any man think that, in ordination, excommunication, reconciliation of penitents, and such like things, whereof Cyprian speaketh in these places, he sought the council and advice of the whole congregation, and of all and every one therein? or rather that the people gave their counsel and consent by the eldership representing them? Surely this doing of all things with the advice and counsel of the whole, both clergy and people, he elsewhere sheweth to have been nothing else but the doing of all things by the advice and counsel of the presbytery,—which had not been so if there had not been in the presbytery some of all sorts to represent the rest: *Omni actû* (saith he²) *ad me perlato placuit, contrahi presbyterium, &c. ut firmato consilio quid observari deberet consensû omnium statueretur*.

Epiphanius, writing to John, bishop of Jerusalem, concerning the tearing of a veil which he had seen in the church of a village called Anablatha, with the image of Christ, or some saint, upon it, and concerning another veil which he had sent for it, entreateth him to give order to the elders of that place to receive the veil from the bearer. It is not to be thought there were many preaching elders in a small village, he speaketh in the plural, *Precor ut jubeas presbyteros ejusdem loci, &c.*

Basilus Magnus, in his commentary upon Isa. iii. 2, where the Lord threateneth to take away from Israel the ancient, or the elder, sheweth from Num. xi. 16, how warily such elders were to be chosen, and that their gifts, not their age, made them elders, he proveth from Dan. xiii. 50 (which is the

¹ De Divers. Gra. Minist. Evang., cap. 12; Paræm., cap. 11, p. 42; Episc. by Div. Right, p. 227.

¹ Lib. i. ep. 8: lib. ii. ep. 5; lib. iii. ep. 10; *ibid.* ep. 11.

² Lib. iii., ep. 11.

history of Susanna), where the Jewish elders at Babylon say to young Daniel, "Come, sit down among us, and show it us, seeing God hath given thee the honour of an elder." Then he addeth, *Ad hunc, &c.*—'After this manner, sometimes it happeneth that youths are found in honour to be preferred to those elders who slothfully and negligently lead their life. These elders, then, among the Jews, were falsely so called; for God took away, as the man of war and the prophet, so the elder from the people of the Jews. Therefore let the church pray that the elder, worthy to be so called, be not taken away from herself.' The whole tenor of his discourse importeth that the Christian churches had such elders as we read to have been in the Jewish church, whereof Daniel was one. And of them he seemed to mean a little before, *Habet, &c.*—'The church also hath judges, who can agree brother and brother.'

Chrysostom¹ compareth the church to a house, because, as in a house, there are wife, children, and servants, and the care or government of all is incumbent to the master of the family, so is it in the church, wherein, beside the ruler of the same, nothing is to be seen, but as it were wife, children, and servants, *Εἰ δὲ κοινωνοὺς ἔχει τῆς ἀρχῆς ὁ τῆς ἐκκλησίας προεστῶς, ἔχει καὶ ἐκεῖ ὁ ἀνὴρ τὴν γυναῖκα*—'But if the government of the church (saith he) hath fellows or consorts in the government thereof, so hath the man also the wife to be his consort in the government of his house.' If it be said that, by the ruler of the church, he meaneth the bishop, and by his consorts, preaching presbyters, who are the bishop's helpers in the government of the church, I answer—If we understand by *προεστῶς*, the bishop, then we make Chrysostom contradict himself; for in his next homily² he sheweth plainly that presbyters have *προστασίαν* τῆς ἐκκλησίας, the ruling of the church as well as bishops, and that the whole purpose of his former homily agreed to presbyters no less than bishops. Now, then, who were the consorts which pastors of churches, or preaching elders, had in the government of the church? Could they be any other than ruling elders?

Jerome, upon that place of Isaiah, saith, *Et nos habemus in ecclesia senatum nostrum, cætum presbyterorum: cum ergo*

inter cætera etiam senes Judea perdidit, quomodo poterit habere concilium quod propriè seniorum est? And what sense shall we give to these words, unless we say it is imported that both the Jewish and the Christian church had such an eldership as we plead for, else why did both he and Basil make such a parallel betwixt the Jewish and the Christian church in the point of elders? Surely, if we understand by the elders of the Christian church, whereof they speak, the ministers of the word alone, we must also understand, by the elders of the Jewish church, whereof they speak, the priests, which no man will imagine.

Eusebius, in his *History*, lib. vii., cap. 23, citeth Dionysius Alexandrinus, relating his disputes with the Chiliasts after this manner: "When I was at Arsenoita, where thou knowest this doctrine first sprung, &c., I called together the elders and teachers inhabiting those villages, there being present also, as many of the brethren as were willing to come, and I exhorted them publicly to the search of this doctrine," &c. By the teachers here are meant the pastors or ministers of the word, who are most frequently called by the fathers, teachers or doctors; neither can it be supposed that there were any teachers besides the pastors in these rural villages, which, notwithstanding, we see had, beside their pastors or teachers, elders also.

Augustine writeth his 137th epistle to those of his own church at Hippon, whom he designeth thus: *Dilectissimis fratribus, clero, senioribus, et universæ plebi ecclesiæ Hipponensis, cui servio in dilectione Christi*.—'To my well-beloved brethren the clergy, the elders, and the whole people of the church at Hippon, whom I serve in the love of Christ.' He putteth elders or seniors in the middle, betwixt the clergy and the people, as distinct from both, and yet somewhat participant of both.

Isidorus Hispalensis,¹ speaking of the prudence and discretion which pastors should observe in teaching of the word, giveth them this advice among others, *Prius docendi sunt seniores plebis, ut per eos infra positi facilius doceantur*.—'The elders of the people are to be first taught, that, by them, such as are placed under them may be taught the more easily.'

Origen, speaking of the trial of such as

¹ Sent. lib. iii., cap. 43.

² Contra Cels., lib. iii.

¹ In 1 Tim., hom. 10.

² Hom. 11.

were to be admitted members of the church, saith,¹ *Nonnulli præpositi sunt, &c.*—‘There are some rulers appointed, who may inquire concerning the conversation and manners of those that are admitted, that they may debar from the congregation such as commit filthiness.’

In the acts of the 5th Council of Toledo, according to the late editions, cap. 1, we read that Cinthila (whom others call Chintillanus) came into that council *cum optimatibus et senioribus palatii sui*. But Lorinus hath found, in some ancient copy,¹ *Cum optimatibus et senioribus populi sui*,—‘With the nobles and the elders of his people.’ I would know who were these elders of the people distinguished from the nobles.

These things may suffice from antiquity to give some evidence that the office of ruling elders is not Calvin’s new-fangled device at Geneva, as our adversaries are pleased to call it: but for further confirmation of this point, Voetius, disp. 2, *de Senio*, and before him Justellus in *Annot. et Notis in Cod. Can. Eccles. Afric.* can. 100, hath observed sundry other pregnant testimonies from antiquity for ruling elders, especially out of these notable records *Gesta Purgationis Cæciliani et Felicis*, to be seen in the Annals of Baronius, anno 103, and in Albaspinæus’ edition of Optatus. These testimonies I have here set down.²

¹ In Act 4, 5.

² The Council of Carthage held anno 407, can. 6, maketh mention of seniors, who were expected from new Germany to come to the council, and unto whom the council remitted the election of a part of the judges, who should decide the cause of Maurentius. In *Actis Purgationis, Cæciliani et Felicis*, we read, “Episcopi, presbyteri, diacones, seniores.” Again, “Clerici et seniores Cirithensium.” Sundry letters were produced and read in that conference; one directed “Clero et senioribus;” another “Clericis et senioribus.” The letter of Purpurius to Sylvanus speaketh thus, “Adhibete conclericos et seniores plebis ecclesiasticos viros et inquirent diligenter quæ sint istæ dissensiones.” August. lib. iii. *Contra Crescon.* c. 56, “Peregrinus presbyter et seniores ecclesiæ Musticanæ regionis.” Again, *Serm.* 19, *de Verb. Dom.*, “Cum ob errorem aliquem a senioribus arguuntur et imputatur alicui de illis cur ebrius fuerit,” &c. *Epistola Synodalis Concilii Carbarsusitani apud eundem August. enar. in Psal.* xxxvii., “Necesse nos fuerat Primiani causam, quem plebs sancta Carthaginensis ecclesiæ episcopum fuerat in ovile Dei sortita, Seniorum literis ejusdem ecclesiæ postulantis audire atque discutere.” Optat. lib. i. Adv. Parmen. “Erant ecclesiæ ex auro et argento quam plurima ornamenta, &c., quasi (others read quas) fidelibus senioribus commendavit.” And after, “Convocantur supra memorati seniores,” &c. Gregor. M. lib. xi., Ep.

From which passages it is apparent, that in the days of Ambrose these seniors were neither in all places, nor altogether grown out of use, but that both in the eastern and western churches, manifest footsteps of the same remained: neither is his testimony, before alleged, repugnant hereunto: for we may understand his meaning to be, either that in some places, or that in some sort, they were grown out of use, because, peradventure, the teachers began to do some things without their counsel and advice, which in former times was not so. Bilson¹ answereth two ways to the testimony, from the 137th epist. of Augustine, and belike he would have answered in the same manner to these other testimonies. He saith we may understand by these seniors either the better part of the clergy, or the senators and rulers of the city. That they were neither bishops nor preaching presbyters, nor deacons, it is manifest, for they are distinguished from all these, in *Act. Purgat. Cæcil. et Fel.*, and they are called by Isidore and Purpurius, *seniores plebis*. Besides, it were strange if Augustine, bishop of Hippo, writing to his clergy, should distinguish either the deacons from the presbyters by the name of the clergy, which was common to both, or some preaching presbyters from other preaching presbyters, by the name of seniors. On the other part, that they were not magistrates of cities, it is no less plain, for they are called *seniores ecclesiæ*, and *ecclesiastici viri*: they instructed the people, and had place in judging of causes ecclesiastical.

But elsewhere Bilson taketh upon him to prove,² that those of the clergy who were by their proper name called presbyters, were also called *seniores*, as those who came nearest to the bishop in degree, wisdom, and age. And this he proveth by a testimony of Ambrose.³ *Viduarum ac virginum domos nisi visitandi gratia juniores adire non est opus, et hoc cum*

19, “Si quid de quocunque clerico ad aures tuas pervenerit, quod te juste possit offendere, facile non credas, sed præsentibus ecclesiæ tuæ senioribus diligenter est perscrutanda veritas, et tunc, si qualitas rei poposcerit, canonica districtio culpam feriat delinquentis.” *Epist. Synodalis Concil. Pictavien. apud Gregor. Turon.* lib. x., cap. 16, “De sponsalibus quoque ait coram pontifice clero vel senioribus pro nepte sua orphanula arras accepisse.”

¹ De Gubern. Eccles. cap. 11, p. 215.

² Ibid. p. 253.

³ Offic. lib. i. cap. 20.

senioribus, hoc est cum episcopo, vel si gravior est causa cum presbyteris.

Ans. 1. Here the seniors are the bishop, which is neither good sense, nor anything to his purpose. 2. He hath left out a word, without which the sentence cannot be understood, and that is *vel*: Ambrose saith, *Hoc est vel cum episcopo, &c.*, and so the words may suffer a threefold sense: for either *seniores* is here a name of age or of office. If it be a name of age, as may be presumed by the opposition thereof to *juniores*, then the meaning of Ambrose is, that young men should not go into the houses of virgins or widows, except it be with some men of age, and these to be the bishop or the presbyters. If it be a name of office, then may we either understand, that by the presbyters he meaneth ruling elders; and by the bishop, the pastor of any particular church,¹ (for if Whitaker be not deceived, pastors have the name of bishops, not only in Scripture, but in the ancient church also): or that he comprehendeth under the order of elders, not only the preaching presbyters, but the bishop also, who was chief among them. By the first sense Bilson doth gain nothing; by the other two he hath worse than nothing; for any of them destroyeth his chief grounds.

CHAPTER X.

THE CONSENT OF PROTESTANT WRITERS, AND THE CONFESSION OF OUR OPPOSITES FOR RULING ELDERS.

The office of ruling elders is not only maintained by Calvin, Beza, Cartwright, Ames, Bucer, and others whom our opposites will call partial writers, let him who pleaseth read the commentaries of Martyr, Bucer, Gualther, Hemmingius, Piscator, Pareus upon Rom. xii. 8; 1 Cor. xii. 28; Aretius on Acts xiv. 23; Zeperus *de Polit. Eccles.* lib. iii. cap. 1, 12; Bullinger on 1 Tim. v. 17; Arcularius on Acts xiv. 23; Catal. *Test. Verit.* col. 103; Osiand. cent. i. lib. iv. cap. 11; Chemnit. *Exam.* part ii. p. 218; Gerhard, *Loc. Theol.* tom. vi. p. 363, 364; Muscul. *Loc. Com. de Eccles.* cap. 5; Bucan. *Loc. Com.* loc. 42; Suetonius, *de Discipl. Eccles.* part 4, cap. 3;

Polanus, *Synt.* lib. vii. cap. 11; Zanchius, in 4 *Præcep.* col. 727; Junius, *Animad.* in *Bellarmino*, cont. v. lib. i. cap. 2; Danæus, *de Polit. Christ.* lib. vi. p. 452; Alsted, *Theol. Cas.* p. 518, 520; Sopingius, *ad Bonam Fidem Sibrandi*, p. 253, &c.; the Professors of Leyden, *Synt. Pur Theol.* disp. 42, and sundry others, whose testimonies I omit for brevity's cause, it is enough to note the places. The author of the *Assertion for True and Christian Church Policy*, p. 196, 197, citeth for ruling elders, the testimony of the Commissioners of King Edward VI., authorised to compile a book for the reformation of laws ecclesiastical; among whom were the Archbishop of Canterbury, and the Bishop of Ely. They say, "Let the minister, going apart with some of the elders, take counsel," &c. Voetius citeth to the same purpose, Marlorat, Hyperius, Fulke, Whitaker, Fenner, Bunnius, Willet, Sadeel, Lubbertus, Trelcatius (both the one and the other), yea, Socinus and the Remonstrants.

Besides, we have for us the practice of all well reformed churches, and the *Confessions* of the French, the Belgic, and the Helvetic churches, to be seen in the *Harmony of Confessions*.

But what will you say if the adversaries of ruling elders be forced to say somewhat for them? Whitgift¹ confesseth not only that our division of elders into preaching elders and ruling elders hath learned patrons; but also that the Christian church, when there was no Christian magistrate, had governing seniors: and elsewhere he saith,² "I know that in the primitive church they had in every church seniors, to whom the government of the congregation was committed." Saravia³ lendeth them his word likewise, *Quod a me, &c.* — 'Which is not disputed by me in that meaning that the Belgic churches, or any other which do with edification use the service of these elders, should rashly change anything, before that which is better be substitute.' Again, speaking of the government of ruling elders, he saith,⁴ *Quod ut, &c.* — 'Which as I judge profitable and good to be constitute in a Christian church and commonwealth, so I affirm, no church, no commonwealth, to be bound thereto by

¹ Def. Tract. 17, cap. 1.

² Answer to the Admonit. p. 114.

³ Ubi Supra, cap. 9, p. 104.

⁴ Ib. cap. 11, p. 118.

¹ Controv. iii. de Concil. quæst. iiii.

divine law: except, perhaps, necessity compel, or great utility allure, and the edification of the church require it.' Lo, here the force of truth struggling with one contrary minded. He judgeth the office of ruling elders profitable and good, yet not of divine right; yet he acknowledgeth that necessity, utility, and the edification of the church, maketh us tied to it even by divine right. But if it be profitable and good, why did he call in question the necessity, at least the utility and the edification of it? Can one call in question the utility of that which is profitable? He would have said the truth, but it stuck in his teeth, and could not come forth. Sutilivius, *de Concil.* lib. i. cap. 8, saith, that among the Jews, *seniores tribuum*, the elders of the tribes, did sit with the priests in judging controversies of the law of God. Hence he argueth against Bellarmine, that so it ought to be in the Christian church also, because the privilege of Christians is no less than the privilege of the Jews. Camero tells us,¹ that when the Apostle, 1 Cor. vi., reproveth the Corinthians, for that when one of them had a matter against another, they brought it not to the saints to be judged by them, he meaneth not by the saints, the promiscuous multitude, *sed eos qui in ecclesia constituti erant, ut vacarent gubernationi ecclesie*:² that is, 'those who were ordained in the church, to give themselves to the government of the church.' My Lord Craigton (finding the strength of that argument,—that if, beside the ministers of the word, other grave and wise Christians may be present in the greatest assemblies and councils of the church, why not in presbyteries also?) answereth, That indeed it is not amiss that the wiser sort among the people be joined as helpers and assistants to the pastors, providing that this their auxiliary function be not obtruded as necessary. This is somewhat for us; but we say further, if it be necessary in oecumenic councils (for no less do the arguments of our divines in that question with the Papists conclude) then is it necessary in presbyteries also.

¹ Prælect. tom. i. p. 24.

² De Regia Primatu, lib. i. p. 63.

CHAPTER XI.

DOCTOR FIELD'S FIVE ARGUMENTS AGAINST RULING ELDERS ANSWERED.

His first reason that moveth him to think there were never any such in the church is, because bishops, presbyters that preach and minister the sacraments, and deacons, howsoever they much degenerated in later times, yet all still remained in all Christian churches throughout the world, both Greek and Latin, in their names, and offices also, in some sort. But of these ruling elders there are no footsteps to be found in any Christian church in the world, nor were not for many hundred years; whereas there would have been some remains of these as well as the other, had they ever had any institution from Christ or his apostles, as the other had. To this we answer, 1. If the Christian churches throughout the world had wanted ruling elders longer than they did, yet prescription can be no prejudice to the ordinance of God. 2. After that the golden age of the apostles was spent and gone, exact diligence was not taken to have the church provided with well qualified ministers, but many unfit men, yea, sundry heretics entered into that sacred vocation, whereby it came to pass that corruption and error overflowed the churches, as both Eusebius¹ proveth from *Ægesippus* and *catalogus testium veritatis* from Irenæus. Might not this be the cause of changing the office-bearers and government of the church. 3. In the Roman, yea, in prelatical churches, there are scarce any footsteps at all of the offices of preaching presbyters and deacons, as they were instituted by the apostles. The apostles ordained presbyters to preach the word, to minister the sacraments, to govern the church, and to make use of the keys. But the popish and prelatical presbyters have not the power of the keys, nor the power of church government, for it is proper to their prelates; as for the other two, they are common to their deacons, for they also do preach and baptise. The office of the popish priest standeth in two things, to consecrate and offer up the body of Christ, and to absolve the faithful from their sins: See *Conci. Triden. de Sacr. Ordin.* cap. 1,

¹ Eccles. Hist. lib. iii. cap. 32, 35, col. 103.

Hier. Savanarola. Triumph. Cruc., lib. iii. cap. 16. And the same two make up the proper office of the priest by the order of the *English Service-Book*. As touching deacons, they were ordained by the apostles for collecting, receiving, keeping, and distributing of ecclesiastical goods, for maintaining of ministers, schools, churches, the sick, stranger, and poor. The popish and prelatical deacons have no such office, but an office which the apostles never appointed to them; for they had no preaching nor baptising deacons. Philip preached and baptised, not as a deacon, but as an evangelist, Acts xxi. 8. Besides, at the time of his preaching and baptising, he could not have exercised the office of his deaconship, by reason of the persecution which scattered rich and poor and all, Acts viii. 1. That which Stephen did, Acts vii., was no more than every believer was bound to do, when he is called to give a testimony to the truth, and to give a reason of his faith and practice. 4. Others of the faithful, besides the ministers of the word, have been admitted into councils and synods by many Christian churches throughout the world, as is well known; and this is a manifest footstep of the government of ruling elders. 5. Nay, in the Church of England itself at this day, there are footsteps of ruling elders, else what meaneth the joining of laymen with the clergy in the High Commission to judge of matters ecclesiastical? Saravia saith,¹ the church wardens, which are in every parish of England, have some resemblance of ruling elders, whose charge appointed by law, he saith, is to collect, keep, and disburse the goods and revenues of the church, to preserve the fabric of the church, and all things pertaining thereto, sure and safe, to keep account of baptisms, marriages, and burials, to admonish delinquents and other inordinate livers, to delate to the bishop, or his substitutes, such as are incorrigible and scandalous, being sworn thereto: also, to observe who are absent from the prayers in the church upon the Lord's days, and upon the holy days, and to exact from them the penalty appointed by law; and finally, to see to quietness and decency in time of divine service.

Doctor Field's second reason is, For that Paul, 1 Tim. iii., showing who should be bishops and ministers, who deacons, yea,

who widows, passeth immediately from describing the quality of such as were to be bishops and ministers of the word and sacraments, to the deacons, omitting these ruling elders that are supposed to lie in the midst between them, which he neither might nor would have omitted, if there had been any such. To this the answer is easy.

1. As we collect the actions and sufferings of Jesus Christ, and the institution of the last supper, not from any one of the evangelists, but from all of them compared together, for that one toucheth what another omitteth; so do we judge of the office-bearers of the church, not from 1 Tim. iii. only, but from the collation of that and other places of Scripture of that kind. Ruling elders are found in other places, and in the fifth chapter of that same epistle, though not in the third. 2. Neither were there any absurdity to hold, that the Apostle, in that third chapter, comprehendeth all the ordinary office-bearers in the church under these two, bishops and deacons; and that under the name of bishops, he comprehendeth both pastors, doctors, and ruling elders; for as all these three are overseers, so to them all agree the qualities of a bishop here mentioned, whereof there is only one which seemeth not to agree to the ruling elder, namely, that he should be apt to teach, ver. 2. Yet Beza¹ maintaineth against Saravia, that the ruling elder teacheth as well as the pastor, only the pastor doth it publicly to the whole congregation; the ruling elder doth it privately as he findeth every one to have need. And we have showed before, that as a private Christian is bound in charity to teach the ignorant, so the ruling elder is bound to do it *ex officio*.

The third reason which Doctor Field bringeth against us, is, For that neither Scripture nor practice of the church, bounding the government of such governors, nor giving any direction how far they may go in the same, and where they must stay, lest they meddle with that they have nothing to do with, men should be left to a most dangerous uncertainty in an office of so great consequence. Our answer to this is: 1. We have showed already the certain bounds of the power and vocation of ruling elders. 2. It was not necessary that the Apostle should severally set down canons

¹ Ubi Supra, cap. 12, p. 124.

¹ De Div. Gra. Minist. cap. 9.

and directions: first, touching pastors, then doctors, lastly, ruling elders, since they are all elders, and all members of the eldership or presbytery; it was enough to deliver canons and directions common to them all, especially since the duties of ruling elders are the same which are the duties of pastors, only the pastor's power is cumulative to theirs, and overreacheth the same in the public ministry of the word and sacraments, and so doth Paul difference them, 1 Tim. v. 17.

His fourth reason is, Because we fetch the pattern of the government of ruling elders from the sanhedrim of the Jews, the platform whereof we suppose Christ meant to bring into his church, when he said, "Tell the church;" whereas, saith he, it is most clear that the court was a civil court, and had a power to banish, to imprison, yea, and to take away life, till, by the Romans, the Jews were restrained. We answer that Beza, *de Presbyterio*, I. B. A. C., *De Polit. Civil. et Eccl.*, lib. ii., also Zeperus,¹ Junius, Piscator, Wolphius, Goodwin,² Bucer, Gerhard,³ and sundry others, have rightly observed, that the ecclesiastical sanhedrim among the Jews was distinct from the civil, yet both called by the name of sanhedrim. We grant, with Beza,⁴ that sometimes civil causes were debated and determined in the ecclesiastical sanhedrim, but this was done *πνευματικῶς*, *non πολιτικῶς*, as he saith, the fact which was merely civil was judged in the civil sanhedrim, but when the civil judges could not agree *de jure*, even in civil causes, in that case resolution was given by the other sanhedrim; as in like cases by the jurisconsults among the Romans, for the conservation and interpretation of the law did belong to the Levitical tribe. Hence it is that we read, 2 Chron. xix. 8, 11, Jehoshaphat set in Jerusalem of the Levites, and of the chief priests, and of the chief of the fathers of Israel, some for the Lord's matters, among whom presided Amariah the chief priest, and some for the king's matters, among whom presided Zebadiah the ruler of the house of Judah. Saravia saith,⁵ This place proveth not that there were two distinct consistories, one for civil, another

for ecclesiastical things; because, saith he, by the king's matters are meant matters of peace and war; by the Lord's matters, the matters of law and judgment: which are called the Lord's matters, because the Lord was the author of their civil laws, Deut. xx.; xxi.; xxiv. What a crazy device is this! Did not matters of peace and war come under the civil laws which God had delivered to the Jews, as well as any matter of judgment betwixt man and man? And what can be more plain than that the Lord's matters, or things pertaining to God, Heb. v. 1, when they are differenced from other matters, are ever understood of matters spiritual and ecclesiastical? Deut. xvii. *Qua propter*,—Wherefore (saith Junius) the readers are to be warned, whosoever they be that consult the histories of ancient times, that where they read the name *synedrium*, they wisely observe whether the civil assembly or the ecclesiastical be meant of, because that name was confused and indistinct after the times of Antiochus.'

But, notwithstanding that in these latter times all good order had much degenerated and grown to confusion, yet it seemeth to me, that even in the days of our Saviour Christ, the civil and ecclesiastical courts remained distinct. Let me say my opinion with all men's leave, and under correction of the more learned, that night that our Lord was betrayed, he was led to the hall of Caiaphas, where there was holden an ecclesiastical sanhedrim, which asked Jesus of his disciples, and of his doctrine, received witnesses against him, and pronounced him guilty of blasphemy, Matt. xxvii. 57; Mark xiv. 53, 55; John xviii. 19. Nothing I find in this council why we should think it civil; for, as touching the smiting and buffeting of Christ, Matt. xxvi. 67; Luke xxii. 63, some think it was by the servants of the high priests and elders after that they themselves had gone home and left the council; howsoever, it was done tumultuously, not judicially, and tumults may fall forth in any judicatory, whether civil or ecclesiastical. As for the sentence which they gave, Matt. xxvi. 66, "He is guilty of death," it proveth not that this was a civil court; for just so, if an incestuous person should be convicted before an assembly of our church, the moderator might ask the Assembly, What think ye? and they might well answer, He is guilty of death, away with him to the

¹ De Pol. Eccles., lib. iii. cap. 7.

² In Deut. xvii. Ibid. in 2 Kings xxiii.

³ Moses and Aaron, lib. v. cap. 1.

⁴ De Guber. Eccl. p. 62. Harm. de Pass. cap. 8.

⁵ Ubi Supra, cap. 11, p. 119.

magistrate. Shortly, then, the matter debated in this nocturnal council, was merely ecclesiastical, and the accusation of sedition, and making himself a king, were not spoken of till he was brought before Pilate. But there was another sanhedrim convoked in the morning, Matt. xxvii. 1; Mark xv. 1; Luke xxii. 66, and this seems to have been not ecclesiastical but civil; 1. Because they meddle not with the trial of his doctrine, nor any examination of witnesses thereanent; only they desire to hear out of his own mouth, that which he had confessed in the other council, namely, that he was the Christ the Son of God; whereupon they take counsel how they might deliver him to Pilate, which was the end of their meeting. 2. Mark saith, "They bound him, and carried him away to Pilate." 3. The ecclesiastical council had already done that which they thought pertained to them: For what should they have convened again? Some say, that all the high priests, scribes, and elders, were not present at that nocturnal council, and that therefore they convened more fully in the morning. But that the nocturnal council was fully convened, it is manifest from Matt. xxvi. 59; Mark xiv. 53, 55. 4. This last council led Jesus away to Pilate, and went themselves with him to accuse him before Pilate of sedition, and of making himself a king, Luke xxiii. 1, 2; Matt. xxvii. 12. 5. They complain that the power of capital punishment was taken from them by the Romans, importing that otherwise they might have put him to death by their law, John xvii. 31.

Now, Doctor Field's last reason is, For that all fathers or councils mentioning elders, place them betwixt bishops and deacons, and make them to be clergymen, and that in the Acts, where the apostles are said to have constituted elders in every church, pastors are meant, is strongly confirmed from Acts xx. 17, 28, where the elders of the church of Ephesus are commanded to feed the flock of Christ over which they were appointed overseers; whence it followeth inevitably that they were pastors. We answer, 1. Ambrose¹ speaketh of elders which were not pastors. 2. Beza² and Gualther³ expound the place, Acts xiv. 23, where apostles are said to have ordained elders through every church, of ruling as

well as preaching elders. 3. As for that which he allegeth from Acts xx., Beza,¹ Junius,² and the Professors of Leyden,³ hold, that the names of bishops and pastors are common both to ruling and preaching elders, and that the Scripture giveth these names to both, howsoever in ecclesiastical use, for distinction's cause, they are appropriate to teaching elders. Surely the ruling elder both overseeth the flock and feedeth the same, both by discipline, and by private admonition; and for these respects may be truly called both bishop and pastor. 4. How small reason he hath to boast of the fathers, we have already made it to appear. 5. It is a begging of the question to reason from the appropriation of the name of elders to the pastors.

CHAPTER XII.

THE EXTRAVAGANCES OF WHITGIFT AND SARAVIA IN THE MATTER OF RULING ELDERS.

These two disputers do not (as Dr Field) altogether oppose the government of ruling elders, but with certain restrictions, about which, notwithstanding, they differ betwixt themselves. Whitgift alloweth of ruling elders under a tyrant, but not under a Christian magistrate, but saith they cannot be under an infidel magistrate. Methinks I see here Samson's foxes, with their tails knit together, and a firebrand betwixt them, yet their heads looking sundry ways. To begin with Whitgift, he saith in one place,⁴ "I know that, in the primitive church, they had in every church seniors, to whom the government of the congregation was committed, but that was before there was any Christian prince or magistrate," &c. In another place: "My reason why it (the church) may not be governed under a Christian magistrate, as it may under a tyrant is this: God hath given the chief authority, in the government of the church, to the Christian magistrate, which could not be so, if your seniorey might as well retain their authority under a Christian prince, and in the time of peace, as under a tyrant, and in the time of persecution; for

¹ Conc. Sarav.

² Ubi Supra, cap. 12.

³ Com. in Acts xiv.

¹ Ubi Supra, cap. 9.

² Eccles., lib. 2, cap. 1.

³ Cens. in Confess., cap. 21, p. 275.

⁴ Ans. to the Admon. p. 114.

tell me, I pray you, what authority ecclesiastical remaineth to the civil magistrate, where this seniority is established?"

He who pleaseth may find this opinion largely confuted by Beza, *de Presbyterio contra Erasmus*; and by I. B. A. C., *Polit. Civil. et Eccles.* In the meanwhile I answer: First, T. C. had made a sufficient reply hereunto¹ (which Whitgift here, in his *Defence*, should have confuted, but hath not), viz.: That if the seniors, under a tyrant, had meddled with any office of a magistrate, then there had been some cause why, a godly magistrate being in the church, the office of a senior, or at least so much as he exercised of the office of a magistrate, should have ceased.

But since they did only assist the pastor in matters ecclesiastical, it followeth that, as touching the office of elders, there is no distinction betwixt times of peace and persecution. Secondly, There were seniors among the Jews under godly kings, and in times of peace; why not likewise amongst us? Thirdly, The ecclesiastical power is distinct from the civil, both in the subject, object, and end; so that the one doth not hinder the other. The magistrate's power is to punish the outward man with an outward punishment, which the presbytery cannot hinder, for he may civilly bind whom the presbytery spiritually looseth, and civilly loose whom the presbytery spiritually bindeth, and that because the magistrate seeketh not the repentance and salvation of the delinquent by his punishment, as the presbytery doth, but only the maintenance of the authority of his laws, together with the quietness and preservation of the commonwealth.

Whence it cometh that the delinquent escapeth not free of the magistrate, though he be penitent and not obstinate. Fourthly, How thought Whitgift that the Christian magistrate can do those things which the seniory did under a tyrant? Can the magistrate by himself determine questions of faith? Can he know what order and decency in circumstances is fittest for each congregation? Can he excommunicate offenders, &c. Fifthly, When bishops exercise ecclesiastical jurisdiction (yea, and the civil too), this is thought no wrong to princes. Is it a wrong in the Presbytery yet not in this Prelacy? Good Lord, what

a mystery is this! Sixthly, When presbyters are established in their full power, there remaineth much power to the prince even in things ecclesiastical; as to take diligent heed to the whole estate of the church within his dominions, to indict synods, and civilly to proceed in the same; to ratify the constitutions thereof, and to add unto them the strength of a civil sanction; to punish heretics, and all that disobey the assemblies of the church; to see that no matter ecclesiastical be carried factiously or rashly, but that such things be determined in free assemblies; to provide for scholars, colleges, and kirks; that all corrupt ways of entering into the ministry by simony, bribing patrons, &c., be repressed; and, finally, to compel all men to do their duty according to the word of God and laws of the church. Seventhly, Whatsoever be the power of the supreme magistrate, *ecclesiæ tamen*, &c.—'Yet let him leave to the church, and to the ecclesiastical rulers (such as are the ministers of the gospel, elders, and deacons), their own power in handling ecclesiastical things, untouched and whole,' saith Danæus.¹ For the ecclesiastical power doth no more hinder the civil administration than the art of singing hindereth it, saith the Augustine Confession.² Eighthly, We may answer, by a just recrimination, that the Prelacy, not the Presbytery, is prejudicial to the power of princes, and hath often encroached upon the same. The bishops assembled in the Eighth Council of Constantinople,³ ordained that bishops should not light from their horses when they chance to meet princes, nor basely bow before them; and that if any prince should cause a bishop to disparage himself by doing otherwise, he should be excommunicated for two years. They also discharged princes from being present in any synod, except the œcumenic.⁴ The First Council of Toledo ordaineth⁵ that *quoties episcoporum Hispanorum synodus convenit, toties universalis concilii decretum, propter salutem principum factum, peractis omnibus in synodo, recitetur, ut iniquorum mens territa corrigatur*. From which canon Osiander collecteth that some of the bishops were not faithful and loyal to the kings of Spain. The inquisition of Spain,

¹ Pol. Christ., lib. vi. p. 452.

² Act. de Potest. Eccl.

³ Can. 14.

⁴ Can. 17.

⁵ Can. 7.

¹ Reply, p. 140.

anno 1568, presented to king Philip twelve Articles against the Netherlands,¹ one whereof was, "That the king write unto, and command the clergy of the Netherlands, that with the inquisition they should accept of fifteen new bishops, the which should be free from all secular jurisdiction, yea, in cases of treason." Now as touching the contrary conceit of Saravia,² he alloweth such elders, as the Jewish church had, to be joined now with pastors under a Christian magistrate, but under an infidel magistrate, he saith they could have no place; for he taketh the Jewish elders to have been their magistrates, and that, in like manner, none but Christian magistrates should sit with the ministers of the word in ecclesiastical courts, princes and nobles in general or national councils, and magistrates of cities in particular consistories. This is as foul an error as that of Whitgift; for, 1. His opinion of the Jewish elders, that they were their magistrates, we have confuted before. 2. Though it were so, that no ruling elders ought to be admitted now except Christian magistrates, yet might they have place under an infidel prince, as Joseph under Pharaoh, Daniel under Nebuchadnezzar. There have been both Christian churches, and Christian magistrates, under heretical, yea, infidel princes. 3. If Christian magistrates be come in place of the Jewish seniors, and ought to be joined with the ministers of the word, in the consistories of the church, we demand *Quo nomine, quo jure?*—"Whether do they sit as Christian magistrates, or as men of singular gifts, chosen for that effect?" If as magistrates, then shall we make a mixture and confusion of civil and ecclesiastical function, else how shall men, by virtue of civil places, sit in spiritual courts? If as men of singular gifts, chosen to sit, then may others as well as they, having the like gifts and election, be admitted to sit also. 4. Saravia contradicteth himself,³ for, a little after, he admitteth grave and godly men in the judicatories of the church, whether they be magistrates or private men, *sive illi magistratu fungantur sive in re publica vivant privati.*

¹ Hist. of the Netherlands, lib. ix. p. 309.

² De Div. Grad. Minist. Evang., cap. 11, p. 110, 114, 116.

³ Ibid., p. 120.

CHAPTER XIII.

WHETHER RULING ELDERS HAVE THE POWER OF DECISIVE VOICES WHEN THEY SIT IN PRESBYTERIES AND SYNODS.

There are sundry questions propounded by Dr Field, and other adversaries of ruling elders, whereunto they think we are not able to satisfy them, as, 1. Whether ruling elders ought to have decisive voices, even in questions of faith and doctrine, and in the trial and approbation of ministers. 2. Whether these elders must be, in every congregation, with power of ordination, deprivation, suspension, excommunication, and absolution, or whether this power be only in ministers and elders of divers churches concurring. 3. If they be ecclesiastical persons, where is their ordination? 4. Whether these offices be perpetual or annual, and but for a certain time. 5. Whether they ought to serve freely, or to have a stipend? Touching the first of these, since the reformation which Luther began, it was ever maintained by the Protestant writers, that not the ministers of the word alone, but some of all sorts among Christians ought to have decisive voices in councils. But Dr Field will admit none to teach and define in councils,¹ but the ministers of the word only; others he permits only to consent unto that which is done by them. Saravia² alloweth grave and learned men to sit with the ministers of the word, yet not as judges, but as councillors and assessors only. Tilen will not say that the bishops and pastors of the church ought to call any into their council, but that they may do it when there is need. Against whom, and all who are of their mind, we object, 1. The example of apostolic synods. Matthias the apostle, after God's own designation of him, by the lot which fell upon him, was chosen by the voices, not only of the apostles, but the other disciples who were met with them, Acts i. 26, *συγκρεψηφισθη*,—i. e., *Simul suffragiis electus est*, as Arias Montanus turneth it. For the proper and native signification of *συγκρεψηφίζομαι*, Acts i. 26, as Lorinus sheweth out of Gagveius, is to choose by voices. The Professors of Leyden have noted this *consensus ecclesiæ per ψηφισμα*, in the

¹ Lib. v. cap. 49.

² Ubi supra, cap. 9, p. 93, 94; Paren. cap. 11.

election of Matthias, *Cens. in Confess.*, cap. 21. In the Council of Jerusalem, Acts xv., we find that, beside the apostles, the elders were present and voiced definitively; for they by whom the decree of the synod was given forth, and who sent chosen men to Antioch, were the apostles and elders, Gerhard, *Loc. Theol.*, com. 6, n. 28; and the Professors of Leyden, *Cens. in Conf.*, cap. 21, understand that the elders spoken of, ver. 5, 6, were the ruling elders of the church of Jerusalem, joined with the apostles who laboured in the word. Other Protestant writers understand, by the name of elders there, both preaching and ruling elders. The brethren, that is, the whole church, heard the disputes, and consented to the decrees, ver. 21—23. Ruling elders behoved to do more than the whole church, that is, voice definitively. Lorinus the Jesuit saith, that by the name of elders there, we may understand not only priests, but others besides them, viz., *Antiquiores et auctoritate præcellentes discipulos*,—‘Disciples of greatest age and note.’ And this, he saith, is the reason why the vulgar Latin hath not retained, in that place, the Greek word *presbyteri*, but readeth *seniores*. 2. We have for us the example of ecclesiastical courts among the Jews, wherein the Jewish elders had equal power of voicing with the priests, and for this we have heard before Saravia’s plain confession. 3. The example of ancient councils in the Christian church. Constantine, in his *Epistle* which he wrote to the churches concerning the Nicene Council, saith, “I myself, as one of your number, was present with them” (the bishops), which importeth that others of the laity voiced there with the bishops as well as he, and he as a chief one of their number. Euagrius, lib. ii. cap. 4, saith, that the chief senators sat with the bishops in the council of Chalcedon. And after he saith, “The senators decreed as followeth.” The Fourth Council of Carthage, cap. 27, speaking of the transportation of a bishop, or of any other clergyman, saith,¹ *Sanè si id ecclesiæ utilitas fiendum poposcerit, decreto pro eo clericorum et laicorum episcopis porrecto, in præsentia synodi transferatur*. The decrees of the Synod of France, holden by Charlemagne about the year 743, are said to have been made by the king, the bishops, the presbyters, and nobles. Many such ex-

amples might we show, but the matter is so clear that it needeth not. 4. The review of the Council of Trent,¹ written by a Papist, among other causes of the nobility of that Council, maketh this one, that laymen were not called nor admitted into it, as was the form of both the apostolic and other ancient councils, showing also from sundry histories and examples, that both in France, Spain, and England, laymen used to voice and to judge of all matters that were handled in councils; alleging further the examples of popes themselves. That Adrian did summon many laymen to the Lateran Council as members thereof; that, in imitation of him, Pope Leo did the like in another council at the Lateran, under Otho I.; and that Pope Nicholas, in *Epist. ad Michael Imperat.*, acknowledgeth the right of laymen to voice in councils, wherein matters of faith are treated of, because faith is common to all. The same writer sheweth² also from the histories, that in the Council of Constance were twenty-four dukes, one hundred and forty earls, divers delegates from cities and corporations, divers learned lawyers, and burgesses of universities. 5. The Protestants of Germany did ever refuse to acknowledge any such council wherein none but bishops and ministers of the word did judge. When the Council of Trent was first spoken³ of in the diet at Nuremberg, anno 1522, all the estates of Germany desired of Pope Adrian VI., that admittance might be granted as well to laymen as to clergymen, and that not only as witnesses and spectators, but to be judges there. This they could not obtain, therefore they would not come to the council, and published a book, which they entitled, *Causa cur Electores et cæteri confessioni Augustanæ addicti ad Concilium Tridentinum non accedant*; where they allege this for one cause of their not coming to Trent, because none had voice there but cardinals, bishops, abbots, generals, or superiors of orders, whereas laics also ought to have a decisive voice in councils. 6. If none but the ministers of the word should sit and voice in a synod, then it could not be a church representative, because the most part of the church (who are the hearers, and not the teachers of the word) are not represented in it. 7. A common cause ought to be con-

¹ Lib. i. cap. 8.

² Ibid.

³ Vide Fasciculum Rerum Expetendarum.

¹ Caranza in Summa Concil, p. 357.

cluded by common voices. But that which is treated of in councils is a common cause pertaining to many particular churches. Our divines, when they prove against Papists, that the election of ministers, and the excommunication of obstinate sinners, ought to be done by the suffrages of the whole church, they make use of this same argument, "That which concerneth all ought to be treated of and judged by all." 8. Some of all estates in the commonwealth voice in parliament, therefore some of all sorts in the church ought to voice in councils and synods; for *de paribus idem judicium*, a national synod is that same to the church which a parliament is to the commonwealth. 9. Those elders whose right we plead are called, by the Apostle, rulers, Rom. xii. 8; 1 Tim. v. 17; and governors, 1 Cor. xii. 8; therefore needs must they voice and judge in those assemblies, without which the church cannot be ruled nor governed. If this be denied them, they have no other function behind to make them rulers or governors of the church. Rome was ruled by the senate, not by the censors; and Athens was governed by the Areopagus, not by the inferior office-bearers, who did only take heed how the laws were observed. But let us now see what is objected against this power of ruling elders to voice in council, and to judge of all things, even matters of faith, treated therein. First, It is alleged that laymen have not such abilities, of gifts and learning, as to judge aright of such matters. But, I dare say, there are ruling elders in Scotland, who, in a theological dispute, should powerfully spoil many of those who make this objection. 2. Antonius Sadeel, Johannes à Lasco, Morney, and such like, show plainly to the world that gifts and singular learning are not tied to bishops and doctors of the church. 3. Neither do men of subtle wits and deepest learning prove always fittest to dispute and determine questions of faith. It is marked in the history of the Council of Nice, that there was a layman therein, of a simple and sincere mind, who put to silence a subtle philosopher, whom all the bishops could not compece. 4. There are many, both in parliament and secret council, without all controversy, able to give their suffrages, and to judge of matters in hand, who, notwithstanding, are not of such learning and eloquence as to enter into the lists of a public dispute. 5. And if the gifts and abilities of the most part of ruling elders

were as small as their adversaries will be pleased to call them, yet this concludeth nothing against their right power of voicing, but only against their aptitude and fitness unto that whereto their right would carry them. And we doubt that every pastor be well gifted for all which cometh within the compass of his vocation, or doth well everything which he hath power to do. Another objection is made from 1 Cor. xiv. 32, "The spirits of the prophets are subject to the prophets," whence they collect that prophets and preachers of the word, ought to be judged by such as themselves are, that is, by prophets and preachers, and by none other. To this we say, 1. Their own Camero giveth us another commentary upon that place, rightly observing that the Apostle there speaketh nothing of trying or judging the spirits, but only of the order which is to be kept in the church; for whereas in the church of Corinth, the prophets did prophecy tumultuously, many or all of them at once, and would not give place one to another, this the Apostle condemneth, and will have the prophets so far subject to the prophets, as that, when one riseth up to prophecy, the rest may hold their peace. 2. That this is the sense, it is clear from the order and dependence of the text; for, ver. 30, he commandeth him that prophecieth in the church to hold his peace when anything is revealed to another prophet that sitteth by. Now this he enforceth by four reasons: 1. Because so they might all prophecy, one by one, and they were mistaken who thought that all could not prophecy except many spake at once. 2. All that were in the church might learn, and all be comforted, by every prophet, which could not be, except they prophecied severally, one by one. 3. The spirits of the prophets are not arrogant, but humbly subject one to another, each giving place to other. 4. God is not the author of confusion, but of peace and order.

¹ Praelect. com. iii. p. 176, 461.

CHAPTER XIV.

OF THE ORDINATION OF RULING ELDERS, OF THE CONTINUANCE OF THEIR OFFICE, AND OF THEIR MAINTENANCE.

Touching the first of these, it cannot be denied but as election to the office, so ordination to the exercise thereof, is a thing common both to preaching and ruling elders. Howbeit in Scotland, imposition of hands is not used in the ordination of ruling elders, as it is in the ordination of preaching elders, yet this is not to be thought a defect in their ordination; for imposition of hands is not an act, but a sign of ordination; neither is it a necessary sign, but is left free: it is not, therefore, without reason that Calvin, Chemnitius, Gerhard, Bucanus, Junius, Bucer, and many other of our learned writers,¹ yea, the Archbishop of Spalato, do all make a distinction betwixt the essential act of ordination, and the external rite thereof, holding that ordination may be full, valid, and complete, not only without the unction used in the Roman church, but even without the laying on of hands used in the Reformed churches. After the election of ruling elders, with the notice and consent of the whole church, there followeth with us a public designation of the persons so elected, and an authoritative or potestative mission, ordination, or deputation of them unto their presbyterial functions, together with public exhortation unto them, and prayer in the church for them, which we conceive to be all that belongeth either to the essence or integrity of ordination. I mean not to condemn imposition of hands, nor any other convenient sign in the ordination of ruling elders, only I intend to justify our own form as sufficient.

As for the maintenance and the continuance of the office of ruling elders, we love not unnecessary multiplication of questions, let every church do herein what they find most convenient. The manner of our church, in these things, is such as best becometh the condition of the same, and such as cannot be in reason condemned; neither is a stipend, nor continuance in the function till death, essential to the ministry of the

church, but separable from the same. The Levites of old served not at all times, but by course, and when they were fifty years old, they were wholly liberate from the burden and labour (though not from the attendance) of the Levitical service; and ministers may still, upon the church's permission, for lawful and urgent necessities, be absent a whole year, and longer too, from their particular charges. The apostles, when they were first sent through Judea, took no stipend, Matt. x. 8, 9; neither did Paul take any at Corinth, 1 Cor. ix. 18; the ministers among the Waldenses work with their hands for their maintenance; the old patriarchs were priests and preachers to their families, and maintained themselves by the work of their hands, feeding of flocks, tilling the ground, &c. These things I do not mention as rules to be followed by us, but to show that the intermission of the exercise of the ministry, the want of maintenance, and labouring with the hands, are not altogether repugnant nor inconsistent with the nature of the vocation of the ministers of the word; but in some cases, *hic et nunc*, may be most approvable in them, much more in ruling elders. The revenues of our church are so small, that they cannot spare stipends to ruling elders, which maketh them willing to serve without stipends, and lest they should be overburdened with this their service, though they be chosen and called to be ruling elders as long as they live, at least till they merit to be deposed, yet our *Book of Policy* alloweth them that ease of intermission and serving by course, which was allowed to the Levites of old in the temple. The double honour which the Apostle commandeth to give unto elders that rule well, 1 Tim. v. 17, needeth not to be expounded of maintenance and obedience; for, by double honour, we may either simply understand much honour, or, by way of comparison, double honour, in respect of the widows whom he had before commanded to honour, ver. 3, as Calvin expoundeth the place. Both these interpretations doth *Æcumenius* give upon the same place.

The other question propounded by Dr Field, concerning ruling elders, shall have a resolution in that which followeth, and so I will proceed, conceiving that which hath been said for ruling elders, shall satisfy such as desire to understand, though nothing can satisfy the malicious, nor them who are willingly ignorant.

¹ In 1 Tim. iv. 14; Exam., part 2, p. 221; Loc. Theol. de Minist. Eccl. sect. 159, loc. 42; Animad. in Bellarm., cont. 5, lib. i. cap. 3; De Guber. Eccles., lib. ii. cap. 3, n. 54, &c.; cap. 4, n. 13, 19.

THE SECOND PART.

CONCERNING THE ASSEMBLIES OF THE CHURCH OF SCOTLAND,
AND AUTHORITY THEREOF.

CHAPTER I.

OF POPULAR GOVERNMENT IN THE CHURCH.

There be some that call in question the warrant and authority of classical presbyteries, of provincial synods and national assemblies, as they are used and maintained in the Church of Scotland. I mean not the prelatical faction, whom we set aside, but even some who are as anti-episcopal as we are. The scrupulosity of such, at least of many such, herein doth, we conceive, proceed not from any perverseness of mind, but only from certain mistakings which better information may remove.

But first of all we require those whom we now labour to satisfy, to condescend upon another point, namely, that the exercise of ecclesiastical power and jurisdiction in a particular congregation, ought not to be committed to the whole collective body thereof, but is peculiar to the eldership representing the same; for in vain do we debate the other point concerning presbyteries and assemblies, if this latent prejudice still occupy their minds, that the government of the church must needs be popular, exercised by the collective body, which happily may in some sort be done within the bounds of a well-limited congregation, but is manifestly inconsistent with classical presbyteries and synods, because the collective bodies of all particular congregations within the bounds of a shire, of a province, of a nation, cannot be ordinarily, nor at all ordinately, assembled together; and if they could, I believe that the Separatists themselves would in that case allow a dependency or subordination of particular congregations unto the more general congregation. So that the point of popular government being once cleared, it shall facilitate the other question

concerning the subordination of particular elderships to classical presbyteries and synods. Now, there are good reasons why this popular government or exercise by jurisdiction by all cannot be admitted into a congregation.

First, In every Christian congregation, there are some rulers, some ruled, some governors, some governed, some that command, some that obey, as is manifest from Heb. xiii. 17; 1 Thess. v. 12; 1 Tim. v. 17. But if the whole congregation have the rule and government, who then shall be ruled and governed? It will be answered, That in the exercise of jurisdiction, every member is to act according to its own condition, the head as the head, the eye as the eye, &c.; that the rulers and governors of a congregation are to have the principal conduct of business, and to be heads, ears, mouths, &c. to the congregation.

But this simile maketh rather for us than against us, for though every member be useful and steadable in the body according to its own condition, yet every member neither can nor doth exercise those principal actions of seeing, hearing, tasting, &c. I say not that other members cannot see, hear, taste, as the eyes, ears, and mouth do, but they cannot all see, hear, nor taste. So if the rulers of a congregation be as the eyes, ears, mouth, &c., then other members of the congregation cannot at all act those actions of government which they act. Hence it is that some, who make the whole congregation the first subject of the power of spiritual jurisdiction, do, notwithstanding, hold that the whole church doth exercise the said jurisdiction as *principium quod*, the eldership alone as *principium quo*; even as the whole man seeth as *principium quod*, the eye alone as *principium quo*; and so of all the rest.¹ Thus do they put

¹ Sue., de Discip. Eccles., part 4, cap. 2.

a difference betwixt the power itself, and the exercise of it, ascribing the former to the collective body of the church, the latter to the representative; knowing that otherwise they could not preserve the distinction of rulers and ruled in the church.

Secondly, It is well known that in congregations the greater part are not fit to exercise jurisdiction, for they cannot examine the doctrine and abilities of ministers: How should they ordain them? They cannot judge of questions and controversies of faith: How shall they determine the same? They cannot find out and discover heretics: How shall they excommunicate them? It is answered that this evil proceedeth from another, namely, That there is too much sloth and oversight in the admission of such as are to be members of a congregation, and that they would be fit enough to do their duty, if they were all saints: they mean apparently, and in the judgment of charity such, Rom. i. 7; 1 Cor. i. 2; Eph. i. 1. But say we again, 1. Why may we not hold that when the Apostle writeth to the saints at Rome, at Corinth, &c., he meaneth not that all who were in those churches were either truly or apparently saints (for some wicked ones there were among them, and manifestly vicious, Rom. xvi. 17, 18; 1 Cor. v. 9, 11); but that his meaning is, to direct his epistles to so many as were saints at Rome, Corinth, &c., mentioning them alone, because to them, and to none but them, did God send his word for a blessing, it being sent to others that they may "go and fall backward, and be broken, and snared, and taken," as the prophet speaketh. 2. If it should be granted that the Apostle giveth the name of saints to all and every one that were in the churches of Rome, Corinth, and Ephesus, yet Mr Ainsworth himself, answering Mr Bernard, holdeth that they are called saints by external calling only, wherewith many are called who are not chosen, and who have no apparent marks of election. Others say that they were called saints in respect of their baptism, wherein they were all consecrated and devoted to God. Some say that they were all saints in respect of their profession. 3. Howsoever it was that they

were all called saints, yea, put the case they had been all truly saints, surely their sanctification cannot import their fitness to exercise jurisdiction in the church. The former is a special grace of the Holy Spirit, given to one for his own salvation; the other is a common gift of the Spirit, given for the benefit of the church.

Thirdly, It were not possible to exercise jurisdiction by a whole congregation without great confusion and disorder; therefore this way cannot be from God, who is not the author of confusion but of order. If it be answered, that order may be kept in a congregation exercising jurisdiction as well as in a national, at least in an œcumenical synod, where there will be as great a multitude, and peradventure greater, than there is in a well bounded congregation: we reply, It is not so much the multitude which should make disorder in the exercise of jurisdiction by a whole congregation (though indeed in many congregations the multitude alone would hinder order) as the rudeness of the vulgar sort, who, if they should all speak their judgment, what a monstrous and unavoidable confusion should there be? The members of national and œcumenical councils are supposed to be men of knowledge and discretion, and so may be kept in good order much more easily than a rude multitude in the congregation.

They who are of another judgment object to us: First, Our Saviour's precept, Matt. xviii. 17, where he biddeth us not tell the eldership, but tell the church. *Ans.* By the church he meaneth the representative body of the church, even as that which was spoken to the elders of Israel, Exod. xii. 21, was said to be spoken by all the congregation of Israel,¹ Exod. xii. 3; and he who was judged by the elders was said to be judged by the congregation, Josh. xx. 6. More of this place we say elsewhere. Next they object the example of excommunication by the whole congregation of Corinth, for the Apostle sheweth that it was the duty of the whole congregation to cast out that incestuous man, 1 Cor. v. 13; iv. 9, 13. In like manner he writeth to them all to receive him again when he had repented, 2 Cor. ii. 6, 8, 9. *Ans.* Whether the power of excommunication, in *actu primo seu quo ad esse*, did belong to the collective body of the church of Corinth or not,

¹ "Mos est Scripturæ ita loquide parte tanquam de toto, sicut, Corinthios in primis suæ Epistolæ partibus ita laudat Apostolus, tanquam omnes tales essent, cum essent laudabiles quidam eorum:" saith Augustine, writing to Paulinus.

¹ Supra, part I. cap. 4. et infra, cap. 11.

is a question controverted, and to this day *sub judice lis est*, yet even those who hold the affirmative part of the question, do notwithstanding say, that *in actu secundo seu quo ad operari*, the power pertained only to the representative body of that church, which was their presbytery; which is also confirmed by 2 Cor. ii. 6, where the Apostle, speaking of the censure of that incestuous man, saith not, that it was inflicted ὑπὸ τῶν πάντων, but ὑπὸ τῶν πλείονων, not by all, but by many. He was judged and sentenced by those πλείονες, that is, by the pastors and elders of Corinth, howbeit the execution and final act of that high censure was to be with the consent and in the presence of the congregation.

Thirdly, It is objected, that Matthias was chosen by the whole number of the disciples, Acts i., and so were the deacons chosen, Acts vi., and elders in every city were made *per χειροτονίαν*, the congregation signifying their suffrages by the lifting up or stretching forth of their hands, Acts xiv. 23: therefore jurisdiction ought to be exercised by whole congregations. *Ans.* This argument faileth two ways, 1. Though ordination of office-bearers in the church be an act of jurisdiction, it doth not appear that the election of them is an act of jurisdiction likewise. Though the solemnizing of marriage be an act of authority, yet the choice and desire of the parties is not an act of authority. 2. Or, if you will, election of ministers is one of the rights and privileges of the church, yet no act of jurisdiction. 3. And if election were an act of authority and jurisdiction, yet the alleged examples prove no more but that this act of jurisdiction is to be exercised by the whole body, *in ecclesia constituenda, non constituta*. It may be so indeed in churches at their first erection, but being once erected, and all necessary office-bearers therein planted, from thenceforth the election of elders pertaineth to the presbytery, to the pastor and elders, as Zeperus¹ writeth, though still with the consent of the church.

Fourthly, It is objected, that what concerneth all, ought to be done with the consent of all. *Ans.* We hold the same, but the consent of all is one thing, the exercise of jurisdiction by all, another thing. Ainsworth, in one of his epistles to Paget,² con-

demneth the elderships sitting and judging matters apart from the congregation. Paget answereth, that though the eldership sit apart to judge, yet before any sentence be given for the cutting off of any offender, or for any other thing which concerneth all, matters are first propounded to the whole church, and their prayers and consent required.

And surely this form of proceeding shineth forth to us in that apostolical synod at Jerusalem, for the apostles and elders, met, sat, and voiced apart from the whole church, as Calvin noteth from Acts xv. 6, and they alone judged and decreed, Acts xvi. 4. In the meanwhile were matters made known to the whole church, and done with the consent of all, Acts xv. 22.

If it be objected from ver. 12 that the whole multitude was present in the synod, I answer, we may understand, with Piscator, the *multitude* there spoken of to be the multitude of the apostles and elders, ver. 6; or if we should understand by the *multitude* the whole church, this proveth only that the whole church heard the question disputed, not that they were all present at the judging and determining of it. If it be further objected, that the synodal epistle came not only from the apostles and elders, but from the brethren, that is, the whole church, the answer is easy. The brethren are mentioned because it was done with their knowledge, consent, and applause.

To say no more, we would gladly bury this controversy about popular government in eternal silence and oblivion, and to this end we are content it be packed up in the words which the Separatists themselves (doubtless perpending the reasons above-mentioned) have set down in the 14th article of the Confession of their Faith, published anno 1616; for this they say, "We judge each proper pastor may and ought to be trusted by the congregation with the managing of all points of their ecclesiastical affairs and government, so far, that he, with his assistants, do execute and administer the same; yet so, that in matters of weight the whole congregation do first understand thereof, before anything be finished, and the final act be done in the presence of the whole congregation, and also that they (the said congregation) do not manifestly dissent therefrom." We are heartily content that congregations do fully enjoy all the Christian liberty which here is pleaded for in

¹ De Pol. Eccl. lib. ii. cap. 12.

² Arrone, p. 23.

their behalf, yea, and much more also, for the assistants spoken of in these words of the Confession, are other pastors and colleagues, if any there be, in the same congregation, as will be evident to any that readeth that article. But we are content that the assistants spoken of be understood to be ruling elders. Now, if the authors of that Confession thought the Christian liberty of a congregation sufficiently preserved when the pastor or pastors thereof do manage the weighty ecclesiastical affairs and government, with the knowledge, and (at least tacit) consent of the congregation itself, then do we not only sufficiently and abundantly preserve the liberty of the congregation, while as not the pastor or pastors thereof alone, but sundry ruling elders, also representing the congregation, do manage the affairs aforesaid, the congregation withal understanding thereof and consenting thereto, *tacite* if not *expresse*. I do not think but those of the separation at this time will easily assent to this resolution and reconciliation of the controversy, and so much the rather, because, I believe, they themselves do seclude from the exercise of jurisdiction in the congregation, both children under age, because of their defect of judgment, and women, because they are forbidden to speak in the church; and whether they seclude any other I know not, but since, according to their own tenets, some must be secluded, and the power given to the church, must, in the exercise of it, be restrained to some in the church, it is better to say with Aegidius Hunnius,¹ that when Christ remitteth us to the church, he meaneth the prime and chief members which represent the church, that is, pastors and elders, than to say that he sendeth us to the whole body of the church.

One scruple more may peradventure remain. They will say, it is well that we require the church's consent before any weighty matter which concerneth all be finished; but what if this consent be not had? Whether may the eldership cut off an offender *renitente ecclesia*? For their satisfaction in this also, we say with Zeperus,² *Quod si ecclesia, &c.*—'But if the church, (saith he) will not approve the sentence of excommunication, nor hold it valid, and they see many disagreeing among them-

selves, and schisms, and greater evils in the church, to follow this sentence of excommunication; the elders shall not proceed to excommunication, but shall patiently suffer what cannot with the good leave of the church be amended. In the meanwhile they shall publicly and privately admonish and exhort.' So saith Zanchius,¹ that without the consent of the church no man ought to be excommunicated.

The Bishop of Spalato, and before him, Augustine, hath given the reason hereof, because the end of excommunication cannot be attained if the church do not consent thereto; for the end is, that the offender may be taken with fear and shame, when he findeth himself abhorred and accursed by the whole church, so that it shall be in vain to excommunicate him from whom the multitude in the church refuse to abstract their communion. I conclude that, in such cases, though the pastors and elders have the power of jurisdiction, it is not to exercise the same.

CHAPTER II.

OF THE INDEPENDENCY OF THE ELDERSHIPS OF PARTICULAR CONGREGATIONS.

We have now rolled away one stone of offence, but there is another in our way. It were most strange if the collective body of a congregation, consisting it may be of ten, twenty, thirty, or forty persons, according to the grounds of these with whom we deal, should be permitted to exercise independently all ecclesiastical jurisdiction; but it is almost as great a paradox to say, that the representative of every congregation, which is the eldership thereof, consisting, it may be, of a pastor and two or three ruling elders, ought independently to exercise the foresaid jurisdiction in all points.

I am debtor to Dr Field for answering one of those questions before propounded concerning ruling elders, and here it falls in my hand. He asketh whether the power of church government and jurisdiction doth belong to the pastor and elders of every congregation, or to the pastors and elders of many congregations joined together in a

¹ In Matt. xviii. 17.

² De Pol. Eccl., lib. i. cap. 19.

¹ In 4 Præl. col. 75, 6; De Rep. Ec., lib. v. cap. 12, n. 67; lib. iii. contra Epist. Parmen.

common presbytery? I believe his expectation was, that while as we would sail through betwixt the Carybdis of episcopal tyranny, and the Scylla of popular anarchy, we should not know how to direct our course, but should certainly either be swallowed up in the waves of mighty difficulties, or split ourselves upon hid rocks of division. Our danger, I hope, is not so great as he did imagine; for we hold that the particular elderships of several congregations have their own power and authority of church government, but with a subordination unto the common or greater presbytery, whose power is superior and of a larger extent.

First, then, we shall take into consideration the bounds of the power of particular elderships, and how the same may be said to be independent, and how not. For this purpose I shall give four distinctions out of Parker, and to these I shall add other four of my own.¹

The first distinction is, betwixt things which are proper and peculiar to one congregation, and things which are common to many: the former pertaineth to the particular eldership, the latter to the common eldership. Whence it cometh that, in Scotland, the cases of ordination, suspension, deposition and excommunication, are determined in the greater presbyteries, because it doth not concern one congregation alone, but many, who be taken into the common presbytery, and who be put out of the same; neither doth the excommunication of a sinner concern only one congregation, but the neighbouring congregations also, among whom, as it is to be commonly supposed, the sinner doth often haunt and converse. Cyprian, speaking of the admission of some who had fallen,² and who had no recommendation from the martyrs to be received again, referreth the matter to a common meeting, and his reason is, because it was a common cause, "and did not concern a few, nor one church only," see lib. ii. ep. 14.

The second distinction is, betwixt congregations "which have a competent and well-

qualified eldership, and small congregations, who have but few office-bearers, and those, it may be, not sufficiently able for church government. In this case of insufficiency, a congregation may not independently, by itself, exercise jurisdiction, and not *in re propria*," saith Parker.

3. He distinguisheth betwixt the case of right administration and the case of aberration. Whatsoever liberty a congregation hath in the former case, surely in the latter it must needs be subject and subordinate. "If particular elderships do rightly manage their own matters of church government, the greater presbytery shall not need for a long time (it may be for some years) to intermeddle in any of their matters, which we know by experience in our own churches."

4. He maketh a distinction betwixt the case of appellation, and the case *de nulla administratione mala præsumpta*. Though the particular eldership hath proceeded aright, though it consist of able and sufficient men, and though it be *in re propria*, yet if one think himself wronged, and so appeal, then is it made obnoxious to a higher consistory, for, saith Parker, as the Council of Sardis ordaineth, audience must not be denied to him who entreateth for it.

So saith Zeperus,¹ speaking of the same purpose, *Cuius integrum quoque sit ad superiores gradus provocare, si in inferioris gradus sententia aut decreto aliquid desideret.*

5. Add unto these a distinction betwixt a congregation lying alone in an island, province or nation, and a congregation bordering with sister churches. If either there be but one congregation in a kingdom or province, or if there be many far distant one from another, so that their pastors and elders cannot ordinarily meet together, then may a particular congregation do many things by itself alone, which it ought not to do where there are adjacent neighbouring congregations, together with which it may and should have a common presbytery.

6. Let us put a difference betwixt the subordination of one congregation to another, or of one eldership to another, and the subordination of any congregation, and of the eldership thereof, to a superior presbytery or synod, made out of many congregations, as one provincial synod is not subject to another provincial synod,

¹ De Pol. Eccl., lib. iii. cap. 20.

² The elders and deacons of Rome, writing to Cyprian concerning some public offenders, say: Perquam enī nobis et invidiosum et onerosum videtur, non per multos examinare quod per multos commissum videatur fuisse, et unam sententiam dicere, cum tam grande crimen per multos diffusum notetur exisse quoniam nec firmum decretum potest esse quod non plurimorum videbitur habuisse consensum, Cyprian, epist. 31, in edit Pamel.

¹ De Pol. Eccl., lib. iii. cap. 2.

yet all the provincial synods in the nation are subject to the national synod; so it is also with the ordinary consistories, one particular eldership is not subject to another, yet all the particular elderships within the bounds of the common presbytery are subject to the same, so that there is a vast difference betwixt this subordination which we maintain, and the subordination of all the parishes in a diocese to the prelate and his cathedral. Where Douname doth object that all the parishes of Geneva are hierarchically subject to the presbytery in the city, Parker denieth this: *Nisi quis*, &c.—‘Unless (saith he), peradventure, one may be subject to himself, for the parishes, each for their own part, and that alike, are this same presbytery.’ And after: *Consistorium*, &c.—‘For the consistory of the cathedral church is an external meeting, divers, distinct and separate from the rural churches, which are no part thereof: this cannot be said of the presbytery of Geneva.’

7. We must distinguish betwixt a dependence absolute, and, in some respect, a congregation doth absolutely depend upon the Holy Scriptures alone, as the perfect rule of faith and manners, of worship and of church government; for we accurse the tyranny of prelates, who claimed to themselves an autocratic power over congregations, to whom they gave their naked will for a law. One of themselves² told a whole synod, that they ought to esteem that best which seemeth so to superiors, and that this is a sufficient ground to the conscience for obeying, though the thing be inconvenient. We say that congregations ought, indeed, to be subject to presbyteries and synods, yet not absolutely, but in the Lord, and in things lawful; and to this purpose the constitution of presbyteries and synods are to be examined by the judgment of Christian discretion; for a synod is *judex judicandus* and *regula regulata*, so that it ought not to be blindly obeyed, whether the ordinance be convenient or inconvenient.

Last of all, we are to distinguish betwixt the condition of the primitive churches, before the division of parishes, and the state of our churches now after such division. At the first, when the multitude of Christians in those great cities of Rome, Corinth, Ephe-

sus, &c., was not divided into several parishes, the common presbytery in the city did suffice for the government of the whole, and there was no need of a particular consistory of elders for every assembly and congregation of Christians within the city, except perhaps to admonish, rebuke, exhort, or to take notice of such things as were to be brought into the common presbytery. But after that parishes were divided, and Christian congregations planted in the rural villages, as well as in the cities, from henceforth it was necessary that every congregation should have at hand, within itself, a certain consistory for some acts of church government, though still those of greater importance were reserved to the greater presbytery. And thus have I, out of desire to avoid unnecessary questions, set down my conceptions concerning the elderships of particular congregations, and the power of the same.

If it be said that I seem to deny the divine right of the same, or that they have any warrant from the pattern of the apostolic church, I answer,—I acknowledge the conformity of the same with the pattern thus far; 1. It is to be supposed that in some small cities (especially the same not being wholly converted to the Christian faith) there was but one Christian congregation, the eldership whereof did manage matters of jurisdiction proper thereto. 2. Even in the great cities, at the first, there was but one congregation of Christians, and so but one particular eldership. 3. After that the gospel had spread, and Christians were multiplied in those great cities, it is true they were all governed by a common presbytery; but that presbytery was not remote, but ready at hand among themselves. Now in this we keep ourselves as close to the pattern as the alteration of the church's condition, by the division of parishes, will suffer us; that is to say, we have a common presbytery for governing the congregations within a convenient circuit; but, withal, our congregations have, *ad manum*, among themselves an inferior eldership for lesser acts of government, though, in respect of the distance of the seat of the common presbytery from sundry of our parishes, they cannot have that ease and benefit of nearness which the apostolic churches had, yet, by the particular elderships, they have as great ease of this kind as conveniently can be.

¹ De Pol. Ec., lib. iii. cap. 23.

² Spotswood's Sermon at Perth Assembly.

CHAPTER III.

OF GREATER PRESBYTERIES, WHICH SOME
CALL CLASSES.

The word *πρεσβυτέριον*, *presbytery*, we find thrice in the New Testament,—twice of the Jewish presbytery at Jerusalem, Luke xxii. 66; Acts xxii. 5; and once of the Christian presbytery, 1 Tim. iv. 14, “Neglect not the gift that is in thee, which was given thee by prophecy, with the laying on of the hands of the presbytery.” Sutlivius¹ and Downname² have borrowed, from Bellarmine, two false glosses upon this place.

They say by *πρεσβυτέριον* here, we may understand either an assembly of bishops, or the office of a presbyter, which was given to Timothy. To these absurdities let one of their own side answer: “Whereas (saith Dr Forbesse³) some have expounded the presbytery in this place to be a company of bishops: unless by bishops thou would understand simple presbyters, it is a violent interpretation, and an insolent meaning. And whereas others have understood the degree itself of eldership, this cannot stand, for the degree hath not hands, but hands are men’s.” I find in Sutlivius a third gloss.⁴ He saith that the word presbytery in this place signifieth the ministers of the word, *Non juris vinculo sed utcunque collectos, inter quos etiam apostoli erant.* Ans. 1. If so, then the occasional meeting of ministers, be it in a journey, or at a wedding, or a burial, &c., shall all be presbyteries, for then they are *utcunque collecti*. 2. The apostles did put the churches in better order than to leave imposition of hands, or anything of that kind, to the uncertainty of an occasional meeting. 3. The apostles were freely present in any presbytery, where they were for the time, because the oversight and care of all the churches was laid upon them. Pastors and elders were necessarily present therein, and did, by virtue of their particular vocation, meet together presbyterially, whether an apostle were with them or not.

No other sense can the text suffer but that by presbytery we should understand *concessus presbyterorum*,—‘a meeting of elders;’ and so do Camero and Forbesse

themselves expound it. Sutlivius objecteth to the contrary, that the apostle Paul did lay on hands upon Timothy, which he proveth both from 2 Tim. i., and because extraordinary gifts were given by that laying on of hands. Ans. There is an express difference made betwixt Paul’s laying on of his hands and the presbytery’s laying on of their hands. Of the former it is said that Timothy received the gift which was in him, *dia*, by the laying of Paul’s hands, but he received the gift *per*, with the laying on of the hands of the presbytery, as Didoclavius noteth. But, saith Sutlivius, Timothy being an evangelist (as you hold), how could he be ordained by the presbytery? Ans. 1. Though the presbytery did neither give him ordination to be an evangelist, nor yet confer by the laying on of their hands extraordinary gifts upon him, yet did they lay on their hands, as setting to the seal and testimony, and commending him to the grace of God, even as certain prophets and teachers laid hands on Paul and Barnabas, and Ananias also before that time had laid his hands upon Paul. 2. The presbytery might ordain Timothy to be an elder: if so be he was ordained an elder before he was ordained an evangelist. 3. If the testimony of the presbytery, by the laying on of their hands together with the apostles’ hands, in the extraordinary mission of Timothy, was required, much more may it be put out of question that the apostles committed to the presbytery the full power of ordaining ordinary ministers.

But it is further objected by Sutlivius, that this could not be such a presbytery as is among us, because ordination and imposition of hands pertain to none but the ministers of the word. Ans. 1. The children of Israel laid their hands upon the Levites, Num. viii. 10; and we would know his reason why he denieth the like power to ruling elders now, especially since this imposition of hands is but a gesture of one praying, and a moral sign declaring the person prayed for. 2. Howsoever our practice (which is also approved by good divines¹) is, to put a difference betwixt the act of ordination and the external right thereof, which is imposition of hands, ascribing the former to the whole presbytery, both pastors and elders, and reserving the latter to the minis-

¹ De Presb., cap. xii. p. 75, 81.

² Serm. in Apoc. i. 20.

³ Iren., lib. ii. cap. 11, p. 161.

⁴ De Presb., cap. i.

¹ Jun., cont. 5, lib. i. cap. 3; Synop. Pur. Theol. disp. 42, thes. 37.

ters of the word, yet to be done in the name of all.

Thus have we evinced the Apostle's meaning, when he speaketh of a presbytery, and this consistory we find to have continued in the Christian church in the ages after the apostles. It is certain that the ancient bishops had no power to judge any cause without the presence, advice and counsel of their presbyters, *Conc. Carth. 4*, can. 23. Field, Forbesse, Saravia, and Downame, do all acknowledge that it was so, and so doth Bellarmine, *de Pont. Rom. lib. i*, cap. 8. Of this presbytery speaketh Cyprian, *Omni actu ad me perlato, placuit contrahi presbyterium*, &c.

Of the presbytery speaketh the same Cyprian, lib. ii. ep. 8, and lib. iv. ep. 5; Ignatius, *ad Trall.*, and Jerome, in Isa. iii. We find it also in *Conc. Ancyra.*, can. 18, and in *Conc. Carthag. 4*, can. 3-40. Dr Forbesse allegeth that the word *presbytery*, for fifteen hundred years after Christ, did signify no other thing in the church than a diocesan synod.¹ But herein (if he had understood himself) he spake not so much against presbyteries as against prelates; for a diocese of old was bounded within one city. *Tumque jamp idem per omnes provincias et per urbes singulas ordinati sint episcopi*, &c., saith Cyprian.² It was necessary to ordain bishops, *καθ' ἐκαστηπόλιν*, saith Chrysostom,³ speaking of the primitive times; yea, in country villages also were bishops, who were called *χωρεπισκοποι*, that is, *ἐπισκοποι*, rural bishops, whose episcopal office, though limited, yet was allowed in the Council of Ancyra, can. 13, and the Council of Antioch, can. 8, 10. Sozomen recordeth⁴ that the village Majuma, which was sometime a suburb of the city Gaza, was not subject to the bishop of Gaza, but had its own proper bishop, and that by the decree of a synod in Palestina. The Council of Sardis, can. 6, and the Council of Laodicea, can. 57, though they discharged the ordaining of bishops in villages, lest the name of a bishop should grow contemptible, did nevertheless allow every city to have a bishop of its own. What hath Dr Forbesse now gained by maintaining that the bounds of a presbytery and of a diocese were all one? They in the Nether-

lands sometime call their presbyteries dioceses; and many of our presbyteries are greater than were dioceses of old.¹ We conclude there was anciently a presbytery in every city, which did indeed choose one of their number to preside among them, and to lay on hands in name of the rest, and he was called the bishop; wherein they did more trust the deceivable goodness of their own intentions than to advert to the rule of the word of God.

These things premittid, I come now to that which is principally intended, namely, by what warrant and *qua jure* the classical presbytery among us, made up out of many neighbouring congregations, should be the ordinary court of ecclesiastical jurisdiction, at least in all matters of highest importance, which do concern either all or any of those congregations.

For resolution hereof we must understand, 1. That causes common to many congregations ought not to be judged by any one of them, but by the greater presbytery common to them all. 2. It is to be supposed that particular congregations (at least the far greatest part of them) have not in their proper elderships so many men of sufficient abilities as are requisite in judging and determining the cases of the examination of ministers, of ordination, deposition, excommunication, and the like. 3. When one appealeth from a particular eldership out of persuasion that he is wronged by the sentence thereof, or when that eldership, finding its own insufficiency for determining some difficult causes, resolveth to refer the same into a higher court, reason would that there should be an ordinary court of a classical presbytery to receive such appellations or references. 4. Congregations which lie near together ought all as one to keep unity and conformity in church policy and government, neither ought one of them be permitted to do an injury, or to give an offence unto another; and for these ends it is most necessary that they be governed by one common presbytery. 5. There may be a competition or a controversy, not only betwixt one congregation and another, but in the same congregation betwixt the one half and the other; yea the eldership itself of that congregation may be, and sometimes is, divided in itself; and how shall things of this kind be determined but by the common

¹ Iren., lib. ii., p. 251, 255.

² Lib. iv., ep. 2.

³ In 1 Tim., hom. 10.

⁴ Hist. Tripart., lib. vi., cap. 4.

¹ G. Bucer, de Gub. Eccl., p. 100, 101.

presbytery? 6. But (which is *caput rei*) these our classical presbyteries have a certain warrant from the pattern of the apostolical churches. For proof whereof, it shall be made to appear, 1. That in those cities (at least in many of them) where the Christian religion was planted by the apostles, there were a greater number of Christians than either did, or conveniently could meet together into one place for the worship of God. 2. That in those cities there was a plurality, not only of ruling elders, but of the ministers of the word. 3. That notwithstanding hereof the whole number of Christians within the city was one church. 4. That the whole number, and several companies of Christians within one city, were all governed by one common presbytery. The second of these doth follow upon the first, and the fourth upon the third.

The first proposition may be made good by induction of particulars; and first, It is more than evident of Jerusalem, where we find unto one hundred and twenty disciples, (Acts i. 15,) added eight thousand by Peter's two sermons, Acts ii. 41, and iv. 4. Besides whom, there were yet more multitudes added, Acts v. 14. And after that also, we read of a further multiplication of the disciples, Acts vi. 1, by occasion whereof the seven deacons were chosen and ordained: which maketh some to conjecture that there were seven congregations, a deacon for every one. Certainly there were rather more than fewer, though we cannot determine how many. It is written of Samaria, that the people, with one accord, gave heed unto Philip, Acts viii. 6; even all of them, both men and women, from the least to the greatest, who had before given heed to Simon: of these *all* it is said, that they believed Philip, and were baptised, ver. 10, 12, which made the apostles that were at Jerusalem, when they heard that the great city Samaria had received the word of God, to send unto them Peter and John, the harvest being so great, that Philip was not sufficient for it, ver. 14. Of Joppa it is said, that many believed in the Lord, Acts ix. 42. Of Antioch we read, that a great number believed, and turned to the Lord, Acts xi. 21. Of Iconium, that a great multitude, both of the Jews, and also of the Greeks, believed, Acts xiv. 1. Of Lydda, that all who dwelt therein, turned to the Lord, Acts ix. 35. Of Bercea, that many of them believed; also of the honour-

able women, and the men, not a few, Acts xvii. 12. Of Corinth, the Lord saith, "I have much in this city," Acts xviii. 10. Of Ephesus we find, that fear fell on all the Jews and Greeks which dwelt there, and many believed; yea, many of the magicians themselves, whose books that were burned amounted to fifty thousand pieces of silver; so mightily grew the word of God and prevailed, Acts xix. 17—20. Unto the multitude of Christians in those cities, let us add another consideration, namely, that they had no temples, as now we have, but private places, for their holy assemblies, such as the house of Mary, Acts xii. 12; the school of Tyrannus, Acts xix. 9; an upper chamber at Troas, Acts xx. 8; Paul's lodging at Rome, Acts xxviii. 23; neither do I see any reason why the church which was in the house of Aquila and Priscilla, Rom. xvi. 5; 1 Cor. xvi. 19, should not be understood to be a congregation, as Erasmus readeth it, that is, such a number of Christians as met together in their house. So we read of the church in the house of Nymphas, Col. iv. 15, and of the church in the house of Archippus, Phil. ver. 2. Howsoever, it is certain, that Christians met together, *κατ' οἶκον, house by house*, Domatius, Acts ii. 46; both these considerations, namely, the multitude of Christians in one city, and their assembling together for worship in private houses, have also place in the next ages after the apostles. Let Eusebius speak for them both.¹ "Who can describe (saith he) these innumerable heaps and flocking multitudes, throughout all cities and famous assemblies, frequenting the places dedicated to prayer?" Thereafter he proceedeth to show how in aftertimes, by the favour of emperors, Christians had throughout all cities, ample churches built for them, they not being contented with the old *oratoria*, which were but private houses. Now these two, the multitude of Christians, and the want of temples, shall abundantly give light to my first proposition.

But it may be objected to the contrary, that all the disciples at Jerusalem did meet together *ἐν τῷ αὐτῷ, into one place*, Acts ii. 41. And the same is said of the church of Corinth, 1 Cor. xi. 20. *Ans.* The disciples at Jerusalem, being at that time above three thousand, ver. 46, it cannot be con-

¹ Hist. Eccl., lib. viii. cap. 1.

ceived how any private house could contain them. Beside, it is said, that they brake bread, that is, did celebrate the Lord's supper from house to house. Therefore many good interpreters understand by *ἅπαν ἐπὶ τὸ αὐτὸ*, that all the disciples were linked together into one by amity and love, an evidence whereof is given in the next words, "and had all things common." To the other place we answer, 1. That epistle, whether it were written from Philippi or from Ephesus, was undoubtedly written very lately after the plantation of the gospel in Corinth, while as that church was yet in her infancy. And if it should be granted, that at that time the whole church of Corinth might and did meet together into one place, this proveth not that it was so afterward, for the churches increased in number daily, Acts xvi. 5. But, 2. The place of the Apostle proveth not that which is alleged, for his words may be understood in *sensu distributivo*. It was no solecism for one that was writing to divers congregations to say, "When ye come together into one place," meaning distributively, of every congregation, not collectively, of them all together.

My second proposition concerning the plurality of the ministers of the word in those great cities, wherein the apostles did erect Christian churches, ariseth from these grounds: 1. The multiplicity of Christians. 2. The want of temples: of which two I have already spoken. 3. The daily increase of the churches to a greater number, Acts xvi. 5. 4. There was need of preachers not only for those who were already converted in the city, but also for labouring to win the unbelievers who were therein. These reasons may make us conclude that there were as many pastors in one city as there were sacred meetings therein, and some more also for the respects aforesaid. And what will you say if we find examples of this plurality of pastors in Scripture? Of the bishops or pastors of the church of Ephesus it is said, that Paul "kneeled down and prayed with them all; and they all wept sore," Acts xx. 36, 37, compared with ver. 28. Here is some good number imported. To the angel of the church of Smyrna, that is, to the pastors thereof collectively taken, Christ saith, "The devil shall cast some of you into prison," Rev. ii. 10, which (if not only, yet) principally is spoken to the pastors, though for the benefit of that

whole church. This is more plain of the church of Thyatira, ver. 24, *Τῶν δὲ λέγω, καὶ λοιποῖς*,—"Unto you I say, and to the rest in Thyatira;" as if he would say, saith Pareus, *Tibi episcopo cum collegis et reliquo coetui dico*. Paul writeth to the bishop at Philippi, Phil. i. 1, and notwithstanding that there was already a certain number of bishops or pastors in that city, yet the Apostle thought it necessary to send unto them Epaphroditus also, Phil. ii. 25, being shortly thereafter to send unto them Timotheus, ver. 19, yea to come himself, ver. 24; so that there was no scarcity of labourers in that harvest. Epaphras and Archippus were pastors to the church at Colosse, and who besides we cannot tell, but Paul sent unto them also Tychicus and Onesimus, Col. iv. 7, 9.

Now, touching the third proposition, no man who understandeth, will imagine that the multitude of Christians within one of those great cities was divided into as many parishes as there were meeting places for worship. It is a point of controversy, who did begin the division of parishes, but whosoever it was, whether Evaristus, or Higinus, or Dionysius, certain it is, that it was not so from the beginning, I mean in the days of the apostles; for then it was all one to say, in every city, or to say, in every church. That which is *κατὰ πόλιν*, Tit. i. 5, is *κατ' ἐκκλησίαν*, Acts xiv. 23. This is acknowledged by all anti-prelatical writers, so far as I know, and by the prelatical writers also.

The last proposition, as it hath not been denied by any, so it is sufficiently proved by the former, for that which made the multitude of Christians within one city to be one church, was their union under, and their subjection unto, the same church government and governors. A multitude may be one church though they do not meet together into one place for the worship of God; for example, it may fall forth that a congregation cannot meet together into one, but into divers places, and this may continue so for some years together, either by reason of persecution, or by means of the plague, or because they have not such a large parish church as may contain them all, so that a part of them must meet in some other place; but a multitude cannot be one church, unless they communicate in the same church government, and under the same governors (by one church I mean

one ecclesiastical republic), even as the like union under civil government and governors maketh one corporation. When the Apostle speaketh to all the bishops of the church of Ephesus, Acts xx. 28, he exhorteth them all to take heed to all the flock, *πᾶν τὸ ποίμνιον*, over which the Holy Ghost had made them overseers, so that the whole was governed by the common counsel and advice of the elders, as Jerome speaketh; for the same reason we say not the *churches*, but the *church* of Amsterdam, because all the pastors and elders have the charge and government of the whole.

From all which hath been said, I infer this corollary, That in the times of the apostles, the presbytery, which was the ordinary court of jurisdiction, which did ordain, depose, excommunicate, &c., did consist of so many pastors and elders, as could with conveniency meet ordinarily together, which is a pattern and warrant for our classical presbyteries. I confess there might be in some towns no greater number of Christians than did meet together in one place, notwithstanding whereof the pastor or pastors and elders of that congregation might, and did manage the government of the same, and exercise jurisdiction therein. I confess also that in those cities wherein there was a greater number of Christians than could meet together into one place for the worship of God, the presbytery did consist of the pastors and elders within such a city; for it cannot be proved that there were at that time any Christian congregations in landward villages (the persecution forcing Christians to choose the shelter of cities, for which reason many are of opinion that the infidels in those days were called *Pagani*, because they alone dwelt in Pagis), and if there had been any such adjacent to cities, we must think the same should have been subject to the common presbytery, their own pastors and elders being a part thereof. Howsoever, it cannot be called in question that the presbytery in the apostolical churches was made up of as many as could conveniently meet together for managing the ordinary matters of jurisdiction and church government. The pastors and elders of divers cities could not conveniently have such ordinary meetings, especially in the time of persecution; only the pastors and elders within one city had such conveniency. And so, to conclude, we do not forsake, but follow the pattern, when we

join together a number of pastors and elders out of the congregations in a convenient circuit to make up a common presbytery, which hath power and authority to govern those congregations; for if the presbytery which we find in those cities wherein the apostles planted churches, be a sure pattern for our classical presbyteries (as we have proved it to be) then it followeth undeniably that the authority of church government, of excommunication, ordination, &c., which did belong to that primitive presbytery, doth also belong to those our classical or great presbyteries.

CHAPTER IV.

OF THE AUTHORITY OF SYNODS, PROVINCIAL AND NATIONAL.

Touching synods, I shall first show what their power is, and thereafter give arguments for the same. The power of jurisdiction which we ascribe unto synods, is the same in nature and kind with that which belongeth to presbyteries, but with this difference, that presbyteries do exercise it in an ordinary way, and in matters proper to the congregations within their circuit. Synods do exercise this power in matters which are common to a whole province or nation, or if in matters proper to the bounds of one presbytery, it is in an extraordinary way; that is to say, when either presbytery hath erred in the managing of their own matters, or when such things are transferred to the synod from the presbytery, whether it be by appellation or by reference.

The power of jurisdiction whereof I speak, is threefold, *δογματική, διατακτική, and κριτική*. So it is distinguished by our writers, and all these three do in manner foresaid belong unto synods. In respect of articles of faith or worship, a synod is *index* or *testis*; in respect of external order and policy in circumstances, a contriver of a canon or *διατάξεις*; in respect of heresy, schism, obstinacy, contempt, and scandal, *vindex*; not by any external coactive power (which is peculiar to the magistrate) but by spiritual censures.

The dogmatic power of a synod is not a power to make new articles of faith, nor new duties and parts of divine worship, but

a power to apply and interpret those articles of faith and duties of worship which God hath set before us in his written word, and to declare the same to be inconsistent with emergent heresies and errors. To this purpose it is that the Apostle calleth the church "the pillar and ground of the truth," 1 Tim. iii. 15, *σύλος καὶ ἐδραίωμα*, not *θεμέλιον*, which may be expounded either *in sensu forensi*, the church is the public witness, notifier, and keeper of truth, even as in courts and places of judgment there are pillars to which the edicts of magistrates are affixed, that people may have notice thereof; or *in sensu architectonico*, as the church by her faith is built upon Christ, or (which is all one) upon the doctrine and truth of Christ, contained in the writings of the prophets and apostles, and leaneth thereto; so by her ministry she upholdeth, under-proppeth, and conserveth this same truth, lest, as the prophet speaketh, "Truth fall in the streets, and perish among men." Truth standeth fast in the church, and is kept firm, while it is professed, preached, propugned, and maintained against all contrary error and heresy. In the same sense, saith the Apostle, Rom. iii. 2, that unto the Jewish church were committed the oracles of God, by them to be kept, interpreted, propagated, &c.

By the diatactic power a synod may institute, restore, or change, according to the condition and exigence of the church, the external circumstances in the worship of God, and ecclesiastical discipline; I mean those circumstances which are common both to civil and sacred societies, the conveniency whereof is determinable by the light of nature, always observing the general rules of the word, which commandeth that all be done to the glory of God, that all be done to edifying, that all be done in order and decency, that we give none offence, that we support the weak, that we give no place to the enemies of the truth, nor symbolise with idolators, &c. Now, for avoiding disorder and disconformity in a nation professing one religion, it is fit that national synods give certain directions and rules even concerning these rites and circumstances, not having therein an arbitrary or autocratic power, but being always tied to follow the rules foresaid.

The critic power of a synod is not a lordly imperious domineering over the flock of Christ, which is not to be ruled with force and cruelty, but it is the power of

spiritual censures, as excommunication, deposition, and the like, most necessary for the repressing of heresy, error, obstinacy in wickedness, and scandals, otherwise incorrigible. Without this power, schisms and offences could not be cured, but should the more increase; whileas liberty is left to heretics, schismatics, and obstinate persons, without any censure to pester and disturb a whole nation, without any regard to the constitutions of a national synod.

But may one say, If the decrees of a synod concerning matters of faith or worship, may and ought to be examined by the sure rule of the word of God, and only to be received when they do agree therewith, and if also the constitutions of a synod in external circumstances do not bind, except *ex æquo et bono*, and *propter justa mandande causas*; or, as divines speak, *in casu scandali et contemptus*, and not for the mere will or authority of a synod; and if therefore all Christians are, by the private judgment of Christian discretion, following the light of God's word and Spirit, to try and examine all decrees and constitutions of any synod whatsoever, to know whether they may lawfully receive the same, as our divines maintain and prove against Papists: if these things be so, it may seem contrary to Christian liberty, and to the doctrine of Protestant writers, that synods should exercise the foresaid critic power, or inflict any spiritual censures, at least upon those who profess that after examination of the decrees and constitutions they cannot be persuaded of the lawfulness of the same.

Ans. 1. Our divines, by those their tenets, mean not to open a door to disobedience and contempt of the ordinances of a synod, but only to oppugn the popish error concerning the binding power of ecclesiastical laws, by the sole will and naked authority of the law-maker, and that Christian people ought not to seek any further reason or motive of obedience. 2. A synod must ever put a difference betwixt those who, out of a real scruple of conscience, do, in a modest and peaceable way, refuse obedience to their ordinances, still using the means of their better information, and those who contemptuously or factiously disobey the same, labouring with all their might to strengthen themselves in their error, and to persuade others to be of their mind. 3. This objection doth militate no less against ecclesiastical censures in a particular congregation

than in a national synod; and they who do at all approve of church censures to be inflicted upon the contemptuous and obstinate, shall put in our mouths an answer to objections of this kind.

CHAPTER V.

THE FIRST ARGUMENT FOR THE AUTHORITY OF SYNODS, AND THE SUBORDINATION OF PRESBYTERIES THERETO, TAKEN FROM THE LIGHT OF NATURE.

Having now described the power of particular elderships (which we call sessions), of classical presbyteries, and of synods, provincial and national, it remaineth to confirm by arguments the subordination and subjection of the particular elderships, to the classical or common presbytery,—of both to the provincial synod, and of all these to the national assembly, so that every one may perceive what reason the Church of Scotland hath to give unto the higher ecclesiastical courts authority over the lower.

I might insist long enough, both in the testimonies of Protestant writers, and in the examples of the reformed churches abroad; as also in the examples of all the ancient churches—all speaking for this authority of synods. But these I shall pass, because I know arguments from Scripture and reason are required, and such we have to give.

First of all, I argue from the very light and law of nature. That same light of nature which hath taught our commonwealth, beside the magistrates and counsellors of particular burghs, to constitute higher courts for whole shires, bailiveries, stewarties, regalities; and, above all these, the supreme court of parliament to govern the whole nation, hath also taught our church to constitute synods, provincial and national, with power and authority above presbyteries. We are far from their mind who would make policy the mistress, and religion the handmaid, and would have the government of the church conformed to the government of the state, as the fittest pattern. But this we say, in all such things as are alike common to the church and to the commonwealth, and have the same use in both, whatsoever nature's light directeth the one, it cannot but direct the other also; for as the church is a company of Christians,

subject to the law of God, so is it a company of men and women who are not the outlaws of nature, but followers of the same. It is well said by one,¹ *Hoc certissimum est, &c.*—‘This is most certain, that the church is a certain kind of republic, for it hath all those things which all republics must needs have, but it hath them in a different way, because it is not a civil, but an ecclesiastical republic.’ And again: *Est ergo, &c.*—‘So that this republic is much more perfect than all others, and therefore cannot but have the things which they have that are in dignity far inferior to it.’ So saith Robinson in his *Justif. of Separ.*, p. 113, “The visible church (saith he), being a polity ecclesiastical, and the perfection of all polities, doth comprehend in it whatsoever is excellent in all other bodies political.” Now so it is, that whileas some hold the government of the church to be monarchical, others aristocratical, others democratical, others mixed of all these—they all acknowledge that the church is a republic, and ought to be governed even as a civil republic, in things which are alike common to both—of this kind are courts and judicatories, which do alike belong to both, and have the same use in both, namely, for rule and government; therefore as nature's light doth undeniably enforce diversity of courts in the commonwealth, some particular, some general, some lower, some higher, and the latter to have authority over the former, it doth no less undeniably enforce the like in the church, for *de paribus idem judicium*, it cannot be denied that the church is led by nature's light in such things as are not proper to religious, holy uses, but alike common to civil societies, at least in so far as they are common to sacred and civil uses. The assemblies of the church, in so far as they treat of things spiritual and ecclesiastical, after a spiritual manner, for a spiritual end, and do consist of spiritual office-bearers as the members constituent, in as far they are sacred; and the church is therein directed by the word of God alone, yet the having of assemblies and consistories, and divers sorts of them, and the lower subordinate to the higher, all this is not sacred nor proper to the church, but common with her to the commonwealth, nature commendeth therein to the one what it commendeth to the other.

¹ I. B. A. C., de Polit. Civil. et Eccles., p. 43.

CHAPTER VI.

THE SECOND ARGUMENT, TAKEN FROM
CHRIST'S INSTITUTION.

As we have nature, so have we Christ's institution for us, and this shall appear two ways: First, The fidelity of Christ, both in his prophetic and in his regal or nomothetical power, was such, that he hath sufficiently provided for all the necessities and exigencies whatsoever of his churches to the end of the world, therefore the Apostle calleth him as faithful, in all the house of God, as ever Moses was, who delivered laws serving for the government of the church of the Jews in all cases, Heb. iii. 2. Whence we collect that the authority of classical presbyteries over the elderships of particular congregations, and the authority of synods over both, must needs have a warrant from Christ's own institution, because, without this authority, there are very important necessities of the churches that cannot be helped. For example, in most congregations, especially in dorps and villages, when a pastor is to be ordained, the particular eldership within the congregation can neither examine and try his gifts, and his soundness in the faith (which examination must necessarily precede his ordination), nor can they discover him, in case he be a subtle and learned heretic; nor yet can they pray in the congregation over him who is to be ordained, and give him public exhortation and admonition of his duty, God having neither given to the elders of every congregation, nor yet required of them such abilities. What shall be done in this case? Ainsworth¹ would have the work stayed, and the church to want a minister, till she be able to do her works and her duties which are proper to her. Alas! had Christ no greater care of the churches than so? Shall they be destitute of a pastor, ever till they be able to try his gifts and soundness, and to exhort and pray at his ordination? And how shall they ever attain to such abilities except they be taught? And how shall they be taught without a teacher? Now the power and authority of classical presbyteries, to ordain pastors in particular congregations, shall cut off all this deduction of absurdities, and shall supply the church's need. I may add another in-

stance concerning the classical presbytery itself. What if the one half thereof turn to be heretical, or, it may be, the major part? They shall either have most voices, or, at least, the half of the voices for them, and there shall be no remedy, unless the authoritative determination of a synod be interposed.

Secondly, The will of Christ for provincial and national assemblies to be over presbyteries, even as they are over the elderships of particular congregations, appeareth also in this: He hath given us, in the New Testament, express warrant for ecclesiastical courts and assemblies in general, that such there ought to be for the right government of the church, Matt. xviii. 20, "Where two or three are gathered together in my name, there am I in the midst of them;" Acts xv. 6, "And the apostles and elders came together for to consider of this matter." From these, and the like places, it is plain, that Christ willet jurisdiction to be exercised, and controversies to be determined by certain consistories and assemblies. Of the exercise of jurisdiction is the first place which I have cited to be understood, as the cohesion thereof with the purpose which went before, sheweth. Of determining questions of faith, and enacting laws concerning things in their own nature indifferent, is the other place to be understood, as we shall hear afterward. So then, we truly affirm of ecclesiastical assemblies in general, that power is committed by Christ unto them to exercise jurisdiction, to determine questions of faith, and to make constitutions about things indifferent, in the case of scandal. Now the several sorts of these assemblies are not particularly determined in Scripture, but left to be particularly determined by the church, conform to the light of nature, and to the general rules of the word of God. And the particular kinds of assemblies appointed by the church, conform to the light and rules foresaid, do fall within the compass of those precepts which are *divino ecclesiastica*; they are mixed (though not mere) divine ordinances. Even as the Scripture warranteth times of fasting, and times of thanksgiving, showing also the causes and occasions of the same, and the right manner of performance, but leaveth the particular days of fasting and thanksgiving to be determined by the church according to the rules of the word. In like manner, the Scripture commendeth the re-

¹ Against Paget, chap. 5.

newing of the covenant of God in a nation that hath broken it, but leaveth the day and place for such an action to be determined by the church according to the rules foresaid. Now if the church, following the general warrant and rules of the word, command to fast such a day, to give thanks such a day, to renew the covenant of God such a day, these things are divine ordinances mixedly, though not merely, and he who disobeyeth, disobeyeth the commandment of God. The like may be said of catechising, and of celebrating the Lord's supper (which are not things occasional, as the former, but ordinary in the church), they are commended by the warrants of Scripture, but the particular times and seasons not determined. The like we say of the order to be kept in baptism, and in excommunication, which is not determined in the word, though the things themselves be. The removing of scandals, by putting wicked persons to public shame, and open confession of their faults in the church, hath certain warrant from Scripture, yet the degrees of that public shame and punishment are left to be determined by the church, according to the quality of the scandal and the rules of the word. Now the church appointeth some scandalous persons to be put to a greater shame, some to a lesser, some to be one Sabbath in the place of public repentance, some three, some nine, some twenty-five, &c. And if the offender refuse that degree of public shame which the church, following the rules foresaid, appointeth for him, he may be truly said to refuse the removing and taking away of the scandal, which the word of God enjoineeth him, and so to disobey not the church only, but God also. Just so the Scripture having commended unto us the governing of the church, the making of laws, the exercise of jurisdiction, the deciding of controversies by consistories and assemblies ecclesiastical, having also showed the necessity of the same, their power, their rule of proceeding and judging, who should sit and voice in the same, &c.; but, leaving the particular kinds, degrees, times, bounds and places of the same, to be resolved upon by the church, according to the light of natural reason, and general rules of the word, the church for her part, following the general warrant and rules foresaid, together with the light of nature, hath determined and appointed assemblies, provincial and national, and to exercise re-

spectively that power which the word giveth to assemblies in general. The case thus standing, we may boldly maintain that those particular kinds and degrees of ecclesiastical assemblies are God's own ordinances mixedly, though not merely.

But what can be the reason, may some man say, why the Scripture hath not itself determined these kinds of assemblies particularly? I answer, three reasons may be given for it: 1. Because it was not necessary, the general rules of the word, together with nature's light, which directeth commonwealths in things of the same kind, being sufficient to direct the church therein. 2. As seasons and times for the meeting of assemblies, so the just bounds thereof in so many different places of the world are things of that kind which were not determinable in Scripture, unless the world had been filled with volumes thereof; for, *individua sunt infinita*. 3. Because this constitution of synods, provincial and national, is not universal for all times and places; for example, there may be in a remote island ten or twelve Christian congregations, which, beside their particular elderships, have a common presbytery, but are not capable of synods, either provincial or national. Again, let there be an island containing forty or fifty Christian congregations, there shall be therein, beside presbyteries, one kind of a synod, but not two kinds. Besides, the reformed congregations within a great nation may happily be either so few, or so dispersed and distant, or so persecuted, that they can neither have provincial nor national assemblies.

CHAPTER VII.

THE THIRD ARGUMENT, TAKEN FROM THE JEWISH CHURCH.

In the third place, we take an argument from the example of the Jewish church; for, as in their commonwealth there was a subordination of civil courts, every city having its proper court, which did consist of seven magistrates, if we believe Josephus; the Talmudical tradition maketh two courts to have been in each city, the lesser of the *triumvirat*, and the greater of twenty-three judges. Beside these, they had their supreme consistory, the civil sanhedrim, which governed the whole nation, and had autho-

rity over the inferior courts. So was there also a subordination of ecclesiastical courts among them; they had a consistory in every synagogue, for their synagogues were appointed not only for prayer and praising of God, and for the reading and expounding of the Scriptures, but also for public correction of offences, Acts xxvi. 11. They had, besides, a supreme ecclesiastical court, whereunto the whole nation, and all the synagogical consistories were subject. This court having decayed, was restored by Jehoshaphat, 2 Chron. xix. 8, and it had the name of *sanhedrim* common to it with the supreme civil court. From this court did the reformation of that national church proceed, Nehem. viii. 13, "On the second day were gathered together the chief of the fathers of all the people, the priests and the Levites, unto Ezra the scribe, even to understand the words of the law. And they found written in the law," &c. Whether there was yet another ecclesiastical court in the middle, betwixt the synagogue and the *sanhedrim*, called *πρεσβυτήριον*, a *presbytery*, Luke xxii. 66; Acts xxii. 5, and made up, possibly, out of the particular synagogues within the cities, I leave it to learned men to judge; howsoever, it is plain from Scripture that there was at least a two-fold ecclesiastical court among the Jews, the synagogue and the *sanhedrim*, the latter having authority above the former.

Sutlivius¹ denieth both these, and so would have us believe that the Jewish church had no ecclesiastical court at all. As for the synagogues, he saith, they treated of things civil, and inflicted civil punishments, and a civil excommunication. That they inflicted civil punishment, he proveth from Matt. x. 23; Luke xxi., where Christ foretelleth that his disciples should be beaten in the synagogues. That their excommunication was civil he proveth by this reason, that Christ and his disciples, when they were cast out of the synagogues, had, notwithstanding, a free entry into the temple, and access to the sacrifices. *Ans.* This is a gross mistake; for, 1. The civil court was in the gate of the city, not in the synagogue. 2. He who presided in the synagogue was called "the chief ruler of the synagogue," Acts xviii. 8, 17; the rest who sat and voiced therein were called "the rulers of the synagogue," Acts xiii. 15. They who

sat in the civil court had no such names, but were called judges. 3. Our Saviour distinguisheth the synagogical courts from the civil courts of judgment in cities, calling the one councils, the other synagogues, Matt. x. 17. 4. The beating and scourging in the synagogues was an error and abuse of the later times, the corrective power of those consistories being properly spiritual, and ending in excommunication, John xvi. 2; Isa. lxvi. 5, the liberty of which spiritual censures the Romans did permit to the Jews, together with the liberty of their religion, after they had taken away their civil jurisdiction. 5. Civil excommunication is an unknown word, and his reason for it is no less unknown; for where he hath read that Christ or any of his disciples were excommunicate out of the synagogues, and yet had free access to the temple, I cannot understand, if it be not in the gospel of Nicodemus. I read, Luke iv. 28, 29, that Christ was, in a great tumult, cast out of the city of Nazareth; but this, I hope, no man will call excommunication. The blind man, John ix. 34, was indeed excommunicated out of the synagogue, but we nowhere read that he was thereafter found in the temple; we read of Christ's walking in Solomon's porch, John x. 23, but that the blind man was then with him it can never be proved, and if it could, it should not import any permission or leave given to excommunicate persons to enter into the temple, but that some were bold to take this liberty. 6. The casting out of the synagogue cannot be called civil excommunication, because the communion and fellowship of the Jews in the synagogue was not civil but sacred; they met for the worship of God, and not for civil affairs. 7. If by civil excommunication he mean banishment, or casting out of the city (for I conceive not what other thing this strange word can import), then how doth he suppose that they had still free access to the temple who were so excommunicated, for this importeth that they were still in the city.

We have now evinced an inferior ecclesiastical court among the Jews. Come we next to the supreme court. That there was an high ecclesiastical *sanhedrim*, distinct from the civil *sanhedrim*, is observed by Pelargus, on Deut. xvii., and Sopingius, *ad Bonam Fidem Sibrandi*, p. 261, *et seq.*, beside many others cited before, part 1,

¹ De Presbyt. p. 25.

chap. 11. And that it was so we prove from three places of the Old Testament, to pass other places, from which certain collections may be had to the same purpose.

First, We find Deut. xvii. a distinction of two supreme judicatories, to be set in the place which the Lord should choose to put his name there,—the one of the priests and Levites, the other of the judges; and unto these two supreme courts the Lord appointed all matters which were too hard for the inferior judges in the cities of the land, to be brought and determined by their authority, and the sentence of the priests or of the judges to be obeyed both by the parties and by the inferior judges, under pain of death, ver. 8—12. To this Sutlivius¹ answereth, that there is only one sanhedrim in that place, which was civil, as appeareth by their judging of the causes of blood, and their receiving of appellations from the civil judges mentioned in the preceding chapter. As for the judge which is spoken of ver. 9, 12, he saith, we must understand that it was the high priest. *Ans.* 1. The disjunctive or doth distinguish the judges from the priests, ver. 12, as Junius and Ainsworth do rightly note upon that place,—“The man that will do presumptuously, and will not hearken unto the priest (that standeth to minister there before the Lord thy God) or unto the judge.” Here a distinction betwixt the court of the priests and the court of the judges, which Lyranus also acknowledgeth. 2. The Chaldee readeth *judges* in the plural. By the judge, saith Ainsworth, is understood the high council or senate of judges, even as they who are called priests, ver. 9, are called the priest, ver. 12, and 1 Chron. iv. 42, many captains are in the Hebrew called *an head*. 3. The high priest cannot be understood to be the judge there spoken of, both because there were many judges, as hath been said, and because we find not in Scripture that ever the high priest was called by the name of the judge. 4. Whereas he objecteth that the causes of blood, and other civil causes were judged in this sanhedrim, we answer, There were two several things in those civil causes, the *jus* and the *factum*. The *jus* was judged in the court of the priests, because, as Bilson² teacheth, the civil law of the Jews was God’s judicial law, Mal. ii. 7, and it was to

be sought at the priest’s mouth. But the fact being merely civil, was judged by the civil court. Sutlivius objecteth that many inconveniences shall follow this distinction: 1. Judges are hereby made ignorant of the law. 2. That two courts of judgment are appointed in one sentence. 3. That a judge (the priest) may give out a sentence which he cannot execute. 4. That the civil judges do in vain inquire concerning the fact which was before certain by the law, *nam ex facto jus oritur*. 5. That the civil judges are dumb images which must pronounce according to the sentence of others. To the 1st we say, that our distinction doth not import that the judges were ignorant of the law, but that it pertained not to them to judge the meaning of the law, when the same was controverted among the inferior civil judges: this pertained to the court of the priests. 2d. It is no absurdity to expound a disjunctive sentence of two several courts. 3d. He who answereth merely *de jure*, hath nothing to do with execution of persons more than theory hath to do with practice, or abstracts with concretis. 4th. The fact can never be certain by the sentence, *de jure*. It is not the probation, but the supposition of the fact, whereupon the exposition of the sense of the law is grounded. 5th. The cognition of the fact, not of the law, doth belong to an inquest in Scotland: they are *judicis facti, non juris*, yet no dumb images, I suppose. 6th. He hath followed the popish interpreters in making the judge to be the high priest, for so they expound it for the Pope’s cause; yet they themselves acknowledge the distinction of *jus* and *factum*. See Cornelius à Lapide, in Deut. xvii. 7. If error had not blinded this man’s eyes with whom I deal, I should believe he had been slumbering when these things fell from his pen.

But, to proceed, as these two sanhedrims were instituted in the law of Moses, so were they after decay or desuetude, restored by Jehoshaphat, 2 Chron. xix. 8. Sutlivius answereth, that we have here only one sanhedrim which judgeth both the Lord’s matters and the king’s matters, and that it was not an ecclesiastical court, because it judged causes of blood, and other civil causes wherein appellation was made from the judges of the cities. By the Lord’s matters, he saith, are meant criminal and civil causes, which

¹ De Presbyt. p. 16.

² De Gub. Eccl. cap. 2, p. 43.

¹ Ubi Supra, p. 20.

were to be judged according to the law of the Lord; and by the king's matters are meant, his patrimony and domestic affairs. *Ans.* 1. The text distinguisheth two courts, one which meddled with the Lord's matters, whose president was Amariah the chief priest; another which meddled with the king's matters, whose president was Zebadiah. This is so plain, that Bonfrerius the Jesuit, on Deut. xvii. though he maketh the priests to have been the judges, yet acknowledgeth two distinct courts, 2 Chron. xix. 2. The words, ver. 8, must be understood respectively, as Didoclivius¹ hath observed, which we explain thus, "Moreover, in Jerusalem did Jehoshaphat set of the Levites, and of the priests, and of the chief of the fathers of Israel, for the judgment of the Lord (that is, for causes ecclesiastical), and (repeat, of the Levites, of the priests, and of the chief of the fathers of Israel) for controversies" (about civil matters, saith Piscator.) So that some of them were appointed to judge the one, and some of them to judge the other, which proveth not either that the courts were one, or that the same men sat in both, but only that some of the priests and some of the fathers of Israel were in both. 3. The Lord's matters, Lavater and Piscator expound to be matters ecclesiastical; the king's matters to be things civil; and this exposition comprehendeth all things which did fall within the power of those courts. But Sutlivius' gloss doth not so, for there were sundry things to be judged which were neither the king's domestic affairs, nor yet causes criminal or civil,—such as were questions about vows, questions about the meaning of the law, and judging betwixt the holy and the profane, betwixt that which was clean and that which was unclean. These, and such like ecclesiastical causes, he leaveth out, and they are indeed left out of the power of the civil sanhedrim and reserved to the other, for in such controversies the priests were to stand in judgment, Ezek. xlv. 23, 24. Lastly, it is not to be thought that the high sanhedrim should need to be troubled with the king's domestic affairs, far less that this should be made the one half of their commission.

Now as we have the institution of these two supreme courts, Deut. xvii., and the re-institution of them both, 2 Chron. xix., so have we an example of both, Jer. xxvi; for, first,

Jeremiah was condemned, as worthy of death, because he had spoken against the temple and the holy place, ver. 8, 11; and herein saith Oecolampadius on that place: He was a type of Christ, against whom it was pronounced, in the council of the chief priests and elders, "He is guilty of death," Matt. xxvi. 66. So did this ecclesiastical court conclude against Jeremiah, "He is worthy of death;" yet the contrary was concluded in the civil sanhedrim, ver. 10, 16, "This man (say they) is not worthy to die, for he hath spoken to us in the name of the Lord our God,"—as much as to say, You priests have given sentence *de jure* against Jeremiah, but we find he is not guilty of the fact whereof he is accused, for he hath spoken nothing but the truth which the Lord sent him to speak; therefore as you pronounced him worthy of death, upon supposition of the fact, we now pronounce that he is not worthy of death, because we find him blameless of the fact. Sutlivius¹ denieth that the priests were *judices juris*, and the princes *judices facti*; only the princes did, against the will of the priests, set Jeremiah free, whom they had destined to death. But, say I, he must either deny that Jeremiah was judged in two several courts or not; if he deny it, the text is against him, for that he was judged in the court of the princes, it is plain from ver. 10, 16; and that he was judged in the court of the priests, is plain also from ver. 8, 9. Where we find the priests coming together, neither to reason with Jeremiah (for they had no such purpose as to give him leave to speak for himself), nor yet to accuse him, for that they do before the princes, ver. 11; therefore it was to give sentence for their part against him, which they did. But if he grant that sentence was given in two courts, I would gladly know what difference could be made betwixt the one sentence and the other, except that difference *de jure* and *de facto*, especially the same suiting the text so well as hath been said.

Of the vestiges of those two supreme courts still remaining in some sort distinct, in the days of Christ, I have spoken before. And now, to proceed, we have proved² the antecedent of this our present argument, concerning distinct ecclesiastical courts among the Jews, and the subjection of the lower unto the higher, of the synagogue unto the sanhedrim.

¹ Alt. Dam. p. 24.

¹ Ubi supra, p. 28.

² Bertram. de Polit. Jud. cap. 11, ex. 18.

But we have yet more to do, for the consequence of our arguments is also denied, both by the prelatical faction and by others¹ (whom we are more sorry to contradict), holding that reasons fetched from the Jewish church do better fit the prelates than the Consistorians;² howsoever, now, to fetch the form of government for the church from the church of the Jews, were, say they, to revive the Old Testament. To me it seemeth strange, that both the one side and the other do, when they please, reason from the forms of the Jewish church, and yet they will not permit us to reason in like manner. The former go about to prove the prelacy by the high priesthood, and the lawful use of organs in the church, from the like in the temple of Solomon. The latter do argue,³ that a congregation hath right not only to elect ministers, but to ordain them, and lay hands on them, because the people of Israel laid hands on the Levites. That the maintenance of the ministers of the gospel ought to be voluntary, because, under the law, God would not have the priests and Levites to have any part or inheritance in the land of Canaan, but to be sustained by the offerings and altars of the Lord. That the power of excommunication is in the body of the church, because the Lord laid upon all Israel the duty of removing the unclean, and of putting away leaven out of their houses at the feast of Passover. Is it right dealing now to forbid us to reason from the form of the Jews? I will not use any further expostulation, but let the reader judge. The truth is this: Even as that which is in a child, as he is a child, agreeth not to a man, yet that which is in a child, as he is *animal rationale*, agreeth also to a man; so what we find in the Jewish church, as it was Jewish, or in infancy, and under the pedagogy of the law, agreeth not indeed to the Christian church. But whatsoever the Jewish church had, as it was a political church, or ecclesiastical republic (of which sort of things the diversity and subordination of ecclesiastical courts was one), doth belong by the same reason to the Christian church. I say further, though the commonwealth and civil policy of the Jews be not in all points a pattern to our civil policy, yet I am sure it is no error to imitate the civil policy of the

Jews in such things as they had, not for any special reason proper to them, but are common to all well constituted commonwealths; and so we may argue from their commonwealth, that it is a good policy to have divers civil courts, and the higher to receive appellations from the inferior, as it was among them. Shall we not, by the very like reason, fetch from their ecclesiastical republic diversity of spiritual courts, and the supreme to receive appellations from the inferior, because so was the constitution of the Jewish church, and that under the common respect and account of a political church, and not for any special reason which doth not concern us?

CHAPTER VIII.

THE FOURTH ARGUMENT, TAKEN FROM ACTS XV.

The example of the apostolical churches, Acts xv., maketh for us. The churches of Antioch, Syria, and Cilicia, being troubled with the question about the Jewish ceremonies, the matter was debated and disputed at Antioch, the chief town of Cælosyria, where Paul and Barnabas were for the time. It is very probable that some out of the other churches in that province, as also out of the churches of Cilicia, were present in that meeting and conference, for they were troubled with the very same question no less than the church of Antioch. Howsoever, the matter could not be agreed upon in that meeting, but a reference thereof was made to a more general assembly at Jerusalem, and for that effect Paul and Barnabas, and others with them, were sent thither. All this is clear by comparing ver. 2 with 23. Hereupon the apostles and elders did synodically come together at Jerusalem, and decided the question, giving forth decrees to be observed by the particular churches, Acts xv. 6, 28; xvi. 4. We will not dispute what sort of synod this was, only that it was a synod with authority over many particular churches and congregations, and whereunto the meeting at Antioch (whether it was provincial or presbyterial only) did refer the determination of the question about Jewish ceremonies.

It is answered by some, 1. That the reason of sending Paul and Barnabas to Jeru-

¹ Suttiv. de Pres., cap. 2.

² Robinson, Just. of Separ., p. 163.

³ See Apolog. against the Oxford D.D., p. 47, 48, 59, 62; Robinson, Justif., p. 122, 123.

salem was to know whether these teachers, who pressed the observation of the ceremonial law, had any such commission from the apostles and elders as they pretended. 2. That there is here no synod, nor assembly of the commissioners of divers churches, for there were no commissioners from the rest of the churches in Judea, Galilee, and Samaria, mentioned Acts ix. 31; nor from the churches of the Gentiles, mentioned Acts xiv. 23; neither were Paul and Barnabas, and the rest who went with them, commissioners to represent the church of Antioch, but messengers only, to make narration of the case. 3. Not only the apostles and elders, but the whole church at Jerusalem, met together. 4. If the resolution which was given be considered as the judgment of the church at Jerusalem, it was only her advice to her sister churches; if otherwise considered, it was a decree absolutely apostolical, and divine scripture, by infallible direction from the Holy Ghost, and for that reason imposed upon all the churches of the Gentiles, though they had no commissioners there.

These answers had need to be stronger before that so many fathers, councils and Protestant writers, who have understood the matter otherwise, should all be put in an error.

To the first we reply, That the reason of sending Paul and Barnabas to Jerusalem, was not so much to know whether these teachers had commission from the apostles and elders, to press the keeping of the law of Moses, as to get a resolution of the question itself, ver. 2, about this question. Now the question was not what commission the apostles had given to those teachers, but whether they should be circumcised, after the manner of Moses, ver. 1.

To the second we say, That if Paul and Barnabas were messengers to make narration of the case, certainly they were more than sufficient messengers, and there was no need of others to be joined in message with them; so that it appeareth the rest, who were sent with them, were commissioners to represent the churches which sent them. Neither is it credible, but that all the churches of Syria and Cilicia, which were in the same case with the church of Antioch, did send their commissioners also to Jerusalem; for, otherwise, how could the apostles and elders have so certain and perfect intelligence of the case of those churches, ver. 23.

Beside, it had been a great neglect in those churches, if they had not sent some to Jerusalem, as the church of Antioch did; for if it was expedient which Antioch did they ought no less to have done it, their case being the same. Moreover, it may be collected from ver. 3, that the other churches, through which Paul and Barnabas passed in their journey, did send some companions along with them, to join with them in their errand, and to give their consent in the meeting at Jerusalem, unto that which was to be concluded. This is the observation of Cajetan, Mentzerus, Calvin, Gualther, and other interpreters upon that place.

Lastly, It is no way probable that the apostles and elders at Jerusalem, together with those who were sent from the churches of Antioch, Syria, and Cilicia, and the other churches through which Paul and Barnabas did travel, would come together without acquainting the rest of the churches of Judea, which were so near at hand, and might so easily send their commissioners to Jerusalem.

To the third we reply, That it cannot be proved from the text that the body of the church of Jerusalem was present, but rather it appeareth, from ver. 6, that they were not present, as hath been said before, chap. i. And though it were granted that they were present, yet Mr Robinson saith,¹ that they did no more than consent to the decree.

To the last answer, It is certain that the conclusion of that meeting at Jerusalem was not a naked council and advice, but a decree imposed with authority upon the churches, Acts xv. 28; xvi. 4; xxi. 25. And whereas it is affirmed,² that the decree was merely apostolical, and that the elders did no more than consent thereto, even as the brethren did, this is manifestly against the text; for Acts xvi. 4, it is said of Paul and Silas, "As they went through the cities, they delivered them the decrees for to keep, that were ordained of the apostles and elders which were at Jerusalem;" and Acts xxi. 25, all the elders, speaking to Paul, say, "As touching the Gentiles which believe, we have written and concluded that they observe no such thing." That this was spoken by all the elders is plain from ver. 18—20; so then the elders did decree, ordain, and conclude these things to be imposed upon the churches of

¹ Justif, p. 266.

² Robinson, ib.

the Gentiles, and not the apostles only.¹ Now the elders of the church of Jerusalem had no authority to impose their decrees upon all the churches of the Gentiles, with whom they had nothing to do, as Mr Robinson saith truly. Since, therefore, these things were imposed upon the churches of the Gentiles as the decrees ordained by the apostles and elders at Jerusalem, this doth necessarily import that there were in that meeting, delegates and commissioners from the churches of the Gentiles which did represent the same.

CHAPTER IX.

THE FIFTH ARGUMENT TAKEN FROM GEOMETRICAL PORPORTION.

As is the proportion of three to nine, so is the proportion of nine to twenty-seven—of twenty-seven to eighty-one, &c. This rule of geometrical proportion affordeth us a fifth argument for the point in hand. If we should grant the government of the church to be popular, then, by what proportion one or two are subject to a whole congregation by the same proportion is that congregation subject to a provincial or a national congregation. I mean, if all the congregations in a province or a nation were assembled into one collective body (as all the males of the Jews did assemble thrice in the year at Jerusalem, and, as in the days of the judges, the whole congregation of the children of Israel was assembled together in Mizpeh, as one man, from Dan even to Beersheba, four hundred thousand men, to try the cause of the Levite, and to resolve what to do thereanent, which meeting of the nation was ordered by tribes, the tribes by families, the families by persons, Judg. xx. 1), in that case any one particular congregation behaved to be subject to the general congregation, by the same reason whereby one man is subject to the particular congregation whereof he is a member, because the

whole is greater than a part, and the body more than a member. Now the same rule holdeth in the representatives of churches, whether we compare them with the collectives or among themselves. If we compare the representatives with the collectives, then, as one congregation is governed by the particular eldership representing the same, by the like proportion are fourteen or sixteen congregations governed by a classical presbytery representing them all, by the same proportion are all the congregations in a province subject to a provincial synod, by the same ought all the congregations in a nation to be subject to a national assembly, all of them being either mediately or immediately represented in the same; for, as Parker saith well,¹ many churches are combined into one in the very same manner as many members are combined into one church.

If we compare the representatives among themselves, then, by what proportion a particular eldership representing only one congregation is less in power and authority than a classical presbytery which representeth many congregations, by the same proportion is a classical presbytery less in power and authority than a provincial synod, and it less in authority than a national synod. So that the authority of presbyteries, whether parochial or classical, being once granted, this shall, by the rule of proportion, infer the authority of synods. I know that synods are not ordinary courts as presbyteries are, but this and other differences betwixt them I pass: the argument holdeth for the point of authority, that synods, when they are, have authority over all the churches in a province or a nation even as presbyteries have over the congregations within their bounds.

CHAPTER X.

THE SIXTH ARGUMENT, TAKEN FROM NECESSITY.

We have another reason to add, and it is borrowed from lawless necessity; for without a subordination among ecclesiastical courts, and the authority of the higher above the inferior, it were utterly impossible to preserve unity, or to make an end of contro-

¹ Whittak. Controv. 3, de con., quest. 3, Sed ut totam istam controversiam dirimamus, inspiciamus (quæso), Acts xvi. 4. Ubi legimus Paulum civitibus illis per quas transibat tradidisse *τὰ δόγματα τὰ κεκρίματα ὑπὲρ τῶν ἐκκλησιῶν καὶ τῶν πρεσβυτέρων*, &c. Quis nunc negare audeat presbyteros quoque, habuisse suffragium, decisivum, &c. Nam vocabulum *κεκρίματα* ad utroque, ex æquo accommodatur, Hæc tam aperta sunt ut nemo refragari possit.

¹ De Pol. Eccl., p. 331, 332.

versy in a nation. A particular congregation might happily end questions and controversies betwixt the members thereof, and so keep unity within itself (and not so neither, if the one half of the congregation be against the other), but how shall controversies betwixt several congregations be determined if both of them be independent? how shall plurality of religions be avoided? how shall an apostatising congregation be amended?

It is answered, 1. If a particular congregation neglect their duty, or do wrong to another, the civil sword may proceed against them to make them do their duty. 2. A particular congregation ought, in difficult cases, to consult with her sister churches; for so much reason dictates, that in difficult cases, counsel should be taken of a greater number. 3. Sister churches, when they see a particular congregation doing amiss, out of that relation which they have to her, being all in the same body, under the same head, may, and ought to admonish her, and in case of general apostacy, they may withdraw that communion from her which they hold with the true churches of Christ.

But these answers are not satisfactory. The first of them agreeth not to all times; for in times of persecution the church hath not the help of the civil sword: a persecuting magistrate will be glad to see either division or apostacy in a congregation; but so it is, that Christ hath provided a remedy, both for all the evils and diseases of his church, and at all times. The church (as was said before) is a republic, and hath her laws, courts, and spiritual censures within herself, whether there be a Christian magistrate or not.

The second answer leaveth the rectifying of an erring congregation to the uncertainty of their own discretion, in seeking counsel from a greater number. And, moreover, if this be a dictate of reason, to ask counsel of a greater number when the counsel of a few cannot resolve us, then reason, being ever like itself, will dictate so much to a congregation, that they ought to submit to the authority of a greater number when their own authority is not sufficient to end a controversy among them.

To the third answer we say, That every private Christian may and ought to withdraw himself from the fellowship and communion, either of one man or of a whole congregation, in the case of general apostacy.

And shall an apostatising congregation be suffered to run to hell rather than any other remedy should be used beside that (commonly ineffectual) remedy which any private Christian may use? God forbid.

What I have said of congregations I say also of classical presbyteries: How shall sentence be given betwixt two presbyteries at variance? How shall a divided presbytery be reunited in itself? How shall an heretical presbytery be reclaimed? How shall a negligent presbytery be made to do their duty? How shall a despised presbytery have their wounded authority healed again? In these and such like contingent cases, what remedy can be had beside the authority of synods?

CHAPTER XI.

OBJECTIONS MADE AGAINST THE AUTHORITY OF SYNODS ANSWERED.

They who dislike the subordination of particular congregations unto higher ecclesiastical courts object against us our Saviour's precept, "Tell the church," Matt. xviii. 17.

Wheresoever we read in Scripture of a visible political church, and not of the invisible catholic church, it is ever meant, say they, of a particular congregation, used to assemble in one place for the exercise of God's public worship; and when the Scripture speaketh of a whole province or nation, the plural number is used, as the churches of Galatia, the churches of Macedonia, the churches of Asia, &c. Wherefore our Saviour, in those words, did deliver the power of ecclesiastical jurisdiction neither to classical presbyteries nor to synods, but to particular congregations only.

Ans. 1. This place proveth indeed that particular churches have their own power of jurisdiction, but not that they alone have it. 2. Yea, it proveth that they alone have it not, for Christ hath a respect to the form of the Jews, as is evident by these words, "Let him be unto thee as an heathen or a publican." Now we have proved that there was among the Jews an high ecclesiastical sanhedrim beside the particular synagogical courts, so that, by pointing out the form of the Jewish church, he recommendeth a subordination, and not an independency of particular churches. 3. By the church in

that place is meant the competent consistency of the church, and so it agreeth to all ecclesiastical courts respectively. This sense is given by Parker,¹ though he be most tender in the vindication of the liberty of congregations: *Nam cum*, &c.—‘For (saith he), since Christ would have every man to be judged by his own church, Matt. xviii., or, if the judgment of his own church should displease him, yet ever it must be by the church, that is, by a synod of many churches.’ 4. As for the reason alleged for proof of the contrary exposition, I opugn it both by reason, and by their own tenets, and by Scripture. By reason, because the rule of geometrical proportion (whereof we have before spoken) proveth a congregation to be a part of a national church, even as one man is a part of a congregation; for as five is the hundredth part of five hundred, so is five hundred the hundredth part of fifty thousand. By their own grounds, because they hold the form of a visible church to consist in the uniting of a number of visible Christians into one, by the bond of a holy covenant to walk in all the ways of God. Then, say I, we may say the Church of Scotland, as well as the churches of Scotland, because all the particular churches in Scotland are united together into one, by the bond of a national oath and covenant, to walk in all the ways and ordinances of God. By Scripture also, because Acts viii. 1, we read of the *church* at Jerusalem, not the *churches*: howbeit there were at that instant above eight thousand Christians at Jerusalem, and all these still in the city, for the first scattering of them followeth thereafter in that chapter. This great number, neither did, nor could usually assemble into one place for the worship of God, but they met, *κατ’ οἶκον*, *house by house*, Acts ii. 46. And whereas objection is made to the contrary from Acts ii. 44, and v. 12, and vi. 2, we have before answered to the first of these places; for it is to be expounded by Acts iv. 32, they were in one, that is, they were of one heart, and of one soul. The second place may be expounded of the apostles, and the preceding words favour this exposition; but though it should be taken of the multitude, it proveth not their meeting together into one place for the worship of God, for it was an extraordinary confluence, upon an extraordinary

occasion of that which had befallen to Ananias and Sapphira. The last place proveth no more but an extraordinary and occasional meeting, and it is also to be understood that they met *turmatim*, as four hundred thousand men did assemble together, Judg. xx. 1.

Another scriptural instance we give from 1 Pet. i. 1, with v. 2; the Apostle writing to the dispersed Jews in several provinces, calleth them all one flock. We read that Laban had many flocks, Gen. xxx. 36, 38; yet are they all called one flock, ver. 31, 32; so were all the flocks of Jacob called one flock, Gen. xxxii. 7; xxxiii. 13. In like manner every one of the particular churches among those dispersed Jews was a flock, but compared with the whole, it was but a part of the flock. It is no more absurd to say that a congregation is both a body, in respect of its own members, and a member in respect of a national church, than it is to say, that every believer, considered by himself, is a tree of righteousness, and a temple of God, yet compared with others, he is a branch of the vine, and a stone of the temple, for all those ways is he called in Scripture.

Sundry particular flocks may be called one flock, three ways: 1. *Respectu pastorum*, when the same shepherds oversee and take care of the whole. See an example both of the one kind of shepherds, Luke ii. 8, and of the other, Acts xx. 28. 2. *Respectu pabuli*: so Paul Baynes¹, speaking of the Low Countries, where sundry congregations, in one city, make but one church, saith, “that the sheep feed together into one common pasture, though they bite not on the same individual grass.” 3. *Respectu pedi*, when many congregations are governed by the same pastoral staff of ecclesiastical laws and discipline.

It is further objected, that presbyterial government, and the authority of synods, do rob the congregations of their rights and liberties no less than the prelacy did; so that the churches of Christ in the removal of Episcopacy, have changed *Dominum* only, not *Dominium*. *Ans.* There is a vast difference; for, 1. Episcopal government is monarchical, and Christ hath left no ecclesiastical jurisdiction to be exercised by one man. Presbyterial and synodical government is partly democratical, in respect

¹ De. Pol. Eccl. lib. iii. cap. 20, p. 318.

¹ Dioces. Tryall, p. 21.

of the election of ministers and elders, and the doing of matters of chiefest importance, with the knowledge and consent of congregations: partly aristocratical, in respect of the parity of presbyters and their consistorial proceedings and decrees. The monarchical part is Christ's peculiarly. 2. The Prelacy permitteth not to congregations any act of their own church government, but robbeth them of their particular elderships, which (as Parker well noteth¹) the classical presbyteries do not. 3. "It is one thing (saith Baynes²) for churches to subject themselves to a bishop and consistory, wherein they shall have no power of suffrage; another thing to communicate with such a presbytery, wherein themselves are members and judges with others." 4. The congregations did not agree nor consent to episcopal government, but were sufferers in respect of the same, but they do heartily agree to the government of presbyteries and synods, in witness whereof they send their commissioners thither to concur, assist, and voice. 5. Special respect is had in presbyteries and synods, to the consent of congregations, in all matters of importance which are proper unto the same. This the Prelacy did not regard. 6. Presbyteries and synods do not (which the prelates did) imperiously, and by their sole arbitrement, domineer over congregations; for their power is directive only, ministerial, and limited by the laws of God and nature, and the laudable ecclesiastical laws received and acknowledged by the congregations themselves. 7. Experience hath showed us presbyterial and synodical government to be not only compatible with, but most conducive for the supportment and comfort of congregations; whereas episcopal government draweth ever after it *malam caviam*, and a general grievance of the churches.

Some other objections there are, for obviating whereof I shall permit and explain a distinction, which shall serve to answer them all. We may consider a visible church either metaphysically or politically. It is one thing to consider men as living creatures endued with reason; another thing to consider them as magistrates, masters, fathers, children, servants, &c. So is it one thing to consider a visible church as a society of men and women separated from the blind world by divine vocation, and profess-

ing together the gospel of Jesus Christ; another thing to consider it as a political body, in which the power of spiritual government and jurisdiction is exercised—some governing, and some governed.

These are very different considerations; for, first, A visible church being taken entitatively or metaphysically, her members do ordinarily communicate together in those holy things which fall under the power of order, which I may call *sacra mystica*; but being taken politically, her members communicate together in such holy things as fall within the compass of the power of jurisdiction, which I may call *sacra politica*. Secondly, Infants under age, being initiated in baptism, are actually members of the church in the former consideration, but potentially only in the latter; for they neither govern, nor yet have the use of reason to be subject and obedient to those that do govern. Thirdly, One must necessarily be a member of the church metaphysically, before he can be a member of the church politically, but not contrariwise. Fourthly, Many visible churches have sometimes been, and may be, without officers, and so without ecclesiastical government and exercise of jurisdiction for that time, yet still retaining the essence of true visible churches; whereas a church, which never yet had any officers ordained therein (of which kind there have been many at the first conversion of a nation to the gospel), or which hath lost all her officers by death or persecution, is not for that time an ecclesiastical republic, nor can be such till she have officers. This if they had observed who have taken so great pains to prove that there hath been, and may be, a church without officers, it should happily have made them think their labour lost. It might also have taught Henry Jacob to distinguish between a church visible, and a church ministerial or political, and not to understand these three terms to be all one, as he doth in his letter, bearing date the 4th of September 1611, p. 9. Fifthly, My being a member of any one visible church metaphysically, giveth me right and title to communicate with another visible church (where for the time I am) in *sacris mysticis*, such as the word, prayer, &c.; but my being a member of any one visible church politically, doth not give me right and title to communicate with another visible church (where for the time I am) in *sacris politicis*, such as ordination, deposition, excommunication, &c. Hereunto doth

¹ De Pol. Eccl., p. 353.

² Ubi supra.

Mr Robinson assent in these words¹: "As a man, once baptised, is always baptised, so is he in all places and churches where he comes (as a baptised person) to enjoy the common benefits of his baptism, and to discharge the common duties which depend upon it. But a pastor is not a pastor in every church where he comes upon occasion, neither can he require in any other church, saving that one over which the Holy Ghost hath set him, that obedience, maintenance, and other respects which is due to the officers from the people; neither stands he charged with that ministry and service, which is due to the people from the officers." The like he would have said of an elder or a deacon.

Now this distinction shall serve to answer the objections following.

Obj. Every Christian congregation is a complete body ecclesiastical, having all the parts and members, and all church officers which Christ hath instituted; therefore every congregation hath the full and absolute power of ecclesiastical jurisdiction.²

Ans. Every Christian congregation is a complete church or body of Christ metaphysically; that is, hath the complete essence of a true visible church, yet every such congregation is not a complete ecclesiastical republic, except in some certain cases whereof we have spoken, chap. ii. And, further, we answer, that this objection is alleged to prove that two or three, gathered together in the name of Christ, have immediately, under Christ, the full power of ecclesiastical jurisdiction; but, sure I am, that two or three, gathered together in the name of Christ, are not a complete ecclesiastical body, having all the members and officers which Christ hath instituted; for they themselves hold that, in every Christian congregation, by Christ's institution, there ought to be at least five officers, and when those five shall be had, there must be also a certain number of Christian people to be governed and served by them. So that their argument doth not conclude that which they propose to prove.

Obj. They who have received Christ, have received with him power and right to enjoy him (though all the world be against it) in all the means and ordinances by which he doth communicate himself unto the church. But every company of faithful people, if

they be but two or three, have received Christ, therefore every such company, &c.¹

Ans. If, by the receiving of Christ, they mean the receiving of Christ on his throne, or the receiving of him in his ordinance of church government, then we deny their assumption; for every company of faithful people is not a church politically, as we have showed already. Indeed, every company of faithful people who have received Christ in this manner, hath right and title to enjoy him in all his political ordinances, yet not independently, but by a certain order and subordination. But if, by the receiving of Christ, they mean receiving of him to salvation, or receiving of him by his word and Spirit, we grant that not only every company of faithful people, but every particular Christian hath right and title to enjoy him in the mystical ordinances of the word, prayer, &c., as often as the same can be had; yea, further, hath right and title to the fruit and benefit of ecclesiastical jurisdiction, the exercise whereof is committed by Christ to the officers of the church *intuitu ecclesie tanquam finis*. But that every company of faithful people, who have received Christ to salvation, hath right and title to enjoy him in his political ordinances, by their own exercising of all ecclesiastical jurisdiction, and that independently, this is more than either hath been, or can be proved.

Obj. The union betwixt Christ and his church is as straight and immediate as the union betwixt the vine and the branches, betwixt the head and the body, betwixt the husband and the wife; therefore every true church of Christ hath direct and immediate interest in, and title to Christ himself, and the whole New Testament, and every ordinance of it.²

Ans. The straight union betwixt Christ and the church, expressed by these comparisons, cannot be understood of the church taken politically; for then the union betwixt Christ and the church might be dissolved as often as the church ceaseth to be ordered and governed as an ecclesiastical republic. It is, therefore, to be understood either of the invisible church, or, at most, of the visible church taken metaphysically or entitatively. But, I add withal, it is to be likewise understood of every faithful Christian, so that not only every true church, but every true member thereof, by virtue of this

¹ Justification of Separation, p. 317.

² Ibid. p. 112.

¹ Justif. of Separ., p. 112.

² Ibid.

union, hath direct and immediate title to Christ, and to the benefit of all his ordinances, for his edification and salvation. This is all which the argument can conclude, and it maketh nothing against us.

Obj. If all things be the church's, even the ministers themselves, yea, though they be Paul, Cephas, and Apollos, then may every church use and enjoy all things immediately under Christ. But the first is true, 1 Cor. iii. 21, therefore, &c.

Ans. Neither can this prove anything against us: For, when the Apostle saith, "All things are yours, whether Paul," &c., he is to be understood not only collectively of the church, but distributively of every believer, who hath right to the comfortable enjoyment and benefit of these things, so far as they concern his salvation. And, in like manner, I may say to the members of any particular congregation, All things are yours, whether sessions or presbyteries, or provincial or general assemblies. And what wonder? God is our Father, Christ our elder brother, the Holy Ghost our comforter, the angels our keepers, heaven our inheritance. It is therefore no strange thing to hear, that as the supreme civil power, so the supreme ecclesiastical power, is appointed of God in order to our good and benefit, that it be not a tyranny for hurt, but a ministry for help, Rom. xiii. 4; 2 Cor. xiii. 8, 10.

These are the objections alleged for the independent and absolute power of congregations. But this is not all: Some seem to make use of our own weapons against us, making objection from the form of the Jewish church, which we take for a platform. They say² that the synagogues of the Jews were not as the particular churches are now; for they were not entire churches of themselves, but members of the national church; neither could they have the use of the most solemn parts of God's worship, as were then the sacrifices. That the whole nation of the Jews was one church,³ having reference to one temple, one high-priest, one altar; and it being impossible that the whole body of a nation should, in the entire and personal parts, meet and communicate together in the holy things of God, the Lord so disposed and ordered, that that communion should be had after a manner, and in a sort, and that was by way of representation; for

in the temple was daily sacrifice offered for the whole national church. So the names of the twelve tribes upon the shoulders of the ephod, and upon the breast-plate, and the twelve loaves of shew-bread were, for Israel, signs of remembrance before the Lord. That now the church consisteth not, as then, of a nation, but of particular assemblies, ordinarily communicating together in all the church's holy things; whence it cometh that there are no representative churches now, the foundation thereof, which is the necessary absence of the church which is represented, being taken away in the New Testament.¹ That besides all this, if we take the representative church at Jerusalem for a pattern then, as there not only hard causes were opened and declared according to the law, but also the sacrifices daily offered, and the most solemn service performed without the presence of the body of the church; so now in the representative churches, such as presbyteries and synods, consisting of officers alone, there must be not only the use of jurisdiction, but the word and sacraments, whether people be present or not; for how can there be a power in the church of officers for the use of one solemn ordinance out of the communion of the body, and not of another?²

Ans. 1. To set aside the sacrifices, and other ceremonial worship performed at Jerusalem, the synagogues among the Jews had God's moral worship ordinarily therein, as prayer, and the reading and expounding of the Scriptures. 2. Whatsoever the synagogues had, or whatsoever they wanted of the worship of God, they had an ecclesiastical consistory, and a certain order of church government; else how shall we understand the excommunication, or casting out of the synagogue, the rulers of the synagogue, and the chief ruler of the synagogue? (of which things we have before spoken.)

I will not here dispute whether every sin among the Jews was either appointed to be punished capitally, or else to be expiated by sacrifices; but put the case it were so, this proveth not that no excommunication or ecclesiastical censure was then necessary; for, beside the detriment of the commonwealth by the violation of the law, which was punishable by death; and beside the *ἀναμία* and guiltiness before God, the expiation whereof, by the death of Christ,

¹ Justif. of Separ. p. 112.

² *Ibid.* p. 314.

³ *Ibid.* p. 161.

¹ Justif. of Separ. p. 162.

² *Ibid.* p. 163, 191.

was prefigured in the sacrifices, there was a third thing in public sins, which was punishable by spiritual censures, and that was the scandal of the church, which could not be taken away by the oblations of the delinquent, but rather made worse thereby, even as now a public offender doth not take away, but rather increase the scandal of the church by his joining in the acts of God's worship, so long as there is no ecclesiastical censure imposed upon him; neither yet (to speak properly) was the scandal of public offences punishable by bodily punishments, but the church, being a political body, had her own laws, and her own censures, no less than the commonwealth. 3. As the synagogues were particular churches politically, so all of them collectively were one national church politically, governed by one supreme ecclesiastical sanhedrim, which is the representative we meant of in our argument. 4. But if we take the national church of the Jews metaphysically, there was no representative thereof, unless it were all the males, who came thrice in the year to Jerusalem. The daily offering of sacrifices was not by a representative church, but by the priests; and though there were twelve loaves of shew-bread before the Lord, and the names of the twelve tribes upon the breastplate, this proveth not a church representative, but signs representative. 5. The body of the church is now, as then, necessarily absent from the consistorial actions of debating and deciding matters of church government, and of jurisdiction; and so that which was called the foundation of a representative church doth still remain.

Now, before I make an end, I must answer yet other two objections which have been lately made.¹ There is one who objecteth that the assembly of the apostles, Acts xv., can be no precedent nor pattern for succeeding ages: First, Because the apostles were inspired with the Holy Ghost, which wholly guided them in all matters of the church, so as in that their determination they say expressly, "It seemed good to the Holy Ghost, and to us, to lay upon you no greater burden," Acts xv. 28. Now, what synod in any age after the apostles could ever say that they were infallibly inspired and assisted by the Holy Ghost? Secondly, That injunction of the Holy Ghost and of the apostles was but *πρόσκατος*,

for that present time, for the avoiding of offences between Jews and Gentiles. But the like we read not afterward in all the writings of the apostles.

Ans. 1. I say with Whittaker,¹ *Posse alia, &c.*—'That other lawful councils may in like manner affirm their decrees to be the decrees of the Holy Ghost, if they be like unto this council, and if they keep the same rule which the apostles did keep and follow in this council; for if they decree and determine nothing but from the Scriptures, which was done in this council, and if they examine all questions according to the Scriptures, and in all their decrees follow the voice of the Scripture, then may they affirm that the Holy Ghost hath so decreed.' 2. If the doctrine or exhortation of a pastor, well grounded upon the Scriptures, be the word of God, then much more is the decree of a synod, well grounded upon the Scriptures, the decree of the Holy Ghost. 3. That assembly was not of the apostles alone, but of the apostles and elders; neither did the decrees proceed from the apostles alone, but from the apostles and elders, Acts xvi. 4; xxi. 25; and in the place which is now objected, Acts xv. 28, not the apostles alone, but the elders with them, say, "It seemed good to the Holy Ghost, and to us." What the elders did then, the elders may do now, for time hath not diminished their authority. 4. Nay, what the apostles did in that synod, the elders may do in a synod now; for the apostles then did nothing but in the ordinary and common way of disputing and debating, comparing reason with reason, and sentence with sentence, and thereafter framing the decree according to the light which they had by reasoning and by searching the Scriptures. But, which is most observable, the sentence of the Apostle Peter in that synod was very imperfect and defective, for he only dissuadeth from imposing the yoke of the ceremonial law upon the churches of the Gentiles, but maketh no mention of any overture for avoiding the offence betwixt the Jews and the converted Gentiles at that time, which I may suppose he would have done if his light and judgment had carried him that far: In this the Apostle James supplieth the defect of Peter's sentence, and propoundeth an overture which pleased the whole council,² and

¹ Christ on his Throne, p. 57, 58.

¹ Contr. 3, de Conc. quest. 6.

² Apud Whittaker, ubi supra.

according to which the decree was given forth. This made Luther to say that James did change the sentence of Peter. And all this it pleased God so to dispose, that we might understand that synod to be indeed a precedent and pattern for ordinary synods in succeeding ages. 5. Henry Jacob, in his third argument for the divine institution of the church, saith, "It is absurd and impossible that the text, Matt. xviii., was never understood for fifteen hundred years after Christ." Sure this text, Acts xv., was never understood for that whole space, if the assembly there mentioned be not a precedent to succeeding ages. 6. It maketh nothing against us that he saith, the decree of the apostles and elders, was for that present time only; nay, it maketh for us; for in this also that synod was a pattern to succeeding ages, forasmuch as synods now have no power to make a perpetual restraint from the practice of any indifferent thing (such as was then the eating of blood, and things strangled), but only during the case of scandal. And, moreover, the decree of the apostles and elders in that synod, is also perpetual, in so far as it is conceived against the pressing of circumcision as necessary to salvation.

One objection more I find in another late piece,¹ which striketh not at the authority alone, but at the very reputation of synods. This author allegeth that the ordinary government by synods is a thing of great confusion, by reason of the parity and equality, the voices being numbered, not

weighed. *Equidem* (saith a wise father) *ut vere*, &c.—'To say the truth, I am utterly determined never to come to any council of bishops; for I never yet saw good end of any council; for councils abate not ill things, but rather increase them.' *Ans.*

1. If the parity and equality make a great confusion in the ordinary government by synods, it shall make no less, but rather greater confusion, in an extraordinary synod; so that there is no ground for his restriction to that which is ordinary. 2. If the numbering of voices, and the parity of those that do voice, make a confusion in synods, why not in parliaments also, and in other civil courts? 3. That testimony doth only strike at the councils of bishops, and so maketh not against parity, but against imparity in councils: And, to say the truth, we have found in our own experience, that prelatical synods have not abated, but rather increased evils in the church. 4. The words of Nazianzen (for he is the father here meant of) are not to be understood against synods, but against the abuse of synods at that time. And in this we must pardon him, saith Whittaker,¹ that he shunned all synods in those evil times of the church, when the Emperor Valens was opposite to the catholic faith, and when the faction of heretics did most prevail; in that case, indeed, synods should have produced greater evils. But we trust it shall be now seen that well-constituted and free synods of pastors and elders, shall not increase, but abate evil things.

¹ A Wise and Moderate Discourse Concerning Church Affairs, p. 25, 26.

¹ Ubi supra, quæst. 1.

A POSTSCRIPT,

IN ANSWER TO A TREATISE VERY LATELY PUBLISHED,

WHICH IS INTITLED

“ THE PRESBYTERIAL GOVERNMENT EXAMINED.”

When the printer had done all except two sheets of my former treatise, there came to my hands a piece against presbyterial government, which promiseth much, but performeth little. Though my time be very short, yet I trust to make an answer to it a full as it deserveth.

It hath a magisterial and high-sounding title, undertaking the examination of presbyterial government; but presbyterial government secretly smileth, because while she was ready to say much more for herself he did not put her to it, lest himself should have been put *ad metam non probandi*. But he particulariseth himself, and telleth us he hath unfolded the weakness of our grounds, and disproved our pretended proofs. The truth is, that the best of them, and the most of them, he hath not touched. He addeth, that he hath proved out of the word of God the liberty of the people in choosing their own officers. This may be added *caute*, but *caute*, I am sure it is not. He would make the world believe that Presbyterians are against the people's election of their officers, which is a calumny. He saith, he hath annexed certain arguments, proving presbyterial government to be contrary to the pattern which Christ hath left in the New Testament. These arguments shall be answered with no great difficulty. In this place I shall only say a word of them in general. The man hath a notable faculty

of proving that wherein the Presbyterians do agree with him, and passing that wherein they disagree from him. Many human testimonies and citations of writers he mustereeth together, to make a simple reader believe that many are of his judgment; but I find none of them all, except two or three, to affirm anything which we deny. But why hath he taken all this pains? He will present it, forsooth, to the King's most excellent Majesty, and to the right honourable Lords, and the honourable House of Commons, now assembled in parliament, as if it were to be expected that a popular and independent form of church government in every congregation, which should most certainly open a door to a thousand remediless confusions, may obtain his Majesty's royal assent, or the acceptance of the high Court of Parliament. Nay, brother, seek some other friends to your cause, for, if wise men be not too much deceived, the king and the parliament, in their great wisdom, do foresee that whensoever Episcopal government shall be removed another form of provincial and national church government must needs succeed unto it.

Now, to come to the substance of his discourse, First, He maketh a quarrel against the presbyteries of particular churches (which are in Scotland called sessions), then against all higher consistories in the church. As for the presbyteries of particular churches,

he judgeth them three ways defective, p. 1. First, He requireth that all who are admitted into the company of elders, even the governing or ruling elders, should be apt to teach, and able to exhort with sound doctrine and convince gainsayers, 1 Tim. iii. 1; Tit. i. 5, 7, 9, and that not only privately, or in the consistory, but in the public assembly also, if not exactly, yet competently.

Ans. 1. Though ruling elders ought to teach, exhort, rebuke, &c., both in the consistory and privately from house to house, as the case of every family and person doth require (which is all that can be drawn from those alleged places to Timothy and Titus, if so be they thought at all to be extended to ruling elders), yet there is no place of Scripture to prove that they ought to teach publicly in the congregation. 2. That expression *if not exactly, yet competently*, is somewhat mysterious. 3. Ruling elders are expressly distinguished from those that labour in the word and doctrine, 1 Tim. v. 17, and from those that teach or exhort, Rom. xii. 7, 8. 4. If ruling elders shall teach publicly in the congregation *ex officio*, and with cure of souls (as they speak), why shall they not also minister the sacraments, which are pendicles and seals of the word, and therefore committed to those who are sent to the public preaching of the gospel, Matt. xxviii. 19. 5. Though he speak here only of ruling elders, yet I doubt he requireth of, at least will permit to, all men that are members of the church the same public teaching and prophesying in the congregation.

The second defect which he wisheth supplied is, that the temporary ruling elders may be made perpetual and for life, which he enforceeth by four reasons, p. 23. This I assent unto, providing he admit a distinction betwixt the office itself and the exercise of the same. The office of a ruling elder ought to be for his life no less than the pastors; yet must we not condemn those churches which dispense with the intermission of their actual attendance for a certain space, and permit them to exercise their office by course, as the Levites did of old, whose example himself here taketh for a pattern.

The third thing he saith is of most moment, p. 4. He doth complain that the elders do not administer their public office publicly as they should, but only in their private consistory. He doth permit them

indeed to meet apart for deliberation (whereof we shall here afterward), but he will have their church office, which in the Lord they have received, to be executed publicly in the face of the congregation. 1. Because an office, public in the nature, ought also to be public in the administration. 2. Because the reformed churches cannot know their elders whether they be good or bad, except by hearsay. 3. Because otherwise the elders, cannot ministerially take heed to the whole flock as they are warned to do, Acts xx. 28.

Ans. 1. Ruling elders do execute their office not only in the consistory, but from house to house throughout all the bounds of the congregation, which may easily make them known to that church where they serve, whether they be good or bad. 2. Their consistorial sentences in all matters of importance, such as ordination, church censures, excommunication, &c., are made known to the whole church. 3. He passeth a short censure upon the reformed churches. *The reformed churches* is a great word, but this man maketh a mote of it. 4. The place, Acts xx. 28, cannot help him, for ruling elders do feed and oversee the whole flock, both by discipline in the consistory and by taking heed to all the sheep severally, as every one had need, and in that respect may be called both pastors and bishops. Beside, I doubt he can prove that place to be meant of ruling elders. He goeth on to make plain what he hath said, by descending to some particulars in which the elder's office seemeth especially to consist; and these are, saith he, the admitting of members into the church upon profession of faith made, and the reprovng and censuring of obstinate offenders. These are the most frequent public administrations of the office of ruling elders. And what of them? He saith, as they leave the execution of these things to the elders alone in the settled and well ordered state of the church, so do they deny that they can be rightly and orderly done, but with the people's privity and consent. His restriction to the settled and well ordered estate of the church I cannot understand. He had done well to have explained what he meaneth by that not settled, nor well ordered state of the church, in which he thinks it belongeth not to the elders alone to admit or cut off members. His other ambiguous expression I understand better, for by the people's privity he meaneth, that the people should hear the

voices and suffrages of the elders; and by the people's consent, he meaneth the people's voting with the elders, as we shall hear afterward, p. 6. That the admission of members ought to be with the people's privity and consent, he will prove by two reasons, p. 6: 1. Because we find in the Acts of the Apostles that men were received into the fellowship of the church, and baptised publicly, and in the face of the congregation. 2. Because the whole communalty, being nearly to join with these that are admitted, ought to take knowledge of the profession of their faith. These reasons can neither conclude the people's right of suffrage in this matter, nor so much as the people's hearing of the suffrages of the elders, but only that the matter might not be ended without the people's knowledge and tacit consent. Beside, there is no small difference to be put betwixt the admission of Jews, infidels, and heretics, upon their profession of the true Christian faith, and the admission of such as have transported themselves from another Christian congregation, bringing with them a sufficient testimony of their holy profession of faith and good conversation. In the meanwhile let the reader note, that this disputer hath here in a parenthesis interlaced gross anabaptistry, holding it a kind of unorderly anticipation to baptise infants, who cannot give a confession of their faith. And within a few lines he lets another thing fall from his pen, which smelleth strongly of the anabaptistical tenet, concerning having all things common, even bodily goods.

But I proceed with him (p. 7) to the second head, concerning excommunication and church censures by the elders, with the people's privity and consent. This he proveth by three arguments: 1. Because Paul saith, "Them that sin rebuke before all, that others also may fear," 1 Tim. v. 20,—a brave argument indeed. This charge is not given to ruling elders, and if it had, it can neither prove the suffrage of the people, nor their hearing of the suffrage of the elders, but only the execution of the sentence of the elders, in the presence and audience of the congregation. 2. He argueth from these words, "Tell the church," Matt. xviii. 17, where he would make it appear that, by *the church* is not meant the senate of elders excluding the people (p. 8); yea, he saith that, in this circumstance now in consideration, it comes nearer the truth to

expound *the church* to be the bishop, since neither bishops nor their court-keepers do exclude the people from their consistories. Sure I am, in Scotland (let others speak for themselves), the bishops in their visitations, high commissions, privy-conferences at synods (in which they passed their decrees) did exclude both the people, and the most part of the ministers. He thinketh it a course unheard of, either among Jews, Gentiles, or Christians, before this last age, that public judgments should be privately exercised, and without the people's privity. This (if at all to the point) must be understood, not of the final execution, but of the judicial sentence or decree. What then shall we think, that the senators at Rome, or the Arcopagites at Athens, did never conclude or decree anything concerning a public judgment, except in the audience and presence of the people. The judges in Israel did sit in the gates of the city, that all persons, both poor and rich, great and small, might have access unto them with their complaints, and that the sentence of judgment might be the more notorious and exemplary, being given forth and promulgate in the gates. This proveth not that the judges did debate, voice and conclude all matters in the public audience of the people, (p. 9.) It appeareth rather that they were so accommodate, that they might do these things apart from the multitude. It is too much for him to affirm, either that the synagogues were places of civil conventions and judgments (p. 9), or that nothing was in the synagogues decreed without the people's privity, while as he hath given no proof nor evidence at all for it.

You need not, my masters, be so curious in the notation of the name *ἐκκλησία*, which every smatterer in divinity knoweth. But what of it? You say the elders (as such) are called, to wit, to their office of eldership; but called out they are not, being themselves to call out the church. It is true that the word *ἐκκλησία* noteth not only a calling, or a gathering together, by virtue of verb *καλεῖσθαι*, but also a separation by virtue of the particle *ἐκ*. But I hope it is no paradox to say, that the elders are both called or gathered together unto the eldership, and called out or separate from the rest of the church to that office. And it is as far from a paradox to say, that they who are called out cannot call out others, especially the one calling out being to an office,

and the other calling out being from nature to grace.

He cannot think that the name *ecclesia*, —‘church,’ hath been used by any Greek author before the apostles’ times, or in their days, or in the age after them, for the assembly of sole governors in the act of their government. I shall first give instances against him in the verb, because, he said, the elders (as such) cannot be said to be called out. The Septuagint read, Deut. xxxi. 28, *ἐκκλησιάσoure*, “Gather unto me all the elders;” the like you may find, 1 Kings viii. 1; 1 Chron. xxviii. 1. I shall next put him in mind that the Septuagint sometime turn *kahal* by *συνέδριον*, as Prov. xxvi. 26, “His wickedness shall be showed before the whole congregation,” —*ἐν συνέδριῳ*. And it is plain that the name of the congregation, or church, is given to the elders; for that which is said of the elders, Deut. xix. 12; Josh. xx. 4, is said of the congregation, Num. xxxv. 24; Josh. xx. 6; so Exod. xii. 3, compared with ver. 21.—This, if he will not take well from us, let him take it from an anti-presbyterian, who observeth from 1 Chron. xiii. 1, 2, 4; 2 Chron. i. 3, that both *kahal* and *ἐκκλησία* are used for the elders and governors, *Guide unto Sion*, p. 5. The place, Deut. xxiii. 1—3, is well worthy of observation. It is ordained that he who is wounded in the stones, or hath his privy member cut off, or is a bastard, or an Ammonite, or a Moabite, shall not enter into the congregation of the Lord to the tenth generation. The word is *kahal* in the Hebrew, and *ἐκκλησία* in the version of the LXX.; yet Junius, Piscator, and Pelicanus on that place; and Martyr, on Judg. xi. 1, hold that by the church or congregation in that place is meant *confessus judicium*, —‘the court of judges and rulers,’ which is called “the congregation of the mighty,” Psal. lxxx. 2. So that the true sense of the place is the secluding of those persons from bearing any office or rule in the commonwealth of Israel, whereby they might be members of those courts which did represent Israel. The same sense is given by Lyranus, Cajetan, Oleaster, Tostatus, and Lorinus; and, which is more to be thought of, Ainsworth himself expoundeth it so, and further sheweth that it cannot be meant of joining to the faith and religion of Israel, or entering into the church in that respect, because Exod. xii. 48, 49; Num. xv. 14, 15. All

strangers were, upon their circumcision, admitted into the congregation of Israel to offer sacrifices, and, by consequence, to enter into the court of the tabernacle, which also appeareth from Lev. xxii. 18; Num. ix. 14. The point being now cleared from the holy Scriptures, we shall the less need to trouble ourselves in the search of profane authors; yet Pasor findeth Demosthenes using the word *ἐκκλησία pro concione magnatum*.

As for that common expression of divines,¹ (p. 10) that the elders are the church representative, we desire not to wrangle about names, so that the thing itself (which is the power and authority of the officers sitting and judging apart from the people) be condescended upon. Yet let us see upon what grounds the name of a representative church is, by this man, so superciliously rejected. First, He saith that no godly, no, nor reasonable man will affirm that this representation is to be extended to any other acts of religion than those which are exercised in the government of the church. But *quo warranto*? Shall a man be both ungodly and unreasonable, for affirming that the elders may and ought to represent the church where they serve, in preferring a petition to the king and the parliament for a reformation, or in bearing witness of the desolate condition of the parish through the want of a ministry, or in giving counsel to a sister church, though these be not acts of governing the church. Well, be it as he saith, what great absurdity shall follow! Then, forsooth, it appertains to the people, primarily and originally under Christ, to rule and govern the church, that is, themselves. But who, saith he, will so say of a government not personal, but public, and instituted as the church is? Surely they who think the power to be originally in the people, might here easily reply that this is no more strange than to say that the power, which is primarily and originally in the body of a kingdom, is exercised by the parliament, which is the representative thereof. But because many learned men deny the power of church government to be originally in the people, though others (and those very learned too) do affirm it, therefore, to pass that, I shall serve him with another answer; for as we can defend the authority of presbyteries and synods without

¹ Polan. Synt., lib. vii. cap. 11, p. 539.

wrangling about the name of a representative church, so can we defend the name of a representative church, without debating the question, whether the people have the power originally or not. May he, therefore, be pleased to take notice of other grounds and reasons for the name of a representative church, as namely, first, What the elders, with the knowledge and tacit consent of the church, do approve or dislike, that is, supposed to be approved or disliked by the whole church, which importeth that the church is, in some sort, represented by the senate of elders. Secondly, As we say we have seen a man, when haply we have seen nothing but his head or his face, which maketh him known unto us (whence it is that painters represent men unto us oftimes, only from their shoulders upward), so do we discern and know a visible political church, when we see in the senate, as it were, the head and face thereof, the officers being as eyes, ears, nose, mouth, &c., to the church; that is, being the most noble and chief members whereby the body is governed. Thirdly, The senate of elders is said to represent the church, because of the affinity and likeness betwixt it and the senate, which representeth a city, or some inferior civil corporation,—affinity, I mean, not every way, but in this, that the government is not in the hands of all, but a few, and that those few were chosen with the consent of the whole corporation. Fourthly, And if, for these reasons, the eldership of a particular church may be called a representative church, there is much more reason for giving this name to a classical presbytery, or to a synod provincial or national; for these do result out of many particular churches, being made up of their commissioners.

His second reason he taketh from the nature of representations, alleging, that if the elders in their consistory represent the church, then whatsoever they either decree or do, agreeing to the word of God, that also the church decreeth and doth, though absent,—though ignorant both what the thing is, and upon what grounds it is done by the elders; and this, how consonant it is to Papists' implicit faith, he leaveth it to wise men to consider. This argument is as much against the representations of kings and states, by their ambassadors and commissioners, as it is against the representation of churches by the consistory of elders; and so all the wisdom of princes and states, in

their embassies, shall turn to implicit faith, because, according to this ground, what the representing doth within the bounds of his commission, that the represented doth *implicitè*. And now, I shall leave to be considered by wise men these vast differences betwixt the Papists' implicit faith and the case of our churches governed by elderships: 1. The church assenteth not to that which the consistory of elders decreeth or doth, except it be agreeing to the word of God, as the reasoner himself saith; but there is no such limitation in the Papists' implicit faith. 2. The consistory of elders doth not press anything upon the church imperiously, or by naked will and authority, without any reason, as the church of Rome doth with those from whom she requireth implicit faith. 3. The Papists know not what those things be, which they believe by implicit faith; so that such a faith is rightly called *mera articulorum fidei ignorantia*,—‘a mere ignorance of the articles of faith;’¹ but the decrees of our elderships, whereunto our churches do consent, are made known unto them. 4. Our churches are, by the judgment of Christian discretion, to examine all things propounded unto them, even the decrees of the elders, whereas Papists may not examine what the church propoundeth or commandeth. 5. Papists, by their implicit faith, believe whatsoever the church believeth, because they think the church cannot err; but our churches conceive not only their particular elderships, but œcumenical councils to be subject to error.

Come we now to his third general reason (p. 11), whereby he laboureth to prove that the consistorian course is contrary to the practice of the apostolic churches, because the Apostle, 1 Cor. v., writeth to the whole church of Corinth, to excommunicate the incestuous man. And that by these words, “when you are come together” (p. 12), the whole church is to be understood, he proveth by three reasons. The strength of them all we shall take together in one argument, thus: They among whom the fornicator was, who were puffed up when they should have sorrowed, and out of the midst of whom he was to be put who had done that thing, to whom it appertained to purge out the old leaven, and to whom the Apostle wrote not to be commingled with fornicators or covetous persons, they were to

¹ Ger. Loc. Theol., tom. iii.; de Justif., p. 114.

be gathered together into one, and to judge and excommunicate that incestuous person.

But they, among whom the fornicator was, &c., were not the elders alone, but the whole church; therefore, &c.

And now what shall this disputer say, if I cleave this his strong argument with a wedge of his own timber; thus:

If they, among whom the fornicator was, who were puffed up, when they should have sorrowed, and out of the midst of whom, &c., were to judge and excommunicate that incestuous person, then women were to judge and excommunicate him, and not men only. But the latter is absurd, therefore so is the former. My proposition he must either grant, or else say that the incestuous man was not to be put out of the midst of women, and that the Apostle did not forbid women to be commingled with fornicators. My assumption is his own (p. 24), where he tells us, from 1 Cor. xiv. 34, 35; 1 Tim. ii. 12, that women are debarred from liberty or right of voting in public ecclesiastical matters. Then let him see to the conclusion.

Another proof (p. 18) of the same point, he addeth from 2 Cor. ii., where he writeth to these same Corinthians, to receive, pardon and comfort the penitent, which I might repeat in the same manner. But there is a word in that same chapter which may clear the thing, ver. 6, "Sufficient to such a man is this punishment (or censure), which was inflicted on many." Which many, if (as he saith in the next page) the Apostle had opposed to himself alone, and not to all, then he said but the half of that which he meant to say. He would have the Corinthians to think it enough, that the man had been publicly censured by so many as were in their presbytery. Now if he had been censured by the whole church, it had been more fit and emphatical to have said "censured by all." But there is another sense which well fitteth the place.¹ Heinsius observeth that *πλείους* is one thing, *οἱ πλείους* another thing: the former noting those that exceed in number, the latter those that are chief in dignity; and that, therefore, the Apostle, when he saith *ὑπὸ τῶν πλείονων*, meaneth the rulers and elders of the church: so that the reading shall be this, "Sufficient to such a man is this censure inflicted of the

chief." In the same sense Piscator taketh the words, which also he doth illustrate from Matt. xii. 41, 42, *πλεῖον Ἰωνᾶ*—'a greater than Jonah;' *πλεῖον Σολομώντος*,—'a greater than Solomon.'

To conclude this case, the Apostle, as in other epistles, so in this, doth sometime point at common duties belonging to the whole church, sometime at the duties of officers. That the whole church of Corinth should have sorrowed for the incestuous man, and that it was a common duty to them not to be commingled with fornicators, and to "have no fellowship with the unfruitful works of darkness, but rather to reprove them:" Eph. v. 11: in like manner it concerned them all to comfort him, being penitent. But as for the judging and excommunicating of him, that did belong only to the presbytery of Corinth, and so Calvin, Piscator, Pareus, and many others, expound the Apostle's words.

His digression (p. 13, 14) to prove that the Apostle alone did not give forth sentence judicially upon the offender, is not against us, but against the prelatical party; therefore I pass it.

What he allegeth from Acts i. 6, 14; (p. 15, 16, 17, 19), for the church's right of suffrage in the election of officers, we do most heartily assent unto it, with this distinction, that when the case is such as it was in the examples alleged, that is, when visible political churches are to be erected, not having been before, then the right of suffrage in elections doth indeed belong to the whole body; and though this way of election were ordinary, it cannot prove that the people have the power of that authority in them, to which they elect the officers, no more than the electors of the emperor have in them power of the imperial dignity, saith Baynes. But now it is not ordinary, for when there is already a settled ecclesiastical republic, or a church with officers, the officers for the time being ought, by their suffrages, to elect the officers that are wanting, with the knowledge and consent of the church.

Somewhat he demurreth upon Acts xv. (p. 17, 18); for the vindication of which place I refer my reader to the second part of the former Treatise, chap. 1 and 3. Neither shall I stay to examine by what method either this discourse, or the other about elections, falleth into the proof of his proposition, concerning that part of the

¹ Exorc. Sacr. in illum locum.

elder's office, which standeth in the censuring of offenders.

He falleth at last into his own channel (p. 21), concluding it to be a thing most equal, that the whole church should clearly and undoubtedly take knowledge of the contumacy of the person that is to be excommunicated, and of the crime for which; and this we also say with him.

One word I desire to have cleared before we proceed. One of his grounds in his discourse about elections (p. 20), is, that the church officers, as they are the servants of Christ Jesus, so also her servants for Jesus' sake, 2 Cor. iv. 5. The professors of Leyden¹ say well, that they are not properly the servants of the church, but of God and of Christ; they are not lords of the church neither, but rulers, guides, bishops, and pastors of the church; yet not servants of the church except *objective*, that is, the servants of God in the church, or for the church's good. If this be his meaning, it is well. But I doubt he hath another meaning, and that is, that the church doth give the power, which is her's, unto her officers, as her servants, to exercise it in her name. If this be the matter, then let us mark with Baynes,² that the church doth not virtually and out of power make an officer, but she doth it in steward-like manner, ministering to the sole lord and master of the house, so that he who is taken in doth not his office in her name, but in his master's name; as a butler, taken in by the steward of the house, doth not execute his office in the steward's name, but in his master's, who only, out of power, did confer it on him.

But now, lest any should conceive of him and those of his side, that they either exercise amongst themselves, or would thrust upon others, any popular or democratical church government; therefore he desireth the reader to make estimate, both of their judgment and practice in this point, according to these three declarations (p. 22).

First, he saith, they believe, that the external church government under Christ is plainly aristocratical, and to be administered by some choice men, although the state be after a sort popular and democratical. In respect of the latter, he saith (p. 23), it appertains to the people, freely to vote in

elections and judgments of the church; in respect of the former, that the elders ought to govern the people, even in their voting in just liberty, by propounding and ordering all things, and, after the voting of the church, solemnly executing either ordination or excommunication. Behold how he runneth upon the rock of popular government, even whiles he pretendeth to have his course another way: God send us better pilots. I remember I have read in sundry places of Bodin, *De Repub.*, that the state is oftentimes different from the government. But sure I am, this anti-consistorian maketh not only the state, but the government of the church, to be democratical, and that in the superlative degree, for the government is democratical, at least composed of a mixture of aristocracy and democracy (which is the most that he dare say of the church government) where the people have the liberty of electing their own officers and rulers, and where the senate so far observeth the people, that they may not pass the final act, in any matter of importance, without the knowledge and tacit consent of the people, though the people do not vote in the senate, nay, though the senate do not vote in the hearing of the people. Now, this seemeth not enough to those with whom we have now to do. They will have the people freely to vote in all judgments of the church. And what is that but the very exercise of jurisdiction by the people, which is the democracy of Movellius, condemned by Parker himself,¹ who maketh the exercise of ecclesiastical power proper to the rulers of the church, though he placeth the power itself originally in the whole church. Let it further be observed what difference those men make betwixt the elders and the people in the government of the church; that which they make proper to the elders is only the propounding and ordering of matters, and the executing of some solemn act in name of the church. This is no more than belongeth to the moderator or preses in any consistory. But they will have the matter to be determined according to the most voices of the people. And so the new form of church government which is here laid before us, is a mere democracy with many moderators, which is the most monstrous government that ever was heard of.

¹ Synops. dist. 49, th. 1.

² Diocesan Trial, p. 88.

¹ De Pol. Eccl., lib. iii. cap. 7.

His second declaration is, That the elders may and ought at times, to meet apart from the body of the church for deliberation. This, if he mean only of that which he specifieth,—the preparing of things so as publicly, and before the people, they may be prosecuted with most conveniency,—it is no more than what many require in moderators of synods, to whom they think fit that some assessors, or coadjutors, be adjoined for deliberating in private upon the most orderly and convenient prosecuting of purposes in public, which, as it hindereth not the government of synods to be aristocratical, so neither doth the deliberation of the elders in private hinder the government now in question to be democratical. But, if he mean generally that the elders may deliberate apart upon everything whatsoever which is to be voiced by the people, then I ask, by what reason doth he seclude from the deliberations those who are to voice? For to give being and force to an ecclesiastical decree by voicing, is more than to deliberate upon it, whence it is that Papists give to Presbyters a deliberative voice in councils, but not a decisive voice, and we also permit any understanding godly man to propound a matter to a synod, or to reason upon it, though none have power of suffrage but the commissioners of churches; so that he had greater reason to seclude the people from the voices than from the deliberations.

His third declaration (p. 24) comes last, and that is, that by the people, whose right in voting they thus stand for, they understand not women and children, but only men, and them grown, and of discretion. Before he did object to us that neither in Scripture nor in Greek authors, the name *church* is used for the assembly of sole governors; and to this I suppose I did give a satisfactory answer. But, good sir, be pleased mutually to resolve us where you have read in Scripture, or in Greek authors, the name *church* (setting aside all representatives of churches and assemblies of sole governors) used for men alone, and them grown and of discretion, secluding women and children; for now I see your reserved gloss upon those words, “Tell the church:” *Tell all the men in the parish that are grown and of discretion.* You must not take so much upon you, as to expound that text by a synecdoche, which none that ever wrote upon it before yourselves did imagine,

and yet challenge us for expounding it by another synecdoche, following Chrysostom, Euthymius, Faber, Stapulensis, and many late interpreters, who understand by *church* in that place, the rulers of the church, which are the noblest part of the church. I shall shut up this point with the words of Hyperius,¹ who saith that we must not understand by the church the whole multitude, *Sed potius delectos, &c.*—“But rather certain choice elders, noted for their learning and godliness, in whose power the church will have to be the judgment in such like causes, which is proved from that, that, Matt. xviii., after it was said, *Tell the church*, it is added, *where two or three are gathered together in my name, there am I in the midst of them.*” And, 2 Cor. ii., he saith, “Sufficient is this censure inflicted by many.”

We have now done with the elderships of particular churches, but there is another blow which I perceive is intended against classical presbyteries and synods, provincial and national, for the due power by which my opposite would have the church to be governed, he layeth before us in this assertion (p. 24, 25), that “Every particular visible church hath from Christ absolute and entire power to exercise in and of herself, every ordinance of God, and so is an independent body, not standing under any other ecclesiastical authority out of itself.” And this he will prove by ten arguments; but I shall not need to multiply answers as he doth arguments, because many of them are coincident. The first, third, fourth, and sixth, do all hit upon the same string. The first is thus (p. 26): If those churches, planted by the apostolic institution, had power fully in themselves immediately from Christ to practise all his ordinances, then have all churches the like power now. But the first is true; therefore, &c. The third thus (p. 28): Whatsoever was commanded by the seven churches to be practised by each of them apart, in and for themselves, that no church of God must now omit. But ecclesiastical government was commanded to the seven churches to be practised by each of them, &c. The fourth, thus (p. 28, 29): If the church of Corinth had power and authority within herself to exercise ecclesiastical government, then ought not particular congregations now to stand under any

¹ Comment. in 1 Cor. v. 4.

other ecclesiastical authority out of themselves. But the first is true; therefore, &c. The sixth thus (p. 30): If the Apostle gave commandment unto the eldership of Ephesus for the whole administration of all ordinances in that church, then may the eldership of every particular congregation administer among themselves all God's ordinances. But the first is true; therefore, &c.

Now for answer to these: First, I simply deny the connection of the proposition of the fourth argument, because it argueth *a genere ad speciem affirmative*, from the exercising of ecclesiastical government, to the exercising of it independently. Neither hath he said anything for proof hereof. Next, the reader will easily perceive that both in the first and sixth argument, his citations in proof both of the propositions and assumptions, have not so much as the least colour of pertinency, and far less of proof. In both these arguments, when he would prove the proposition, he speaketh to the assumption, and contrariwise. But these things I delight not to insist upon; only I shall give two distinctions, any one of which, much more both of them, shall make these argument wholly unprofitable unto him. First, I distinguish his propositions: That power and authority which the church of Corinth, the seven churches of Asia, and other apostolical churches, had to exercise ecclesiastical government in and for themselves, the like have all churches now which are of the like frame and condition; but the most part of particular churches now are of a different frame and condition from the apostolic churches, and so have not such fulness of power as they had. Put the case, that the apostolic churches were no greater than might, and did ordinarily assemble together into one place for the worship of God, yet since by reason of the troubles of those times (which suffered not the Christians to spread themselves abroad all the country over, but confined them within cities and safe places) those churches were not planted so thick and near together as that they might have the conveniency of synodical consociation; hence it appeareth that they might do many things in and by themselves, which particular congregations now, having the conveniency of consociation with neighbour churches, ought not to do in and by themselves. But this I have said gratis, having in my former treatise at length declared that the apostolic churches

(at least the most and principal of them) were greater than could assemble ordinarily in one place of worship, and that they were served with sundry, both pastors and elders, and that therefore our parochial churches ought not to be, in respect of the points in question, compared with their churches, nor our parochial presbyteries with their presbyteries.

The second distinction which I have to propound, is concerning the assumptions of the arguments now in hand. The apostolic churches did indeed ordinarily exercise ecclesiastical government and all the ordinances of Christ, in and for themselves, yet so that when the occasion of a synod did occur for determining a question which was too hard for particular churches, and was also common to many churches, in that case they did submit themselves to the authority of the synod. Which hath also before been made plain from Acts xv. To practise all the ordinances of God in a church is one thing, and to practise them independently so as never to be subject to the authority of a synod, is another thing. My antagonist doth after take it for granted, and saith, (p. 32), that *all learned men have granted* that the churches of the apostolic constitution were independent bodies. But whence are you, sir, that would make your reader believe there are no learned men in the churches of Scotland, France, the Low Countries, and the other reformed churches which have the government of presbyteries and synods, conceiving it to be most agreeable to the apostolical pattern? Have you put out of the category of learned men all Protestant writers, who, in the controversies about councils, dispute against Papists from Acts xv. 2? Why did you not among all your impertinent allegations, cite some few of those learned men who grant the apostolic churches to have been independent bodies? But we must hear what more you have to say.

Your first eight and ten arguments are in like manner coincident (p. 29). The first you frame thus: Such actions the church may lawfully do wherein no law of God is broken. But there is no law of God broken when particular churches do in and among themselves exercise all God's ordinances; therefore, &c. The eighth thus: Whatsoever government cannot be found commanded in the written word of God ought not to have any place in the church of God.

But the government of presbyteries and synods over many particular congregations cannot be found commanded, &c. The tenth thus (p. 34): It is a sin against God to add anything to that form and manner of ordering churches which Christ hath set forth in the New Testament. But to subject particular congregations under any other ecclesiastical authority out of themselves, is to add, &c.

Now, the word *independently* must be added to the assumption of the first argument, else it cannot conclude what he affirms and we deny; for there is no question but particular churches may exercise in and among themselves all God's ordinances in those cases and with those distinctions which I have spoken of before, part 2, chap. 2. This being cleared, I deny the assumption in all these three arguments. I expected proof for it, but he hath given none, except that it cannot for shame be denied. I had thought it rather a shameful thing for a writer to trouble his reader with arguments which he cannot make good. But what saith he to the professors of Leyden,¹ who hold the institution of synods not to be human but divine, which they prove from Matt. xviii. and Acts xv. Nay, what is more ordinary in Protestant writers than the applying of those words, "Where two or three are gathered together in my name, there am I in the midst of them," unto synods and councils; and hence they condemn the popish councils, inasmuch that Bellarmine, Salmeron, and other Jesuits have in this contradicted all our writers, telling us (as these men do) that our Saviour meaneth not of councils in these words. Moreover, that commandment whereby we stand obliged to follow the example both of the Jewish church in the Old Testament, and of the apostolical churches in the New Testament, in such things as they had not for any special reason which doth not concern us, is transgressed by the withdrawing of congregations from subjection unto synods. Of which things I have said enough before. It is now but a poor begging of that which is in question, to object that the government of presbyteries and synods hath no warrant from the word of God.

Come we then to examine his other arguments. His second he composeth thus (p. 27): If Christ, in Matt. xviii. 17, where

he saith, "Tell the church," doth mean a particular congregation, then hath every particular congregation an entire power in and of itself to exercise ecclesiastical government, and all other God's spiritual ordinances. But the first is true; therefore, &c. For the proposition he citeth some writers who do not speak of such a connection as he had to prove. The assumption he proveth thus: That church which Christ intendeth in Matt. xviii. hath absolute power in and of itself to perform all God's ordinances. But Christ intendeth in Matt. xviii. a particular congregation; therefore every particular congregation hath absolute power, &c. How bravely doth he conclude the point! *Spectatum admissi risum teneatis amici.* We will not examine our examiner's logic: we know what he would say, and we would have him to know again that Christ, in Matt. xviii., meaneth indeed some sort of a particular congregation, but neither only nor independently. Nay, he meaneth all the consistories of the church, higher and lower respectively, as Parker conceiveth, whose words I have before set down; and to this sense the thread of the text doth lead us, for as in the preceding words there is a gradation from one to two or three more, then to the church, so is there a gradation (by the like order and reason) in the consistories of the church. Tostatus upon this place acknowledgeth that *diæ ecclesiæ* reacheth as far as to an œcumenical council when particular churches err in their determinations, or when the cause is common to all the churches, for example, when the Pope is to be condemned.

His seventh argument (p. 31) follows in my order, and it runneth after this manner: Such offices and callings, without which the church of God is complete and perfect for government, are superfluous and human. But the church of God may be complete and perfect for government, without presbyterial and synodical offices and callings; therefore, &c. I answer by a distinction: Such offices and callings without which the church of God is (according to the course of God's ordinary providence, or at all times and in all cases,) perfect and complete for government, are indeed superfluous and human. But that such offices and callings without which the church, by the absolute power of God, or at some times and in some cases, is perfect and complete, are superfluous and human, we utterly deny. Now, for the

¹ Synops. d. 49, th. 10, ex. d. 42, thes. 62.

point of synods, I shall produce no other witnesses than those which this disputer here taketh to be for him. Whittaker¹ acknowledgeth of councils, that *secundum ordinariam providentiam necessaria sunt ad bonum ecclesie gubernationem*,—‘according to ordinary providence they are necessary for the well-governing of the church.’ Parker² acknowledgeth synods to be sometime necessary in the church, and he giveth example of the council of Nice, without which the evils of the church in the days of Constantine could not have been remedied.

The ninth argument remaineth, which is this (p. 33), That government which merely tendeth unto the taking away from particular congregations their due power is unlawful. But the government of presbyteries and synods, as they now are, doth merely tend unto the taking away from particular congregations their due power. *Ergo*, I did expect some strong proof for the assumption of this argument, but we must take it as it is. He tells us out of Mr Barlow, that no man under the degree of a prophet or an apostle may prescribe God’s church and children patterns. Our synods are further from prescribing patterns either of worship or church government than himself is. The pattern and whole manner of church government is set down in the Scripture, those circumstances excepted which are common to the church with the commonwealth, and are therefore determinable by nature’s light. Synods may not prescribe new patterns, no more may particular churches; but synods may, in common causes, and extraordinarily, prescribe unto particular churches such things as particular churches may in particular causes and ordinarily prescribe to their own members. If he will believe Parker,³ whom he thinks his own, the authority which particular churches have severally is not lost but augmented when they are joined together in synods. But we have before abundantly declared how presbyterial and synodical government doth not at all prejudice the rights of congregations. As for that which here he addeth by way of supposition, putting the case that presbyteries and synods will not permit a congregation to reject some con-

victed heretics, nor to choose any, except unfit ministers, this is just as if one should object against parliaments, that, as they are now, they do merely tend to the taking away of the right and liberty of the subject, and then for proof should put the case, that parliaments will protect and maintain monopolists, projectors, &c.

Now, in this drove of argument (p. 35), the drover hath set some like the weak of the flock, to follow up behind. The first two are blind, and see not where they are going; for it maketh nothing against us, either that the eldership of one congregation hath not authority over the eldership of another congregation, or that a minister should not undertake the care of more churches than one.

His third (p. 124), That presbyterial power is never mentioned in the Scripture, is a begging of the thing in question, and is answered before; yet I must put him again in mind of Parker, who, speaking of churches, saith:—*Legitur in Scripturis de conjuncta earum auctoritate, quando in synodis congregantur*,—‘We read, in their Scriptures, of their joint authority, when they are gathered together unto synods.’ But there is a speech of Zuinglius against representative churches, which he may not omit. Zuinglius doth indeed justly ask of the anti-christian prelates, who had given them the name of a representative church, and who had given them power to make canons, &c., yet he addeth,¹ *De his duntaxat*, &c.,—‘I speak of them only that are such; others who put themselves under, not above the Scriptures, my writings shall nothing pre-judge.’

In the fourth place (p. 36) he objecteth, that whosoever shall deny their assertion, must hold two distinct forms of church government to be lawful, one where particular congregations do in and of themselves exercise all God’s ordinances; the other,² where they stand under another ecclesiastical authority out of themselves. I answer, It is most lawful for particular congregations, in and of themselves, to exercise all God’s ordinances, according to the distinctions and rules above mentioned; but this is not repugnant to their standing under the authority of presbyteries and synods, for which let us again hear a tender friend of congre-

¹ De Conc. q. 1, p. 29.

² De Pol. Eccl., lib. iii. p. 131.

³ De Pol. Eccl., lib. iii. cap. 13, p. 124. *Supra*, cap. ult.

¹ Act 8, Expla.

² *Supra*, cap. 2.

gations : *Major quidem potestas est synodi quam unius alicujus ecclesie primæ, et parochialis.* But go we along.

His first argument is (p. 129), that, for this reason among others, the learned say the Pope is antichrist, namely, because he will have men to appeal from their own churches unto him, and to stand unto his sentence and decree ; and do not the presbyterial assemblies and synods take upon them an authority much like to it ? Soft, my master, soft. Cannot less serve you than to match our church government with the papal usurpations. Second, I shall beseech you to remember, 1. The Pope is one, and receiveth appellations monarchically ; a synod consisteth of many, and receiveth appellations aristocratically ; 2. The Pope receiveth appellations from other nations beyond sea ; presbyteries and synods not so ; 3. The Pope will have his sentence received as infallible ; presbyteries and synods acknowledge themselves subject to error ; 4. The Pope acknowledgeth neither the elders nor the elderships of congregations ; which presbyteries and synods do. 5. The Pope acknowledgeth no power ecclesiastical on earth, except what is subject to him ; yea, derived from him ; and who will say so of presbyteries and synods ? 6. The Pope receiveth appellations in other causes than ecclesiastical ; presbyteries and synods not so. 7. Synods are made up of the commissioners of churches ; the Pope neither hath any commission himself from the churches, nor will admit the commissioners of churches to sit in judgment with him. 8. Synods, when they receive appellations, are tied to certain rules of proceeding and judging, especially the Scripture ; the Pope maketh his power boundless, and exalteth himself above the very Scripture. There shall be no end except I stop in time ; and what need I to make so many differences betwixt light and darkness ?

A sixth argument we shall now have : What more meet and reasonable (saith he) than that every man's case be there heard and determined where the fault was committed ? If this rule hold, then the parlia-

ment or privy-council ought to go to every remote county and corner of the kingdom, to judge of such faults there committed as are proper for them to judge.

His seventh, eighth, tenth, and eleventh arguments (p. 37, 38) must be gone with silence, for they run upon the robbing of congregations of their right, the exercising of ecclesiastical government in all the apostolic churches, and our according with Papists and the hierarchy, all which objections have been before repelled ; and it is somewhat strange that the disputer doth so often repeat the same arguments to make up the greater number. A pretty art, indeed, like that of the young logician, who would needs prove that the four eggs upon the table were five, because two and three make five.

In this second class of arguments there is only one behind, and that is, that by the titles given to all particular congregations, namely, a kingdom, a family, a body, a queen, &c., it appeareth that all ecclesiastical authority ought to be, in every one of them, distinctly, wholly, entirely. Where, let the reader observe, that he maketh the meaning of that place, Matt. iii. 2, "The kingdom of God is at hand," to be this—A particular congregation is at hand ; also that he expoundeth Eph. ii. 19, and Psalm xlv., of a particular congregation, which are meant of the holy catholic church. But say that every particular congregation is a kingdom, a family, a body, a queen, how proveth he that these names do agree to every congregation in respect of her external policy or ecclesiastical government ? Nay, say they do agree in this respect, yet, in a thousand examples, it is to be seen that one and the same thing is both *totum* and *pars*, the whole and the part, in different respects, whereof we have also spoken in the former treatise.

He concludeth that, by this time, he doth suppose the reader perceiveth that the Scriptures are every way for them, and against the presbyterial government. You shall do well, Sir, to think better upon it—you have it yet to prove ; therefore go to your second thoughts, and examine with me your not unexaminable examination. Farewell.

¹ Parker, ubi supra.