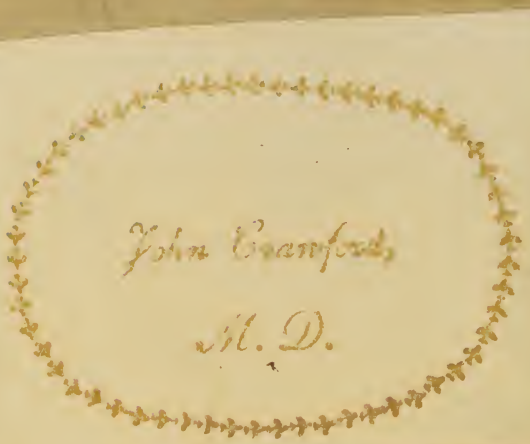
X-6



THELYPHTHORA;

OR,

A TREATISE ON

FEMALE RUIN,

IN ITS

CAUSES, EFFECTS, CONSEQUENCES, PREVENTION, AND REMEDY;

CONSIDERED ON THE BASIS OF THE

DIVINE LAW:

Under the following HEADS, viz.

MARRIAGE,
WHOREDOM, and
FORNICATION,
ADULTERY,
POLYGAMY,
DIVORCE;

With many other INCIDENTAL MATTERS;

PARTICULARLY INCLUDING

An Examination of the Principles and Tendency of Stat. 26 GEO. II. c. 33.

COMMONLY CALLED

THE MARRIAGE ACT.

VOLUME III.

ΔΙΑ ΔΥΣΦΗΜΙΑΣ ΚΑΙ ΕΥΦΗΜΙΑΣ.

2 COR. vi. 8.

"Whosoever attempteth any thing for the PUBLIC (especially if it pertain to RELIGION, and to the opening and clearing of the WORD OF GOD) the same setteth himself upon a *stage*, to be glouted upon by every evil eye; yea, he casteth himself headlong upon *pikes*, to be *gored* by every *sharp tongue*. For he that meddleth with men's *religion*, in *any* part, meddleth with their *custom*, nay, with their *freehold*; and though they find no content in *that* which they *have*, yet they cannot abide to hear of *altering*."

Translators of the BIBLE. *Preface to the* READER.

LONDON:
Printed for J. DODSLEY.

M.DCC.LXXXI.

19282

MEMORANDUM.

" The grand queſtion to be tried is ——
" Whether a SYSTEM filled with *obligation* and
" *reſponſibility*, of MEN to WOMEN, and of
" WOMEN to MEN, even unto *death* itſelf,
" and this eſtabliſhed by INFINITE WISDOM,
" is not better calculated to prevent the *ruin*
" of the *female ſex*, with all its horrid conſe-
" quences, both to the public and indivi-
" duals, than a SYSTEM of *human contrivance*,
" where neither *obligation* nor *reſponſibility*
" are to be found, either of MEN to WOMEN,
" or of WOMEN to MEN, in inſtances of the
" moſt *important* concern to BOTH, but eſpe-
" cially to the *weaker ſex?*"

See Vol. i. Pref. xxiii, xxiv.

Crawford

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PREFACE

TO THE

THIRD VOLUME.

THE AUTHOR was in great hopes, that, when he had finiſhed the *Second Volume* of this *work*, his labours were at an end; nor had he any intention of carrying the *treatiſe* to any greater length. But, notwithſtanding the clear and plain manner in which he thought he had laid the ſeveral matters therein contained before the *Reader*, and on a weight of *evidence*, which ſeemed to carry its own conviction with it—he was ſorry to find himſelf not ſufficiently *underſtood*, and that what was charged as *error*, and mere *human invention*, was ſtill to be regarded in a much more reſpectable light.

The great and intereſting *queſtion* which was laid before the public for *examination* and *trial*, appeared at the end of the *Preface* to vol. I. It was repeated in the ſame words, by way of *memorandum*, facing the *firſt page*, vol. II. The reaſon of this was, that the *Reader* might be the more eaſily induced to carry in his mind the *queſtion* which he was

to *try*, while he was attending to the *evidence* on which it was to be determined.

Inſtead of taking the *whole* of the *evidence* together, as applying to the *whole* of the *queſtion*, partial quotations of the *work* have been made and cenſured, and the *queſtion* itſelf kept entirely out of ſight. This, as far as the *Author* has yet ſeen, has been the method of oppoſition; therefore he ſaves himſelf the trouble of any farther remarks on his opponents, than to recommend to them a more ſerious and attentive peruſal of the *work*, than they ſeem to have hitherto given it, and to connect the importance of the *queſtion* with the *authority* of the *evidence* on which it is ſupported.

The *Author* has moſt evidently taken the *affirmative* ſide of the *queſtion*, and flatters himſelf that he has uniformly purſued it throughout the *whole work*; nor has he the leaſt notion of changing his opinion, till it can be proved, that *puniſhment* is an incentive to the commiſſion of *crimes*—and that a moſt ſevere *reſponſibility* for our *actions*, tends to promote a *licentiouſneſs* in our *determinations*.

Being conſcious that nothing but the LOVE OF TRUTH, and a ſtrong deſire to make it known, as involving the *preſervation* of his *fellow-creatures*, could have ever led him to the publication of a performance which carries with it ſo much oppoſition to our whole *ſyſtem* reſpecting the *commerce of the ſexes*—and thinking the affair of too much importance to be left in *doubt* as to its *original*—he not only

has been at the pains to ſhew its unconformity to the *Divine ſyſtem*, in the former parts of this work, but, as a farther proof of that point, now undertakes to manifeſt its derivation from, and almoſt entire and total conformity with, the *church* of *Rome*.

He could wiſh particularly, that thoſe *pious* * miniſters of the *goſpel*, who have done

* One of theſe has lately publiſhed *two volumes of letters*, in which I find the following excellent advice.

His *correſpondent*, it ſeems, was under ſome perplexity, from objections which had been made to the *writer's Calvinian* principles, and which had induced *ſomebody* to draw *conſequences* of no very *favourable* kind to the *writer's plan*, ſet forth in his *printed ſermons*—the *writer* being willing to ſatisfy his *correſpondent*, and to ſettle his mind on the ſubject, ſends him the letter in queſtion, and, by way of introduction to what he ſays, begins thus—viz.

" In the firſt place, I beg you to be upon your guard " againſt a *reaſoning* ſpirit. *Search the ſcriptures*; and " where you can find a plain *rule* or *warrant* for *any* " *practice*, go *boldly* on, and be not diſcouraged becauſe " you may not be clearly able to anſwer or reconcile " every *difficulty* that may either occur to your *own* " mind, or be put in your way by *others*. Our hearts " are very *dark* and *narrow*, and the very root of all " *apoſtacy* is a proud diſpoſition to queſtion the *neceſſity* " or *propriety* of *divine appointments*. But the child-like " ſimplicity of faith is to follow GOD without *reaſoning*; " taking it for granted, a thing muſt be *right* if *He* di- " rects it, and charging all ſeeming inconſiſtencies to " the account of our *own ignorance*."

The part which this *worthy* and *valuable* man (for *ſuch* I have long known him to be) has taken with reſpect to *Thelyphthora*, conſtrains the *Author* to remind him of his *own ſalutary advice*, as well as to recommend an obſervance of it to every *Reader*. It muſt be confeſſed, that it is much eaſier to *give* advice than to *take* it.—See *Cardiphonia*, vol. ii. p. 68.

Thelyphthora the *honour* of publicly *preaching* againſt it, as well thoſe who *have red* it, as thoſe who have *not* (for this, it ſeems, has made *no* † difference) would give this *third volume* a very diligent peruſal, as it may ſave them the trouble of inventing arguments to

† In a pamphlet which I have ſeen, publiſhed by way of *dialogue* between *Philalethes* and *Monogamus* — whom the writer introduces (as Mr. BAYES introduces the *Two Kings of Brentford* ſmelling to the ſame noſegay) in the moſt perfect harmony and agreement throughout—there is an anecdote of "a *certain miniſter*, who being aſked if "he had red *Thelyphthora*, or intended to read it, replied "in the *negative:* and being aſked what objection he "had to giving it a reading, he anſwered—He did not "chuſe to try how much *arſenic* his conſtitution would "bear."—"PHIL. This anſwer expreſſed a moſt *judi-*"*cious* ſentiment, indeed," &c.

Hamlet ſays, that "*a knaviſh ſpeech ſleeps in a fooliſh* "*ear*"—and it may be thought, that, if this had been the caſe with this "*judicious anſwer*," it would have been rather more for the credit of this "*certain mi-*"*niſter*," than to repreſent him as condemning a *work*, not only *never having red it*, but under a fixed determination *never to read it at all.* It muſt be not a little *edifying*, to hear ſo *ſcrupulous*, ſo *conſcientious* a *divine*, preach on Exod. xxiii. 1.—or on Matt. vii. 1, 2.—or on that queſtion of *Nicodemus*, John vii. 51.

As for thoſe who *have red* the *work*, the *Public*, as well as the *Author*, is obliged to them for openly declaring their ſentiments upon it, and for giving their *reaſons* on which thoſe *ſentiments* are grounded—no *cauſe* can ever be *fairly tried*, but by an *impartial* examination of *witneſſes* on *both ſides.* How far it may be thought by *others*, that *Thelyphthora*, or any part of it, has met with an anſwer, I cannot ſay; but as for the *Author* himſelf, he remains—*qualis ab incepto*—and can only adopt the words of a learned and reverend *correſpondent*, who writes him thus—"All *letter-writers* and *publiſhers* which I "have hitherto red, only, in effect, tell me that your "*book* is *right*."

elude

elude the force of *ſcripture-teſtimony*, and qualify them, if they chuſe to *migrate*, for becoming DOCTORS of the SORBONNE—with a—

DIGNUS, DIGNUS EST INTRARE
IN NOSTRO DOCTO CORPORE.
MOLIERE.

One thing, however, may be worth obſerving in this place, which is, that ſome of the moſt violent againſt *Thelyphthora*, have *themſelves* laid down, in their own comments on the *Bible*, the very *principle* on which the grand argument, which runs throughout the book, is founded—*viz.* that of the "obli-"gation which men are under to *marry* the "women they *ſeduce*."—ONE ſays — on Deut. xxii. 29—"Seduction of an unmar-"ried woman was puniſhed with a fine to "the father, and with an obligation to "marry the woman, without power to di-"vorce her." His obſervation on this is, that—"he who robs a woman of her ho-"nour, can never make her reparation but "by taking her for his wife."—

ANOTHER thus comments on the ſame paſſage—"Happy will it be for that coun-"try, in which this *divine ſtatute* is carried "into execution—it will ſave many from "*ruin*, both of *body and ſoul*."

The Author of *Thelyphthora* very explicitly declares, that this "DIVINE STA-"TUTE" includes *all men* without exception, as to their being *married* or *not*, for which he appeals to * the words of the

* See vol. i. p. 254—9. 2d edit.

ſtatute,

ſtatute itſelf, compared with thoſe of ver. 22. and ver. 25; and aſſerts, that it was never *repealed.* (See vol. i. Introd. p. 10.) And, furthermore, he would hereby be underſtood to *challenge* his adverſaries to prove the contrary.—One thing is clear, that GOD *has not* repealed it; and it is equally clear, that man *cannot*.—The *Author* is entirely of opinion with the laſt-mentioned *commentator*, that, "if this DIVINE STATUTE was carried into * execution, it would ſave many "from ruin, both of *body* and ſoul;" and on *this poſition* has he ventured his work into the *world.*

It muſt be confeſſed, that the above *comments* are ſo *cautiouſly* worded, as to leave a *niche*, as it were, in which may be placed the word *unmarried*—"*If any* unmarried *man*," &c.—This has actually been done by ſome—(ſee before vol. i. 258. 2d edit.)—but as it has not been done by the LAWGIVER HIMSELF—and I am for giving HIM credit for knowing *beſt* how to expreſs HIS OWN MEANING—I doubt not, that, if HE had had any *other* than what appears from the *paſſage itſelf* as it ſtands, and indeed from the whole texture of the *Jewiſh law*, He would not have left it, either to the JEWISH *rabbies* or CHRISTIAN *expoſitors*, to have made it out—but have been as *particular* with regard to the deſcription of the *man*, as HE is with reſpect to that of the *woman.*——I own my-

* How the *ſpirit* and *intention* of it might, in ſome meaſure, be complied with, even in a *monogamous* country—ſee vol. i. p. 290, and n. 2d edit.

ſelf

ſelf to be one of thoſe people who *deſpair* of ever ſeeing an *edition* of the DIVINE LAW *auctior & emendatior*—or any other *plan* whatſoever propoſed, equal in *wiſdom*, *purity*, and *holineſs*, or ſo nicely and exactly calculated to preſerve the *chaſtity* of women from the violation to which it is now ſubjected, by an almoſt total *irreſponſibility* of the men towards them.—For this, we little think ourſelves *chiefly*, if not *wholly*, indebted to the *Pope* and his *clergy*—but ſo it is, as from the authentic teſtimonies, recorded in the following extracts from their proceedings, will be made manifeſt.

The daring inſolence of *mortals*, in laying aſide the *oracles of* GOD, and, in defiance of the fixed and determinate *laws of Heaven*, taking upon themſelves to frame ſuch *plans*, and to deviſe ſuch *ſchemes*, as ſeemed to them good—*making* or *unmaking marriage*, as in GOD's ſight, juſt as they ſaw moſt conducive to their own *intereſt* or *ambition* —raiſing *impediments* which are unwarranted by the ſcriptures, and inventing *obſtacles* which oppoſe the mind of GOD as revealed in thoſe ſcriptures — *vacating obligation* which GOD hath *made*, and *continuing obligation* which GOD hath *vacated* —*putting thoſe aſunder whom He hath joined together*—and *joining together* thoſe whom He hath *put aſunder*—forbidding to *marry* where He has *allowed* it, and even *commanded* it, and *allowing* to *marry* where He has *forbidden* it—this, by *diſpenſing* with *His laws*

laws in ſome *inſtances*, and *rejecting* them in *others*—making *no ſin* where GOD hath *made it*, and making it where GOD hath *not made it*—aſſuming *powers* and *offices* in GOD's name, which He hath no where warranted—obſcuring by human *rites* and *ceremonies* the ſimple and clear nature of *divine inſtitutions*—putting *human laws* in the place of GOD's *commandments*—dealing diſtreſs, deſtruction, and ruin among their fellow-creatures, under colour of GOD's authority—and, to this end, *miſconſtruing* and *miſinterpreting* the very ſcriptures which were revealed for their preſervation—thus *ſeething the kid in its mother's milk*:—all this, and much more, will be opened to demonſtration, in the following extracts from the *annals of the church of Rome*.

It then will evidently appear, by what *means*, and by what *degrees*, *marriage*, and every thing belonging to it, has been taken out of GOD's hands into the hands of *men*, and on what authority that *ſyſtem* is built, which we are accuſtomed to think ſo *highly* of, and, conſequently, from whence is derived that ſource of *female miſery*, which ſo loudly calls for *redreſs*, and of that *power* to *deſtroy* without limitation or reſtraint, now indulged to mankind.

——*Longa eſt* injuria, *longæ*
Ambages, *ſed ſumma ſequar* faſtigia *rerum*.
VIRG.

THELYPH-

UNIVERSITY OF MARYLAND
1919
SCHOOL OF MEDICINE

THELYPHTHORA.

INTRODUCTION.

THE Apoſtle Paul, 1 Tim. chap. iv. 1—3. foretells many of thoſe errors which afterwards aroſe in the *Chriſtian* Church, through the *ſeduction* of thoſe evil *ſpirits*, which would poſſeſs the minds of men, and lead ſome to teach, and others to follow their pernicious ways.—THE SPIRIT (ſaith he) *ſpeaketh expreſsly*, that, *ſome ſhall depart from the faith*, (i. e. *the faith once delivered to the ſaints*. JUDE 3.) And he inſtances one particular among others to be—FORBIDDING TO MARRY, ver. 3.—thus diſannulling the order of GOD and *Nature*, and expoſing mankind to all the temptations and miſchiefs of *unchaſtity*.

Theſe *ſeducing ſpirits transformed themſelves into angels of light*, (See 2 Cor. xi. 14.) and taught the *Chriſtians* to oppoſe and reject the plain and poſitive *command* of GOD, and, under the deceitful guiſe of higher degrees of *piety*, *purity*, and *holineſs*, to

prefer *celibacy* and *virginity*, which GOD has *not commanded*, before *marriage*, which He has *ordained* and *commanded*, for the *propagation*, *continuance*, and *preſervation* of the HUMAN SPECIES.

The *precepts* and *examples* of the *Hebrew* ſcriptures, in which the *mind* and *will* of the CREATOR were fully *revealed*, availed nothing — theſe were thrown aſide from bearing *their teſtimony* in the matter.—The writings of the New Teſtament afforded certain paſſages, which were wreſted from their *meanings*, and diſtorted and preſſed into the ſervice of *error* and *deluſion*.

This *myſtery of iniquity* (See 2 Theſſ. ii. 7.) began to work very early; and in ſome of the earlieſt *apologies* of the *Chriſtian Fathers*, a *ſingle* life is ſpoken of in terms, which clearly prove the preference which was given to it in their eſteem.

All this was greatly increaſed — *εν υποκρισει ψευδολογων — through the hypocriſy of men ſpeaking lyes*, [Caſtal. in loc.] and laid the foundation of what happened, when, in after times, *Churchmen* found it very highly to their advantage, to make the world believe, that the *antient laws* of GOD, relative to the *commerce of the ſexes*, were all *antiquated* and *aboliſhed* — that JESUS CHRIST had introduced an entire *new ſyſtem*—and the *Pope*, as CHRIST's *Vicar*, was to *model* that *ſyſtem*, as *He* and the *Church* ſhould think proper.

In order to elucidate and evince this, it

ſhall now be my buſineſs to lay before the *Reader*, in a regular ſeries, the defections of *men* from the *laws* and *ordinances* of the MOST HIGH, with regard to the *above* ſubjects—by which it will appear, how evidently we ſtand indebted to *Romiſh* prieſtcraft and ſuperſtition, for almoſt every idea which the *ſyſtem* of the *Proteſtants* exhibits to us reſpecting *matrimony*, and all that concerns it.

I have only to obſerve, that the writer, whom I chiefly follow in the enſuing collections, is *Du Pin*, who, though a *Romaniſt*, and a doctor of the *Sorbonne*, was a very honeſt writer, too much ſo for the *Church* he lived in; and therefore he was cenſured, and bitterly perſecuted, at the inſtigation of the *Biſhop* of *Meaux*, for ſpeaking his mind ſo liberally. The free cenſures which he paſſed on the writings of the ancient fathers of the Church—and his aſſerting the privileges of the *national* churches againſt the pretenſions of the *court* of *Rome*—were ſufficient to awaken the thunder of the *church artillery*—and to bring on him a charge of *hereſy*—which ended in a decree of the parliament of *Paris*, for the ſuppreſſion of his book.

This is a *mode* of *argumentation* which *Churchmen* have often had recourſe to, when the *craft has been endangered*, and when writings which have threatened the *maladie du metier*, have appeared before the eyes of the world.

CHAP. XII.

Shewing by what Means, *and by what* Degrees, *the Laws of* JEHOVAH, *concerning* Marriage, *were oppoſed and abrogated, and a* NEW SYSTEM *invented and eſtabliſhed, by* CHRISTIAN CHURCHMEN.

CENTURY I. and II.

CENT. I. and II.

IT is no eaſy matter to lay before the *Reader*, a detail of hiſtorical facts, relative to the tranſactions of the *latter* part of the *firſt Century*, and the beginning of the *ſecond*, from any of the *Eccleſiaſtical Hiſtories*; I know of none which were written at that time; for the *works*, which bear the name of *Dionyſius* the *Areopagite*, were forged in the 5th *Century*, and illuſtrated with annotations by *John* of *Scythopolis* in the 6th. See *Moſheim*, vol. i. p. 298, 408. note u. Macl. edit.

The firſt teſtimony, therefore, with which I ſhall begin, is of the *epiſtolary* kind, and this, under the hand of *Clemens* Biſhop of *Rome*. At the end of *Wetſtein*'s New Teſtament, vol. ii. are to be found two *epiſtles* of "St. *Clement* the *Roman*, diſciple of "St. *Peter*, taken from the book of the *Syriac* MS. of the New Teſtament." *Wetſtein*, in order to prove they are genuine, cites two teſtimonies, one of St. *Jerome*, the other of *Epiphanius*: the firſt of which,

c. *Jovinian*,

c. *Jovinian*, lib. i. writes thus — "Hi "ſunt eunuchi, quos caſtravit, non neceſ- "ſitas, ſed voluntas propter regnum cæ- "lorum. Ad hos & *Clemens* ſucceſſor *Apoſ- "toli Petri*, cujus *Paulus Apoſtolus memi- "nit* (Phil. iv. 3.) ſcribit *epiſtolas*, om- "nemque penè ſermonem ſuum de virgini- "tatis puritate contexuit, & deinceps mul- "ti *Apoſtolici* & *Martyres*, & illuſtres tam "ſanctitate quam eloquentia, quos ex pro- "priis ſcriptis noſſe perfacile eſt."

"Theſe are *eunuchs*, which, not neceſ- "ſity, but their own will, hath *caſtrated* "for the kingdom of heaven. To theſe "*Clement*, the ſucceſſor of the apoſtle "*Peter*, (of whom the apoſtle *Paul* makes "mention Phil. iv. 3.) writes epiſtles, and "almoſt his whole diſcourſe relates to the "purity of *virginity*. After that, many "*apoſtolical* men and *martyrs*, and illuſtrious "as well for ſanctity as eloquence, whom "it is very eaſy to know from their own "writings, did the ſame."

Epiphanius, (Hæres. 30. of the *Ebionites*, n. 15.) ſays, "That *Clement* taught *virgi- "nity*, in all the circular epiſtles which he "wrote, and which were red in the "Churches."

The *epiſtles* themſelves appear in *Syriac*, with a *Latin* tranſlation; by which it ſeems evident, that this *ſaint* was as great an advocate for *virginity* as *Jerome* was himſelf.

Clement ſays,—"Whoſoever profeſſeth

CENT. I. and II.

" before the LORD, that he will preſerve " his *chaſtity*, ought to be girt with every " holy virtue; and if indeed he hath " *crucified his body* for the ſake of piety, " he prays againſt the Word, which ſaith— " INCREASE AND MULTIPLY, and the " whole mind, and cogitation, and concu- " piſcence of this world," &c.—and after- " wards—For he who deſires for himſelf " theſe great and excellent things, on that " account is diſcharged, and ſeparates him- " ſelf, from the whole world, that he may " go away, and live a divine and heavenly " life, like the *holy angels*," &c. " On " this account he ſeparates himſelf from " all the deſires of the body, and not only " prays againſt that — " BE FRUITFUL " AND MULTIPLY" — but deſires that " hope, promiſed, prepared, and placed in " heaven with GOD, who promiſed with " his mouth and lyeth not, who is greater " than *ſons* and *daughters*, and will give " to *virgins* a famous place in the houſe " of GOD, more *excellent than ſons and* " *daughters*, and more excellent than to " thoſe who were yoked together in holi- " neſs, and who are not polluted by their " *matrimonial intercourſe*."

A deal more of ſuch *impious piety* is to be found in other parts of theſe *epiſtles*; but theſe quotations may ſerve to ſhew, how very early it became a faſhion, in the *Chriſtian church*, to put imagination in the place of ſcripture, and to invent ſchemes of

of *ſanctity*, which directly militated againſt the *will* and *word* of GOD, as revealed in the *holy* ſcripture. CENT. I. and II.

What GOD had *honoured* with His *primary* bleſſing (Gen. i. 28.) they were to *deprecate*—what he *commanded* they were to *avoid*—and, in ſhort, it ſeems as if the way to be thoroughly *holy*, was to counteract all that GOD had *done* and *ſaid* upon the ſubject of marriage, by every method they poſſibly could, even to the "avoiding the ſpeech and ſociety of the "*other ſex*, as the *contagion of a plague*." How this foundation was built upon in later times, the ſequel will very ſufficiently ſhew.

If the *reader* will turn to Iſ. lvi. 4, 5. which is the ſcripture alluded to in the latter part of the above quotation, he will ſee how the word of GOD could be perverted and abuſed, to anſwer the purpoſes of theſe deluſions.

As for the *genuineneſs* of theſe two *epiſtles*, the reader may find what is ſaid on that ſubject by *Wetſtein*, vol. ii. N. T. Proleg. at the end of the *volume*; who ſeems to entertain little doubt of the matter.

EUSEBIUS PAMPHILUS, Biſhop of *Cæſarea* in Paleſtine, a writer of the *fourth century*, whom *Moſheim* ſpeaks of, as "a "man juſtly famous for his profound "knowledge of eccleſiaſtical hiſtory," (Moſh. vol. i. p. 186.) has left us an *hiſtory of the church*; and in that part of it

CENT. I. and II. which relates to the above period, he tells us (B. 3. c. 29.) that—"at this "time the *hereſy* called the hereſy of the "*Nicholaites*, continued a very ſhort time; "of which alſo the *Revelation* of *John* "makes mention. Theſe boaſted of *Ni-* "*cholas* (one of the *deacons*, who, toge- "ther with *Stephen*, were ordained by the "apoſtles to miniſter to the poor) as the "author of their ſect." *Euſebius* then cites *Clemens Alexandrinus*, who flouriſhed about the year 192, as a voucher for the follow- ing ſtory, which he profeſſes to tranſcribe from *Clemens*, word for word.—He (i. e. "*Nicholas* the *deacon*) they ſay, having a "beautiful *wife*, being, after our SA- "VIOUR's aſcenſion, blamed for his jea- "louſy by the *apoſtles*, brought his wife "forth, and permitted her to marry "whom ſhe had a mind to, ſaying—δει "παραχρασθαι τη σαρκι—that *we ought to* "*abuſe the fleſh*. Thoſe therefore who "follow his *hereſy*, ſimply and raſhly "aſſenting to this ſaying, and imitating "this deed, do moſt impudently give "themſelves over to *fornication*. But I am "given to underſtand that *Nicholas* made "uſe of no other woman, beſides her he "married; and that thoſe of his children "which were daughters, remained *virgins* "when they were old; and his *ſon* con- "tinued *undefiled* by *women*. Which "things being thus, his bringing his "*wife* (over whom he is ſaid to be *jealous*)

"to

" to the *apoſtles*, was a ſign of his reject-
" ing and bridling his paſſion; and by
" thoſe words of his, that *we ought to*
" *abuſe the fleſh*, he taught *continence*, and
" an abſtaining from thoſe pleaſures,
" which are with ſo much earneſtneſs
" deſired by men. For, I ſuppoſe, he
" would not, according to our SAVIOUR's
" commandment, *ſerve two maſters*—Plea-
" ſure and the LORD.

" Moreover they ſay, that *Matthias*
" taught the ſame doctrine, that we ſhould
" war againſt the fleſh, and *abuſe it*, al-
" lowing it nothing of pleaſure; but that
" we ſhould enrich the ſoul with faith
" and knowledge.

" But *Clemens*, whoſe words we have
" even now cited, after that paſſage of his
" before quoted (ſaith *Euſebius*) does
" reckon up thoſe *apoſtles* that are found
" to have been *married*, upon account of
" ſuch as deſpiſe *marriage*, ſaying, what
" will they reprehend even the *apoſtles*
" alſo?"

Now though there are hiſtorical facts recorded by this *Clemens*, as well as by *Euſebius* himſelf, which deſerve about as much credit as *Mother Gooſe's Tales* *, yet it

* Among others, that fooliſh ſtory of a *devil*, that had taken up his reſidence at *Rome*, to whom *Simon Magus* went when *Peter* had preached him out of *Judea*, and by the aſſiſtance of this *devil*, *Simon* prevailed

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it is easy to perceive, that *marriage* itself fell into great disrepute among the very early *Christians*:—and *Dr. Cave*, as has been already noticed, (see *Thelyph.* vol. ii. p. 120. 1st edit. p. 112. 2d edit.) has collected evidence enough of this fact, to leave it without a doubt.

This *Clemens* of *Alexandria*, whatever he might write on behalf of *marriage* itself, did not approve of *second marriages*. *Du Pin*, who reckons *Clemens* among the writers of the *third century*, says, that though he does not entirely *condemn second marriages*, yet he *blames* them; that he held the *dæmons* to have sinned through *incontinence*; that it is not *lawful* to *marry*, but with a design of begetting children.

The learned Bishop NEWTON, in his ingenious and edifying "Dissertations on "the Prophecies," (vol. ii. p. 443.) observes from *Theodoret*, who was a writer of the *fifth century* (see *Mosheim*, vol. i. 246. Edit. Macl.) that "*Saturninus* or *Satur-* "*nilus*, who flourished (early) in the se- "cond century, was the first *Christian* "who declared matrimony to be the *doc-*

vailed on the inhabitants of *Rome* to set up an image to him, and worship him as GOD. But on *Peter*'s following *Simon* to *Rome*, and preaching there, *Simon* and his *familiar* were silenced, his power extinct, and the man himself destroyed.

Another foolish story *Eusebius* cites out of *Clemens Alexandrinus*, of *Peter*'s wife suffering martyrdom, and of the conversation between *Peter* and her on the occasion.

"*trine*

" *trine of the Devil.* But according to " *Irenæus* and *Eusebius*, *Tatian*, who had " been a disciple of *Justin Martyr*, was " the first author of this *heresy*; at least " he concurred in opinion with *Satur-* " *ninus* and *Marcion*, and their followers " were called *Encratites* — *Continents* — " from their *continence* with regard to *mar-* " *riage* and *meats*. CENT. I. and II.

" The *Gnostics* likewise, as *Irenæus* " and *Clemens Alexandrinus* inform us, as- " serted, that to marry and beget children " proceeded from the *devil*; and, under " pretence of *continence*, were impious " both against the *Creature* and the CRE- " ATOR, teaching that men ought not " to bring into the world others, who " would be unhappy, nor supply *food* for " *Death*."

TERTULLIAN

Absolutely condemns *second* marriages, as being *adultery*—as did the whole sect of the *Montanists*. This father apologizes for the contempt of marriage among the early *Christians*, from their apprehension that the end of the world was near, and that this circumstance vacated the necessity of begetting children. See before, *Thelyph.* vol. i. p. 170. 2d edit. n.

ATHENAGORAS

Commends *virginity*—condemns *second* marriages, calling them *honest adultery*.

CEN-

Cent. III.

CENTURY III.

Minutius Felix

Says—The *Chriſtians* commonly *marry* but *once*, and that they have no other deſign in their marriage, but the having of children.

Origen.

The violence which this father did on himſelf is well known;—he was much blamed for it in general—but, Demetrius, biſhop of *Alexandria*, commended his zeal, and the fervency of his faith, and bid him not be diſcouraged on that account. In his time they did not admit perſons that were *twice* married into *holy orders*.

He ſays, we ought not to *make uſe* of *marriage*, but * only for the ſake of having children. He at laſt fell into many errors and ſtrange opinions—and there were diſputes in the *church* whether he was *ſaved* or *damned*:—much it ſignifies to him, which way the diſputants determined the queſtion.

Cyprian,

Who, when he was a *Catechumen*, reſolved on *continency*, ſays much of the

* Compare 1 Cor. vii. 4, 5.

great

great advantages of *virginity*; that it was the neareſt ſtate to that of *martyrdom*; that *virginity* is not of abſolute neceſſity, but a great deal more *excellent* than *marriage*—and deſires the *virgins* to remember him when they receive the recompence of their *virginity*—"Words," ſays *Du Pin*, "which "make it appear, that, in *St. Cyprian*'s "time, they believed that the ſaints in-"terceded for us before GOD."

The book of the *celibacy of the clergy* is extremely uſeful (ſays *Du Pin.)* In it he *proves*, that *churchmen* ought not to live with *women*.

METHODIUS,

Biſhop of Olympus, and afterwards of Tyre, who, in a book intituled the *Banquet of Virgins*, has given as much *pious* nonſenſe on the ſubject of virginity, and its preference to marriage, as almoſt all the preceding fathers put together.

In DU PIN's ſummary of the diſcipline of the *3d century*, he ſays, that it was lawful for *prieſts* to keep the wives they married before they were ordained, but marriage was never permitted after ordination; but both the one and the other was allowed to *deacons*. *Monks* were not as yet inſtituted; but there were abundance of perſons of both ſexes among the *Chriſtians*, that lived in a ſtate of *celibacy*, and chearfully ſubmitted to the auſterities of an aſcetic life. There were likewiſe ſome women,

CENT. III. women, in the *third age* of the church, that ſolemnly obliged themſelves to keep their virginity all their life-time.

CENT. IV.

CENTURY IV.

For an account of the Emperor CONSTANTINE's encouragement of *celibacy*, ſee before, *Thelyph.* vol. ii. 281. n. 1ſt edit. 252. n. 2d edit.

EUSEBIUS of *Cæſarea*,

Praiſes the ſtate of virginity as more perfect, and the celibacy of prieſts, without *blaming* marriage.

ATHANASIUS,

In a letter to *Ammon* the monk, refutes the error of ſome, who condemned the uſe of marriage, and ſhews, from ſcripture, that it is *permitted*, and that it is impiety to condemn it, though virginity is a *more perfect* ſtate, and *deſerves greater rewards*.

HILARY,

In his commentary on Pſalm cxix. obſerves, that *celibacy* is more *perfect* than a ſtate of *marriage*.

He approves of *vows*, and *invocation of ſaints*, and praiſes *celibacy*.

DIDYMUS of *Alexandria*,

Of whom *St. Jerome* was a diſciple—teaches,

teaches, that the uſe of marriage, though it is permitted, is called *ſin* in compariſon of *virginity*, which is a much more excellent ſtate.

CYRIL of *Jeruſalem*,

Takes notice that *virginity* is the more perfect ſtate, but that married perſons *may* hope for ſalvation, provided they uſe marriage aright. That their intention ſhould not be to ſatisfy a brutal paſſion, but to have children. That we ought not to condemn *even* thoſe who proceed to *ſecond* marriages; and that this *weakneſs* ſhould be pardoned in thoſe who ſtand in need of this remedy to avoid fornication.

ST. EPHRAIM of *Syria*,

Anſwered one of his *monks*, who aſked him, who they were that might uſe that liberty which *St. Paul* gives to marry, *rather than to burn?* that it concerns only thoſe who are not bound, and who live in the world, but not thoſe who have renounced the world, and embraced a religious life.

He has a treatiſe, to ſhew the excellencies of a monaſtic life above the ſecular.

ST. BASIL of *Cæſarea*,

Was the firſt founder of a monaſtic life in *Pontus* and *Cappadocia*. He taught, that there are many things *forbidden* in the *Goſpel* which the *Law permitted*; that the paſ-

ſage

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ſage of *Geneſis*, "*Increaſe and multiply*," does *not* reſpect the * *New Teſtament*. He obſerves, that *ſecond* marriages are a remedy againſt fornication, and not an inlet to immoderate luſt; but he condemns *third* marriages as a kind of *fornication*, and ſays that the cuſtom of the church was to *excommunicate* thoſe who married a *third* time, for *five* years—that, in other places, they were only put under *penance* for two or three years. He enjoins the ſame thing to *bigamiſts*, for one or two years: though he would have neither the one nor the other reduced to the loweſt penance—that they ſhould be in the firſt years in the rank of *hearers*—the laſt years they ſhould partake of the *prayers*—though they were ſtill excluded from the participation of the *euchariſt* 'till their penance was finiſhed, and they had given ſigns of their converſion.

Can. 12. He declares, that the *canons* wholly exclude all *bigamiſts* from eccleſiaſtical functions.

* The reader may have obſerved before, p. 6. how early the *Chriſtian* fathers began to *break ground* for a ſiege againſt the Old Teſtament, with reſpect to marriage. Here the *trenches* are fairly opened;—as we proceed, we ſhall find the *beſiegers* very active—and that when the *Pope* and his *clergy* could bring the heavy artillery of their *canons* and *decrees* to bear, they played upon it 'till they left little elſe ſtanding, beſide its *impregnable teſtimony* againſt their wicked contempt of the *divine law*.

Can.

Can. 18. *St. Baſil* obſerves, that the antients did not treat the *virgins* conſecrated to GOD, who abandoned their profeſſion, more rigorouſly than *bigamiſts*; they impoſed only a penance of *one* year: but he adds, that the church, and the number of *virgins*, increaſing every day, they ſhould be treated as *adulterers*.

Can. 19. He obſerves, that men make no vow nor profeſſion of virginity, as *virgins* do; that thoſe who enter into a monaſtical ſtate ſeem tacitly to embrace *celibacy*; but, to oblige them to it, it was neceſſary they ſhould be aſked, and that they ſhould make profeſſion, and then if they ſhould paſs to a voluptuous life, they ſhould be puniſhed as *fornicators*.

Can. 24. Is againſt *widows*, who, being *deaconeſſes*, married afterwards. He would have them more ſeverely puniſhed than *bigamiſts*, if they be above 60 years old. He excuſes them if they be younger, becauſe it was the biſhop's fault to receive them too young.

By Can. 25. It is provided, that he who ſhall *marry* a woman after he hath *abuſed* her, ſhall be put under penance, but he ſhall have *leave* to keep her for his wife. *N. B.* The law of GOD poſitively ſays, *ſhe ſhall be his wife.* See Exod. xxii. 16. Deut. xxii. 28, 29.

In Can. 26. He declares that *fornication* is never *marriage*, and that it cannot lawfully be the beginning of marriage; and

 therefore

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therefore it would be better to part thoſe who have committed this ſin, than to marry them together; but yet, if they have a mind to marry, they ſhould not be hindered, leſt ſome greater miſchief ſhould follow.

Qu? If by *fornication* this *father* means, the coming together without the rites of the church—how doth this *canon* agree with the ſcriptures above referred to?

Can. 40. A ſlave, who marries without conſent of his maſter, has committed *fornication*, his marriage being void.

Can. 50. The laws do not forbid nor puniſh *third* marriages, and yet the church looks upon them as *ſhameful* actions.

The treatiſe of true virginity, contains many precepts for preſerving *virginity*. In it he extols very much the ſtate of *virgins*, *&c*. There are in this treatiſe ſome paſſages which may offend nice ears; but it is to be conſidered (ſays Du Pin) it is addreſſed to a biſhop, and not to the *virgins* themſelves. But qu.? If the *virgins* did not read or hear it, how were they to be the better for it?

This *father* ſays much of *a law* of JESUS CHRIST—and of *the morality* of JESUS CHRIST—and ſeems to be one of thoſe, who laid a foundation for ſeparating the Old Teſtament from the *New*, by making CHRIST a new *lawgiver*, and a teacher of a new ſyſtem of *morality*, independently of the law of *Moſes*.

ST.

ST. GREGORY NAZIANZEN

Says, that marriage is commendable, where the parties are contracted with a design of having children; but he prefers virginity to marriage.

In his poem in praise of virginity, he handles, with much wit and eloquence, the question about the pre-eminence of celibacy above marriage—he then brings in *married persons*, and those who observe *celibacy*, speaking for both their opinions; each of them says all that can be said in favour of their state, but the *latter* have the *better*.

ST. GREGORY NYSSEN

Wrote a treatise on virginity, wherein he describes the advantages of *virginity*, and the inconveniences of *marriage*.

This father speaks out about a *new law* and an *old law*, and seems to leave the *latter* out of the question. "*Sacrilege*," says he, "was punished under the *old law*, by "stoning to death—yet this punishment "was mitigated under the *new law*, and "now sacrilegious persons are treated less "harshly than *adulterers*."

There is a passage in this *father*'s writings, which shews how little regard they paid to the *moral* law of the Old Testament.—"Though the scripture" (saith he) "reproves all sins severely, yet the

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"*fathers*" (*i. e.* of the *Chriſtian* church) "have made *no laws* but againſt *murder*." He impoſes twenty-ſeven years penance for *wilful murder*, and for involuntary murders the ſame ſpace of time as for *fornication*, yet he allows "this penance to "be diminiſhed according to the fervor of "the penitent."

So that GOD's law, Gen. ix. 6. was quite laid aſide. A ſtrong inſtance this, of the ſmall attention they paid to the *Old Teſtament* in forming their ſyſtems.

TIMOTHY OF ALEXANDRIA.

Would have perſons that are married, abſtain from the uſe of marriage *Saturday* and *Sunday*, that they may be capable of receiving the holy communion.

SIRICIUS, *Pope of* ROME, *anno* 385,

Can. 7th. He declares, that every *clergyman* who ſhall marry a *ſecond wife*, or a *widow*, ſhall be turned out of holy orders, and reduced to lay communion. And he declares, that if for the future any *biſhop*, *prieſt*, or *deacon*, ſhall not continue *unmarried*, he is to hope for no more pardon; becauſe it was neceſſary to cut off, with the knife, thoſe ſons which could not be cured by other remedies.

The 8th Can. is againſt thoſe who get themſelves *ordained* after they have had *ſeveral wives*.

Can. 9.

Can. 9. Says, that a man may be an *acolyth* or *ſubdeacon*, provided that he marries but once, and then does not marry a *widow*. That, after, he ſhould be ordained *deacon*, if he obliges himſelf to live *unmarried*.

ST. AMBROSE, Biſhop of MILAN,

Wrote *three books* in praiſe of *virginity*. In which he treats at large on the excellency of *virginity*. He ſhews that this virtue came from heaven, that GOD is the author of it, that the Heathens neither knew it, nor practiſed it as they ought; that the *Jews* themſelves did not eſteem it, and that it was not common among men 'till JESUS CHRIST came into the world. Afterwards he gives a catalogue of the advantages which virginity has above the marriage-ſtate. "I do not condemn "marriage," (ſays he) "but I will prove "that *virginity* is more excellent;"—and then ſays all he can to frighten women from marrying.—He reproves mothers who hindered their daughters from coming to hear him, leſt they ſhould embrace virginity, and commends thoſe *virgins* who devoted themſelves to GOD without their parents leave.

He wrote alſo a treatiſe of *widows*, wherein he exalts the ſtate of *widows*, who do not marry again, as approaching near to the perfection of *virgins*. He does not abſo-

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lutely condemn either *firſt* or *ſecond* marriages, but he prefers the ſtate of *virgins* and *widows* before that of *married women*.

He complains that there were few at *Milan*, who *profited* by his inſtructions; whilſt a great many virgins, not only from *Bologna* and *Placentia*, but from *Mauritania*, came to receive the veil at *Milan*.

ST. EPIPHANIUS

Praiſes *virginity*, but does not condemn marriage, nor yet *ſecond* marriages; but declares plainly, that the church does not admit any to holy orders, but ſuch as obſerve *celibacy*, and that ſhe excludes *bigamiſts*. He confeſſes, that there are ſtill ſome places where the *deacons* and *ſub-deacons* do not obſerve *celibacy*, but adds,—"This is "done upon ſufferance, becauſe of the "weakneſs of men, or the multitude of "people." Laſtly, he ſays, "It is a great "ſin to violate the *vow* of *virginity*."

Having briefly extracted ſome *opinions* of the *Fathers*, I will now lay before the reader, the *wiſdom* of ſome of the *Councils*.

Council of ELIBERIS, *anno* 305.

Can. 7th. Thoſe that relapſe into *adultery*, after they have undergone *penance*, ſhall not be received even at *death*.

Can. 8th. Subjects a woman to the ſame

ſame penalty, who has forſaken her huſband, without cauſe, to marry another.

Can. 14. Treats *virgins* with much moderation, who have loſt their *virginity*: if they *marry* thoſe who have abuſed them, they are reſtored to communion at the end of one year, without being obliged to do penance; but impoſes *five* years penance if they had to do with other men.

Can. 19. Ordains, that communion ſhall be refuſed, even at the point of death, to *biſhops*, *prieſts*, and *deacons*, who have committed *adultery*.

Can. 61. Impoſes penance of five years upon him that marries his *wife's ſiſter*, unleſs the extremity of ſickneſs oblige us to give him the peace of the church ſooner.

Can. 65. If a clergyman knows that his wife commits *adultery*, and ſends her not away, he is unworthy of the communion of the church, even at the point of death. *N. B.* This *canon* is an authentic evidence of the marriage of the clergy in the church of *Spain* at this time.

Can. 69. Impoſes but five years penance on thoſe who have fallen but *once* into the ſin of *adultery*.

Can. 70. If a woman commit adultery with the conſent of her huſband, he is unworthy of the communion at the point of death; but if he divorces her, he may be received after ten years penance.

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Can. 78. Impoſes on him who commits *adultery* with a *Pagan* or *Jewiſh* woman, a penance of *three* years, if he confeſſes his crime, but of *five* years if detected by the teſtimony of others.

Council of ARLES, *anno* 314.

Can. 10. Thoſe who find their wives in the act of *adultery*, muſt be counſelled not to marry others, though the law permits them to do it.—BRAVO!

Council of ANCYRA and NEO-CÆSAREA, *anno* 314.

There are twenty-five canons of the Council of ANCYRA.—The 10th concerns the celibacy of *deacons*. If they declared, at the time of their ordination, that they would marry, they ſhall not be deprived of their function if they did marry; but if ordained without making this declaration, and afterwards married, they ſhould be obliged to quit their employment.

Can. 16 and 17. Impoſes long penances on thoſe who have committed crimes contrary to nature. See Lev. xx. 13.

Can. 20. Impoſes *ſeven* years penance for *adultery*. See Lev. xx. 10.

Can. 21. The ſynod obſerves, that the antient *canons* delayed the abſolution of thoſe women, who, having committed the ſin of *adultery*, *murdered* their *infants*, 'till death;

death; but, to mitigate this punishment, it imposes upon them only *ten* years penance. Note, For *adultery* and *child-murder!*

N.B. The canons of this council are signed by eighteen bishops. BRAVI TUTTI.

NEO-CÆSAREA.

Can. 1. If a *priest* marries after he has been ordained, he ought to be *degraded.*—If he commit *fornication* or *adultery*, he ought to be punished more rigorously, and put under *penance.*

Can. 3. The time of *penance* of those who marry *often*, is regulated by the *canons*, but it may be shortened proportionably to the conversion of the *penitent*, and the fervour of his *penance.*

Can. 7. Forbids *priests* to be present at the marriage of *bigamists.*

Can. 8. He cannot be admitted into holy orders, whose wife has been convicted of *adultery.*

Can. 9. If a *priest* who has committed the *sin of the flesh* before ordination, confess his crime, he ought no more to offer, but he shall enjoy all his other rights: for as to *other sins*, 'tis thought, that they are pardoned by the imposition of hands. But if he does not confess his crime, and cannot be convicted of it, he shall be left to his own conscience.

Can. 10. A *deacon* committing the same crime before his ordination, shall be placed in the rank of the other ministers.

Council

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Council of NICE, *anno* 325.

This was called an *Oecumenical*—*i. e.*—a council of the *whole world*, becauſe it was called together by the emperor *Conſtantine* from all parts of the *Roman* empire, and was compoſed of the *eaſtern* and *weſtern* biſhops.

Can. 3. Forbids *biſhops*, *prieſts*, and *deacons*, and other *clergymen*, to keep women in the houſe with them; yet it excepts mothers, ſiſters, and other perſons of whom there could be no bad ſuſpicion. *N. B.* Nothing is ſaid of *wives*.

In this *council* a canon was propoſed for obliging *biſhops*, *prieſts*, and *deacons*, who were married before ordination, to obſerve *celibacy*; but *Paphnutius*, a venerable confeſſor and prelate, withſtood this, and brought the council to conſent, that every one ſhould be left to their liberty, and need not abſtain from their wives unleſs they were willing ſo to do. See *Jortin Rem.* vol. ii. p. 249.

Council of LAODICEA, between 360, 370.

Can. 44. *Women* ought not to come near the *altar*.

Can. 52. That *marriages* ſhould not be celebrated in *Lent*.

Council of VALENCE, *anno* 374.

Can. 1. Thoſe are not to be ordained who have been *twice* married, or thoſe who have

have eſpouſed a *widow*, whether they did it before or ſince their *baptiſm*: but they do not intermeddle with the ordinations of *bigamiſts* made before their deciſion, leſt they ſhould diſturb the *church*.

Can. 2. *Penance* ſhall not be allowed immediately to thoſe *virgins* who *married* after they had made a vow of *virginity*, and they ſhall not be received until they have made *full ſatisfaction*.

Council of SARAGOSA, *anno* 381.

Can. 8. Forbids *virgins*, that are devoted to JESUS CHRIST, to be *veil'd*, except they be forty years of age.

Councils of ROME and of MILAN againſt JOVINIAN, *anno* 390.

Though we ought not to deſpiſe marriage, yet *virgins* are more to be honoured. Their ſecond letter contains *proofs* of theſe truths; and it is ſhewn, that the Bleſſed Virgin loſt not her *virginity* by bringing forth JESUS CHRIST into the world.

Firſt Council of CARTHAGE, *anno* 348.

Can. 2. Forbids thoſe perſons who profeſs *virginity*, to cohabit or to have familiarity with any perſons of the other ſex, under pain of *excommunication* for the *laity*, and of *depoſition* for the *clergy*.

Can. 4. Contains the ſame prohibition to *widows*.

Councils

CENT. IV.

Councils of CARTHAGE, *anno* 397.

Can. 4. Forbids the conſecration of *virgins* before the age of twenty-five years.

Can. 17. Forbids *clergymen* to cohabit with ſtrange women, and permits them only to live with their mothers, grandmothers, aunts, ſiſters, nieces, and thoſe of their *domeſtics* who dwelt in the houſe with them before their *ordination*.

Can. 19. Readers are to be obliged, when they come to age, to *marry*, or to make the *vow* of *chaſtity*†.

Can. 33. When *virgins* loſe their relations who took care of them, the *biſhop*, or, in his abſence, the *prieſt*, ought to place them in a *nunnery*, or commit them to the care of women of known probity.

Can. 36. *Prieſts* ſhall not conſecrate *virgins* without the *biſhop*'s permiſſion—they are abſolutely forbidden to make the holy *chryſm*.

Council of CARTHAGE, *anno* 398, called the *fourth*.

There are 104 canons relative to the ordination of *biſhops*, *&c.*; and it is ordained, that every *biſhop* ſhall be interrogated about the errors *common* in *Africa*, and among others—"Whether he does not condemn "*marriage*, and *ſecond marriages*? Whether he believes it is the ſame GOD who

† This is ſomething like "a *wife*, or a *mittimus*."

"is

" is the author of the *Old* and *New Teſta-* CENT.
" *ment*, the *Law* and the *Goſpel?*" IV.

Can. 10. *Virgins* who would be conſecrated by the *biſhop*, ſhould preſent themſelves in habits agreeable to their profeſſion and vocation, like to thoſe which they are to uſe for the future.

Can. 11. Thoſe who are *contracted*, and would receive the *benediction* of *marriage*, ought to be accompanied by their kindred, and to abſtain from the uſe of marriage the night after the *benediction*.

Can. 104. Excommunicates *widows* who marry again, after they have made profeſſion of *celibacy*.

D°, *anno* 401, called the *fifth*.

Can. 70. Ordains *biſhops*, *prieſts*, and *deacons*, to have no more to do with their *wives*, under pain of degradation; for the *leſſer orders*, it does not oblige them to *celibacy*.

Council of TOLEDO, *anno* 400.

Can. 1. They permit the order of *deacon* to be given to *married* perſons, provided they be *chaſte*, and obſerve *continence*; but they impoſe no other penalty upon a *prieſt* or *deacon*, that has not lived in *continence*, and who had children before the law which the biſhops of *Luſitania* made upon this ſubject: they impoſe upon them no other penalty but that they ſhall not be capable of riſing to a higher dignity.

Can. 3.

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Can. 3. If a *reader* marry a *widow*, he cannot be advanced to higher orders, at moſt he ſhall be only *ſub-deacon*.

Can. 4. A *ſub-deacon*, who marries again, ſhall be put into the rank of *porters* or *readers*, without being capable of reading the *epiſtles* or *goſpels*. He who marries a *third* time, ſhall be *ſeparated* from the church for the ſpace of *two years*, and after he is reconciled, he ſhall never riſe higher than the rank of *lay-men*.

Can. 16. Impoſes *ten years* penance for *adultery*.

Can. 17. He who has a *concubine* and *wife* both together, ought to be *excommunicated*, but he ought not to be *excommunicated* who has †*only* a *concubine*; ſo that it is neceſſary for every one, that is a member of the church, to ſatisfy himſelf either with one *wife* or one *concubine*. This canon (ſays *Du Pin*) may give ſome trouble to thoſe, who know not that the word *concubine*, which is at preſent *odious*‡, was formerly taken for a woman, to whom the marriage promiſe was given, though ſhe was not *married* with all the ſolemnities which the laws required in marriage, as St. *Auſtin*

† This *Canon*, as *Dr. Jortin*, Rem. vol. ii. 294, obſerves, proves the *allowance* of *concubinage* in the *Chriſtian* church, ſo late as anno 400; therefore this will hardly be pretended to be *altered* by the New Teſtament.

‡ It never became ſo, 'till the *Pope* and *his clergy* inſulted the GOD of the Old Teſtament, by ſetting His *diſpenſations* at nought.

has explained it, chap. 5. of the book about the *advantages of marriage*.

Can. 18. We ought not to communicate with the *widow* of a *biſhop*, a *prieſt*, or a *deacon*, if ſhe marries again; ſhe ought not to be reconciled until the point of death.

Can. 19. Inflicts the ſame penalty on the daughters of *biſhops*, &c. who marry after they have been conſecrated to GOD.

N. B. This council was compoſed of *nineteen* Spaniſh biſhops.

In the abridgement of the *doctrine* of the *fourth* age of the church, it is ſaid—"They approved of marriage, and would "have the perſons to be married, con- "tracted in the *face of the church*, and in "the preſence of a *prieſt*, who gave a "*bleſſing*. They honoured *virginity*, and "commended thoſe who profeſſed it, and "looked upon thoſe as *ſacrilegious* perſons "who violated that profeſſion. They had "much reverence and veneration for the "*bleſſed virgin* and the *ſaints*, they prayed to "them, and alſo honoured their *reliques*. "They prayed for the dead. We have of- "ten (ſays *Du Pin*) taken notice of their "opinion concerning the authority of *holy* "*ſcripture* and *tradition*. They taught "that there was but one *Catholic church*, "out of which there was no *ſalvation*, and "to *whoſe authority* all men ought to *ſub-* "*mit*, becauſe it can neither ceaſe to be, "nor *err* in matters of faith.

"Whereof

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" Whereof one may ſay in general (adds " *Du Pin*) that the doctrine of the *fourth* " age was the belief of the *church* of that " age, and ſo, the *church* not being capa- " ble of changing her belief, it neceſſarily " follows, that the doctrine of that time " is not at all different from that which " the *church* teaches ſtill at this day."

In the abridgement of the *diſcipline* of the *fourth* age, we are told—" *Prayer* for " the *dead* was a common practice in the " *church*, they were commemorated at the " celebration of the *euchariſt*; the *invoca-* " *tion* of *ſaints* and *martyrs*, and the cele- " bration of their *feſtivals*, were common " in all the churches; the uſe of *croſſes* " was frequent; the ſign of the *croſs* was " made very often; there were images in " many churches.

" A *bleſſing* was given for *marriage*; but " the church never gave it for † *ſecond* mar- " riages, and they even put *bigamiſts* under " *penance* for ſome time. *Marriages* con- " tracted between perſons who could not " lawfully marry, according to the *civil* " *laws*, were looked upon as *null* §. *Di-* " *vorce* for *adultery* was *permitted* in *ſome* " churches. The *monaſtic* ſtate was eſta- " bliſhed in *this age*, and became very " common in a little time."

† Still they were *good and valid marriages*.

§ Qu? Were theſe *marriages null* in GOD's ſight.

CEN-

CENTURY V.

St. John Chrysostom,

In his 19th and 20th ſermons, which are on 1 Cor. 7. takes occaſion to ſpeak againſt *dancing*, and other profane pomps at *weddings*—"To what purpoſe (ſaith he) "do ye bring in a *prieſt* to crave a bleſſing, "and the next day yourſelves commit baſe "actions?" Cent. V.

From this, and other paſſages in the *fathers*, it does manifeſtly appear, that the marriage-contract, though ſometimes made, according to ſome *canons*, in the *face* of the *church*, was of a *civil* nature, and that the only thing the *prieſt* did, was to pronounce a *bleſſing*; unleſs indeed he partook of the diverſions of the *wedding-feaſt*, which alſo ſeems to have been the cuſtom, and that pretty heartily too; for the council of *Laodicea*, Canon 14, ſays, "that *clergymen* ought not to be preſent at *ſhews* or *balls*, that are made during *marriage-feaſts*, but ariſe and be gone before the *maſk* begins."—So that we may conclude, there were many abuſes of this kind, which gave riſe to this *canon*.

In *Chryſoſtom*'s 24th ſermon on 2 Cor. 4. he gives great praiſes to *virginity*, and to a *monaſtic* life; which he thus deſcribes:—"Do you take notice of thoſe *monks* who "live

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" live privately, and dwell upon the tops " of mountains? What auſterities and mor- " tifications do they not practiſe? They are " covered with aſhes, cloathed with ſack- " cloth, loaden with chains and irons, ſhut " up in little cells; ſtruggling continu- " ally with hunger, they ſpend their time " in watchings, TO BLOT OUT PART OF " THEIR SINS." He obſerves alſo, that, though *virginity* is a ſupernatural gift, yet it is unprofitable, if it be not accompanied with *charity* and *meekneſs*.

He proves that *ſecond* marriages are not forbidden, though it is *better* to *forbear*.

In his book *of Virginity*, he ſays, " *mar-* " *riage* is *good*, that's my opinion, but vir- " ginity is *better*. This I own, and if you " will have my ſenſe, it is as much above " matrimony as *heaven* is above the *earth*, " and makes *men* like to *angels*."

Afterwards he makes an objection—" If " it be *better* to live *unmarried*, why did " GOD inſtitute *marriage?* Why did he " make *women?* And, ſhould all men em- " brace *virginity*, how ſhould mankind be " propagated?"—To anſwer theſe objections, *St. Chryſoſtom* goes back as far as the *creation* of man, and takes notice, that " while he was in the earthly *para-* " *diſe* with *Eve*, he was taken up with " a converſation with GOD, and he was " then freed from *luſt* and the *deſires* of the " *fleſh*, and lived in perfect *virginity*, and

" the

" the whole world was at that time a vaſt " ſolitude. But man, having diſobeyed " GOD's commands, and becoming mortal " and corruptible, with that happy life " which he enjoyed, he loſt alſo the *glory* " of *virginity:* ſo that *ſin* being the cauſe " of *death*, became at the ſame time the " cauſe of *marriage*. It is probable that " though there had been no marriage, yet " the world ‡ might have been peopled, " and God have created *other men* as he " had done the *firſt*." Adding, that " it " is not the frequent uſe of *marriage* that " multiplieth mankind, but GOD's bleſ- " ſing:" and he believes that " marriage " is more neceſſary to the world at preſent, " for a remedy againſt incontinency, *than* " *for the preſervation of mankind*; he grants " that it is neceſſary for the *weak*, but that " *virginity* is far more honourable and pro- CENT. V.

‡ This paſſage puts one in mind of *Leſlie*'s obſervation on the famous *myſtic*, *Madame Bourignon*— who ſaid — " there was no need for CHRIST to ſuffer " in order to the redemption of mankind, God might " have effected it ſome other way." — " This *devil* of " a *ſaint*," ſays *Leſlie*, " gives a direct lye to the ſcrip- " ture, Luke xxiv. 46. which ſaith — *Thus* (ΩΔΕΙ) " *it* BEHOVED CHRIST *to ſuffer*, &c."—How far ſhort this *angel* of a *Father* is from giving the *lye* to the book of *Geneſis*, wherein we find *marriage* inſtituted in the days of perfect *innocency*, muſt be left to the judgment of the *reader*, on the peruſal of what is ſaid in the above paragraph. However ſevere *Leſlie*'s animadverſion on *Madame Bourignon* may appear, it is fully warranted by what CHRIST ſaid to PETER on a ſimilar occaſion. See Mat. xvi. 22, 23.

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" fitable too: he pretendeth, that what-
" ſoever *St. Paul* ſaid of *marriage*, ought to
" induce men to embrace *virginity*."

He wrote two treatiſes, " *Againſt the co-*
" *habitation of clerks with women*"—and
" *A diſcourſe to a widow*;" —he exhorts her to continue in her *widowhood*. He made another little book on purpoſe to ſhew, that *ſhe ought not to marry again*; where he *proves*, that though *ſecond* marriages be not abſolutely *forbidden*, yet it is much better to continue in *widowhood*.

This *eminent father*, in his diſcourſes on the *euchariſt*, affirmed, that the *bread* and *wine* become the *body and blood* of CHRIST; that we ought not to doubt of it, ſeeing CHRIST himſelf affirmeth it — that fire from heaven conſumeth the things offered, and changeth them into the *body* and *blood* of JESUS CHRIST.

In the *Chriſtian* maxims, which are ſelected from his ſermons, he lays it down, that, " *ſolitarineſs*, and a *monaſtic* life, " are more to be deſired than the greateſt " kingdoms."

POPE INNOCENT I.

Can. 4. Forbids *orders* to a perſon who has married a *widow*.

Can. 5. Extends this prohibition even to thoſe who have *married* ſuch a woman before *baptiſm*.

Can. 6.

Can. 6. The ſame with regard to thoſe who have been *twice married.*

Can. 12. Prohibits the admitting *virgins*—that, being conſecrated to GOD, *married,* or were *corrupted*—to *penance,* before the death of the perſon with whom they have committed the *crime.*

Can. 13. Enjoins *penance* to virgins that *marry,* after promiſing *virginity,* though they had not been ſolemnly *veiled* by the *biſhop.*

Can. 1. Epiſt. 3. He confirms *Siricius* his law, concerning the *celibacy* of *prieſts* and *deacons.* Yet he forgiveth thoſe, who through ignorance obſerved it not, on condition that they ſhould continue in that order, and riſe no higher. But he ordains that thoſe ſhould be *degraded* who *violated* it *knowingly.*

In Letter 5. To two biſhops of *Abruzzo,* he bids them *depoſe* the *prieſts* that were accuſed of having had children ſince their *ordination,* if they be convicted of *that crime.*

Letter 9. Declareth, that a man who *married* another woman, while his wife was in captivity, ought to return to the former; becauſe a *ſecond* marriage *cannot* be *lawful,* except the former wife be dead or ſeparated by divorce.

Letter 22. To *Rufus,* and other biſhops of *Macedonia,* dated anno 414, he tells them, that "he was much ſurprized

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" by a letter directed to the ſee of *Rome*, " as the *chiefeſt* of all *churches*, becauſe " they conſulted him about things that " had *no difficulty*, and concerning which " he had plainly declared his opinion. " One is, the ordination of ſuch as had " married *widows*." Pope *Innocent* ſaith, " That there is no diſpute that they ſhould " not be ordained;" and affirms, " that " it was the practice of *all*, both *eaſtern* and " *weſtern* churches; nay, he would have " thoſe to be *degraded* who are found to be " in orders."

The *ſecond* is concerning thoſe, who having loſt a former wife, being yet *unbaptized*, had married a *ſecond* after *baptiſm*. Some were of opinion, that this kind of *bigamy* did not hinder them from *ordination*. Pope *Innocent* alledgeth ſeveral reaſons, to prove that ſuch a practice is not to be followed.

ST. JEROM

Was born about the year 345. In his treatiſe of *Virginity*, to *Euſtochium*, he highly extols it. In his directions to her for the maintenance of it, he adviſes her to ſhun reading *profane* books; and, to inforce what he ſays, tells her, that " he, " being once too earneſt in reading *Cicero*, " *Plautus*, and other profane authors, he " fell into a violent fever, and, by it, " into a kind of agony, and then was

" caught

" caught up in the ſpirit *to the tribunal of* " JESUS CHRIST; where, having been " ſoundly *whipt* for reading profane au- " thors too much, he was forbidden to " read them any more." He aſſures *Euſtochium* that " this ſtory *is not a dream*, " and calls the *tribunal where he appeared*, " and the *judgment that was given againſt* " *him*, to atteſt the truth of what he " ſays." Yet, when *Rufinus* upbraided him afterwards, that, for all that, he had not given over reading profane books, he laughs at his ſimplicity, and jeſts upon him for taking a *dream* for *truth*. So much for this *ſaint*'s || ſincerity!

In his polemical treatiſes, his bitterneſs againſt his opponents is exceſſive. When he diſputeth with *Helvidius*, he commendeth *virginity* to that exceſs, that it was thought he deſigned to condemn *matrimony*;—and he diſcourſeth after ſuch a manner of *virginity*, as would almoſt perſuade men, that it was neceſſary to lead that ſort of life, in order to be *ſaved*. Labour, faſtings, auſterities, and various mortifications, together with ſolitude and pilgrimages, make up the ſubject of almoſt all his advices and exhortations. His de-

|| *Le Clerc*, Quæſt. Hieron. iii. p. 62. ſays—" *In-* " *genium* Hieronymi *totum fuit ad jactationem, & diſ-* " *ſimulationem compoſitum.*" *The genius of* Jerome, *was wholly turned to bragging and diſſimulation.* See *Confeſſional*, 3d edit. p. 406—408.

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light was to hear of the lives of monks and hermits, and he eaſily believed whatſoever was told him upon that ſubject, though never ſo extraordinary.

In ſhort, from the account which *Du Pin* gives of this *Saint Jerom*, his compoſition ſeems to have been a mixture, like that of the *Cynic Diogenes*, in point of temper and diſpoſition, and like that of the viſionary of *La Mancha* in point of *judgment*. See before *Thelyph.* vol. ii. 123—128. 1ſt edit.——p. 116—121. 2d. edit.

ST. AUSTIN.

It being ſaid, by ſome enemies to the *Chriſtian* faith, that GOD had aboliſhed the *old law*, either out of *inconſtancy*, or becauſe He was *weary* of it, *St. Auſtin* anſwered—that "GOD is *unchangeable* in "all that concerns *Himſelf*; and that, as "He hath given precepts and ordinances "for the good of man, ſo it is for the "*ſame* end that He ſometimes *changeth* "them, as He judgeth it may be more "*convenient* for them."

N. B. The *Creator*'s changing His laws, in order to ſuit the *creature's convenience*, is a curious idea!

He adds, that, "we ſhould not believe, "that, ſince the coming of JESUS CHRIST, "thoſe things can be obſerved, which were "either *permitted*, or *preſcribed*, only for "the time of the *old law*; though at that "time

" time they were to be taken in their pro-
" per ſenſe." He inſtanceth in the *poly-gamy* of the *patriarchs*, becauſe they lived †*holily* in marriage, with a proſpect of having children; and he confidently preferreth that ſtate, before that of ſuch men, who, having but *one wife*, abuſe matrimony to ſatisfy their § brutiſh luſt.

He taught, that of all that is done for the *dead*, nothing availeth them where they are, but the offering of the *Euchariſt*, *prayers*, and alms-deeds: that theſe things are not uſeful to *all*, but only to ſuch as *deſerved*, in their *life-time*, to reap benefit bv them after their *death*.

He wrote againſt *Jovinian*, who was called an *heretic*, and an enemy to *virginity*, for perſuading ſome *Roman* virgins to marry, and for maintaining that " mar-
" ried perſons might be as *holy*, as perſons
" in a ſtate of *celibacy*." *Jovinian*'s opinion was rejected at *Rome*; and *Saint Auſtin* wrote a book, to ſhew, that *Jovinian*'s opinions might be refuted without condemning *marriage*; in which he examines how men could have had children had they perſiſted in a ſtate of *innocence*.

† Qu? How could the *patriarchs* be ſaid to "*live*
" *holily* in marriage," if they lived in a *ſtate* forbidden by the *primary inſtitution?*

§ From this paſſage, and many more, it is very clear, that this *father*, as well as others, differed very widely from *St. Paul*, in their notions relative to the *uſe* and *ends* of *marriage*. See poſt, p. 42. N. B.

He

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He declares that man guilty of *adultery*, who ſhould abuſe a *virgin*, when he has a deſign to marry another. As for the young woman, ſhe is guilty of *ſin*, but not of *adultery*, if ſhe is true to that man, and deſigns not to *marry* when he leaveth her. He doth not excuſe from *venial* ſin, either the man or the woman, who have another proſpect in marriage than the begetting of children. *N. B.*

He determines, that, though human laws permit a man to *marry again*, when he is divorced from a *former wife*, yet it is not *lawful* for *Chriſtians*.—He concludes, that *marriage* is of itſelf a *good* thing, but one of thoſe *good* things which we ſhould not look after, but in order to a greater *good*, or to avoid a *great evil*. That, before CHRIST, the moſt *continent* might *marry*, to multiply that people from whom the *Meſſiah* was to be born; but *now*, as many as are able to contain, do *well* not to *marry*. That, for *this* † reaſon, men were permitted formerly to have *ſeveral wives*, but *now* no man is to have more *than one wife*. That the *goſpel purity* is ſo great in this point, that a *deacon* was not to be ordained, who

† What an entire confidence had theſe *fathers* in the *credulity* of mankind, to venture forth their *reveries*, on *reaſons* ſo abſurd and fooliſh, as to be againſt all *reaſon?* As if the command to *increaſe* and *multiply* the human ſpecies, Gen. i. 28. was not as neceſſary for one period of the world, as for another. See poſt, p. 47.

had

had ever had more than *one wife*. He approves their opinion who underſtand this maxim in its *whole extent*, and without reſtriction, as did *Jerom*, by excepting thoſe who contracted a *former* marriage before *baptiſm*. And, as a young woman who had been defiled when ſhe was a *catechumen*, cannot be conſecrated as a *virgin* after *baptiſm*, even ſo it hath been thought reaſonable, that the man, who hath had more than *one wife*, whether before or after baptiſm, ſhould be looked upon as wanting one *neceſſary* qualification for *orders*.

His book *Of Holy Virginity*, ſays, that "*virginity* is one of the moſt excellent "gifts of GOD."—He exalteth the excellency of *virgins* conſecrated to GOD, by the example of the virginity of the *mother of* GOD, who, according to him, had made a vow of *continency* before the *angel* appeared to her.—He ſays, that *virginity* ſhould not be choſen as a thing *neceſſary* to *ſalvation*, but as a ſtate of greater *perfection*; and aſſerts, that *virgins* ſhall have a particular REWARD in *heaven*.

He exhorts huſbands that have left their wives to live in *continency*, alledging the example of *churchmen*, who abſtain ſo religiouſly, though they often were forced to take that profeſſion upon them againſt their wills.

He believes, that, by the inſpiration of GOD,

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GOD, the *martyrs* know the neceſſities of the faithful, and *hear* their *prayers*. He does not queſtion but *martyrs* help the living; but he knows not whether they do it by themſelves, or whether GOD doeth it by *angels* at their requeſt. He confeſſeth, that we cannot know by which of theſe means, or whether by *both*, the *martyrs* work *miracles*.

St. Auſtin's anſwer to the following queſtion is very curious, *viz.*—" If con-" cupiſcence is evil, and an effect of ſin, " if all children are born in ſin, how " comes *matrimony* to be approved, which " is the *effect* and *ſpring* of this *ſin?*" Anſwer. " Though *luſt* be a *defect*, and " a conſequence of the firſt man's *ſin*, " which remaineth even in the baptized, " yet conjugal chaſtity is to be approved, " which makes a good uſe of an *evil* " *thing*."

Here *St. Auſtin*, as well as *St. Chryſoſtom*, (ſee before p. 35.) evidently makes the natural deſire of the ſexes to each other, *evil in itſelf*—an horrible blaſphemy againſt GOD, who implanted it in man's nature for the wiſeſt purpoſes, in the days of man's *innocence!* otherwiſe how could the command—" *increaſe and multiply*"—have been *then* given, Gen. i. 28?—and the way in which this was to be done, expreſsly *commanded*, Gen. ii. 24.? With as much reaſon theſe *fathers* might have ſaid, that the

the appetite of *hunger* is evil, and the effect of *ſin*, though GOD provided food for man. Gen. i. 29.

St. Auſtin has been ſtyled the father of the *Latin church.*

The *Rhemiſts* quote this *father's* authority for thus commenting on 1 Cor. vii. 29. — "He exhorts that *thoſe who have* "*wives*, ſhould not wholly beſtow themſelves in the vain tranſitory pleaſure and "voluptuouſneſs of their fleſh, but live "in ſuch moderation, that *marriage* hinder them, as little as may be, from ſpiritual cogitations: which is beſt fulfilled of "them, who, by *mutual conſent*, do *wholly* "contain, whether they have had children "or none, contemning *carnal iſſue* for the "joys of heaven—and *theſe* marriages be "more bleſſed than any *other*, ſaith *St.* "*Aug.* de *Serm. Dom. in Monte*, L. i. "c. 14."

Council ſuppoſed to be held at ROME under Pope INNOCENT I.

Can. 1. and 2. Speak of thoſe *virgins* penance, who having ſolemnly put on the *veil*, and received the *prieſt's* benediction, commit inceſt, or contract prohibited marriages. Penance is likewiſe impoſed upon thoſe that made a ſingle vow of *virginity*—though they made no ſolemn profeſſion, nor received the *veil*—when they happen to

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to marry, or ſuffer themſelves to be taken away.

Can. 3. Concerns the *ſanctity* of *biſhops*, *prieſts*, and *deacons:* they are told, that they ought to give example to the people; that they are obliged to remain *unmarried*, and ſeveral reaſons are alledged for it. *Prieſts* and *biſhops*, ſay they, are to preach *continence* to the people: with what confidence ſhall they do this, if they keep it not themſelves? They are obliged to offer frequently the *holy ſacrifice*, to *baptize*, *conſecrate*, and *adminiſter:* to do it with the greater reverence, they muſt be *chaſte* both in body and ſpirit.

Can. 11. Speaks very ambiguouſly concerning a man's marrying his uncle's wife, or an aunt's marrying with the ſon of her huſband's brother.

Council of CARTHAGE. Anno 407.

Can. 8. Forbids *divorced* perſons to be married to others. This regulation is there judged to be conformable to the *law of the goſpel;* and the deciſion of the apoſtle *St. Paul.* (Quere, where?)

Ditto. Anno 418 and 419.

Can. 3. Confirms the rule of the council of *Carthage*, anno 401, concerning the celibacy of *biſhops*, *prieſts*, and *deacons:* it is

is ſaid that their miniſtry obligeth them to it. CENT. V.

Fauſtinus confirms this order in the 4th canon.

Can. 16. Readers are obliged to *marry* when they come to the age of *puberty*, or to make a *vow* of *continency*.

Can. 18. Forbids giving the *euchariſt* to the *dead*.

St. ISIDORE PELUSIOTA

Prefers a ſingle life before marriage.—He obſerves, that the *polygamy* of the antient *patriarchs* was *then* very excuſable, becauſe it was neceſſary that they ſhould have a numerous poſterity; but it may not be *now* uſed as a pretence to ‡ cover our incontinence.

He taught, that the veil, that covers the

‡ This "moſt lame and impotent concluſion" from the premiſes, which ſpeak of quite another matter, would almoſt tempt one to ſay of theſe *fathers*, as Lord Chief Juſtice *Holt* ſaid of one of the *heralds*, who appeared as a witneſs in a *cauſe*, wherein the determination of ſome queſtion depended on a diſtinction in *heraldry*. The *herald* giving but a *blind* account of the matter, and tiring the patience of the court with many abſurd anſwers—"Well," ſaid the Chief Juſtice, "I perceive, that this *ſilly* fellow "don't underſtand his own *ſilly* trade." The *reader* will find many inſtances of this, in the peruſal of theſe extracts from the *fathers*, whoſe *trade* and *occupation* ſeem to have been *ſyſtem-making:* in which they were as great proficients, with reſpect to *divinity*, particularly as relating to *marriage*, as the projectors at *Laputa* were in *experimental philoſophy* and *mathematics*. See GULLIVER.

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ſacramental elements, doth *undoubtedly* overſpread the *body* of JESUS CHRIST, and the *Holy Spirit* turns the wine into the *blood* of JESUS CHRIST. He approves of the honour given to *martyrs*, and the reſpect which is beſtowed on their *reliques*; and diſallows the preſenting of offerings at their altars in honour of them.

He relates a ſtory of a young woman, who coming into the ſight of a young man, who was in love with her, cured him of that fond paſſion, by preſenting herſelf with her hair *crop'd*, and her head covered with *aſhes*.

As *St. Iſidore* profeſſed a *monaſtic* life, he extols a *monaſtic* ſtate, and recommends the cloathing of *monks* to be of hair, and their food to be nothing but *herbs*.

ST. CÆLESTINE,

Choſen *Biſhop* of *Rome* anno 423. He decreed — that none be ordained *biſhop*, who hath been *married twice*, or hath married a *widow:* which he ordains as a rule, not only for the future, but he requires, that the ordinations already made in prejudice of this law, be looked upon as *unlawful*, which may not be allowed in force.

ST. LEO,

Choſen *Pope* anno 440, deſervedly reckoned (ſays *Du Pin)* among the *fathers* of the

the *church*. He lays it down, as a condition neceſſary for holy orders, not to have married above *one wife*, and ſhe not to have been a *widow*. He commands the *biſhops*, to whom he wrote, to deprive them of their *biſhoprics* who were found to had *two wives*, or had married a *widow*. CENT. V.

He orders, that the miniſters of the altar, that is to ſay, the *deacons* and *ſub-deacons*, ſhould be ſubject to the law of *continence*, as well as the *biſhops and prieſts*. He adds, that being *laics* or *readers*, they may be *married* and *have children*; but being arrived to the ſacred miniſtry of the altars, it is not to be permitted to them. That their *marriage* ought to be changed from *carnal* to *ſpiritual*, that ſo they may neither forſake their wives, nor have any carnal knowledge of them. *St. Leo* is the firſt that extended the law of *celibacy* to *ſub-deacons*.

He declares, that a *clergyman* who gives his daughter in marriage to one that hath a *concubine*, ought not to be treated as if he had given her to a perſon already married, becauſe *concubines* cannot be * counted *lawful wives*, nor the familiar commerce with them *marriage*, unleſs they be free, endowed, and joined together by *public marriage*.

That, young women, whoſe relations

* See before, p. 30. and vol. i. Append. to chap. 2.

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have married them to perſons that have *concubines*, do not ſin in dwelling with thoſe to whom they are married.

That it is not the ſin of *adultery*, but a virtuous action, for a man to *caſt off* his *concubine*, that he may live only with his wife. The *concubines*, ſpoken of in this place, are ſlaves, with whom men lived as with their wives, without having any commerce with others, though they were not ſolemnly married to them.

He could *wiſh* that thoſe who have done *penance* when they were *boys*, would not *marry*; yet he *excuſes* young men who do it to avoid incontinency. See 1 Cor. vii. 9.

He orders that the *monks* who have *married* ſhould be made to do *penance*, becauſe they cannot leave that profeſſion without *ſin*, when they have once embraced it, but are obliged to perform their *vows*.

He condemns *virgins*, who married after they had voluntarily put on the habit, though they were not yet conſecrated.

Can. 4. He commands *biſhops*, *prieſts*, and *deacons* to live unmarried; and obſerves, that the uſe of marriage was not allowed to *ſub-deacons*. *St. Gregory* ſays, that "it was hard to refuſe it to the *latter*."—But quere,—Why more ſo than to the *former*?

The *Gallican* biſhops wrote to *St. Leo* a letter full of high commendations and compliments, and they call the church of *Rome*

Rome — " *Apoſtolica ſedes, unde religionis* " *noſtræ fons & origo manavit.*"—" The " apoſtolic church, from whence comes " the origin and ſource of our religion."

In one of his ſermons, on *St. Peter*'s day, he ſays, that, that *apoſtle* never forſakes his church, but continues to be the *foundation* of it—that *St. Peter* is not only *biſhop* of the *Roman* church, but the *head* of all the churches in the world.

ST. HILARY, Biſhop of ARLES,

A man of remarkable eloquence, and of great zeal.—He did much good in his viſitations to the *Gallican* churches. He often went to ſee *St. Germanus*, with whom he made an enquiry into the life and manners of the clergy. While he was with him, a certain *biſhop*, named *Celidonius*, was accuſed before him, becauſe he had *married* a *widow* before he was ordained, which is forbidden by the *canons*, and the *authority of the Holy See*. The caſe being diſcuſſed, with all fairneſs imaginable, and the witneſſes heard, he pronounced, that he whom the *holy canons* deprived of his *prieſthood*, ought to forſake it of himſelf: the poor biſhop reſolved with himſelf to go to *Rome*; he complains that he had been uſed with too much ſeverity.

St. Hilary, underſtanding this, puts himſelf immediately upon his journey to go to *Rome*. The coldneſs of the ſeaſon, the

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height of the *Alps*, and other troubles in the journey, could not take off the edge of his zeal; he conquered them all, and went to *Rome* on foot: after having paid his *devotion* to the tombs of the *apoſtles* and *martyrs*, he went to *St. Leo*, gave him all due reſpect and veneration, and humbly beſought him, that he would make *no alteration in the ordinary diſcipline of the church*.

HILARY, Biſhop of ROME,

Was of opinion that *biſhops* who had been *twice married*, or had married a *widow*, ought to be deprived.

GELASIUS I. Biſhop of ROME,

Repeats the antient *canons* concerning the qualifications of ſuch as they ought to ordain—that they ought to be but *once married*.

Council of CHALCEDON.

Can. 15. Forbids the ordination of a *deaconeſs* before ‡ forty years of age, and without ſtrict examination; and declares, that if ſhe ſhall *marry* after ſhe has been ſome time in the ſervice of the church, ſhe ſhall be *excommunicated* with her *huſband*.

Can. 16. It is not permitted to *virgins*, devoted to GOD, to *marry*. They who

‡ 1 Tim. v. 9.

have

have done ſo ſhall be excommunicated— yet the *biſhop* of the place may treat them with ſuch lenity and mildneſs as he thinks fit.

I. *Council* of ORANGE, *anno* 441.

Can. 22. For the future no married perſons ſhall be ordained *deacons*, unleſs they make a profeſſion of living in *chaſtity*.

Can. 23. If it be found out that one of thoſe *deacons* do not abſtain from his wife, he ſhall be *deprived*.

Can. 24. Excepts from this law, thoſe who have been ordained heretofore. The only *penalty* it inflicts on them is, that they cannot obtain any higher orders.

Can. 25. Thoſe who have been *twice married*, though *never ſo worthy*, ſhall be admitted to no other orders than that of *ſub-deacon*.

Can. 27. Of *widows* profeſſing *chaſtity*— orders, that it ſhall be done before the *biſhop*, and that it be diſcovered by their widows garments, or by a kind of veil put upon them, as it is the *Roman* cuſtom, and is decreed by the council of *Toledo*, can. 4. and of *Carthage*, can. 104.

Can. 28. Such as break their vow of *virginity*, whether *men* or *women*, ſhall be made to do *penance*.

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II. *Council* of ARLES, about *anno* 442.

Can. 2. No man may be made a *prieſt*, who is *married*, unleſs he will renounce the *uſe of marriage*—which they call by the name of *converſion*.

Can. 21. A *penitent* may not *marry*.

Can. 52. Is againſt thoſe who marry after they have vowed *virginity*.

Council of ANJOU, *anno* 433.

Can. 4. The *clergy* ſhall not dwell with *women*.

Can. 5. They ſhall be treated very ſeverely, who forſake their ſtate of penance or *virginity*.

Can. 11. No perſon ſhall be ordained *deacon* or *prieſt*, who hath had more than *one wife*.

Letter of LUPUS Biſhop of TROYES, and EUPHRONIUS Biſhop of AUGUSTODUNUM, to THALASSIUS Biſhop of ANJOU.

This letter contains, 1. Rules concerning the different ways of celebrating the *vigils* of the *feſtivals*.

2. About the *clergy* that had been *twice married*. They ſay that it may be *tolerated* in the leſſer orders, as high as a *porter*: but *exorciſts* and *ſub-deacons* ought not to have been *twice married*. 3. They ſay, that

that it were better for the clergy to abſtain from marriage, but in this they muſt follow the *cuſtom of the churches*. As to the *exorciſts* and *ſub-deacons*, they muſt not be ſuffered to marry a *ſecond* time; that, in the church of *Auguſtodunum*, none of the *clergy*, not the *porters* themſelves, are allowed it. CENT. V.

Council of TOURS, 461.

Can. 1. and 2. Recommend a ſingle life to *biſhops*, *prieſts*, and *deacons*.

Can. 3. Forbids them to dwell with *women*.

Can. 4. Prohibits the *clergy*, who might marry, to marry *widows*.

CENTURY VI. CENT. VI.

Pope SYMMACHUS.

He condemns thoſe who marry *widows*, or *virgins* conſecrated to GOD, although they who are married mean well. He ordains that ſuch ſhall be caſt out of the communion of the church: and he forbids *widows* who have lived a long while unmarried, and *virgins* who have been a conſiderable time in monaſteries, to *marry*.

ENNODIUS, Biſhop of PAVIA,

Took *orders* by conſent of his wife, who, for her part, embraced a chaſte and

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religious life. He wrote a *poem* in praiſe of *virginity*.

ST. FULGENTIUS.

His letter concerning the *conjugal duty* and the *vow*, is upon a particular caſe. Some had aſked *Fulgentius*—" *Whether a* " *married perſon was obliged to keep a vow* " *of continence?*" *St. Fulgentius* makes many obſervations concerning the uſe of marriage, and the obligation of vows. He remarks upon the firſt head, " that the " uſe of marriage is *allowed*, when it is " intended for the procreation of chil- " dren; but when it has no end but plea- " ſure, although it is not a crime like " *adultery*, yet it is always a *ſmall ſin*, " which is *blotted out by prayer and good* " *works*."

As to the vow, he ſays, that, " there is " no doubt, but, by it, an obligation is " contracted to do the thing which was " vowed." But he maintains, that " the " vow of *continence* made by one of the " married perſons, cannot oblige the other, " nor diſpenſe with that perſon who made " the vow from paying the conjugal duty " to the other, at leaſt unleſs both parties " had concurred in making the vow." Having laid down theſe principles, he concludes—" that if the perſons who wrote " to him, had *both* made a vow of *conti-* " *nence*, then they were obliged to keep " it;

" it; and that if they found themſelves
" tempted by carnal deſires, they ſhould
" humbly pray to GOD to give them grace
" † to reſiſt them; but if only *one* of the
" *two* had made a vow of continence, that
" party was obliged to pay the conjugal
" duty to the other who had not made it."

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The EMPEROR JUSTINIAN,

Began his reign in 527, and died in 565.

He added many laws to thoſe made by the princes his predeceſſors; *viz.*

If a *monk* enter into orders, he is forbidden to *marry*.

He who would be made a *biſhop*, muſt be one who was never *married* but *once*, and alſo one who was not eſpouſed to a *widow*.

The ſame precautions ſhall be obſerved in the ordination of inferior *clergymen*.

The *deaconeſſes* ſhall be ordained only of *virgins*, or of *widows* who were never *married* but *once*, and who have paſſed the *fiftieth* year of their age. If any younger are ordained, they ſhall enter into a *monaſtery*.

In treating of *marriages*, he firſt men-

† Here is a fair *preceptive* precedent, as before, p. 6. for praying to GOD, to invert the *order* of *nature*—to annihilate his own *command*—and to *defeat* his own *purpoſe* in the creation of the *male* and *female*, and in ordaining *marriage!* See 1 Cor. vii. 5, 9.

tions

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tions the cauſes of the diſſolution of marriage. He diſtinguiſhes them into two ſorts: the *firſt*, are thoſe, which he calls *ex bona gratia*, becauſe it is to be preſumed that both parties are willing. 1. When one of the two who are joined together makes a *vow* of *chaſtity*. 2. When the huſband is impotent for the ſpace of *three* years. 3. When he is a captive, or abſent for the ſpace of *five* years, without hearing of him: but not when he is a ſlave, or condemned to the mines, or exiled and baniſhed for ever. 4. That if a woman be eſpouſed who is found to be a ſlave, the marriage ſhall be *null* for the future, unleſs he was her maſter, who married her as a free woman, in which caſe ſhe ſhall continue free. 5. *Conſtantine* had permitted a woman, whoſe huſband had been *four* years in the wars, without writing to her, or giving her any marks of his affection, to marry another.

Juſtinian repeals this law, and ordains that a woman cannot marry again until the end of *ten* years; and alſo till ſhe has ſolicited her huſband to return, and preſented her petition to his captain or his colonel, whereby it may be evident that he has no mind to return to his wife.

Theſe are the cauſes of diſſolution of marriages which *Juſtinian* calls *ex bona gratia*.

The other cauſes are thoſe which are *rigorous*:

rigorous: as, if a *man* or a *woman* be convicted of *adultery*, *murder*, *poiſoning*, *theft*, *treaſon*, *robbery*, or any other crime: and if it happen that the *woman* be guilty of theſe crimes, ſhe ſhall continue *five* years without being capable of marrying again; and alſo if it be ſhe who convicts her huſband of them, ſhe ſhall at leaſt continue *one* year before her *ſecond* marriage.

Juſtinian adds alſo three cauſes for which women may be divorced. If they make themſelves *miſcarry*. If they *bathe* with other men. If they ſpeak of *marriage* to *others* while their huſband liveth.

Juſtinian repealed what he had before ordained concerning perſons who were in the army, and ordains, that it ſhall never be lawful for a woman to marry again, unleſs ſhe has ſufficient proof or witneſſes that her huſband is dead.

Another law contains reaſons for which a *divorce* may be granted. A man may *divorce* his wife—if ſhe has conſpired againſt the ſtate—if ſhe be convicted of *adultery*—if ſhe has attempted her huſband's life—if ſhe has dwelt or waſhed with ſtrangers againſt her huſband's will—if ſhe be preſent at public ſports in ſpite of him. The woman may alſo be parted from her huſband—if he be a criminal to the ſtate—if he has attempted her life—if he would have proſtituted her—if he cohabits with other women, after his wife has

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has admoniſhed him to forſake their company.

As to what concerns the clergy—they muſt have no *concubine*, nor natural children; but they muſt be *virgins*, or ſuch as are married only *once* to one woman.

If he who is to be ordained, has not a wife, then, before he is ordained, he muſt engage to live in *celibacy*; but he who ordains a *deacon*, or *ſub-deacon*, may permit him to marry after his ordination.

That if a *prieſt*, or *deacon*, or *ſub-deacon*, eſpouſe a woman after his ordination, he is to be turned out from the *clergy*.

That a *reader* may marry—but if he contract a *ſecond* marriage, or eſpouſe a *widow*, he cannot aſcend to higher dignity among the clergy.

That if any marry after they have been among the *clergy*, they ſhall return to their firſt condition.

He reſtores the *antient cuſtom*, whereby married perſons were allowed to ſeparate, with the conſent of one another, without any other formality.

ST. BENEDICT.

This gloomy mortal, famous among the monks, ſhut himſelf up in a frightful cave.—He declares that his *rule* contains only the *firſt elements* of a religious and ſpiritual life, and that the *books of the fathers* contain it in *perfection*.

N. B. One

N. B. One ſhould think that the ſcriptures bore a *price* ſomething under *par*, in the eyes of theſe *enthuſiaſts*. CENT. VI.

Pope PELAGIUS II.

In one of his decrees, he allows that a man may be ordained *deacon*, who, having left his wife, had children by a *maid-ſervant* without eſpouſing her, although it be againſt the *laws* and the *canons*, merely on account of the want of thoſe who are diſpoſed to be *clergymen*.

He ordains alſo, that this *maid-ſervant* ſhall be put into a monaſtery, to make there profeſſion of *continence*.

St. JOHN, ſurnamed CLIMACUS.

This *ſaint* was called *Climacus*, from his work intitled Κλιμαξ, *i. e.* a *ſcale* or ladder.

This *ſcale* contains thirty *degrees*, which are ſo many *Chriſtian* and *religious* virtues. The 15th contains the praiſes of *chaſtity*. There he ſhews the conſequences of this virtue, and the enormity of the crime which is oppoſite to it; he condemns it, even to the motions of *luſt*, which happen in the time of *ſleep*. He preſcribes for a remedy, that they ſhould clothe themſelves with ſackcloth, and cover themſelves with *aſhes*; that they ſhould paſs the night ſtanding; that they ſhould ſuffer hunger and thirſt; and that they ſhould lodge in the

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the tombs, and be humble and charitable. —See 1 Cor. vii. 9.

ST. GREGORY, Pope 590, Surnamed THE GREAT.

ST. GREGORY *proves (epiſt.* 39. lib. ix.) that *marriages* are not *diſſolved* by the entrance of one of the married perſons into a religious houſe, although human laws permit the man to part from his wife, or the woman from her huſband, that they may go into a monaſtery.

He adds, in *epiſt.* 44. of the *ſame* book, where he handles the *ſame* queſtion, that the law of GOD does not allow a man to forſake his wife for any cauſe but *adultery*; nevertheleſs, he permits *married* perſons to part from one another, that they may enter into a religious houſe, when this is done with the conſent of both parties.

St. Gregory took it ill, that the *ſubdeacons* of *Sicily* were obliged to *abſtain* from their *wives*, according to the cuſtom of the church of *Rome*. This law appeared to him harſh and unreaſonable, becauſe they found not *continence* eſtabliſhed by any law for them, and they were not obliged to keep it before they were ordained. He feared leſt *ſomething worſe* ſhould happen if this *yoke* were impoſed upon them.

He orders, that none ſhall be *ordained* for

the future, who do not promiſe to live in *continence*.

He declares, that he will put in execution the order of the *Pope*, his predeceſſor, about the *continence* of *ſub-deacons*, and that thoſe who are married ſhall be obliged to abſtain from the *uſe* of *marriage*, or elſe to forſake the ſervice of the altar.

He would not have the *wives* puniſhed, of thoſe who deſired rather to quit the ſervice than renounce them, nor the women hindered from marrying again after their death. He orders, that, for the future, no *ſub-deacon* ſhall be made, who is not obliged beforehand to obſerve *celibacy*.

He forbids to ordain a *deacon biſhop*, who had a very young *daughter*, by whoſe age it manifeſtly appeared that he had not long obſerved *continence*.

He promiſed the Empreſs *Conſtantina*, ſome of the *filings* of St. *Peter*'s chain, if the *prieſt* who was appointed for filing them could have any; for the *file* would not take hold, when thoſe who deſired to receive them do not deſerve to receive them.

He ſent every where ſome of theſe *filings*, enchaſed in *keys*.

This *St. Gregory* ſent *Auſtin* a *monk*, of the order of *St. Benedict*, with forty *miſſionaries*, *French prieſts* and *Italian* monks, to eſtabliſh *Popery* in *England*, under the notion of preaching the *Chriſtian religion*. *Auſtin* was the firſt *archbiſhop* of *Canterbury*;

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bury; he was nominated to that high office anno 597, by *Pope Gregory*, with the conſent of *Ethelbert*, King of *Kent*. "The "*Chriſtianity* which this pretended *apoſtle* "and ſanctified *ruffian* taught us, ſeemed "to conſiſt principally in two things; in "keeping *Eaſter* upon a proper day, and "in being *ſlaves* to our ſovereign Lord God "the *Pope*, and to *Auſtin* his deputy and "vicegerent. Such were the boaſted bleſ-"ſings and benefits which we received from "the miſſion and miniſtry of this moſt au-"dacious and inſolent *monk*. He is ſtrongly "ſuſpected, as *Du Pin* acknowledges, of "having excited the *Saxons* to fall upon "the *Britons*, and to cut the throats of "twelve hundred *monks* of *Bangor*." See *Jortin*, Rem. vol. iv. p. 417. Alſo *Fox*, vol. i. p. 132.

The ſaid *St. Auſtin* ſent to *St. Gregory*, for a reſolution of ſundry queſtions. Among others—

Q. Whether *eccleſiaſtics*, who have not the gift of *continence*, may *marry*; and if they do, whether they may return to ſecular affairs?

A. They may *marry*, if they be not engaged in *holy orders*, and ſuch ought not to want ſubſiſtence; but they ſhall be obliged to lead a life agreeable to the eccleſiaſtical ſtate, and to ſing the *pſalms*.

Q. To what *degree* may the *faithful* marry together?

A. A *Roman*

A. A *Roman* law, of *Arcadius* and *Honorius*, permitted marriages between *couſin-germans:* But *St. Gregory* did not think theſe marriages lawful, for *two* reaſons.

1. Becauſe *experience ſhews that no children are born of them.*

2. Becauſe the *divine law* forbids them.

Q. Where?

This St. *Auſtin* ſent alſo to *St. Gregory* for a reſolution of ſundry very *filthy* queſtions; which, with the anſwers to them, may be found in *Du Pin*, vol. v. p. 93. *Eng. Tranſ.* Likewiſe an account of the monſtrous *lyes* which *St. Gregory* publiſhed in *four books*, p. 98, 99. See alſo p. 92.

Lucius Charinus

Says, that the God of the *Jews* was a God of *wickedneſs*—that, on the contrary, Christ is a God of *goodneſs*—He condemns marriage, and looks upon *generation* as the work of the *devil.*

N. B. Let thoſe think on this, who talk of a *new law* of Christ, more *pure* and *holy* than the *law* of the Old Teſtament, and who repreſent the God of the *Jews* as allowing *polygamy*, and Christ as calling it *adultery.*—Let them conſider, that, frequently, there may be a *verbal*, where there is little *real*, difference.

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Council of AGATHA, *anno* 506.

Can. 1. Renews the prohibitions of the *antient canons* about the ordinations of *bigamists*, and of those who had married *widows*. It permits those who are already ordained *priests* and *deacons*, though they be *bigamists*, or married to *widows*, to retain the *name* of their order, but deprives them of the exercise of their *function*.

Can. 9. The laws of the Popes *Innocentius* and *Siricius*, about the *celibacy* of *priests* and *deacons*, shall be observed.

Council of ORLEANS, *anno* 511.

Can. 21. A *monk* who quits the monastery and *marries*, can never enter into holy orders.

Council of GERUNDA, *anno* 517.

Can. 6. All the orders of clergymen, from *bishops* down to *sub-deacons*, are forbidden to *cohabit* with their *wives*, or if they will dwell with them, they are commanded to have with them one of their *brethren*, who can give testimony of their *continence*.

Can. 8. None shall be admitted into the *clergy*, who have had carnal dealings with a woman, after the *death* of their *wife*.

Council

Council of EPAONE, *anno* 517. CENT. VI.

Can. 2 and 3. Renew the *canons* againſt the ordination of *bigamiſts*, and thoſe who have done *penance*.

Can. 21. Forbids to conſecrate ‡ *widows* for *deaconeſſes*; inſomuch that if widows are willing to be converted, i. e. to lead a religious life, the benediction of *penance* ſhall only be given to them.

Can. 25. Forbids to place the *reliques* of ſaints in country chapels, unleſs there be clergy in the neighbouring pariſh, who can *honour* them, by ſinging in theſe chapels from time to time.

Can. 30. None ſhall marry a *couſin-german* or the *iſſue* of a *couſin-german*.

Can. 32. Separates from the church the wife of a *prieſt* or *deacon* who marries, and him that eſpouſes her, until they be parted.

Can. 34. Impoſes *two* years penance on him who puts his *ſlave* to *death* by his own authority.

Can. 40. The *biſhops* who will not obſerve theſe canons, ſhall be guilty both before GOD and their brethren.

‡ *St. Paul* and this *council* are at irreconcileable variance. See 1 Tim. v. 9.

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Council of LERIDA or ILERDA, *anno* 524.

Can. 1. Forbids *clergymen* to ſhed *human blood*, under penalty of being deprived of the communion for *two* years.

Can. 2. Impoſes *ſeven* years penance upon thoſe men or women that *murder* infants conceived and born in *adultery*. If they be *clergymen*, they alſo ſhall be put under penance, and not be reſtored again to their order: they ſhall only be permitted, after *ſeven* years, to ſing in the quire. But as to thoſe who give *drugs* for committing theſe * deteſtable *crimes*, 'tis ſaid they ſhall not receive the *communion* till *death*.

Can.

* The *ſyſtem* which the *church* was erecting on the demolition of the *divine law*, was attended with the moſt fatal and dreadful conſequences, ſuch as will never be got rid of, 'till the *laws of the Creator* ſhall be once more fully reſtored among us.

Horace's fable of *Prometheus*, bears no little reſemblance to the caſe before us, and may eaſily be paraphraſed to our purpoſe.

Audax JAPETI *genus*
Ignem fraude mala gentibus intulit.
Poſt ignem ætheriâ domo
Subductum, macies, & nova febrium
Terris incubuit cohors:
Semotique prius tarda neceſſitas
Lethi corripuit gradum.

When men of *Japhet*'s daring race
The laws of Heaven could efface,
And ſubſtitute their *own*;
Of murders dire a ghaſtly brood,
And crimes, the impious fraud purſu'd,
'Till then almoſt unknown.

Oppreſs'd

Can. 6. He who has defiled a *widow*, or a *nun*, ſhall be *excommunicated*, the *nun* ſhall alſo be *excommunicated*, unleſs ſhe part from him, in which caſe ſhe ſhall be put under public penance.

Fourth Council of ARLES, *anno* 524.

Can. 3. Renews again the prohibition ſo often repeated, not to ordain a *penitent* or a *bigamiſt*.

Second Council of TOLEDO, *anno* 531.

Can. 1. Concerns *infants* which the parents offer to be *clergymen*. It ordains, that, at the age of *eighteen*, they ſhall be aſked, in the preſence of the clergy and people, what is their deſign; and if they promiſe to obſerve *chaſtity*, they ſhall be made *ſub-deacons* at the age of twenty. If they diſcharge this miniſtry well, they ſhall be *deacons* at twenty-five; but good heed ſhall be taken that they do not MARRY, or that they keep not company with *women*, and if they be convicted of doing it, they ſhall be looked upon as *ſacrilegious* perſons, and turned out of the *church*.

Oppreſs'd with ſhame, o'erwhelm'd with fear,
The teeming *mother* will not dare
Her *infant*'s life to ſave;
The dagger's point its blood ſhall ſtain,
Or the ſlow poiſon's deadly bane
Shall make her womb its grave.

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As to those who will not oblige themselves to observe *celibacy*, they shall be left to their liberty; but they shall not be promoted to holy orders, until such time as they shall *renounce* the *use of marriage*, after they are arrived to the age of maturity.

Second Council of ORLEANS, *anno* 533.

Can. 8. A *deacon* who is *married*, being in captivity, cannot be restored to his ministry.

Can. 17. Women who have received the *benediction* given to *deacons*, *contrary* to the *canons*, shall be turned out of *communion*, if it be proved that they *marry*: yet if, upon admonition of the *bishop*, they cease to *cohabit* with their husbands, they shall be received into communion, after they have done *penance*.

Can. 18. The *deacon*'s blessing shall no more be given to women.

Council of CLERMONT in ARVERNIA, *anno* 535.

Can. 13. *Priests* and *deacons* shall live in *celibacy*, and if they be found to keep company with their wives, after they are promoted to these dignities, they shall be deprived of them.

A man must not marry his *wife's sister's cousin-german*, or the *issue* of her *cousin-german*.

Third Council of ORLEANS, *anno* 538. CENT. VI.

Can. 6. Forbids ordaining thoſe who have *twice married.*

Can. 7. If *clergymen* who have been ordained with their own conſent, being *unmarried*, do afterwards *marry*, they ſhall be excommunicated. If they were ordained againſt their will, they ſhall only be *depoſed*, and the *biſhop* who ordained them be ſuſpended for one year.

Clergymen who commit *adultery*, ſhall be ſhut up in a monaſtery all their life-time, yet without being deprived of *communion.*

Can. 10. A man muſt not marry his *couſin-german* or *her iſſue.*

Can. 33. An *imprecation* againſt thoſe who obſerve not *theſe canons.*

Fourth D°, *anno* 541.

Can. 10. Suſpends a *biſhop* from the ſacerdotal function, who had ordained a *bigamiſt*, or him that married a *widow.*

Can. 17. Prieſts and deacons ſhall not have a *bed* and *chamber* common with their *wives.*

Fifth D°, *anno* 549.

Can. 4. *Clergymen* who are obliged to *celibacy*, and do not obſerve it, ſhall be *depoſed.*

Can. 19. If women who come to a monaſtery and take the habit, do afterwards

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marry, they ſhall be *excommunicated*, together with thoſe that marry them: but if they *part*, and do penance, they ſhall be reſtored to communion.

Second Council of TOURS, *anno* 567.

Can. 12. The *biſhop* ſhall live with his *wife* as with his *ſiſter*, without giving any cauſe of *ſuſpicion*.

Can. 14. Forbids *prieſts* and *monks* to take any perſon to *bed* with them. It orders that monks ſhould not lie, *two* or *three* in ſeveral cells, but in one *common hall*, where ſome ſhall watch while others *take their reſt*.

N. B. This *canon* was, for *certain reaſons*, a very neceſſary one.

Can. 15. Monks who go out of their monaſtery to marry, ſhall be parted and put under penance.

Can. 19. Hinders the *clergy* who are obliged to *celibacy*, from lying with their *wives*.

Can. 20. Renews the penalties on thoſe who marry *virgins conſecrated* to GOD, or who *conſent* to theſe *marriages*.

Synod of ANTISIODORUM.

Can. 12. The *euchariſt* ſhall not be given to the *dead*, nor the *kiſs of peace*.

Can. 20. *Prieſts*, *deacons*, and *ſub-deacons*, who ſhall have *children*, ſhall be depoſed.

Can.

Can. 24. It is not lawful for an *abbot* or *monk* to *marry*.

Can. 36, 37. Women not to receive the *euchariſt* with the naked hand, or to touch the linen cloth which covers the body of *our Lord*.

Can. 42. Women to have the *dominical* for receiving the communion. Some think this is the linen upon which they receive the *body* of JESUS CHRIST, being forbidden to receive it with their naked hand. Others think it a kind of veil which covers the head. Whatever it be, this *ſynod* declares, that, if they have it not, they ſhall wait 'till another *Sunday* to receive the *communion*.

Council of MASCON, *anno* 581.

Can. 3. No women ſhall enter the chamber of a *biſhop*, but in the preſence of two *prieſts* or two *deacons*.

Can. 11. *Clergymen*, obliged to *celibacy*, ſhall be depoſed if they violate the obligation.

Can. 12. *Virgins* conſecrated to GOD, who *marry*, ſhall be *excommunicated*, both they and their huſbands, till *death*. If they *part*, they ſhall continue under *penance*, during the pleaſure of the *biſhop*.

Council of LYONS, *anno* 583.

Can. 1. *Clergymen* forbidden to have *any familiarity* with their *wives*.

Second

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Second Council of MASCON, *anno* 585.

Can. 16. Forbids the *widows* of *ſub-deacons*, *exorciſts*, and *acolythiſts*, to marry again.

This council, which was very numerous, conſiſting of 6 archbiſhops, 37 biſhops, 20 deputies from other biſhops, and 3 biſhops who had no ſee, ordained—in

Can. 15. That *laymen* ſhould ſhew *reſpect* to *clergymen*, and to ſalute them if they meet them on horſeback in the way; to *light off* their horſe and ſalute them, if they meet them on foot.

Third Council of TOLEDO, *anno* 589.

Can. 5. Renews the laws of *celibacy* for *prieſts* and *deacons*.

Can. 9. Leaves *widows* and *maids* at liberty to *marry* or keep *celibacy*, and *excommunicates* thoſe who hinder them from obſerving their vow of *chaſtity*.

Can. 17. Againſt thoſe *fathers* and *mothers* who put their children to death.

Council of BARCELONA, *anno* 599.

Can. 4. If a virgin who has renounced the cuſtoms of the world, and promiſed to obſerve *continence*, or any other perſon who has deſired of the *prieſt benedictionem pœnitentiæ*—i. e. the bleſſing for leading a religious life, for this is often called *pœnitentia*

tentia and *converſio*—do *marry*, or, being taken away by force, will not part from their raviſhers, they ſhall continue excluded from the communion of the *faithful*, and ſhall not have ſo much as the comfort of *converſation*.—This canon may alſo be underſtood literally of penance, becauſe it was not lawful for *penitents* to *make uſe* of marriage (if married) or to marry (if ſingle).

CENTURY VII.

St. Isidore

Succeeded to the biſhopric of *Sevil* about the year 595. He is likewiſe for the *celibacy* of the *clergy* He ſays, that a *biſhop* ought always to have lived ſingle, or to have had but *one* wife — that *prieſts*, *deacons*, and *ſub-deacons* ſhould be bound to *continency*. Among other works of diſcipline, he wrote *the rules of the monks*, accommodated to the uſe of his country.

St. Columbanus,

An Iriſh *monk*. He contended, that the *celibacy* of ſuperior clerks was commanded —that married perſons ſhould abſtain from the *uſe of marriage* for *three* days before the *communion*—that men were to be put to penance for *bigamy* and *uſury*—that *women*

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men might receive the ſacrament with a black veil on — that, in caſe of *neceſſity*, *confeſſion might be made to* GOD.

ST. ELIGIUS,

A great lover of eccleſiaſtical diſcipline, and follower of the traditions of the fathers, *Cyprian*, *Auſtin*, *Gregory*, &c.—however, he exceeded them all; for, in one of his homilies, he lays it down, that "it is "as great a crime for a man to lie with "his wife, as to eat fleſh in *Lent*." This may eaſily be believed to be very true; but, as *St. Eligius* meant it, who believed that eating fleſh in *Lent* was a very horrible ſin, it certainly exceeds, if poſſible, the *folly* of all the preceding *ſaints* and *fathers* put together.

THEODORUS of CANTERBURY,

Ordained biſhop by Pope *Vitalian*, and ſent into *England* in 668, to govern the church of *Canterbury*. He laboured much in the eſtabliſhing of the *faith* and church-diſcipline in *England*.

In the *eleventh* chapter of the *ritual* attributed to him, there are many queſtions about *married* perſons. It is ſaid there, they ought to abſtain from the *uſe* of matrimony *three* days before the communion—*forty* days before *Eaſter*—*forty* days *before* and *after* childbearing. That a lawful marriage cannot be diſſolved, but with the conſent

conſent of both parties; but either of them may give his conſent, that the other may withdraw into a monaſtery, and then, that the other may marry again, as if he had not been married before. If the huſband be made a ſlave, the wife may marry at the year's end. That a man may marry again within *one month* after his wife's death, and a woman within *one year* after her huſband's deceaſe. That a woman, who hath vowed widowhood, cannot marry again; if ſhe ſhould, it ſhall be free for the huſband to let her fulfil her vow or not. That the *biſhop* may diſpenſe with *vows*. It is free for one baptized to *keep* or *put away* his wife being a *Pagan*. If a woman forſake her huſband, within *five* years after he may take another wife. If ſhe be carried away captive, he may marry another *one* year after—but if ſhe cometh again, he ſhall leave this *laſt*. It is lawful, among the *Greeks*, to marry in the *third* degree, and among the *Romans* in the *fifth* only.

Children are in the power of their father 'till ſixteen years old, but, that time being paſt, they may enter into a *religious order*.

Council of EGARA, *anno* 614.

Confirmed the decree made in that of HUESCA, concerning the *celibacy* of the *clergy*.

Fifth

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Fifth Council of PARIS.

Can. 1. The antient *canons* ſhall be kept.

Can. 14. Prohibits marriage with a maiden that has taken a religious habit. It excommunicates thoſe that contract ſuch marriages, 'till they ſeparate themſelves.

Council held in FRANCE, about *anno* 614, the *place* uncertain.

Can. 12. Forbids *preſbyters* and *deacons* to *marry*, upon pain of being turned out of the *church*.

Second Council of SEVIL, *anno* 619.

Can. 4. Is againſt the unlawful ordinations made at *Aſtigi*, where perſons that had married *widows* had been ordained *clerks*. The *ordinations* are declared *null*, and they are forbidden to be raiſed to the order of *deacons*.

Council of RHEIMS under SONNATIUS.

Can. 7. Threatens to excommunicate thoſe who ſhall violently take away from the *church* the *criminals* fled into it.

The original of this privilege, allowed by the *Heathens*, and afterward by the *Chriſtians*, to their *temples* or *churches*, was certainly taken from the divine conſtitution given to *Moſes*, reſpecting the *ſix cities of refuge* in the *Jewiſh* nation (Numb. xxxv. 6.) though

though not altogether conformable to it: for *Moſes* made the cities only a *refuge*, and that only for ſuch manſlayers as had *killed their neighbours unawares*; but the *Heathens* made their temples an *aſylum* for all manner of wickedneſſes. So *Livy* ſays of the *aſylum* erected by *Romulus* at *Rome*: *Aſylum aperuit, quo quiſquis perfugerit*, ab omni noxa *liberatus eſſet*. "He opened an *aſylum*, where, whoſoever fled to it, ſhould "be freed from every crime." So *Herodotus* ſpeaks of *Hercules*'s *aſylum* at *Athens*. Theſe *refuge-temples* were afterwards much increaſed among the *Heathen*, and at length, about the year 300, came to be in uſe among the *Chriſtians*; for they thought it a ſhame, that the temples of the *Heathen* gods ſhould enjoy ſo great a privilege, as to be refuges for the oppreſſed, and the *Chriſtian* temples ſhould be deſtitute of it: whereupon they were made ſuch by the edict of *Theodoſius* and *Valentinian*, and alſo by the *canons* of the *councils*. But although ſuch grants might be of very good advantage among *Chriſtians*, being kept within due bounds of the firſt inſtitution, to be a protection for the *innocent* and *oppreſſed*; yet, as they have been, and ſtill are, abuſed in the *Roman* and other *churches*, being made a refuge for *murderers (aſſaſſins) rebels*, and other *enormous criminals*, they are grievous both to the church and all civil ſocieties. See Editor's

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Editor's note on *Du Pin*, Eng. edit. vol. vi. p. 57.

Can. 23. Forbids raviſhing *widows* or *virgins* conſecrated to GOD.

N. B. The word *raviſhing* means *taking them away.*

Fourth Council of TOLEDO.

Can. 19. Forbids advancing thoſe to the *prieſthood* who have made themſelves *eunuchs*—thoſe that have had *many wives*, or have married *widows*—as alſo thoſe that have had *concubines*.

Can. 44. Clerks marrying *widows*, ſhall be ſeparated from them by the *biſhop*.

Can. 56. Diſtinguiſheth two ſorts of *widows*—ſome *ſecular*, who do not leave the *ſecular* habit, and other *religious*, which take a religious habit—and declares, it is not *lawful* for theſe to *marry*.

Sixth Council of TOLEDO, *anno* 638.

Can. 8. Explains a conſtitution of *St. Gregory*'s, whereby they ſuppoſe he gave leave to a young man, who underwent penance under fear of death, to *cohabit* with his *wife*, till he was come to an age in which it were *eaſier* to live *chaſtly*. They ſay, that if he, or ſhe, that was not put to penance, ſurvive, he may marry again.

Ninth

Ninth Council of TOLEDO, 655.

Can. 10. They declare the ſons of clergymen, who were obliged to *celibacy*, incapable of inheriting.

Tenth Council of TOLEDO, 656.

Can. 5. Decrees that thoſe who leave the habit of *widowhood*, after they have worn it, ſhall be *excommunicated*, and ſhut up in monaſteries.

Fourth Council of BRAGA, 675.

Can. 4. Eccleſiaſtical perſons are forbidden to dwell with a *woman*, excepting their *mother only*, but not their *very ſiſters*, or any other *near relations*.

Council held at CONSTANTINOPLE, *anno* 692.

Can. 3. Thoſe of the *clergy*, *preſbyters*, or *deacons*, that had married *two wives*, if they will not leave that cuſtom, ſhall be depoſed. As to thoſe whoſe *ſecond* wives are dead, or who have left them, they ſhall keep the honour and place of their dignity, being forbidden only to perform the functions of it, it being not fitting, that he, who ought to heal his own wounds, ſhould *bleſs* others. As for them who had married *widows*, or had married, being *prieſts*, *deacons*,

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deacons, or *ſub-deacons*, they ſhall for a time be ſuſpended from their function, but they grant them the power of being *reſtored* when they *leave* their *wives*, on condition, that they ſhall not be raiſed to a ſuperior order. Laſtly—they ordain, that all thoſe who have been married *twice* after baptiſm, or have had *concubines*, ſhall not be made *clergymen*.

Can. 4. Such *eccleſiaſtical* perſons as ſhall company with a *virgin* conſecrated to GOD, ſhall be *depoſed*. Laymen *excommunicated*.

Can. 5. Forbids *clerks* to have with them *women*, not related to them, except thoſe which the *canons* allow them to dwell withal. It extends this prohibition to *eunuchs*.

Can. 6. Forbids thoſe that are in orders, including the *ſub-deacons*, to marry after their ordination.

Can. 12. Ties the biſhops of *Afric* and *Lybia* to the law of the *celibacy*.

Can. 44. Againſt *monks* guilty of *fornication* or *married*.

Can. 48. The wife of him who is to be made a *biſhop*, ſhall be put away from him, and ſhall withdraw into a *monaſtery*, at a diſtance from the *biſhop*'s reſidence.

Can. 83. Forbids giving the *euchariſt* to the *dead*.

Can. 93. Condemns the marriages of thoſe

thoſe *men* and *women*, who are not ſure of the death of their *wives* or *huſbands*. But after thoſe marriages have been contracted, and when the firſt huſband comes again, he is *ordered* to *take his wife again*. CENT. VII.

CENTURY VIII. CENT. VIII.

ST. BONIFACE, Archbiſhop of MENTZ, about *anno* 719.

In letter 11, he conſults the biſhop *Pethelmus* about the cuſtoms of *France* and *Italy*, by which it was forbidden to marry her to whoſe child he had been * *godfather*. Whereupon he ſays, that, till then, he thought there was no *harm* in it, having never found that it was forbidden by the *canons* or *decrees of the holy biſhops*. He deſires him to inform him, whether he has

* When it is conſidered, that *godfathers* and *godmothers* are to be reckoned among *animalia non deſcripta*—there being no trace of them in the ordinance of *baptiſm* as revealed in the *Bible*—the *impediment* of *marriage*, which aroſe from a ſuppoſed *ſpiritual cognation* between each other and the *baptized*, &c. muſt appear the more unwarrantable and abſurd—But when men once depart from the ſcriptures, where will they ſtop?

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met with any thing about it in the *eccleſiaſtical* writings.

Near the end of a letter to *St. Cuthbert*, he tells him—" that it were convenient to " reſtrain the women and virgins of *Eng-* " *land*, from going in ſuch numbers to " *Rome*, becauſe the greateſt part of them " were *debauched*, and cauſed great ſcandal " in the whole church; for there is ſcarce " a city, ſaith he, in *Lombardy* or *France*, " where there are not ſome *Engliſh* women " of a wicked life."

Pope GREGORY II, *anno* 714.

He prohibits marriages between perſons related in the *fourth* degree. He enjoins the *biſhops* not to ordain ſuch as have been *twice married*—not to ſuffer any man to have *more wives* than *one*—to eſteem *virginity* more highly than marriage.

Pope GREGORY III, *anno* 731,

Forbids marriage to the *ſeventh* generation.

Prohibits a *widower* to marry above twice.

Pope ZACHARY, *anno* 741.

Boniface, a *German* biſhop, writes to *Zachary* on many ſubjects: among the reſt, he

he desires to know what he should do with those *bishops*, *priests*, and *deacons*, who lived in many *disorders* and *debaucheries*? *Zachary* answers him, that he ought not to suffer them to perform the functions and offices that belong to their orders and degrees.

N. B. St. Paul would have answered—*If they cannot contain, let them marry.*

Boniface also enquires, whether it be true, that one of his country had obtained a *dispensation* from *Gregory* III. (*Zachary's predecessor*) to marry his *uncle's widow*, which had been his *cousin-german's* wife, and had received the *veil*? The *Pope* answers—That his *predecessor* did not grant such a licence, because the *holy see* allows nothing contrary to the constitutions of the *councils*, and the *holy fathers*.

He prohibited a man from marrying his *father's god-daughter*, because of the *spiritual consanguinity*.

St. John Damascene

Highly extols the state of *virginity*.

St. Chrodegand, Bishop of Mentz.

Can. 15. *Clerks* guilty of *heinous crimes*, such as *murders*, *adultery*, *robbery*, or the like, shall be chastised on their body; shall be exiled, or cast into prison, as *long as the bishop pleases*; and shall moreover do *public penance*.

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Pope STEPHEN II. *anno* 752.

Can. 2. Excuſes a prieſt who had baptiſed with wine inſtead of water; and he intimates *that baptiſm* to be valid, in theſe words: *Infantes ſic permaneant in ipſo baptiſmo*—" The infants ſhall ſo abide in that " baptiſm."

CHARLEMAGNE.

This *Emperor* may be reckoned among the Latin eccleſiaſtical authors, as well as *Conſtantine* among the *Greeks*, for he not only laboured in the eſtabliſhment of church diſcipline, but moreover he made ſeveral laws, wrote letters, and cauſed ſome treatiſes of eccleſiaſtical matters to be compoſed: theſe are called *Capitularies*.

He empowers *biſhops* to order the life of *widows*.

That they ſhall obſerve the *canons* concerning the *manner* of veiling *virgins*. The prohibition of contracting marriages, was extended to the fourth degree of conſanguinity.

Women were forbidden to come near the *altars*.

They forbad to receive children into monaſteries without the parents conſent, and to veil *virgins* before *thirty* years of age, and *widows* before the *thirtieth* day after their huſband's deceaſe.

Prayers for the dead much practiſed.

Council

Council of BARKHAMSTEAD, *anno* 697.

Can 3. *Adulterers*, if *laymen*, put to *penance*—if *clergymen*, to be *depoſed*.

Can. 4. *Foreigners*, guilty of that *crime*, ſhall be expelled the realm.

Can. 5. and 6. Thoſe of the nobility, overtaken in that *ſin*, ſhall be fined in an *hundred pence*, and the peaſant in *fifty*.

Can. 7. An eccleſiaſtical perſon guilty of *adultery*, if he break off that habit, ſhall continue in the *prieſthood*, provided that he hath not maliciouſly refuſed to adminiſter *baptiſm*, or that he be not a *drunkard*.

Council of ROME, under GREGORY II. *anno* 721.

Can. 1—11. Againſt them that marry their *kindred*, perſons *conſecrated* to GOD, or the *wives* of *prieſts* and *deacons*, or who ſteal away *widows* or *maidens*.

Can. 14—16. Againſt a private man who had *married* a *deaconeſs*.

Council of GERMANY under CARLOMAN.

Can. 6. He or ſhe, that hath committed *fornication*, ſhall be impriſoned, and ſhall do *penance* there with *bread* and *water*; and if he be a *prieſt*, he ſhall be *ſhut up* for *two years*, having been *whipt* till the blood comes; and then the *biſhop* ſhall lay on him what *penance* he *pleaſes*.

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N. B. What an inſtance of tyranny over their fellow-creatures, were theſe people to exhibit! they prevent them from uſing the means, and remedy, which GOD hath commanded *in his word*, and then puniſh them moſt ſeverely, for the natural conſequences of their own prohibition! This obſervation will ſtill hold good to this hour, as will be obſerved in its proper place.

Can. 7. Enjoins *monks* and *nuns* exactly to follow *St. Benedict*'s rule.

Council of ROME under Pope ZACHARY, *anno* 743.

Can. 1. *Biſhops* ſhall not dwell with *women*.

Can. 5. Anathematizeth thoſe who marry a *prieſt's* or a *deacon's wife*, a *nun*, or a *religious woman*, or their *godmother*.

Can. 6. Forbids marriage with a *couſin-german*.

Can. 7. Anathematizeth thoſe who ſteal *maidens* and *widows*, to marry them.

Can. 8. Againſt thoſe *clerks* or *monks* that let their hair grow.

Council

Council of SOISSONS, *anno* 744.

Can. 8. *Clerks* ſhall have no women in their houſes, except their *mother*, *ſiſter*, or *niece*.

Council of VERBERIE, *anno* 752.

Can. 1. Thoſe that marry in the *third* degree of conſanguinity, ſhall be *put aſunder*, and, after having done penance, they may *marry others*. Thoſe in the *fourth degree* only ſhall not be ſeparated, but only be put to penance if they be married; or otherwiſe not ſuffered to marry.

Can. 2. If any man hath had commerce with his *daughter-in-law*, he ſhall dwell no longer, neither with the mother nor with the daughter; and neither the *daughter*, nor he, ſhall *marry others*, but the mother may marry another.

Can. 3. If a *preſbyter* marry his *niece*, he ſhall be obliged to leave her, and loſe his degree. If any body elſe marry her, he ſhall be obliged to leave her, but ſhall have liberty to marry another.

Can. 5. If a wife conſpire the huſband's death, he may leave her, and marry another.

Can. 7. Slaves, who have a *concubine*, may leave her to marry their maſter's maid-ſervant, though they *do better* if they keep the firſt.

Can. 8. Permits the *maſter* to oblige his

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his *ſlave* to marry his *maid-ſervant*, if he hath had any carnal knowledge of her.

Can. 9. Imports, that, if men be forced to go away from the place of their habitation, and their *wives* refuſe to follow them, without any other reaſon but their love to their own country, it ſhall be free for thoſe men, whoſe *wives* have thus left them, to marry others; but not for the wives to *marry* again.

Can. 10. Forbids him to marry who hath lain with his *mother-in-law*, and the *mother-in-law* likewiſe, and permits the *father-in-law* to marry again.

Can. 11. Inflicts the ſame puniſhment on defilers of their *daughter-in-law*, or *ſiſter-in-law*.

Can. 12. He that lies with *two ſiſters*, ſhall have neither, though one of them were his *wife*.

Can. 17. Permits a woman, who complains that her huſband never did cohabit with her, to try the *proof of the croſs*; and if it appears, by *this trial*, that the thing is ſo, then ſhe may do *what ſhe pleaſeth*.

Can. 19. The ſlave who is ſet at liberty may *put away his wife*, being a bond-woman, and *marry another*.

Council of VERNEVILLE, *anno* 755.

Can. 15. Enjoins both *nobles* and the *common people* to be *married publicly*.

Council

Council of METZ, *anno* 756.

Can. 1. Againſt *inceſts* committed either with a *perſon conſecrated* to GOD, a *ſhe-goſſip*, a *god-mother*, whether at *baptiſm* or *confirmation*, or with a *couſin-german*.

Can. 2. Appoints the *depoſition* of the *ſuperior clergy*, convicted of theſe *crimes*, and the *inferior* are to be *whipped* or *impriſoned*.

Second Council of NICE, *anno* 754.

Can. 22. Forbids *monks* to eat with *women*, unleſs it be needful for their *ſpiritual* good, or upon a *journey*, yea though they be their *relations*.

Council of AQUILEIA, *anno* 791.

Can. 4. Againſt *women's* cohabiting with *clergymen*.

Can. 8. Prohibits unlawful marriages between *kindred*, and *clandeſtine* marriages. It ordains that no marriages ſhall be contracted, but between parties which ſhall be known not to be a-kin; that there ſhall be an *interval* between *betrothing* and *marriage*; that the preſence of the *prieſt* ſhall be requiſite; that kindred, which ſhall be found to have married within the degrees prohibited [by the *canons*] ſhall be ſeparated, and put to penance—that, if it be poſſible, they ſhall remain *unmarried*; but yet, if they will have children, or if they cannot

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cannot keep their virginity, they ſhall be permitted to marry others, and their *children* deemed *legitimate*.

N. B. In this *Popiſh* law we may trace one *ſource* of the delay of *marriage* by aſking *banns* — the vacating *clandeſtine marriages*—the preſence of a *prieſt* made neceſſary—all which, however improved in later times, owed their exiſtence to *Popiſh* contrivance, and all for the advancement of *prieſtly* emolument and authority.

Can. 10. Forbids a man or woman, which have been divorced for *adultery*, to marry again. It affirms, that JESUS CHRIST in this caſe only permitted a man to *put away his wife*, but * *not* to *marry another*, and confirms this opinion by the *authority* of *St. Jerom!* The common practice was then contrary to this law.

Can. 11. *Virgins* or *widows*, which have promiſed to live *ſingle*, and have taken the habit, though they have not received the *conſecration* from the *biſhop*, if they do ſecretly *marry*, or ſuffer themſelves to be *defiled*, they ſhall be puniſhed according to the rigour of the *civil laws:* and beſides this, they ſhall be *put aſunder*, and do penance all their life-time, unleſs the *biſhop*, conſidering the greatneſs of their *repent-*

* Doubtleſs Matt. v. 32. and xix. 9. are alluded to.—Here is one proof, among many others, of the perverſion and abuſe of thoſe texts.

ance,

ance, ſhew them ſome *favour*; but at the *point* of *death* they ſhall not be deprived of the *viaticum*. CENT. VIII.

CENTURY IX. CENT. IX.

Council of METZ, *anno* 813.

Can. 55. Forbids *parents* preſenting their *own children* at the *font*; or marrying one's *god-daughter*, or one's partner in the *ſuretyſhip* at a child's *baptiſm*, or even the perſon, whoſe *ſon* or *daughter* one has brought to be *confirmed*.

Council of MENTZ, *anno* 847.

Forbids all marriages, whether *inceſtuous*, or within the degrees of conſanguinity *prohibited by the laws*.

Council of PAVIA, *anno* 850.

Can. 9. Forbids the benediction to be given to thoſe *women*, who marry after they have been deflowered.

Marriage is forbidden to thoſe who are under *penance*.

Can. 10. Declares that men cannot lawfully *marry* the perſons they have *forced*; and allows ſuch perſons no *abſolution*, but juſt at the point of *death*. See Deut. xxii. 28, 29.

Council

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Council of ROME under LEO IV. *anno* 853.

Can. 29. Commands, that *women*, who profeſſed a *religious life*, ſhould not *marry*.

Can. 36. Prohibits men's putting away their wives, and marrying others, unleſs in caſe of *adultery*, and *orders*. If a man and his wife are willing to part, to embrace a *religious life*, they muſt do it with conſent of the *biſhop*.

Can. 37. Forbids * *polygamy*.

Can. 38. Againſt *marriage* within the *degrees forbidden*.

Second Council of TULLIUM or TOUL, *anno* 860.

Can. 2. *Widows* or *virgins* devoted to the ſervice of GOD, who *marry*, ſhall be *impriſoned*, and put to *penance* 'till their death.

Council of WORMS, *anno* 868.

Can. 9. Contains a law of *celibacy* for all in ſacred orders.

Can. 21. *Widows* who have taken the *veil*, prayed in the church among the profeſſed *nuns*, offered oblations with them, and promiſed to continue in that ſtate, ſhall never leave it.

* The authority on which this *practice* is forbidden, being the ſame on which *marriage itſelf* is prohibited, in ſo many inſtances unknown to the *ſcriptures*, muſt, to be ſure, be truly reſpectable!

Can. 34. Prohibits to marry a *god-mother* or *god-daughter*.

Can. 35. Condemns to the penance of *murderers*, thoſe *women* who cauſe *abortions* in themſelves.

Can. 36. Subjects to *penance*, and ſeparates him from his *wife*, who hath lain with his *wife's daughter* by another huſband.

Can. 44. Condemns *adulterers* to *ſeven* years penance.

Second Council of DOUZY, *anno* 868.

Duda, a *nun*, being with child by *Huntburtus*, a *prieſt*, an aſſembly of *biſhops* met, and ordered *Duda* that ſhe ſhould be put to *penance*, and ſcourged by the *abbeſs*, in the preſence of her *ſiſter nuns*, and not be received into communion 'till after *ſeven* years penance. They condemned *two nuns* who knew of it, but did not diſcover it, to *three* years penance, after being moderately chaſtiſed with the *rod*. It is not ſaid what became of *Huntburtus*.

Qu? How many *child-murders* muſt ſuch proceedings be the occaſion of? The *canons* which we find againſt *theſe*, and cauſing *abortion*, are ſad proofs of their frequency.

Council of TROYES, 878.

They made a *canon*, forbidding all *Chriſtians* to marry a *ſecond* wife while the *firſt* is living.

Council

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Council of COLOGNE, *anno* 877.

Revived the *canons* of *councils* againſt *unlawful* marriages.

Council of MENTZ.

Can. 10. Enjoins *clergymen* abſolutely to have *no woman* to cohabit with them.

Can. 26. Forbids that *widows* ſhall be eaſily admitted to the veil—if they embrace a ſingle life, it orders, that they be put into the monaſteries, where they ſhall live regularly with the nuns. If they violate their profeſſion, they ſhall be puniſhed *canonically*. They renew the canon of *Eleria*, made concerning *virgins* devoted to GOD, which violate their *virginity*.

Council of METZ, *anno* uncertain.

Can. 5. Prieſts ſhall have no women with them; no, not ſo much as their *mother* or *ſiſter*.

Can. 10. *Excommunicates* ſome perſons that had *gelt* a *prieſt*, who would oblige one of their kinſwomen to return to her huſband.

Council of VIENNA, *anno* 892.

Can. 5. *Prieſts* ſhall have *no women* with them.

Council of TRIBUR, *anno* 895.

Can. 5. He that kills a *prieſt*, ſhall do five

five years *penance*. After this he may come into the *church*, but ſhall not communicate 'till *five* more years be expired. CENT. IX.

Can. 12. *Baptiſm* ſhall not be adminiſtered but at *Eaſter* and *Whitſuntide*.

N. B. There are many canons to this purpoſe in the preceding centuries, but they always add—"*except in caſes of neceſſity.*"

Can. 23. Revives the laws againſt thoſe who marry *virgins* conſecrated to GOD.

Can. 33. Revives thoſe *canons*, which exclude ſuch perſons from holy orders as have made themſelves *eunuchs*.

Qu? If, as the *clergy* were condemned to *celibacy*, theſe were not the propereſt perſons for *clergymen?*

Can. 40. Declares the marriage of a man and a widow *null*, who have committed *adultery* together in the life of the huſband, under promiſe of marriage.

Can. 41. If an impotent perſon marry a woman, and his brother abuſe her, they ſhall be parted, and ſhe ſhall not have commerce with either of them; yet the *biſhop* may permit her to marry again, after the *guilty* perſon hath done *penance*.

Can. 43. If a perſon commit fornication with a woman, who hath lain with his *ſon* or *brother* without his knowledge, and he depoſeth upon oath that he is not

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conſcious of any ſuch thing, he may *marry*, after he hath done penance.

Can. 47. Allows him who is *godfather* to a man's child, to marry his *widow*, if ſhe was not his *godmother*.

Can. 48. If a man by chance marry the *daughter* of his *godmother*, he may keep her, and live with her as his wife.

Can. 49. Forbids, that ſuch as have committed *adultery* together ſhould ever marry, dwell, or have ſociety together. If they have any eſtate, it ſhall be kept for the *adulterous offspring*.

Can. 51. Repeats the prohibitions made to an *adulterer*, to marry the woman after her huſband's death.

Can 54 and 58. Appoints *ſeven* years penance for *wilful murderers*. — Among other things—he ſhall not lie with his wife. See Gen. ix. 6.

Council of NANTES.

The canons which bear the name of this *council*, are a collection of conſtitutions made at different places.

Can. 3. Forbids a *prieſt* to have any woman with him, yea, thoſe that are *accepted* by the *canons*. It forbids alſo *women* to approach the *altar*.

Can. 12. Allows a man to put away his wife for *adultery*, but not to marry another in her life-time. He may be reconciled

conciled to her, but on condition that *he* does *penance* with her.

Can. 13. *Three* years penance for *ſingle* fornication.

Can. 14. *Seven* years penance on him that commits *adultery*, if married. *Five* on him that is not married.

Can. 17. Lays *fourteen* years penance on a *voluntary* and *public murderer*. *Five* years he ſhall be ſeparated from the church; the reſt of the time he may be at *prayers*, but without *offering* or *communicating*. See Gen. ix. 6.

The *biſhops* of *Germany*, in a letter to *Pope* JOHN VIII. call *Rome*—"*the holy* "*apoſtolic ſee*—the *original of the* CHRIS- "TIAN RELIGION—and the ſource of "PRIESTLY DIGNITY."

Pope NICHOLAS I. *anno* 858.

Proves, by the *canons*, that thoſe who have married *two ſiſters*, may not *marry* any more for the *future*.

That thoſe who have *married* their relations, and are upon that account *divorced*, cannot *marry* as long as *both* of them live: but it is not forbidden when one of them dies.

That *marriage* ought not to be forbidden abſolutely to ſuch as have committed the crime of *ſodomy*, provided they repent of their ſin, and have left off that *curſed habit*.

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N. B. This *curſed habit* is puniſhed leſs rigorouſly, than the having married *two ſiſters*.

Touching the *ceremonies* of marriage, he ſays, that, after *betrothing*, the *prieſt ought* to cauſe the perſons to come into the church with their offerings (*i. e.* to the *prieſt*) and there give them his *benediction* and the *veil*, which is not to be given in *ſecond* marriages. That, being gone out of the church, they ſhould wear *crowns* upon their *heads*. Theſe are the *ordinary* and *ſolemn* ceremonies; which, as the *Greeks* ſay of *theirs*, need not nevertheleſs be *always* obſerved. That *conſent*, according to the *laws*, might ſuffice, and that, if *that* be wanting, the reſt ſignifies nothing.

N. B. This article is very important—it contains an authentic record, even upon the teſtimony of a *Pope*, that in the *ninth century*, ſacerdotal *benediction*, or even *interpoſition*, or other ceremony of an *eccleſiaſtical* kind, were not neceſſary to the validity of marriage; but that *conſent* of the parties, according to the laws, both in the *eaſtern* and *weſtern* empire, was ſufficient.

He forbids marrying in *Lent*. Leaves it to the *biſhop*, or *prieſt*, to determine, after what *manner*, a man ſhould *live with his wife during that time*.

He expreſsly forbids a man to have *two wives* at a time. Permits all *believers* to make

make the *ſign* of the *croſs* upon the table, and to give a benediction thereon in the abſence of the *prieſt*. CENT. IX.

Pope JOHN VIII. 872,

Decides, that a man ought not to be parted from his wife, becauſe he had *baptized* his child himſelf in a caſe of *neceſſity*.

That it is not permitted to *Chriſtians* to marry their kindred, ſo long as they can make out *any relation*. That all thoſe who are *ſo married*, and will *keep* their *wives*, or thoſe that ſhall ſo marry for the future, to be ſubject to the church's *anathema* by APOSTOLIC authority, and forbids all *prieſts* to give them the *ſacrament*, 'till they have done *penance*.

He alſo declares it unlawful to have *two wives*, or to have a *wife* and a *concubine* at the *ſame time*.

CENTURY X. CENT. X.

Du Pin opens this *century*, with an account of the quarrel between *Leo*, Emperor of the *Eaſt*, and *Nicholas*, the *patriarch* of *Conſtantinople*, who refuſed to marry *Leo* to a *fourth* wife. Having had *three* before, but no iſſue male by them, he, being deſirous of a *ſon* to ſucceed him, married a *fourth* wife; but *Nicholas* refuſing to marry him to this lady, whoſe name was *Zoe*, a

CENT. X.

preſlyter, whoſe name was *Thomas*, ventured to do it. *Nicholas* depoſes *Thomas* for this, and excommunicates the *Emperor* himſelf.

Leo had recourſe to the Pope *(Sergius)* for his approbation of the *marriage*, which, becauſe ſuch ſucceſſive marriages were tolerated in the *Weſt*, he eaſily obtained. But *Nicholas* the *patriarch*, continuing obſtinate, would not acknowledge the *Emperor*'s marriage as valid. The *Emperor* baniſhed him, and placed *Enthymius* in his room. *Nicholas* wrote to the *Pope*, and ſtiffly maintained, contrary to the practice and opinion of the church of *Rome*, that to *marry* a *third* or *fourth* time, was abſolutely unlawful. But the *patriarch*, receiving no anſwer from *Rome*, wrote another letter to *Pope* JOHN, wherein he offers, to obſerve a fair correſpondence and union with the *holy ſee*, provided he would own, that a *fourth* marriage was not to be permitted to the *Emperor*, unleſs by way of *indulgence*, or conſideration of his *royal perſon*, and that, *in itſelf* it was unlawful. The clergy were divided into two parties, one declaring for *Nicholas*, the other for *Enthymius*; but were re-united in the year 920; and made a treaty of union in an eccleſiaſtical *convocation*, by which (without diſannulling any thing that was paſt) they *abſolutely* prohibited for the future a *fourth* marriage, under *pain* of *excommunication*,

cation, to be inflicted on thoſe who ſhould contract ſuch marriage, and to be in force during the continuance of ſuch marriage. They likewiſe inflicted a penance, of *five* years, on ſuch as ſhould marry a *third* time, being above *forty* years old: and a penance of *three* years on ſuch as ſhould *re-marry*, after *thirty* years of age, if they had any children by their *former marriages*.

Anno 956.

On the death of the patriarch *Theophylact*, the *Emperor* conſtituted *Polyeucta* in his room. This *patriarch* had a warm diſpute with the *Emperor Nicephorus Phocas*, who having married *Theophanes*, the widow of the Emperor *Romanus*, *Polyeucta* threatened to *excommunicate* him, unleſs he would renounce her. 1. Becauſe this was the *ſecond* marriage which *Nicephorus* had contracted, without ſubmitting to the penance due to thoſe who were guilty of *bigamy*. 2. Becauſe it was reported, that *Nicephorus* had ſtood *godfather* to one of *Theophanes*'s children.—The *Emperor* propoſed theſe queſtions to the *biſhops* who were then in *Conſtantinople*, and to the chief of his *council*; who left him at liberty to keep *Theophanes* as his *wife:* and *Polyeucta* himſelf did not inſiſt any more on the diſſolution of the marriage, after the *Emperor* had aſſured him upon *oath*, that he had

CENT. X. never ſtood *god-father* to any of *Theophanes*'s children.

LEO VII.

Declares that marriage between a man and his *god-mother* or *god-daughter* is *forbidden*.

Thoſe *prieſts* who marry publicly, ſhall be deprived of their dignity; but their *children* ſhall not be endamaged thereby.

ATTO, Biſhop of VERCEIL,

Shews, that, by the *eccleſiaſtical* and *civil* laws, marriage is prohibited to thoſe who had contracted a *ſpiritual affinity* by *baptiſm*; contrary to the advice of that *biſhop*, who found fault that one who had married his *god-father's daughter*, was divorced from her, and excommunicated, 'till ſuch time as he made his appearance in a court of judicature, before the *archbiſhop* and *biſhops*.

Ambroſe, a prieſt of *Milan*, writes to *Atto*, to tell him, that theſe ſorts of marriages were likewiſe prohibited in his church. *Atto* writes to *eccleſiaſtics* in his own *dioceſe*, againſt thoſe who kept company with lewd women, with whom they maintained a ſcandalous familiarity, and whom they kept and maintained out of the revenues of the church.

About the *end* of this *century*, ROBERT, King

King of *France*, being a *widower*, by the death of Queen *Lutgarde*, his *firſt* wife, had married *Bertha*, ſiſter to *Radulphus* the *ſimple*, King of *Burgundy*, who was the widow of *Eudes*, firſt Count of *Chartres*. But foraſmuch as ſhe was his *kinſwoman*, and he had formerly ſtood *godfather* to one of *her children*, though he had taken the advice of ſeveral *biſhops* of his kingdom about it, yet the *Pope* oppoſed this marriage as *null*, and contracted between perſons, who, *according to law*, could not marry together. King *Robert* did what he could to confirm this marriage, and ſpake about it to *Leo*, the legate of *Gregory* V. in *France*; who *made him believe*, that he would obtain of the *Pope* what he deſired, provided he would cauſe *Arnulphus* to be reinſtated in the *archbiſhopric* of *Rheims*. In the mean time, notwithſtanding the judgment which was paſſed in favour of the *Archbiſhop*, Pope *Gregory* V. held a *council* at *Rome*, anno 998, in the preſence of the Emperor *Otho* III. at which aſſiſted *Gerbert*, at that time *archbiſhop* of *Ravenna*, and twenty-ſeven *biſhops* of *Italy*. In this council he declared, that King *Robert* ought to part from *Bertha*, whom he had married *contrary to the laws*, and do penance for *ſeven years* together, according to the *degrees* ſet down by the *canons*; and if he would not, he ſhould be *anathematized:* that

Bertha

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Bertha ſhould ſubmit to the ſame penalty; and he excommunicated *Archembold, archbiſhop* of *Tours*, who had celebrated that marriage, and the *biſhops* of *France*, who had either *aſſiſted* or *conſented* thereto, 'till ſuch time as they ſhould come, and give the *holy ſee* ſatisfaction.

This ſentence of the *Pope* made ſuch an impreſſion on the minds of men, that all the *king's domeſtics*, except *two* or *three*, abandoned him, and would no longer have any converſation with him, and even cauſed the veſſels, out of which he had *eaten* or *drunk*, to be *burnt*. King *Robert* at laſt gave ear to the advice of *Abbo* the *abbot*, and parted with *Bertha*, two or three years afterwards. LEO IX. (as *Ives* of *Chartres* relates it) ſays, that they came to *Rome* with the *biſhops*, to obtain their *abſolution*, and get their *penance* mitigated.

The author of the life of *Abbo* does not ſay that *King Robert* went to *Rome*; but, that he confeſſed his fault both publicly and privately: that he aſked pardon, and did penance for it. That which is moſt evident is, that the *marriage* was of no longer *force*.

Council of COBLENTZ, *anno* 922.

Can. 1. Forbids *marriage* between relations, to the *ſixth* generation.

Council

Council of AUGSBURG, *anno* 952. CENT. X.

Can. 1. *Prieſts, deacons,* and *ſubdeacons* that marry, ſhall be depoſed, according to chap. 25. of the council of *Carthage.*

Can. 2. Againſt thoſe *clergymen* who keep *ſuſpicious women* in their houſes.

Can. 7 and 8. Forbid them to hinder *clergymen* and *canoneſſes* from embracing the *monaſtic* life.

Can. 11. Not only *biſhops, prieſts, deacons,* and *ſub-deacons* ſhall lead a *ſingle life,* but alſo, the *other clergy* ſhall be obliged to live *continently* when they come to years of maturity.

General Council of ENGLAND,

Held by ST. DUNSTAN, Archbiſhop of CANTERBURY,

Ordained, that all *prieſts, deacons,* and *ſubdeacons* ſhall embrace a *regular* and *monaſtic* courſe of life, or retire. Accordingly, *St. Dunſtan,* and *Oſwald* and *Ethelwold,* biſhops of *Worceſter* and *Wincheſter,* turned the *old clergymen* out of moſt part of the churches, and put *monks* in their place, or elſe forced them to aſſume the monaſtical habit.

A certain very potent *earl* having married one of his *kinſwomen, St. Dunſtan* excommunicated him, and refuſed to take off

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off his *excommunication*, although the king *(Edgar)* had commanded him, and the *earl* had obtained a *brief* of the *Pope* for his reſtoration. At laſt the *earl*, in fear of thoſe *puniſhments* which the *divine vengeance* inflicts on *excommunicated* perſons, left his *kinſwoman*, did public *penance*, and threw himſelf down proſtrate before *St. Dunſtan*, in a council, *barefoot*, cloathed with a woollen garment, holding a *bundle* of *rods* in his hand, and lamenting his *ſin*; from which *St. Dunſtan* gave him abſolution, at the requeſt of the *biſhops* of the *council*. The arrogance of this proud *prieſt*, ſhews us to what a height of inſolence and tyranny *churchmen* were now arrived.

" *St. Dunſtan* was made *archbiſhop* of " *Canterbury*, *anno* 961. His ſkill in the " liberal arts and ſciences (qualifications " much above the *genius* of the age he " lived in) gained him firſt the name of a " *conjurer*, and then of a *ſaint*. He is re- " vered as ſuch by the *Romaniſts*, who keep " an *holy-day* in honour of him, yearly on " the 19th of *May*"—*(vide* alſo the *Proteſtant Kalendar.)*—" The *monkiſh* writers " tell us, that he was once tempted to " *lewdneſs* by the *Devil*, under the ſhape of " a *fine lady*; but inſtead of yielding to " her *temptations*, he took the *Devil* by the " *noſe* with a pair of red-hot tongs." See GREY'S HUD. *part* 2. *cant.* 3. l. 618. n.

ALFRIC,

ALFRIC, Archbiſhop of CANTERBURY, CENT. X.

Succeſſor of *St. Dunſtan*—wrote a letter concerning the *monaſtic* life—and another againſt the marriage of *clergymen*.

Few *councils* were held in this *century*. In moſt part of them the decrees were concerning *tythes*—againſt churchmen who keep *concubines* — and againſt marriage among *near relations*. The degrees of *conſanguinity* were extended to the *ſeventh*, in which it was forbidden to contract marriage; and *ſpiritual* affinity took place, as well in the *eaſtern* as the *weſtern* churches. Such as married with *theſe impediments* were * *divorced* without redreſs; neither were any *diſpenſations* granted, as it appears from the caſe of *King Robert*, and that of the Emperor *Nicephorus Phocas*.

Fourth marriages were abſolutely prohibited in the *eaſtern*, but not in the *weſtern* parts.

In the reign of *Edmund* king of *Eaſt-Anglia*, about *anno* 944, a time when *monks* and *prieſts* had gotten full poſſeſſion of the underſtandings and conſciences of mankind, a mixed *ſynod* or *aſſembly* was held, wherein *ceremonies* of *marriage*, and preliminary *ſecurities*, which the *parties* were to give one another, were ſettled. See *Rapin*, vol. i. 214.

* See *Mark* vii. 9.

RATHERIUS,

CENT. X.

RATHERIUS, Biſhop of VERONA,

A man of great repute in *Italy*. A moſt violent ſtickler for the *canons*. He wrote ſeveral treatiſes: in one of which, he declaims againſt the irregular lives of the *clergy* of his time, and falls upon their *immodeſty*, which was then at ſuch an height, that "one could ſcarce" (ſays he) "find "a man fit to be ordained a *biſhop*, or any "*biſhop* fit to ordain *others*." He reckons up ſeveral horrible ſtories, and charges them chiefly with an infamous commerce with *women*.

Another treatiſe is an injunction againſt the marriage of a clergyman's ſon of *Verona*, which was performed on a *Sunday in Lent*. He declares it *irregular*, and that no marriage ought to be celebrated during *Lent*, nor on *faſt-days*, nor on *Sundays*, nor on *holydays:* and orders all thoſe who commit ſuch a *fault*, to faſt forty days; that is to ſay, when others eat at nine o'clock, they ſhould ſtay 'till *noon* ere they eat—when others eat at *noon*, they ſhould faſt 'till *three* o'clock. He *excommunicates* ſuch offenders, as would not ſubmit to this *penance*, and declares that GOD would conſign them over to *eternal damnation*.

FULCUS, Archbiſhop of RHEIMS, *anno* 882.

This *archbiſhop* wrote to ſeveral *kings* and *princes*, among others, to *Alfrede* King of

Britain, whom he congratulates on the choice he had made of a worthy perſon to fill the ſee of *Canterbury*; becauſe he heard, that, in his country, he advanced ſuch ſort of men, as permitted the *biſhops* and *prieſts* to have *women* among them, and the *laics* to marry their *kindred*, as well as thoſe *virgins* who were dedicated to GOD's ſervice, and to have a *wife* and a *concubine* at the ſame time. CENT. X.

CENTURY XI. CENT. XI.

ST. FULBERT, Biſhop of CHARTRES,

Determines, that a woman who was engaged on oath to marry a man, could not marry another, 'till after his *death*, or *by his conſent*. A woman, not being willing to live with her huſband, and ſaying, ſhe had rather live a *nun*, the huſband deſires he may have leave to marry another. *St. Fulbert* declares, that, 'tis his opinion, he could not have leave, 'till ſhe were either *dead*, or *turned recluſe*.

About the *middle* of this *century* the famous diſpute concerning the *preſence* of CHRIST's *body and blood* in the *euchariſt* was revived.

Berenger, principal of the public ſchool at *Tours*, and afterwards *archbiſhop* of *Angers*, a man of a moſt acute and ſubtle genius,

CENT. XI.

nius, and highly renowned both on account of his extenſive learning, and the exemplary ſanctity of his life and manners, (ſee *Moſheim*, edit. *Maclaine*, vol. i. p. 534.) had the *aſſurance* to deny the *bodily preſence*; and to maintain, "that the *bread and wine* "were not changed into the *body and* "*blood* of CHRIST, but preſerved their "natural and eſſential qualities, and were "no more than figures and external ſym-"bols of the body and blood of the di-"vine SAVIOUR."

This wiſe, ſcriptural, and rational doctrine was no ſooner publiſhed, than it was oppoſed by certain doctors of *France* and *Germany*: but *Pope* LEO IX. attacked it with peculiar vehemence and fury, in the year 1050; and in *two councils*, one at *Rome*, the other at *Vercelli*, had the doctrine of *Berenger* ſolemnly *condemned*, and the book of SCOTUS, from which it was drawn, committed to the *flames*. This example was followed by the council of *Paris*, which was ſummoned the ſame year by HENRY I. in which *Berenger*, and his numerous adherents, were menaced with all ſorts of *evils* both *ſpiritual* and *temporal*.

Theſe threats were executed in part againſt this unhappy *prelate*, whom HENRY deprived of all his revenues. *Moſheim*, ibid.

Lanfranc, archbiſhop of *Canterbury*, was one of *Berenger*'s moſt formidable enemies. He

He, and numbers of other conſiderable *churchmen*, wrote againſt *Berenger*'s *heretical* doctrine. But one of the moſt curious, was GUITMOND, *archbiſhop* of AVERSE, who wrote books againſt that *heretic*, as *Berenger* was called; in one of which, *Guitmond anſwers* an objection made by *Berenger*, viz. "That the fleſh of JESUS "CHRIST is *incorruptible*, but the ſacra- "ments of the altar are *corruptible* if kept "too long." CENT. XI.

Guitmond's reply to this, contains ſuch a proof of the *ſize* of men's underſtandings, where they are retrenched by *prejudice* and *ſuperſtition*, to the ſtandard of *vulgar notion* and *popular opinion*, that I cannot forbear laying it before the reader, as the tranſlator of *Du Pin* now lays it before me. Cent. xi. p. 18.

"*Guitmond* replies—that, though the "*conſecrated bread* ſeems to be corrupted, to "the apprehenſion of corrupted men; yet, "in reality, it is not changed at all; and "that it does not appear *altered*, unleſs as "a puniſhment of the infidelity and ne- "gligence of men—that it cannot be "*gnawn* by *mice*, and other *vermin*; and, "if at any time it appears to be ſo, 'tis "only to puniſh the negligence, or try "the faith of men.

"Nor will he admit, that the *fire* can "*conſume* theſe *myſteries*; and he ſays, that "with veneration they commit it to this

CENT. XI.

" moſt pure element, to be carried up " into *heaven*.

" Laſtly, he affirms, that, though the " *euchariſt* may ſerve for *nouriſhment*, yet " it does not turn to *excrement:* and as to " that objection which might be made— " that, *ſuppoſing a man ſhould eat nothing* " *for ſome conſiderable time*, but *conſecrated* " *bread*, he would *nevertheleſs have occa-* " *ſion to go to ſtool*—he anſwers, that, 'tis " matter of fact which has never been yet " experienced, and that it could never en- " ter the heart of any *Catholic* to try ſuch " an experiment.—That if any of *Beren-* " *ger*'s party thought fit to do it, one " ſhould not trouble one's head much, " about what became of the *maſs* of thoſe " *infidels*, which committed ſo great a " *crime* ; becauſe, ſays he, we do not be- " lieve that the *bread* and *wine* are neceſſa- " rily changed into the *body* and *blood* of " JESUS CHRIST, unleſs among thoſe who " have *faith* to believe this myſtery, and " that the words of JESUS CHRIST are " *efficacious*.

" Laſtly, if any of them ſhould order " a *Catholic prieſt* to conſecrate one or " more great loaves, to try the experi- " ment, it is to be believed, that this loaf " would not be turned into *excrement*; or " rather, that GOD would permit theſe " *hereticks* to be *deceived*, by ordering ſome " *angel* or *ſpirit* to convey away this *conſe-*

" *crated loaf*, and to put an *unconſecrated* " one in its *ſtead*."

This *Berenger*, or *Beringarius*, as *Fox* calls him, was the firſt that was deemed an *heretic*, for denying *Tranſubſtantiation*. See *Fox* Mart. vol. ii. p. 383.

LANFRANC, *Archbiſhop* of CANTERBURY.

In a letter to the *archbiſhop* of *York*, he very *clearly determines*, that it is not lawful for a *man* or a *woman*, divorced for *adultery*, to *marry again*.

Letter 21. To *biſhop Herfaſt*, about a man whom he had ordained *deacon*, without having any order for it, who, beſides, was a *married* man, and would not *turn off his wife*. He enjoins the *biſhop* to depoſe the man from his *deaconſhip*, to give him, for the future, only the four *leſſer* orders, and not to place him among the *deacons* unleſs he would *live ſingle*. If he did that, then he ſhould not confer the order of *deacon* upon him again, but only grant him a power of diſcharging his functions, by giving him the *goſpels* in a ſynod or aſſembly of the *clergy*.

Council of PAVIA, under *Pope* BENEDICT VII.

Decr. 1. and 2. Prohibit the clergy from having any *concubines*, and from living with *women*.

CENT. XI.

Council of ROME, 1051.

Gregory biſhop of *Verceil* was depoſed for *adultery*, and ſeveral laws made againſt incontinent *clerks*.

D°, *anno* 1059.

Can. 11. No perſon ſhall marry a relation, to the *ſeventh* generation, ſo long as the *kindred* may be known.

D°, *anno* 1063.

Alexander II. held this council, conſiſting of above 100 *biſhops*. They revived the decrees of LEO IX. and NICHOLAS II. againſt thoſe who *married* their *kindred*, till after the *ſeventh* degree.

In two other councils held at *Rome*, *Alexander* condemned thoſe who maintained, that the degrees of *conſanguinity* ought to reach no *farther* than to *couſin-germans*, which he calls the *hereſy* of the *Nicolaitans*.

HILDEBRAND, or * GREGORY VII.

This *Pope's* decree againſt thoſe *clerks* who either kept *concubines* or were *married*, removed, in *Germany*, *Italy*, and *France*, a

* For the hiſtory of this *miſcreant*, ſee Fox, vol. i. 196.

great

great many *eccleſiaſtics* out of their places, who were found guilty of having *unlawful* commerce with *women*.

Theſe men not only complained of this *yoke*, which the *Pope* would impoſe upon them, but they likewiſe inveighed againſt him, and accuſed him of advancing an inſupportable error, and ſuch as is contrary to the words of OUR SAVIOUR, who ſays, that *all men* are not able to live *continently*; and contrary to the words of the *apoſtle*, who enjoins thoſe who cannot live *continently*, to *marry*.

They added, that this law, which he would impoſe on them, which obliged them to live like *angels*, by offering force to the ordinary * courſe of nature, would be the cauſe of great diſorders: that, moreover, if the *Pope* perſiſted in his reſolution, they had rather renounce the *prieſthood* than *mar-*

* Qu? How much leſs is it contrary to "the ordinary courſe of nature" to compel men to live in a ſtate of *celibacy* (for that is the fact) who cannot afford a *divorce* from *adulterous* wives, or who are under neceſſary, perpetual, and irrevocable *ſeparation*, and, perhaps, bound by large penalties to abſtain from all intercourſe whatſoever with the women to whom they have been married? *Pope Gregory* had juſt as much right to impoſe *celibacy* on the *clergy*, as the *Proteſtant* powers have to inflict it on ſuch as are above-mentioned. Such a thing was never heard of in the *Jewiſh law*, nor ever would have been thought of, unleſs *men* had aboliſhed the whole *œconomy* of that moſt righteous *ſyſtem* relative to *marriage*, and taken upon themſelves that which belongs to GOD *only*.

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riage, and let him ſee if he could get *angels* to take care of their *flocks*, ſince he would not make uſe of *men*. This was the language of thoſe *corrupted* eccleſiaſtics (ſays *Du Pin*) according to the account of an hiſtorian of that time.

But the Pope preſſed the execution of his decree, and wrote very warm letters to the *biſhops*, to oblige them to take ſtrict care of it.

The *archbiſhop* of *Mayence* doing his utmoſt therein, found how difficult it was to root out an *abuſe*, ſo inveterate, and ſo general, as this was; and before he proceeded againſt the refractory, he gave them *ſix months* time to *reclaim*. Laſtly, having called a *ſynod* at *Erford*, he told them, that they were either to renounce their *pretended marriages*, or elſe their attendance on the *altar*.

When they found they could not, by their *prayers*, prevail upon him to alter his reſolution, they withdrew from the council in great wrath, threatening either to turn the *archbiſhop* out or to kill him. He, to pacify them, ordered them to be called back again, and promiſed he would ſend to *Rome*, and endeavour to work the *Pope* over to another mind.

The decree of *Gregory* met with no leſs oppoſition in *France*, *Flanders*, *England*, and *Lombardy*, than it did in *Germany*; and this oppoſition roſe ſo high at *Cambray*, that

that they cauſed a man to be *burnt*, who had aſſerted that *married prieſts* ought not to celebrate the *maſs*, or any *divine office*, and that no man ought to aſſiſt them therein.

All this did not *diſcourage Gregory* VII. in the *leaſt*: on the contrary, he wrote ſeveral letters to the *princes* and *biſhops* of theſe countries, whereby he enjoins them not to tolerate *clerks* that were *married*, or kept *concubines*. He then ordered an apology of his decree to be iſſued out, in the nature of a *manifeſto*, wherein he very much exalts the authority of the *holy ſee*, and the *decretals* of his *predeceſſors*.

He afterwards decreed, that the *biſhops*, who ſhall permit *prieſts*, *deacons*, or *ſub-deacons* of their *dioceſe* to live *married*, ſhall be *ſuſpended* of their *functions*.

During this *Popedom*, *Hugh* biſhop of *Dia*, held a council at *Poictiers*, wherein it was decreed—

Can. 8. That the children of *prieſts*, and *baſtards*, ſhall not be admitted into *holy orders*, unleſs they be *monks*, or live in a regular *convent*. But that they ſhall not hold any eccleſiaſtical preferments.

Can. 9. *Sub-deacons*, *deacons*, and *prieſts*, ſhall have no *concubines*, or any *other* ſuſpicious women in their houſes; and all they who hear a maſs of a *prieſt* that keeps a *concubine*, ſhall be *excommunicated*.

William Duke of *Acquitain*, and Count of

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Poitiers, having married one of his *relations*, the *legate* of the holy ſee, and the archbiſhop of *Bourdeaux*, called a ſynod, to oblige him to *part* from her. However, the *duke*, of his *own* accord, *parted from his wife*. With this ſubmiſſion *Gregory* was highly pleaſed.

Gregory determined that a *woman*, who had *married* one of her *kinſmen*, and was become a *widow*, ought not to receive any *dowry*, from any part of her huſband's revenue, nor to have any advantage of that marriage, which was in its *own nature null*.

Letter 48. He orders a man who had *killed his brother*, to be prevented *marrying* till he had done *penance*.

Letter 50. He determines, that one who is not born in *lawful* wedlock (*i. e.* ſuch as the *canons* deemed *lawful*) cannot be advanced to the *epiſcopacy*—becauſe it is contrary to the *canons*.

Council of MELPHI, under URBAN II. *anno* 1089.

URBAN II. renewed the decrees againſt the ſimoniacal, and concerning the *celibacy* of thoſe who were in *holy orders*. He therein enjoins, that none ſhall be admitted into *holy orders* but ſuch as had led *chaſte* lives, and had never been *married* to more than *one woman*. He declares the *ſons* of *prieſts* incapable of *holy orders*, unleſs they have

have taken upon them the monaſtical habit.

Council of BENEVENTO, *anno* 1091, under URBAN II.

Can. 4. *Laics* are forbidden to eat *fleſh* after *Aſh-Wedneſday*—and all the *faithful* of *both ſexes* are enjoined to put *aſhes* on their heads on that day.

It is likewiſe ordered, that *no marriage* ſhall be *ſolemnized*, from *Septuageſima Sunday*, till after the *octave* of *Whitſuntide*; and from the firſt Sunday in *Advent*, till after the *octave* of *Epiphany*.

Council of CLERMONT.

Can. 9, 10. Againſt thoſe clerks who keep *concubines*.

Can. 11. Prohibits promoting to holy orders the *ſons* of *concubines*, or the beſtowing any benefices upon them, unleſs they have embraced the monaſtical or *canonical* life.

Can. 25. The children of *prieſts*, *deacons*, and *ſub-deacons*, ſhall not be promoted to *holy orders*, if they be not either *monks* or *regular canons*.

Can. 29, 30. Thoſe who fly to *a croſs*, ſhall be as ſecure as thoſe who fly to a *church*. They ſhall not be delivered up to *juſtice*, 'till they are aſſured that no violence ſhall be offered to their lives or members.

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Council of NISMES, *anno* 1096.

Can. 10. Thoſe who marry their *relations* ſhall be *excommunicated.*

In this *century*, there were violent controverſies between the *Latin* and *Greek* churches; and among other *curious* particulars of accuſation againſt the *Greeks*, Cardinal *Humbert* charges them with permitting *married men* to wait at the *altars*, even at the time when they had to do with their *wives:* and charges *Nicetus* with being a *Nicolaitan*, becauſe he oppoſed the *celibacy* of the *prieſts* and *deacons*. He explains the *canons*, which prohibit *prieſts* from *parting* with their *wives*, of the care they ought to take of them, in looking upon them *ſtill* as *their wives*, though they have no carnal knowledge of them.

He produces the canon of the council of *Nice*, concerning *women* who live with *clerks*, and ſeveral *authorities of the Popes*, to prove that *prieſts* ought to live *chaſtly (i. e.* in *celibacy.)*

He charges the *Greeks* for not ordaining *prieſts*, till they had obliged them to *marry*, and concludes all with *anathematizing Nicetus*, who had written on theſe points againſt the *Latin church.*

Whoever has a mind to read as much *nonſenſe* and *abſurdity* as would reach from *Rome* to *Conſtantinople*, and *back again*, may meet with it in theſe famous *controverſies* between

between the *Latins* and *Greeks*. One charge againſt the *Latins* was, that, "*monks* "might be permitted to eat *fleſh* and *ba-* "*con*."—Another—"that they were *guilty* "of eating *cheeſe* and *eggs* in the *holy* "*week*."

PETER DAMIEN, Cardinal Biſhop of OSTIA.

In a *letter* to his nephew *Damien*, (whom he exhorts to be zealous in the exerciſes of a *monaſtical* life) he reproves him for having gone from an *hermitage* to a *monaſtery*, and exhorts him to return thither again. In another, he reproves a *monk*, who delayed turning *hermit*, becauſe he could hardly perſuade himſelf not to *drink wine*.

This *Cardinal* wrote a treatiſe called the *Gomorrhean*, dedicated to Pope *Leo* IX. who approved of it, in a letter which is prefixed at the beginning. In this tract he proves that *clergymen* who have committed ſins of uncleanneſs, which modeſty does not permit to be named, ought to be deprived for ever. He rejects the *canons* of the *penitential books*, which impoſe *too light penances* for thoſe *ſorts of crimes*, of which he ſhews the enormity: he inveighs againſt thoſe perſons who are guilty of ſuch notorious offences, and exhorts them to a ſpeedy repentance, and to do ſevere *penance*.

N. B. How is it, that this *cardinal* did not ſee, that the *unnatural* wickedneſs, which

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which he complains of, among the *clergy*, was the *natural* conſequence of their *celibacy*, and being ſhut up together in *monaſteries*, where *no women* muſt ever enter?

But ſo blinded was this *cardinal* to the *real ſource* of the evil, that, when he began to think the time of his diſſolution drew near, he excuſed himſelf from going to *Mount Caſſin* on a viſit, "leſt he ſhould "die out of the precincts of a *monaſtery*."

In a tract dedicated to *John* biſhop of *Ceſena*, and to the *archdeacon* of *Ravenna*, he *confutes* the opinion of the lawyers, who reſtrained the *degrees* of *conſanguinity*, in which one might contract marriage, to the *fourth degree*, and imagined that *grand-nephews* and *grand-nieces* may *intermarry*. He maintains, that *as far* as any *conſanguinity* or *affinity* can be *diſcerned*, matrimony ought not to be contracted; which takes place to the *ſeventh degree*.

He alſo treats at large of *alms-giving*, and ſhews the uſefulneſs of it, both for the *living* and the *dead*.

Treatiſe 17th, to Pope *Nicholas* II. he exhorts him to put a ſtop to enormities committed by *unchaſte* clergymen, and to make uſe of the ſeverity of the *canons* againſt them, in imitation of *Phineas*'s zeal.

His *eighteenth* treatiſe conſiſts of three letters, which *ſhew*, *very evidently*, whom he ranked among *unchaſte* clergymen; for he

he ſhews that the *clergy* are obliged to lead a *ſingle life*, and inveighs moſt bitterly againſt thoſe who *married* or kept *concubines*.

In another letter, he recommends *chaſtity* to his nephew *Damien*, and perſuades him to receive the *communion every day*, to be in a condition to preſerve that virtue. Afterwards he gives him wholeſome inſtructions to withſtand the temptations of the *Devil*.

ST. ANSELM, Archbiſhop of CANTERBURY, 1089.

In a treatiſe of marriages between near relations, he enquires into the reaſons of that prohibition, which he extends *only* to the *ſixth* degree of *conſanguinity*.

This *ſaint* was a great oppoſer of *prieſts' marriage*. Under his auſpices a council was held, in which was decreed, "an order for prieſts to be ſequeſtered from "their wives, which before were not forbidden (in *England*) according as the "words of mine author do purport (ſays "*Fox*) whoſe words be theſe. ANSELMUS *prohibuit uxores ſacerdotibus* ANGLORUM *ante non prohibitas. Quod quibuſdam mundiſſimum viſum eſt, quibuſdam periculoſum, ne dum munditias viribus majores appeterent, in immunditias horribiles ad* Chriſtiani *nominis ſummum dedecus inciderent. Henr. Hunt.*"—"ANSELM prohibited

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" hibited *wives* to the prieſts of the *Engliſh*, which were not prohibited before. " Which thing appeared to ſome *moſt* " *filthy*, to others *dangerous*, leſt, while " they earneſtly endeavoured after greater " *purity*, they ſhould fall into *impurities*, ſo " horrible, as to bring a diſgrace on the " *Chriſtian* name. ANSELM did not attend to this, but made a canon for the " *excommunication* of *ſodomites*, which was " never publiſhed." See *Thelyph.* vol. i. p. 177, n. firſt edit.—171, ſecond edit.

" After this *council*, *Herbert*, biſhop of " *Norwich*, had much ado with the *prieſts* " of his *dioceſe*, for they would neither " *leave their wives*, nor *quit their benefices:* " whereupon he wrote to *Anſelm* for advice. *Anſelm* required him (as he did " others at the ſame time, by writing) to " perſuade the people of *Norfolk* and *Suffolk*, that, as they *profeſſed Chriſtianity*, " they ſhould ſubdue them as *rebels* againſt " the *church*, and utterly drive both *them* " *and their wives* out of the country, " placing *monks* in their rooms.

" The like buſineſs had alſo *Gerard*, " archbiſhop of *York*, in depriving the " *prieſts* of his *province* of their *wives:* " which thing, with all his *thunderings* " and *excommunications*, he could hardly " bring about.

" Upon this ruffling of *Anſelm* with " married prieſts, were rhyming verſes " made,

" made, to help the matter withal, when " reaſon could not ſerve; which verſes, " for the folly thereof, I thought here to " annex. CENT. XI.

" *O male viventes, verſus audite ſequentes;*
" *Uxores veſtras, quas odit ſumma poteſtas,*
" *Linquite propter eum, tenuit qui morte trophæum,*
" *Quod ſi non facitis inferna clauſtra petetis.*
" CHRISTI *ſponſa jubet, ne Preſbyter ille miniſtret,*
" *Qui tenet uxorem, Domini qui perdet amorem:*
" *Contradicentem fore dicimus inſipientem:*
" *Non ex rancore loquor hæc, potius ſed amore.*"
See *Fox. Mart.* vol. i. p. 216.

I ſtand not to comment on the falſe *proſody* in theſe verſes—their *quality*, not their *quantities*, are moſt to the purpoſe; the *Engliſh* reader may be acquainted with the *former* by the following tranſlation—

" *O ye evil-livers, hear the following verſes;*
" *Your wives, which the* SUPREME POWER *hateth,*
" *Leave for his ſake, who triumphed in death;*
" *Which if ye do not, you* WILL GO TO HELL.
" *The ſpouſe of* CHRIST *commands, that the* Preſbyter *ſhould not miniſter,*
" *Who keeps a wife, who will loſe the love of the Lord.*
" *He that contradicts this, we ſay, is fooliſh:* ——
" *I ſpeak not this out of rancour, but rather from love.*"

We may obſerve, that *now* the ſeeds of oppoſition, and contempt of the *word*, and *ways*, and *will* of GOD, concerning marriage, in this *kingdom*, were growing up, from the *planting* of *Auſtin* the *monk*, *anno* 597, to the *watering* of his ſucceſſor *St. Anſelm*, who died *anno* 1109, towards that maturity, to which

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which they will be found to have arrived, before we have finiſhed our enquiries upon the ſubject.

Some years after the above verſes had been ſent forth, they met with an anſwer, from the pen of *Walter Mapes*, archdeacon of *Oxford*, in the reign of *Henry* II. This ſame *Walter* ſeems to have been a very merry fellow, and to have indulged a vein of pleaſantry in all his compoſitions; ſome of which I have ſeen, and among others the following *drole* on the prohibition of *clerical* marriage, which I will here inſert for the entertainment of my *learned readers*; and if any of them will favour me with a ſuitable tranſlation of them, it ſhall make its appearance in the next edition of this *volume*, that my *unlearned* readers, as well as they, may find a little entertainment in the midſt of this dry and barren deſart of *Popiſh* quotation.

Part of the account which I find of this man, in an old book, intitled, "*Remaines* "*concerning Brittaine*"—printed *anno* 1629, runs thus—

"*Walter de Mapes, arch-deacon* of *Ox-*
"*ford*, who, in the time of K. *Henrie* II.
"filled *England* with his merriments, when
"the *Pope* forbad the *clergie* their wives,
"became proctor for himſelf and them,
"with theſe verſes; deſiring only for his
"fee, that every *prieſt*, with his *ſweet-heart*,
"would ſay a *pater-noſter* for him."

Priſciani

Prisciani regula penitus cassatur,
Sacerdos per hic & hæc *olim declinatur;*
Sed per hic *solummodo nunc articulatur,*
Cum per nostrum præsulem hæc *amovcatur.*
Ita quidem presbyter cœpit allegare,
Peccat criminaliter qui vult seperare
Quod DEUS *injunxerat, fœminam amare:*
Tales dignum duximus fures appellare.
O quàm dolor anxius, quàm tormentum grave,
Nobis est dimittere quoniam suave!
O Romane Pontifex, statuisti prave,
Ne in tanto crimine moriaris, cave.
Non est * *Innocentius, imo nocens verè,*
Qui quod facto docuit, studet abolere,
Et quod olim juvenis voluit habere,
Modo vetus Pontifex studet prohibere.
Gignere nos præcepit vetus testamentum,
Ubi novum prohibet nusquam est inventum:
Præsul qui contrarium donat documentum,
Nullum necessarium his dat argumentum.
Dedit enim DOMINUS *maledictionem*
Viro qui non fecerit generationem;
Ergo ibi consulo, per hanc rationem,
Gignere ut habeas benedictionem.
Nonne de militibus milites procedunt?
Et reges a regibus, qui sibi succedunt?
Per locum a simili omnes jura lædunt,
Clericos qui gignere crimen esse credunt.
Zacharias habuit prolem & uxorem,
Per virum quem genuit adeptus honorem;
Baptizavit enim nostrum SALVATOREM:—
Pereat qui teneat novum hunc errorem.
Paulus cælos rapitur ad superiores,
Ubi multas didicit res secretiores:
Ad nos tandem redeuns, instruensque mores,
Suas (inquit) habeat quilibet uxores.
Propter hæc, & alia dogmata doctorum,
Reor esse melius, & magis decorum,
Quisque SUAM *habeat & non proximorum,*
Ne incurrat odium, & iram eorum.

* *Nomen* Papæ.

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Proximorum fœminas, filias, & neptes,
Violare nefas eſt, quare nihil diſceptes:
Vere TUAM *habeas, & in* HAC *delectes,*
Diem ut ſic ultimum tutius expectes.
Ecce jam pro clericis multum allegavi,
Necnon pro Preſbyteris plura comprobavi:—
PATER-NOSTER *nunc pro me quoniam peccavi,*
Dicat quiſque PRESBYTER *cum* SUA SUAVI.

Synod of ARRAS, *anno* 1025.

News being brought to *Gerard*, biſhop of *Cambray* and *Arras*, that there was a ſect of *heretics* arrived from *Italy*, who taught, that "*marriage* was condemned by "the ordinances of the goſpel," the biſhop ſummoned a *ſynod* at *Arras*, wherein this, and ſome other errors, were refuted, and the heretics brought to ſubſcribe a *recantation*.

Council of BOURGES, *anno* 1031.

Can. 5. *Prieſts* who *cohabit* with their *wives*, ſhall only be *readers* or *chanters* for the future. *Deacons* and *ſub-deacons* ſhall not be ſuffered to keep their *wives* or *concubines*.

Can. 6. The *biſhops* ſhall oblige them to take an *oath* to *that purpoſe*, at their ordination.

Can. 7. All who are employed in *miniſterial* functions, ſhall have eccleſiaſtical *tonſure—i. e.* their beards ſhaved, and the *crown* made on their heads.

Can.

Can. 8. The *ſons* of *deacons* or *ſub-deacons* ſhall not be admitted into the *clergy*.

Can. 10. Such ſhall be deemed *ſons* of *clergymen*, as were born after their fathers quitted the *eccleſiaſtical* ſtate, and returned to that of *laics*.

Can. 11. Biſhops ſhall declare, at the time of ordination, that they *excommunicate* thoſe who ſhall preſume to preſent to them *ſons* of *clergymen* to be ordained, and that ſuch as have got their ordination by ſurprize ſhall be depoſed.

Can. 16. Thoſe who leave their wives, except upon account of *adultery*, ſhall not marry others, as long as the former are living, nor the women other huſbands in like caſes.

Can. 17. No man ſhall take to wife a relation, to the *ſixth* and *ſeventh* degree of conſanguinity.

Can. 18. None ſhall marry, in like manner, his *kinſman's* wife.

Can. 19. No man ſhall give his daughter in marriage to any *prieſt*, *deacon*, or *ſub-deacon*, or to their *ſons*.

Can. 20. None ſhall marry the daughters of the *clergy*. After the ſeſſion of this *ſynod*, *Aimo* the *archbiſhop* declared, that *St. Martial* ſhould be ſtyled an *apoſtle* in all the church offices.

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Council of LIMOGES, *anno* 1031.

The ſame queſtion was debated, and after many arguments, the *apoſtolical dignity* was conferred on *St. Martial.*

For the nonſenſical diſputes about this *St. Martial*, between the *prieſts* and *monks*, ſee MOSHEIM, *edit. Macl.* vol. i. p. 540—1.

The *canons* againſt *incontinent* clergymen were *revived.*

The biſhop of *Puy en Valay* reported, that the *Count* of *Clermont* being *excommunicated*, for leaving his lawful wife to *marry* another, made a journey to the *court* of *Rome*, where he obtained *abſolution* of the *Pope*, who had no notice of the *ſentence* paſſed againſt him. That the *biſhop* having made a complaint, the *Pope* returned for anſwer, that he ought to blame himſelf for what had happened, as he did not inform him that the *Count* was *excommunicated.* The *Pope* added, that, if he had known it, he would have confirmed the *biſhop's ſentence*, *becauſe* he makes profeſſion to aſſiſt his brethren in *every thing*, and not oppoſe them: therefore he abrogated and made void the *penance* and *abſolution* granted to that *excommunicated* perſon, who ought to expect nothing but a *curſe*, 'till he has made *ſatisfaction*, and has been *duly abſolved* by his *dioceſan.*

Councils held in FRANCE, 1040.

It was ordained in all theſe *councils*, that the people ſhould abſtain from eating *fleſh* on *Fridays* and *Saturdays*, and from drinking *wine* on *Fridays*; and that, in conſideration of this *abſtinence*, offenders ſhould be diſcharged from other *penances*, provided they bound themſelves by *oath* to obſerve it.

A great number of bodies of *ſaints*, and *abundance* of *relics*, were brought into theſe councils; and it was *generally* believed, that many *miracles* were wrought therein.

Council of RHEIMS, *anno* 1049.

The biſhop of *Langres* was accuſed by one of his *clerks*, for that he, the ſaid *biſhop*, *took away the wife* of him, the ſaid *clerk*, and after having *abuſed* her, made her a *nun*. The *biſhop*, not appearing, was *excommunicated:* as were all thoſe *prelates*, who, being ſummoned to this *council*, and did not appear. *N. B.* Here is a precedent of *excommunication* for non-appearance on *citation*.

Can. 11. No man ſhall take to wife any of his *near relations*.

Laſtly. All thoſe perſons were *excommunicated*, who ſhould protect, or hold correſpondence with, the new heretics of *France*, the *ſodomites*, and certain *lords* who

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had contracted *forbidden marriages*, and aſſaulted ſome *biſhops* and other *clergymen*.

Council of TOURS, 1060.

Can. 9. Thoſe men who marry their *kinſwomen*, or thoſe women who keep an unchaſte correſpondence with their *kinſmen*, and refuſe to leave them, or to do *penance*, ſhall be *excluded* from the communion of the faithful, and turned out of the *church*.

NORMANDY.

Council of ROUEN, *anno* 1050.

Can. 1. The articles of faith, comprized in the *creed* of the *catholic* and *apoſtolic* church, ought to be *firmly* adhered to.

Qu? What was become of the *ſcriptures?*

Council of LISIEUX, *anno* 1055; and that of ROUEN, *anno* 1063.

The *archbiſhop* of *Rouen*, under whom the preceding council was held, was depoſed *anno* 1055, in another council convened at *Liſieux:* — that which chiefly brought on him this condemnation, was the diſpleaſure of duke *William*, his *nephew*, who was incenſed againſt him, becauſe he had *excommunicated* that *prince*, upon account of his marriage with the princeſs

Matilda, his *kinſwoman*, the daughter of *Baldwin* count of *Flanders*.

This prelate publiſhed a *confeſſion of faith* againſt *Berenger's erroneous* opinions. See before, 113.

Council of ROUEN, *anno* 1072.

Can. 14. No marriages ſhall be ſolemnized *privately*, nor after meals. The *bridegroom* and *bride*, being *faſting*, ſhall be *bleſſed* by a *prieſt*, in like manner *faſting*. Before he proceed to *marry* them, enquiry ſhall be made, whether the parties be not *relations*, in the *ſeventh* degree of *conſanguinity*.

Can. 15. *Prieſts*, *deacons*, and *ſub-deacons*, who are married, cannot enjoy any church revenues, nor diſpoſe of them by themſelves or by others.

Can. 16. A man cannot marry a *widow*, with whom he is *ſuſpected* to have *converſed* ſcandalouſly, in her huſband's life-time.

Can. 17. A man, whoſe wife is veiled a *nun*, cannot take another as long as ſhe is living.

GERMANY.

Council of SELINGENSTADT, *anno* 1023.

Can. 1. Abſtinence from eating fleſh ſhall be obſerved fourteen days before the *feſtival* of *St. John*, and before *Chriſtmas*; on the *vigils* of the *Epiphany*, of the *feſti-*

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vals of the *apoſtles*, of the aſſumption of the *Virgin Mary*, of *St. Lawrence*, and of all the *ſaints*.

Can. 2. Fixes the *Ember* weeks.

Can. 3. Denotes the time when the ſolemnization of matrimony is *forbidden*, *viz.* from *Advent* 'till after the *Epiphany* (five weeks) and from *Septuageſima* 'till after *Eaſter* (nine weeks) making together above a quarter of a year; as alſo on the *above-ſpecified days* of abſtinence. *N. B.* Let the reader add all theſe together, and he will be at a loſs to conceive when marriage could be ſolemnized.

Can. 11. The firſt degree of *conſanguinity* ſhall be reckoned from the *couſins-german*.

The Council of MENTZ, *anno* 1069.

Sigefroy, or *Sigefrid*, archbiſhop of *Mentz*, held this *council*, in which the *emperor* HENRY IV. made a propoſal to *divorce* his *wife*, becauſe he could have no iſſue of her body. *Sigefrid* inclined to this opinion; but *Peter Damien*, the *Pope's legate*, being arrived, prevented the *divorce*. The *archbiſhop* wrote to *Alexander* II. that "he had "prohibited the *emperor* from divorcing "his wife under pain of *excommunication*; "but that this *prince* having alledged, that "he could not have *carnal copulation* with "her, and the *empreſs* having owned her "*impotency*, he found himſelf obliged to "conſult

" conſult the *Holy See* about ſo extraor-
" dinary a caſe; that he was unwilling to
" paſs judgment on the affair in a *council*,
" which was called upon *that* occaſion,
" 'till he received his anſwer, and en-
" treated him to ſend his *legates*, to examine
" and decide the matter in *Germany*."

How this matter ended is not ſaid, but, it is to be ſuppoſed, in favour of the *divorce*; and that the *emperor* married again: as we find *him*, with his *empreſs* and his *ſon*, afterwards waiting, bare-legged and bare-footed, at the gates of *Canuſium*, three days and three nights, in the depth of winter, before he could be admitted to have an audience of Pope *Hildebrand*, who had excommunicated him. See *Fox*, vol. i. 202.

ENGLAND.

The Council of AENHAM, *anno* 1010.

King *Ethelred* called a council, in which *Elphegus*, archbiſhop of *Canterbury*, and *Ethelred*, archbiſhop of *York*, aſſiſted, and made ſeveral conſtitutions and rules, that ought to be followed by the *clerks* and *monks*—concerning the celibacy of *prieſts*, and other *clergymen*—againſt *ſuperſtitious* practices and *incontinency*—about the rights of churches, particularly *St. Peter*'s pence—the *great feſtival* of the *Virgin Mary*—the *Ember weeks*—concerning the time in which marriages are forbidden to be ſolemnized

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lemnized—about the interval to be observed by *widows* before they marry again, which is a year.

Council held at LONDON, *anno* 1075.

Superſtitions were *forbidden*, and the *celibacy* of the clergy was *ſtrictly* enjoined.

D° *anno* 1102 *.

Can. 4. Revives the conſtitutions about *celibacy*.

Can. 12. Declares promiſes of marriage, made without witneſſes, to be *null*, if denied by one of the parties.

Can. 14. Prohibits marriages to the *ſeventh* degree of conſanguinity.

Can. 16. *Sodomy* is forbidden under very ſevere penalties, and this caſe is reſerved to the cognizance of the *biſhops*. Theſe conſtitutions were confirmed by the ſee of *Rome*.

In the year 1108, *St. Anſelm* held another council at *London*, in which he made *ten* very *rigid canons* againſt *prieſts and deacons*, who *married*, or *lived incontinently*.

* *N. B.* This Council rather belongs to *Cent.* XII, but I ſet it down as I find it in *Du Pin*.

SPAIN. CENT. XI.

Council of COYACO, *anno* 1050.

Can. 3. *Prieſts* and *deacons* ſhall not keep any *women* in their houſes, unleſs their *mother, ſiſter, aunt,* or *mother-in-law.*

Can. 4. Perſons guilty of *murder, adultery,* or *any ſort* of *uncleanneſs,* ſhall be obliged to do *penance;* and if they refuſe to do it, they ſhall be *ſeparated* from the *church* and the *communion.*

Can. 12. Thoſe who have taken *ſanctuary* in a *church,* nay even within *thirty paces* of it, ſhall not be taken from thence by *violence.*

Du Pin, in his obſervations on this *eleventh century,* ſays, that *marriage,* and *concubinage* of *clergymen,* had their career, at laſt, quite ſtopped, by the means of a vaſt number of decrees; that the ſentences of *excommunication* were ſo *frequent* as to become *contemptible.* They extended even to the *third* generation of thoſe who converſed or correſponded with the *excommunicate.*

The uſe of the *diſciplining whip,* unknown to all antiquity, began in the end of *this* century—the cuſtom of doing *penance* for *another,* was likewiſe introduced at *that time.*

CENTURY

CENT. XII.

CENTURY XII.

Ivo, Biſhop of CHARTRES,

Was a great writer; *Du Pin* mentions 287 letters of his, yet extant.

Letter 99. Is the reſolution of a queſtion propoſed by *Gualon*, abbot of *St. Quintin* in *Beauvais*, viz. "If children "under *ſix* years of age can be contracted "or married with one another; and in "caſe there be only a contract between "them, and one of the parties die, whe-"ther the ſurviving party may marry the "*brother or ſiſter* of the other?"

"Anſwer. None can actually *marry* "'till the age of *fourteen*, but that chil-"dren may *promiſe* marriage to each other, "as ſoon as they are at years of diſcretion, "which he determines to be at *ſeven* years "of age; and that a *contract* agreed on at "that age, ſhall hinder either party, if "one of them die before they are com-"pleatly *married*, from *marrying* with the "*brother* or *ſiſter* of the deceaſed."

Letter 122. To *Volgrin*, archdeacon of *Paris*, aſſerts, that a *Jewiſh* woman, marrying a *Chriſtian* huſband, and afterwards returning to *Judaiſm*, is not *freed* from her *conjugal vow*, nor, though ſhe leave him, can the man *marry* with another *during her life*.

In

In Letter 123. To *Gaultier*, library-keeper of the church of *Beauvais*, he gives his opinion on a *difficult caſe*, which he had conſulted him upon—viz.—" how he " ſhould proceed againſt a *prieſt*, who had, " in a profane manner, made uſe of other " *ceremonies* and *words* than are preſcribed " in the *form* of *marriage?*" *Ivo* tells him, that " he had never yet heard of *ſo* " *foul a ſacrilege*, nor was there *any* provi- " ſion againſt it in the *canons*; and there- " fore, this being a *crime* wholly *new* and " *unparalleled*, ſome more than *ordinary* " puniſhment ought to be inflicted on the " author of it: however, not to deal *too* " *ſeverely*, without warrant and authority " from ſcripture, or the *eccleſiaſtical* laws, " he thinks it ſufficient, that ſuch puniſh- " ment be laid on him, as the *canons* or- " der to be inflicted upon thoſe that vio- " late the *ſacraments* and *holy things*."

On the above we may obſerve, that *marriage* was getting more into the hands of the *prieſts*—that the *church* had increaſed its *ceremonies* ſince the time when the *prieſt* only attended to give a *benediction*—that they were very * jealous of any diſreſpect to theſe *ceremonies*—but that *marriage* was not yet a *ſacrament*.

Letter 155. To *Odo*, archdeacon of

* As well they might be, for they hung by the *ſlender thread* of *human invention*.

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Orleans, *Ivo* treats of this queſtion, "If "a woman who has committed *fornica-* "*tion*, and is great with child, may "marry? and concludes, that, in ſtrict- "neſs, no *great-bellied* woman ought to "have *carnal knowledge* with any man— "but, conſidering the infirmity of the "fleſh, *St. Paul* adviſes men to *uſe their* "*own wives*, for avoiding *fornication*, al- "though they are *with child*, and there- "fore, by conſequence, a man may marry "a woman in that condition."

N. B. Here we may ſuppoſe what they meant by *fornication*, namely, the man and woman *coming together* without a *prieſt*: this, as we ſhall find, was not brought to its perfection 'till the next *century*.

Letter 158. He acquaints *Hugh*, archbiſhop of *Lyons*, that King *Philip* and his ſon are reſolved to make the marriage void, of *Conſtance*, the king's *daughter*, and *Hugh* earl of *Troyes*, becauſe of their being too nearly *related*; and deſires the *archbiſhop* to ſend ſpeedily to all the *biſhops*, ſummoned to court on this occaſion, the *genealogy* of *both families*.

Letter 161. He aſſerts, that a man, who promiſes *marriage* to a woman, and afterwards *marries* another, ought to be divorced, and to return to his firſt * engagement.

* See this, the *eccleſiaſtical* law of *England*, vol. i. p. 30, 1ſt edit.—p. 31. 2d edit.

Letter

Letter 167. He writes to the *biſhop* of *Mans*, to hinder the marriage of one who had already engaged himſelf to another woman.

Letter 174. He aſſures *Mathilda*, Queen of *England*, that he will pray for the ſoul of her brother (*Edgar*, King of *Scotland*, who died without iſſue *anno* 1107;) for though he doubts not but his ſoul is in *Abraham's boſom*, yet, ſince we cannot be certain of the ſtate of ſouls in the other world, it is a piece of commendable devotion to pray even for thoſe in *heaven*, that their *happineſs may be augmented*, and for thoſe in *purgatory*, that their *ſins may be forgiven* them.

Letter 187. He admoniſhes the *Counteſs* of *Chartres*, to leave troubling the *abbot* and *monks* of *Bonneval*, on account of the *murder* of *Hugh* the *black*. Qu? If *Hugh* the *black* had *murdered* the *abbot* and *monks*, whether this good *biſhop* would have been ſo *merciful?*

Letter 202. He admoniſhes *Daimbert*, archbiſhop of *Sens*, to correct two ſcandalous abuſes in his church; one, of the *chaunter*'s holding another preferment, contrary to his oath; the other, in one of the *chapter*'s keeping in his houſe *two women* of *ill fame*.

Letter 205. Is written to a *knight*, who ſuſpected his wife to be *with child* by *another*, becauſe he had been abſent from her

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her *seven days* longer than is usual, between the times of *conception* and *bringing forth*, and because the person, whom he suspected of being too familiar with her, had been *burnt* in passing the trial of *ordeal*. As to the computation of time, *Ivo* tells him, *that* ought not to sway him, since many women go much longer with child; and for the trial by *fire*, no heed is to be given to it: so that these two reasons prove nothing against the *honesty* of his *wife*; whose *oath*, and the good word of her neighbours and acquaintance, ought fully to suffice in *vindication* of her.

Letter 218. He writes to *Gualon*, bishop of *Paris*, that the *canon* of that church, who had lately been *married*, ought to lose his preferment, and be *degraded* from being a *clergyman*, but that his *marriage* must remain *good* and *valid*.

Letter 221. To *John*, bishop of *Orleans*, concerning a *freeman*'s having married a *slave*, without knowing her to be so. *Ivo* says, that by the *civil* law, the marriage is *void*, and he may quit her, and marry another woman; but that, by the laws of * GOD and *nature*, they ought to keep together, or at least, if he *put her away*, he may not *marry* again.

Letter 222. To the clergy of *Autun*, he enquires, if a woman, who has been

* Qu? When the *civil* law contradicts the laws of GOD and *nature*, which is to be followed?

guilty

guilty of *adultery*, must necessarily be *divorced* from her husband? and concludes, that, in strictness, she *ought*; but by the *wisdom* of the *gospel*, such a temper was prescribed as may reconcile her to her husband.

Letter 242. To *Owen*, bishop of *Eureux*, he explains himself concerning his having given his opinion that a freeman, who had married a slave, without knowing her to be such, ought to be *divorced* from her; and adds, that this is not dissolving a *lawful* marriage, but only declaring that it is unlawful for them to live together any longer, their marriage being *null* by *law*—*i. e.* the *civil* law. See before, p. 144.

Letter 145. To *Hugh*, earl of *Troyes*, who having listed himself for the *holy land*, designed to *put away* his *wife*, and live in *celibacy*—he *commends* his resolution.

Letter 246. He declares, that it is not allowable for a man to marry *two sisters* successively, though the marriage with the former was never *consummated*.

Letter 162. To *Pontius*, abbot of *Cluny*, he shews him the reason, why, in the consecration of the *cup*, at the *Lord's supper*, the words "*mystery of faith*" are added, which were not used by OUR SAVIOUR, at the institution of the *sacrament*; and says, that this is done, because we judge of the *greatness* of the *mystery* contained in it, not by the *senses*, but by *faith*.

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N. B. To believe what contradicts the *ſenſes*, is not *faith*, but *folly*.—See *Locke*, Hum. Und. b. iv. c. 18.

The Contents of the XVII. parts of the DECRETAL.

VII. Is of the retirement and ſingle lives of *monks* and *nuns*, and of the penance to be undergone for the breach of the *vow* of *continency*.

XV. Of *penances*, and *commutations* of *penances*.—*N. B.* See *Thelyph.* App. to chap. X.

Pope PASCHAL II.

Held a ſecond *Lateran council*, in the which he made an oration to the *biſhops* there aſſembled, *anno* 1116, on the *infallibility* of the church, and to prove that it had never been guilty of *hereſy*, nor, as it ſhould ſeem, ever could.—It is for *this church*, ſaid he, that the *Son of* GOD prayed, juſt before His *paſſion*, when he ſaid—*Peter, I have prayed for thee, that thy faith fail not*.—*N. B.* It is to be remarked, that theſe people ſeldom quote ſcripture, but, as the *Devil* did, to abuſe it.

Council of RHEIMS, *anno* 1119.

Here Pope *Calixtus* II. publiſhed *five* canons.

Can. 5. Againſt the *prieſts*, *deacons*, and *ſub-deacons*, who had *wives* or *concubines*.

LATERAN

LATERAN Council, *anno* 1123.

Can. 3. Renews the prohibitions made by the *laws of the church*, againſt *clerks* having *wives* or *concubines*, or to live with *women*; excepting ſuch as are exempted by the council of *Nice*.

Can. 5. Renews the prohibition of marriage among *relations*.

Can. 21. Does again prohibit the *marriages* of the *clergy*, and declares the *marriages* which they have contracted *null*. This is *the canon* (ſays *Du Pin*) which expreſſly pronounces the *nullity* of the marriages of ſuch perſons as are in *holy orders*.

The *Pope* wrote to the clergy of *Terrouane*, that they ought not *ſuffer* any *married* clergy among them.

ST. BERNARD.

William, Duke of *Guienne*, having quarrelled with the biſhop of *Poictiers*, refuſed to be reconciled to him: to ſurmount his obſtinacy, *Saint Bernard* took the *bleſſed ſacrament*, and carrying it to the place where the *duke* was, conjured him in the name of *Jeſus*, and with ſuch *terrible words*, that the *frightened duke* fell flat upon the ground, and was forced to be reconciled to the biſhop of *Poictiers*. Among other things, *St. Bernard* aſſured the *duke*, that the Son of GOD was come *in*

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perſon * to him. This ſaint was a great *hero* in *monkery*, and at his death left behind him near 160 *monaſteries* of his order, *founded* by him.

Pope EUGENIUS III.

Writes to *Hildegarda*, abbeſs of *Mont St. Rupert*, commending her *ſpirit* of *prophecy*, adviſing her to preſerve, by her *humility*, GOD's grace granted unto her, and always to make uſe of *prudence*, in the *unfolding* of thoſe *myſteries* which GOD had revealed to her.

In this *century* various ſects of *heretics* aroſe, ſome of which maintained, that "the *forbidden fruit* was *Adam*'s carnal "knowledge of *Eve*," and that "no "perſon could be *ſaved* in a married ſtate." Theſe called themſelves *Cathari*, or *Puritans*. Abſurd and unſcriptural as theſe *hereſies* were, yet they were as defenſible as *Jerome's*—*Coïtus præmium mors*—the *celibacy* of the *clergy*—and *monkery*. The only very material difference between the *Catharists* and their *oppoſers*, ſeems to have been, that the latter had the *authority* of the church to maintain their *errors*, while the former were unprotected by *prieſtly* power *in theirs*. Thus—

Little villains muſt ſubmit to fate,
That great ones may enjoy the world in ſtate.
GARTH.

* Is it poſſible, that, when *St. Bernard* told this *ſwinger*, he could believe it himſelf?

Peter

Peter ABELARD.

The hiſtory of this unfortunate man is well known. I will only obſerve, that all the miſeries he underwent, were wholly occaſioned by the enormous and wicked inſtitution of clerical *celibacy*. His ſtory is told at large in *Du Pin*, Cent. 12. chap. 7.

One of the *errors* imputed to this *father*, is, that he maintained, the *bread* and *wine* at the *altar*, to remain *the ſame* in *ſubſtance* after *conſecration*, as before it.

Pope ALEXANDER III.

Letter 23. Inveighs againſt *clandeſtine* marriages, that were contracted without the *benediction* of a *prieſt*. See *Thelyph.* vol. ii. 149—156, 1ſt edit.——p. 141—149, 2d edit.

HILDEBERT Biſhop of MANS. Afterwards *Archbiſhop* of TOURS.

Letter 7. He determines that a *virgin*, betrothed before ſhe was *marriageable*, whoſe huſband died without knowing her carnally, cannot marry the *brother* of her former *huſband*, becauſe *marriage* does *not* conſiſt in *carnal copulation*, but in the *conſent* of the *parties*.

Letter 34. He declares, that he refuſed to approve the intended marriage of a *count*, with one of his *kinſwomen*; although it might put an end to a war, which was carried on between him and his future *father-in-law*.

Letter 51. Is a large refutation of a perſon, who revived the *error* of *Vigilantius*,

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viz. "That the *invocation* of *ſaints* was *un-*
"*profitable*, becauſe they do not hear our
"prayers, and have no knowledge of tranſ-
"actions on earth."—This man gave out, that *Hildebert* was of his mind; which obliged him, not only to diſown that opinion, but alſo to *ſhew*, by the *teſtimony of the fathers*, that the *ſaints* hear our *prayers*, and that they make *interceſſion* for us with GOD.

ERNULPHUS, Biſhop of ROCHESTER,

Wrote to *Waquelin*, biſhop of *Windſor*, in anſwer to a queſtion, which that *biſhop* propoſed to him in a conference at *Canterbury*, viz. "Whether a woman, commit-
"ting *adultery* with her huſband's *ſon*
"by a former wife, ought to be *divorced*
"from her huſband?" He maintained the *affirmative*; the *biſhop*, to whom he wrote, the *negative*. In this treatiſe, he *ſhews*, that all the paſſages of ſcripture in which 'tis forbidden to *part man and wife*, ought only to be underſtood of a voluntary ſeparation, between perſons who are not guilty of *adultery*; and afterwards confirms his opinion, by making it appear, that the *biſhops*, to prevent diſorders, have often condemned *adulterers*, to abſtain for ever from the uſe of *marriage*; that it is the *uſual cuſtom of the church*; that *this puniſhment* is ordained in the *penitential books*; and that a *divorce* is juſtly allowed on account of *ſpiritual alliance* (as being *god-fathers* and *god-mothers*,

mothers, either at baptiſm or confirmation, and the like) although it be not expreſſed in ſcripture as *adultery*. He adds, that 'tis not unjuſt, that a huſband ſhould be divorced from his wife, although he be innocent of the crime committed by her; and that there are *many other cauſes*, for which a huſband is obliged to *put away his wife*.

PETER of BLOIS, Archdeacon of BATH.

Letter 83. Adviſes the *biſhop* of *Exeter* to declare the *marriage null*, that was contracted between *Robert* and *Iſmenia* his *kinſwoman*; according to the *expreſs order* he had received from the *Pope*.

HUGH Archbiſhop of ROAN, *anno* 1130,

Wrote a diſcourſe on the dignity of the *clergy*—of the manners of *clerks*—of the *celibacy* which they are obliged to obſerve—of the *vow* of *chaſtity*.

PETER LOMBARD,

Called *maſter of the ſentences*. He was eſteemed the chief of all the *ſchool-divines*, and his writings were in greater repute than the *Bible*. (See *Moſheim*, edit. *Maclaine*, vol. i. p. 600. n.) This man found out that there were *ſeven ſacraments* under the *new law*, of which *marriage* is one. He wrote a book on the *holy ſacraments*, in which he treats of the *antiquity* of the *ſacrament of marriage*—He enquires of what marriage

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consists—distinguishes a promise of *future marriage*, from marriage contracted by the *present consent* of the *parties*—gives an account of the *conditions* that ought to be annexed to such a *consent* as is *necessary for consummation of marriage*—explains the advantages of marriage, which are, *fidelity*, the *lawful* procreation of children, and the *benefit* of the *sacrament:*—he discourses of matters relative to the continency of married persons at certain times—relates divers considerations of the *fathers*, with respect to the *polygamy* of the *patriarchs:*—he treats of the *impediments*, that render persons incapable of contracting marriage, and which make their marriage *void* and of *none effect*. See *Thelyph.* vol. ii. 147, 1st edit.—p. 139, 2d edit.

He shews that a man may be divorced from his wife for *adultery*, and that they may be afterwards reconciled—that he who has committed *adultery* with a woman, may marry her after her husband's death, provided he were not accessary to his death, and did not promise to marry the wife in his life-time.—He treats of the impediment which arises from the difference of age and condition between the parties contracting.

He discourses of the injunction of *celibacy* observed by *bishops*, *priests*, *deacons*, and *sub-deacons*, and of Pope *Calixtus'* ordinance, declaring such marriages *null*.

This great *Doctor* taught, that, if the firſt man had not *ſinned*, thoſe who are now *damned*, would not have been brought forth into the world; and that *St. Benedict* had as clear a knowledge of GOD in *this world*, as the *bleſſed ſpirits* have in *heaven*.

" The *book of ſentences*, which rendered " the name of *Peter Lombard* ſo illuſtrious, " was a compilation of *ſentences*, and paſ- " ſages, drawn from the *fathers*, whoſe " *manifold contradictions*, this *eminent pre-* " *late* endeavoured to *reconcile*. This *work* " was the *wonder* of the 12th *Century*, and " is little more than an object of *contempt* in " ours." *Moſheim*, Macl. vol. i. p. 598. n.

Council of LONDON, *anno* 1125.

Clerks are prohibited to cohabit with ſtrange women.—Marriages are prohibited between relations to the *ſeventh* degree.

Council of CASSEL, in IRELAND, 1172.

Can. 1. All the *faithful* in *Ireland*, ſhall be obliged, not to intermarry with their near relations, but to contract *lawful* marriages.

Council of AVRANCHES, 1172.

Can. 10. Forbids an huſband to turn *monk*, whilſt his wife remains in a *ſecular ſtate*, unleſs both are too *old* to have *children*—the ſame with reſpect to the *wife*.

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Can. 13. Relates to *perquiſites* claimed for the *benedictions* of *marriages*.

N. B. After *marriage* was determined to be a *ſacrament*, the *church* was at no ſmall trouble, how to reconcile the taking *money* for the *adminiſtration* of it. However, *Stephen Langton*, *archbiſhop* of *Canterbury*, Cent. XIII. made the matter eaſy by the following *injunction*.

"We do firmly injoin, that no ſacra-
" ment of the *church* ſhall be denied to any
" one, upon the account of any ſum of
" money, nor ſhall matrimony be hindred
" therefore: becauſe, if any thing hath
" been accuſtomed to be given by the *pious*
" *devotion of the faithful*, we will that
" *juſtice* be done thereupon to the *churches*
" by the *ordinary* of the place afterwards."
See *Burn*'s Eccl. Law, tit. *Marriage*.

Council of LONDON, *anno* 1175.

Can. 1. They who have entered into *holy orders*, and keep a *concubine*, whom they refuſe to expel, ſhall be deprived of *office* and *benefice*.

Clerks below a *ſub-deacon*, and are *married*, ſhall not be *divorced* from their *wives*, but ſhall no longer enjoy their *ſpiritual livings*.

Sub-deacons, and thoſe in *ſuperior orders*, who contract marriage, ſhall be *compelled* to *part with their wives*. The *ſons* of *prieſts* ſhall

ſhall be incapable to ſucceed their *fathers*, in the churches poſſeſſed by them.

Can. 18. *Clandeſtine marriages* are *forbidden*.

Can. 19. Prohibits marrying children that are not come to age of *maturity*, unleſs in caſe of *neceſſity*, or for promoting *peace*.

SYNOD of YORK, *anno* 1195.

Can. 4. More than *three* perſons ſhall not be required to ſtand as ſureties at the *baptiſmal font*, viz. *Two god-fathers* and one *god-mother* for a *boy*; or *two god-mothers* and *one god-father for a girl*.

N. B. The *rubric* of the *Proteſtant* church of *England*, confirmed by *act* of *parliament*, has adopted this *wiſe* regulation.

Can. 12. Renews the prohibitions ſo *often made*, that *clergymen* ſhould keep *unchaſte* correſpondence with *women*, and regulates the manner of trying thoſe who are accuſed of that *crime*.

Second General Council of LATERAN, 1139.

Can. 6. *Sub-deacons*, or thoſe in *higher orders*, if they *marry*, or keep *concubines*, ſhall be deprived of their *offices* and *benefices*.

Can. 7. Prohibits hearing *maſſes* of *prieſts* who are *married*, or keep *concubines*—declares the *marriage* of *prieſts* to be *null*; and

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and ordains that thoſe who have *contracted* it, ſhall be *divorced* and put to *penance*.

Can. 8. Regulates the ſame things, with reſpect to *virgins* conſecrated to God, if they *marry*.

Can. 17. Re-enforces the laws againſt marrying *relations*.

Third General Council of LATERAN, *anno* 1179.

Can. 7. Condemns abuſes, which paſſed into a cuſtom, of exacting *money* for the *benediction* of *marriages*.

Can. 11. Renews the prohibition, *ſo often reiterated*, with reſpect to the *clergy* companying with *women*; condemns *ſodomites* to very ſevere puniſhments; and forbids eccleſiaſtical perſons to frequent the monaſteries of *nuns*, unleſs upon ſome *emergent* occaſion.

Ivo biſhop of *Chartres*, on being aſked, Whether it was lawful for a man to marry his *concubine?* anſwered — That ſome *laws* forbid it, *others* have *permitted* it; and leaves the whole matter to the diſcretion and judgment of the *biſhops*.

CEN-

CENTURY XIII.

Pope INNOCENT III.

In a letter to the biſhop of *Marſi*, he decides the following caſe, viz. A man married a woman, with whom he had before been *carnally* acquainted: after that, he married *another*, by whom he had had *children*. The *firſt woman* demands, either that he may *live* with her, or elſe that ſhe may have leave to *marry another*. The *Pope* anſwers, "That if this man married the "former by *verba de præſenti*, he then "ought to return to her; but if *per verba* "*de futuro*, they muſt then *both* have a *pe-* "*nance* injoined them, and the woman be "at liberty to marry whom ſhe would."

N. B. By this time, the *reader* muſt be ſuppoſed to ſee, *how*, and by what *degrees*, *marriage*, and all that belonged to it, was taken out of GOD's hands, into the hands of *men*, and *how* the word of GOD began to be of no avail in the matter.—But to proceed.

Letter 45. He determines that *women* may come into the *church*, in a ſhort time after their *lying-in*; but yet, if they think to *ſtay away* out of *reſpect*, their devotion is not to be *condemned*.

Letter 92. Is againſt the *inceſtuous* marriage of the *king of Caſtile's* daughter, with the

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the king of *Leon*. He charges Cardinal *Rainier* to *excommunicate* them if they did not *part*.

Letter 102. He tells the chapter of *Spoletto*, that the marriage of a man, with a *concubine*, which he kept while his *wife* was *alive*, is *valid*; except it could be proved, that *one* of them had a hand in her death.

Letter 326. He gave leave to the *biſhop* of *Faience* to remove to the biſhopric of *Pavia*. There are very *pretty* things in this *letter* (ſays *Du Pin*) about the *ſpiritual* marriage of a *biſhop* with the *church* his *ſpouſe*. What is ſaid in ſcripture of the *indiſſolubility* of a *carnal marriage*, he preſumes may be as *well* applied to the *ſpiritual*. He adds, that it ſhould ſeem, then, as if it were not in the power of the *Pope* to *break* the *ſpiritual marriage* of a *biſhop* with his *church*:—and yet CUSTOM, which is the INTERPRETER OF THE LAWS, and the HOLY CANONS, always gave full power to the *holy ſee*, to which *alone* belong the *placing*, the *depoſing*, the *tranſlating* of biſhops: wherein, he ſaith, the *Popes* do not exerciſe *human* authority, but that of JESUS CHRIST, whoſe *vicars* they are. Laſtly, he declares that he conſents to this *tranſlation*, *merely* for the *good* which would enſue to the church of *Pavia*.

Letter 362. He decides the caſe of a man who was accuſed of *adultery* by his *wife*, thus; that judgment could not be given

upon an information that was made *lite non conteſtata*; and all that could be done, was to *excommunicate* the man for *refuſing* to make his *appearance*.

N. B. We may obſerve whence *eccleſiaſtical* courts took cognizance of *matrimonial* cauſes, and whence the dreadful *engine* of *excommunication* proceeded, for *contempts* of their *uſurped* authority.

Letter 380. He declared a marriage *null*, becauſe the *woman* had, *before* they were *married*, been *god-mother* to a natural ſon, which the man had by *another* woman.

Letters 28, 29, 30. Are about a *crooked* man, that had married a *widow*, being choſen *biſhop* of *Cambray*. — He declares the election *null*.

Letter 455. A religious *vow*, made before the year of *probation*, is *valid*. That the *vow* of a *married* perſon ought not to be accepted, except *ſhe* likewiſe, to whom he is *married*, makes a *vow* of *perpetual continence*.

Letter 458. He confirms the ſentence given in favour of the church of *St. Paul*, about the *privilege* of having a *font*, and *baptizing*; which was diſputed by the church of *St. Mary* of *Cervaro*, near *Monte-Caſſino*.

Letter 514. Determines, that the marriage of *infidels* with ſuch as were *akin* to them, could not be diſſolved when they turned *Chriſtians*.

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Letter 50, Book 2. Though the marriage between *infidels* be *diſſolved*, when one of them is converted to the faith, yet it is not the ſame thing of thoſe who were married while they were *believers*, when one of them becomes an *heretic* or *Pagan*.

Letter 66. He determined, that not only thoſe, who have contracted *two valid* marriages, are to be accounted *bigamous*, but thoſe too who have contracted ſuch as were *nulled*; becauſe, that although they were not in *facto bigamiſts*, for want of the SACRAMENT, yet the intention of being ſo was the ſame; and there was a *fault* committed beſides, therefore he would not have a *diſpenſation* granted to *ſuch*, as there is to *other bigamous* perſons.

Letter 178. From the *archbiſhop* of *Dioclia* and *Antivari* to the *Pope*; in which he preſents him with the orders made by the *legates* of the *holy ſee*, about the celibacy of the *clergy*—the *degrees* of *affinity* within which it is not allowable to *marry*—Laſtly—A prohibition from putting the *children* of *prieſts*, or *baſtards*, into *holy orders*.

Letter 229. *Clergymen* not to be allowed to have any *women* live with them, except they be of their *kindred*.

Letter 232. He declared, that a woman, who had taken upon her a *vow* of *chaſtity*, to avoid being *married*, but upon condition of tarrying in her own houſe, and had afterwards *married* a man, by whom ſhe had *children*,

children, ought to take her *religious* habit again, and *obſerve* her *vow*.

Letter 261. To the biſhop of *Roſſano*, in which he anſwers divers queſtions. 1. That the *kindred* of a *woman* might *marry* the *kindred* of her *husband*. 2. That although *husband* and *wife* are *god-father* and *god-mother* to a child, yet they do not thereby contract any ſuch *compaternity*, as can hinder them from *living* as *man* and *wife*. 3. The *Latin* prieſts might neither have *wives* nor *concubines*. Laſtly—that the chaplains of *Roſſano* had nothing to do with the *validity* or *invalidity* of *marriages*. —Qu? *Who* or *what*, but GOD and his *word*, have any thing to do either with the *one* or the *other?*

Letter 7, Book 5. He determined, that the *ſon* of a *god-father* could not marry the *daughter* of the *god-mother* to the *ſame* child, although he was born before they baptized the child. That if *theſe* two perſons had *married*, they ought to be *parted*; and that *whoſoever* knew of any *ſuch thing* they ought to diſcover it.

Letter 48. To the *archbiſhop* of *Rheims*, about the deſign of *Philip* King of *France* to get himſelf *ſeparated* from his *wife*. He wrote alſo to that *prince* upon the ſubject: he talks with him about his complaining of harder uſage than other *princes* had met with on the like occaſion, ſeeing that *King Lewis* his father, the Emperor *Frederic*,

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and, very lately, * *John* King of *England* had been *ſeparated* from their *wives*, by the judgment of their *prelates* and *eſtates*, which the *holy ſee* had, without any *ſcruple*, confirmed. The *Pope* anſwers — "They "were his *legates* who *ſeparated* the Em- "peror *Frederic*; and that King *Lewis*, and "the *King* of *England*, were *parted* by "their *prelates*, but that was becauſe "there had been no complaint made to "the *holy ſee*; which was the very reaſon "why the judgment was not *revoked*, "becauſe no body proteſted againſt it: "but the matter now in hand had been "laid before the *holy ſee*; Pope *Celeſtin* had "revoked the ſentence of *divorce*, and had "ſent his legates into *France*, who per- "haps might have put an end to the "affair, if he had not eluded their judg- "ment: that it was in the *power* of the "*holy ſee*, not only to *annul* the ſentence, "but likewiſe to uſe cenſures againſt thoſe "that had given it: as Pope *Nicholas* had "done againſt *Gontierus* archbiſhop of *Co-* "*logn*, and *Tetgaudus* archbiſhop of *Treves*, "for having divorced *King Lotharius* of "*Tetberge*."

Letter 128. Is to *William* Earl of *Monpellier*, who had, by the *archbiſhop* of *Arles*, deſired the *Pope* to legitimate his children. *Innocent proves* firſt of all, that the legiti-

* See Rapin, vol. i. p. 262. fol. edit.

mation

mation of the *holy ſee* is *valid*, not only in what concerns the *ſpirituals* but the *temporals* too: and, becauſe this *Earl* alledges the example of the *King* of *France's* children, which *Philip* had by a wife which he took after having left *Iſemburga*, to obtain the ſame favour for thoſe whom he had by a wife that was married in the *ſame manner*, *Innocent* tells him, there is a great deal of difference. 1. Becauſe the King of *France* by his lawful wife had a ſon who was preſumptive *heir* of the crown—whereas he had no ſon by his lawful wife. 2. Becauſe the King of *France* had no more from the *holy ſee* than what concerned the *ſpirituals*—whereas he deſired it both for *ſpirituals* and *temporals*. 3. Becauſe the King had not left his wife 'till divorced by the *archbiſhop* of *Rheims*, and had theſe lawful iſſue by the *other wife*, before the *holy ſee* had forbidden him to live with her—whereas he had obſerved no form nor law in the matter. 4. Becauſe the *King*, acknowledging no ſuperior in *temporals*, had ſubmitted himſelf to the *holy ſee* in this caſe, though perhaps he could have given himſelf this diſpenſation as to *temporals*;—but as for him (the Earl) who depended upon other *ſovereigns*, this diſpenſation could not be granted him, without incroaching upon their right, and he could not grant it to himſelf.

About the end, he begins to eſtabliſh the

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power, which he had, not only over the temporality of *St. Peter's* patrimony, but over that of other ſtates.

" This audacious prelate *had the honour* " of introducing and eſtabliſhing the uſe " of the term *tranſubſtantiation*, which was " hitherto abſolutely unknown. He alſo " placed, by his *own* authority, among the " *divine laws*, that of *auricular confeſ-* " *ſion* to a *prieſt*." *Moſheim. Macl.* vol. i. p. 683.

" About the concluſion of this century " Boniface VIII. added to the public rites " and ceremonies of the *church*, the famous " *jubilee*, ſtill celebrated at *Rome*, at a ſtated " period, with the utmoſt profuſion of " pomp and magnificence." *Moſh.* ib.

Pope INNOCENT IV. *anno* 1243.

Letter 10. To his legate in *Cyprus*, determines, that *married* prieſts, having the care of ſouls, ought not to be hindered from taking the confeſſions of penitents, to enjoin penances, and to act in their name.—That *fornication ſoluti cum ſoluta* was a *deadly* ſin—(Qu? If his *holineſs* meant any thing more by *fornication*, than the act of thoſe who came together without the *ſacrament* of marriage, as it was now called?) — that the *Greeks* ought not to condemn all *third* and *fourth* marriages—that the prieſts ſhould not give their bleſſing upon *ſecond* marriages—that they ſhould not *marry*, ſo as they did,

did, within the *fourth* degree—that thoſe *Greeks* who acknowledged that the ſouls of thoſe who died, not wholly *cleanſed*, might exiſt after death, and be *eaſed* by the *prayers* of the *living*, were obliged to call the place where they are—PURGATORY.

GREGORY the TENTH, *anno* 1271.

Among his other *letters*, there is one to the biſhop of *Liege*, who was *depoſed*, in the council of *Lyons*, for his *incontinency*.

MANUEL CHARITOPULA Patriarch of CONSTANTINOPLE.

Inſtitut. 1. Women, forſaken by their huſbands, of whom they have heard no news for *five* years together, may afterwards *marry*.

The biſhop of *Pella* aſks, what *penance* ought to be inflicted on *prieſts*, by whoſe negligence it happens, that the conſecrated bread is eaten by *rats?* and what ought to be done, when, the prieſt being at the *altar*, a *mouſe* happens by chance to eat the conſecrated hoſt?

We may remember, that ſome time ago, a *father* of the *Latin* church declared againſt *Berenger*, that neither *mice* nor other *vermin* would *touch* it. See before p. 113.

Qu? 4. *Laics* above 40 years old, and that have been married *twice*, and have children, may not marry again.

Qu? 6. What puniſhment thoſe *prieſts*

 deſerve,

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deſerve, who celebrate marriages in *Lent*, and what one ought to think of ſuch marriages? Anſ. Thoſe *prieſts* who did it out of ignorance and ſimplicity, ought to bear leſs puniſhment than if they did it *wilfully*; but *ſuch* marriages are *valid*.

Council of PARIS, *anno* 1212.

Can. 4. Prohibits the *clergy* from having *women* in their houſes.

Can. 21. Forbids *monks* to lie *two* in a *bed*. That the *nuns* lie *ſingle*.

Can. 14. The *abbots* not to ſuffer *young women* to come into *monaſteries*.

Can. 20. To extirpate that *crime* which is *odious* to name.

Can. 21. To puniſh that diſorder ſeverely, according to the *rule* made in the *Lateran* council.

Fourth LATERAN Council, *anno* 1215, under INNOCENT III.

Can. 50. Repeals the prohibition of marriage in the ſecond and third *degree* of *affinity*, and between children iſſuing from a *ſecond* marriage and the relations of a *former* huſband; and reſtrains the *degrees* wherein marriages were *unlawful*, to the *fourth* degree of *conſanguinity*.

Can. 51. Prohibits *clandeſtine* marriages, and orders that the *prieſts* ſhall publiſh *banns* in *churches*, that ſo ſuch impediments as are lawful may be objected againſt them.

Penalties

Penalties are alſo inflicted on thoſe who countenance or authorize *inceſtuous* or *clandeſtine* marriages. CENT. XIII.

N. B. By *inceſtuous*, are here meant, ſuch *marriages* as are not within the *degrees* allowed by the *canons*. The *Bible* is out of the *queſtion*.—N. B. The origin of *banns*.

Council of OXFORD, *anno* 1222.

Can. 19. Prohibits *rural deans* from taking *cognizance* of *matrimonial* cauſes.

Can. 42. *Advocates*, who ſhall diſpute the *validity* of a *marriage*, which ſhall be declared good by the ſentence of a *judge*, ſhall be ſuſpended for a year.

Council of MENTZ, *anno* 1225.

Can. 1, 2, 3. Againſt clerks who keep *concubines*.

Can. 5. Declares legacies of church goods, by *clerks*, to their natural children, or *concubines*, null.

Council of CHATEAU GONTHIER, *anno* 1231.

Can. 1. Prelates ought not to tolerate *clandeſtine* marriages, and to proceed without *delay* and without *excuſe*, to the *divorcing* of thoſe who had *contracted* them. Comp. Mat. xix. 6. and Stat. 26 Geo. II. c. 33.—the *marriage-act*.

Can. 34. Prohibits, under pain of *excommunication*, the *contracting* of marriage

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till after the *banns* have been publiſhed; that ſo an engagement to *marry* may be *granted*, and given in the face of the *congregation*.

Council of ARLES, *anno* 1234.

Can. 3. *Heretics* to be rooted out.

Can. 6. Condemned to perpetual impriſonment—thoſe who will *recant*, to be delivered up to the *ſecular power*—every *Sunday* an *excommunication* ſhall be publiſhed againſt *heretics* and their *favourers*.

Council of L'ISLE en PROVENCE, *anno* 1251.

Can. the laſt. Againſt *clandeſtine* marriages.

Council of TOURS, *anno* 1236.

Can. 8. Declares thoſe who contract *two marriages* at a time *infamous*, and to be *whipped*.

Council of LONDON, *anno* 1237.

Can. 1. Concerns the *dedication* of churches, and implies, that it derived its original from the *Old* and *New Teſtaments*, and has been obſerved by the *holy fathers* under the *New*. That it ought to be ſolemnized with greater dignity and care, ſince then they only offered ſacrifices of *dead beaſts*, whereas now they *offer* on the *altar*,

altar, by the hands of the *prieſt*, a living and true *ſacrifice*, namely, the only *Son* of GOD; therefore the *fathers* have with reaſon ordered, that ſo ſublime an office ſhould be celebrated only in conſecrated places, &c. CENT. XIII.

N. B. How one *lye* begets another, and how they travel on from *generation* to *generation!*

Can. 15. To prevent ſome marriages, which ſome *clerks* contracted *clandeſtinely*, to ſave their benefices, declares the children born of ſuch marriages incapable of holding benefices.

Can. 16. Renews the eccleſiaſtical ſtatutes againſt *clerks* who keep *concubines*.

Can. 17. Prohibits children of *clerks* from poſſeſſing the benefices of their *fathers*.

Can. 23. Care ſhall be taken to place able *judges*, eſpecially in *matrimonial cauſes*; and that the judges of *abbots* who are in poſſeſſion, ſhall not paſs a definitive ſentence, 'till after they have conſulted the *biſhop* of the *dioceſe*.—Qu? Who placed *matrimonial* cauſes in the hands of *eccleſiaſtical* judges?

Council of COGNAC, *anno* 1238.

Can. 9. The *biſhops* ſhall ſee that the ſentences of *excommunication*, iſſued out by their *colleagues*, be *duly executed* in their *dioceſes*.

Can.

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Can. 10. That none ſhall be commiſſioned to try *cauſes* of *matrimony*, but able and diſcreet perſons.

Can. 11. Excommunicates *lay-judges*, who oblige *eccleſiaſtics* to plead before them. —*N. B.* How glorioufly was the power of *churchmen* now increaſed!

Here we may ſee, whate'er we ſee beſide,
The *laymen* bridled, and the *clergy* ride.

Council of SAUMUR, *anno* 1253.

Can. 11. Prohibits the admitting any *canon*, who is not born in *lawful wedlock*: i. e. according to the laws of the *church*.

Can. 27. Prohibits *clandeſtine marriages*.

Council of ALBY, *anno* 1254.

Can. 41. Prohibits *prieſts* from keeping *women* within the *incloſures* of the *church*.

Council of ARLES, *anno* 1260.

Can. 4. None ſhall contract marriage without leave of the *church*.—*Bravo!* This is *ſpeaking out*.

Council of COGNAC, *anno* 1260.

Can. 5. Prohibits curates from marrying of *women* of *another pariſh*, without the *conſent* of their *curate*.

Council

Council of BOURDEAUX, *anno* 1262.

Can. 5. Thoſe who ſhall contract *clandeſtine marriages*, both the *miniſters* and *witneſſes*, ſhall be *excommunicated*, and ſuſpended *ab officio & beneficio*. Thoſe *marriages* ſhall be reckoned *clandeſtine*, which are not contracted by the proper *curate* or *paſtor* of the huſband or the wife, with the conſent of the other *curate*.

Council of LONDON, 1268.

Can. 3. Churches ſhall be *conſecrated*.

Can. 14. Againſt thoſe who obſtruct the *celebration* of *matrimony*.

Can. 15. Relates to *wills* and *teſtaments*, and obliges the *executor* to renounce the right which he hath to plead in his juriſdiction.

Council of LANGEIS, *anno* 1276.

Can. 3. Againſt *clandeſtine marriages*.

Can. 4. Againſt *prieſts* keeping in their houſes *children* born of their *concubines*, and from *bequeathing* any thing *to them*.

N. B. See 1 Tim. v. 8.

Council of BUDA, 1279.

Can. 26. Prohibits clerks from keeping in their houſes the *children* which they have had whilſt in *holy orders*, and declares thoſe *children* to be the *vaſſals* of the *church*.

Can. 39. Reſerves the cognizance of *matrimonial*

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matrimonial cauſes to prudent and diſcreet perſons.

Can. 4. Prohibits *eccleſiaſtics* from keeping *concubines*.

Council of RAVENNA, *anno* 1286.

Can. 8. Againſt *clandeſtine marriages*.

Council of BOURGES, 1286.

Can. 2. Prohibits *clandeſtine marriages*.

Can. 3. Prohibits *eccleſiaſtical* judges from cognizance of *matrimonial cauſes* out of their *juriſdiction*.

Can. 24. Prohibits women inhabiting in the houſes of *monks*.

SYNODAL CANONS of PETER, Biſhop of EXETER,

Contain an inſtruction to his *clergy* about the SEVEN SACRAMENTS, and about the *celebration* of *marriage* — appeals — *queſtors*—the *relics* of ſaints—laſt *wills* and *teſtaments*—*excommunications*, &c. &c. *cum multis aliis, quæ nunc præſcribere longum eſt.*

Council of L'ISLE in PROVENCE, *anno* 1288.

Can 14. Againſt thoſe who give *poiſon* or *phyſic* to cauſe *abortion*.—Mark, reader, this horrid evil, and from whence it ſprang; even from leaving the *laws* of GOD and *nature*, for the *doctrines* and *commandments* of men!

Council

Council of SALTZBURGH, *anno* 1291. CENT. XIII.

Can. 1. It is ordered, that to remedy the abuſe of *marriages clandeſtinely contracted*, there ſhall be *ſix* honeſt and creditable perſons, of the neighbourhood or pariſh of the *contractors*, who ſhall be preſent, and ſerve as *witneſſes* of the *marriage*.

The ſame *canon* iſſues forth the penalty of *excommunication*, *ipſo facto*, againſt thoſe who ſhall tranſgreſs this order, or ſhall be preſent at *clandeſtine marriages*, or ſhall *ſuffer* them to be contracted in their *houſes*. —N. B. What wicked pains did theſe *fellows* take to bring griſt to their *mill!*

WALDENSES or VAUDOIS, and ALBIGENSES.

Amidſt all the darkneſs, ſuperſtition, and folly of *Popery*, GOD did not leave himſelf without witneſſes of his truth. Theſe poor people, though perſecuted with all the malice and cruelty that *Hell* or *Rome* could invent, nobly ſtood in defence of GOD's word againſt the *Popiſh* encroachments. Their tenets were called *hereſy*, and their perſons *heretics*, becauſe they oppoſed the *doctrines* of the ſcriptures to the *inventions* of men. —Among other things, they condemned the *ceremonies* uſed in the celebration of marriage, as having no foundation in the word of GOD—they taught—"that the "conſent of a willing couple, without the "formality

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" formality of *ſacerdotal benediction*, made " a *lawful* marriage."—They did not acknowledge the *ſpiritual* alliance [as between godfathers and godmothers] nor the impediments of *affinity* and *conſanguinity* appointed by the *church*—no more than thoſe of public *order* and *decency* [i. e. the throwing marriage into the hands of *prieſts*, and the *ceremonies* invented and uſed thereon] thus caſting a blemiſh on the SACRAMENT of *marriage*. That women needed no *benediction* after their lying-in [this we call *churching* of women.] That the church was wrong in prohibiting the *clergy* from *marrying*.—They *invocated* no *ſaints*, but worſhipped GOD alone—they deſpiſed the *canonizations*, *tranſlations*, and *vigils* of the *ſaints*—they taught, that the doctrine of JESUS CHRIST and the *apoſtles* is ſufficient to ſalvation, without being obliged to obſerve the *laws of the church*, and that the *tradition* of the church is the tradition of the *Phariſees*—that the church of *Rome* is not the *church* of CHRIST, but a *church* of *wicked men*; and that it has ceaſed from being the *church* of CHRIST ever ſince the time of *Pope Sylveſter*—(*Du Pin* calls him *St. Sylveſter*)—when the *poiſon* of *temporalities entered* into the *church*:—they denied *purgatory*, and *tranſubſtantiation* by the hands of a prieſt.

Theſe, and other as great *hereſies*, did theſe excellent *reformers* teach. For which

an open war was carried on againſt them, under the general name of *Albigenſes*, which, after the utmoſt exertions of *cruelty*, and of the moſt barbarous *maſſacres*, ended in their *deſtruction*.—See *Moſheim*, *Macl.* vol. i. p. 700. Theſe might well be numbered among the champions for the word of GOD—*of whom the world was not worthy*. Heb. xi. 38. *Du Pin* ranks them among thoſe *heretics*, who ſubverted the *fundamentals* of the *Chriſtian religion*, by openly oppugning the *authority*, the *ſacraments*, the *ceremonies*, and the *diſcipline* of the *church*.

THE INQUISITION.

It may perhaps lead me for a while from the immediate and particular ſubjects of this *book*, but I cannot help obſerving here, that, in this *century*, appeared that *monſter* of all *monſters*, that moſt horrible, iniquitous, helliſh *tribunal*, the *Court of Inquiſition*, the moſt formidable engine of *church power* that ever was invented. It was generated between the *eccleſiaſtical courts*, and the *great whore*, mentioned Rev. xvii. 1. 5. xix. 2. and it may be truly ſaid, that of all the *abominations* of which *ſhe* has been the *mother*, this has been the moſt dangerous and deſtructive to the perſons, lives, and properties of mankind; and ſtands as a melancholy proof of the aſcendency which *prieſtcraft* and *ſuperſtition* are capable of gaining over the human mind, when creatures,

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tures, endowed with reaſon, could ſo loſe all ſenſe of *ſelf-preſervation*, as not to ariſe with *one conſent*, and *ſtrangle* it in its *birth*.

But the comparatively petty *tyranny* of *eccleſiaſtical* courts, which, from the days of *Conſtantine*, had been gradually ſubjugating the underſtandings of men, more and more, under the aſſumed and ungodly power of *churchmen*, had paved the way; and therefore we are told by *Du Pin*— Cent. xiii. p. 154. Eng. tranſ.—

" The *Pope* and the *Prelates*" (he might have added the *Devil*, and made it a ſort of *triumvirate*) " perceiving that the *former*" [i. e. thoſe *notorious heretics* the *Albigenſes*] " contemned the *ſpiritual* power, and that " *excommunication*, and the other *eccleſiaſti-* " *cal* penalties, were ſo far from *reducing* " them, that they rendered them the more " *inſolent*, and put them upon *uſing vio-* " *lence*" [i. e. defending themſelves when they were moſt inhumanly and unjuſtly attacked, and ſtanding for their lives and properties] " were of opinion, that it was " lawful to make uſe of *force*, to ſee whe- " ther thoſe who were not *reclaimed* out of " a ſenſe to their *ſalvation*, might be ſo by " the *fear* of *puniſhments*, and even of *tem-* " *poral death*.

" There had already been ſeveral in- " ſtances of *heretics* condemned to *fines*, " *baniſhments*, *puniſhments*, and even to " *death* itſelf; but there had never yet been " any

" any *war* proclaimed againſt them, nor " any *croiſado* preached up for the *extir-* " *pation* of them. *Innocent* III. was the " *firſt* who proclaimed ſuch a war againſt " the *Albigenſes* and *Waldenſes*, and againſt " *Raymond*, count of *Thouloufe*, their *pro-* " *tector*. War might ſubdue the *heads*, " and reduce whole *bodies* of people; but " it was not capable of altering the ſenti- " ments of particular perſons, or of hin- " dering them from teaching their doc- " trines *ſecretly*.

" Whereupon the *Pope* thought it ad- " viſeable to ſet up a *tribunal* of ſuch per- " ſons, whoſe *buſineſs* it ſhould be to make " *enquiry after heretics*, and to *draw* up " their *proceſſes*. For this purpoſe, he " made choice of the *Dominican* and *Fran-* " *ciſcan fryars*, who were *newly* eſtabliſh- " ed; to whom he gave commiſſion to " make *exact enquiry* after *heretics*, and to " draw up *informations* againſt them: and, " from hence, this *tribunal* was called THE " INQUISITION.

" By degrees the authority of thoſe *in-* " *quiſitors* increaſed; and whereas, at the " firſt, they only drew up the proceſs of " *heretics*, and ſolicited the *ordinary judges* " to condemn them, they afterwards had " power granted them of trying the *crime* " *of hereſy* conjointly with the *biſhops*.

" The emperor *Frederic* II. approved " of this *tribunal*, took the *inquiſitors* into

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" his *protection*, and attributed to the *ec-*
" *cleſiaſtics* the taking cognizance of the
" *crime* of *hereſy*; leaving only to the *ſe-*
" *cular judges*, the power of inflicting the
" puniſhment of *death* on thoſe who were
" *condemned*.

" This *tribunal* of the INQUISITION
" was at firſt ſet up at *Thouloufe*, and in
" the other cities of *Languedoc*, where the
" *hereſy* of the *Albigenſes* and *Waldenſes*
" had the *deepeſt rooting*. The *Popes* like-
" wiſe ſet it up in *Italy*, from whence it
" paſſed, a long time after, into *Spain* and
" *Portugal*; but it was baniſhed *France*,
" and could never be introduced into *Ger-*
" *many*."

CENT. XIV.

CENTURY XIV.

Council of COMPEIGNE, *anno* 1304.

Can. 1. *Excommunicate* perſons, and ſuch as have contracted *clandeſtine marriages*, with *all* perſons that procured them, or were preſent at them, ſhall not be admitted to the divine ſervice of the *church*, nor allowed *Chriſtian burial*.

Council of PRESBURG, *anno* 1309.

Renews the decretal of Pope *Benedict* XI. againſt ſuch *clergymen* as keep *concubines*, and deprives ſuch as are beneficed, of a *fourth* part of their *benefice*, if they obſerve it not.

Council

Council of COLEN, *anno* 1310.

Can. 9. Confirms the puniſhments on *clerks* that keep *concubines*.

Can. 10. Forbids that *clergymen* ſhould do *public penance*.

Can. 22. None ſhall be preſent at *clandeſtine marriages*, but the banns of all *marriages* ſhall be *publiſhed*.

Council of RAVENNA, *anno* 1311.

Can. 19. That the banns of *marriages* ſhall be publiſhed, that the *curates* may know whether there be no impediments. *Marriages* ſhall not be *celebrated* from the firſt *Sunday* in *Advent*, till after the *octaves* of the *Epiphany*—from *Septuageſima Sunday*, till the *octaves* of *Eaſter*—from the day before the *Aſcenſion*, to the *octaves* of *Penteceſt*.

Council of NOGAROL, *anno* 1315.

Can. 2. Declares the children of ſuch as have contributed to *lay taxes* upon the *clergy*, incapable of receiving *holy orders* to the *fourth generation*, and deprives their family of *Chriſtian burial*.

Council of VALLADOLID, *anno* 1322.—Of TOLEDO, *anno* 1323.

Can. 6. Forbids all *clergymen* to be preſent at the marriages of their *children* and *nephews*.

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Can. 7. Againſt *clergymen* who keep *concubines*.

Anno 1324. Can. 20. A *clergyman* ſhall not go out at night without a *candle*. —*N. B.* This muſt be to prevent *deeds of darkneſs*.

Council of SENLIS, *anno* 1326.

Can. 6. Forbids *clandeſtine marriages*.

Council of ALCALA, or COMPLUTUM, *anno* 1326.

Can. 2. Againſt clergymen who keep concubines *openly*.

Council of NARBONNE, *anno* 1374.

Can. 22. Againſt *clandeſtine marriages*.

Council of PALENZA, *anno* 1388.

Can. 3. *Married clerks* to wear the clerical crown and tonſure, if they will enjoy the privileges of their *prieſthood*.

Can. 7. Againſt *adulterers*, and ſuch as keep concubines *publicly*.

ENGLAND.

Council at LONDON, *anno* 1328.

Can. 8. Marriages ſhall not be ſolemnized without the publication of *banns*.

Council

Council of LAMBETH, *anno* 1330.

Can. 5. Prieſts ſhall not celebrate marriages, which are *clandeſtine*, or without *publication* of *banns*.

Council of YORK, *anno* 1367.

Can 9. Againſt clandeſtine marriages, and ſuch as are without *publication* of *banns*. See *Thelyph.* vol. ii. p. 147, n. 2d edit.

LOLLARDS.

The ſect of the *Lollards* ſpread throughout *Germany*, and had for their leader *Walter Lollard*, who began to diſperſe his *errors* about 1315. *Du Pin*'s charge againſt them conſiſts of many particulars—among the reſt—that they deſpiſed the *ſacraments of the church* (i. e. *five* of *Peter Lombard's ſeven*, of which one was *marriage* by *prieſts*) and derided her *ceremonies* and her *conſtitutions*—obſerved not the *faſts* of the *church*, nor its *abſtinences*, and acknowledged not the *interceſſion* of *ſaints*. *Trithemius* ſays, that *Bohemia* and *Auſtria* were *infected* with them, that there were above 24,000 perſons in *Germany* who held theſe *errors*, and that the greater part defended them with *obſtinacy*, even unto *death*.

* *N. B. Error* and *hereſy* are two *eccleſiaſtical ſcare-crows*, and ſignify, uſually, any thing which the *ruling powers* chuſe to call by thoſe names. Theſe, with the

CENT. XIV. word *ſchiſm*, have done ſpecial ſervice in their day. See Index to *Thelyph.* vol. ii. tit. LOLLARDS.

CENT. XV.

CENTURY XV.

THOMAS WALDENSIS.

So called from being born at *Walden* in *Eſſex*. Studied at *Oxford*. Was choſen *confeſſor* to Henry V. King of *England*, with whom he went to *France*, and died at *Roan*, November 3, 1430.

This learned and famous Doctor ſtoutly oppoſed the *errors* of *Wickliffe*. He wrote a great book—intitled—"*A Doctrinale of* "*the Antiquities of the Faith of the Catho-* "*lic Church*," againſt the *Wickliffites* and *Huſſites*, divided into three *tomes*. In tom. 2. he lays down the doctrine of the *church*, about the (ſeven) *ſacraments*—*proves* the *real preſence*, and *tranſubſtantiation*. On the ſacrament of *orders* he *proves*—that the *celibacy* of the *clergy* is according to the *ſpirit* and *genius* of the *holy ſcripture*, and agreeable to the practice of the *antient* church.

On *marriage*.—He ſhews that this *ſacrament* may ſubſiſt between perſons that obſerve *continence*—that it ought to be contracted according to the *forms preſcribed by the church*—and with the *benediction* of the *prieſt*; and diſtinguiſhes between *marriages* which are *lawful* and which are *unlawful*.

This

This book is said to be the *fountain* from whence many writers of controverſy, ſince, have drawn their arguments againſt *heretics* of *later* times.

ALPHONSUS TOSTATUS, Biſhop of AVILA,

A moſt voluminous writer.—He left behind him *twenty-ſeven volumes folio*. He wrote a book againſt *Concubinary Prieſts*—A Treatiſe of *Five* Laws—of the Law of *Nature*—of the Law of *Moſes*—of the Law of *Pagans*—of thoſe of *Mahomet*—and of the * *Laws* of *Chriſtians*.

He died *anno* 1454, aged 40 years, and was interred in the church of *Avila*, with this *epitaph*.

Hic ſtupor eſt mundi qui ſcibile diſcutit omne.
i. e.
Here is the wonder of the world, the diſcuſſer of all that is *knowable*.

ÆGIDIUS CARLERIUS, Dean of CAMBRAY,

Wrote many learned *treatiſes*; among others—a Treatiſe on the perpetual *Virginity* of the *Virgin Mary*—againſt the Oppoſers of *Images*—of the *Celibacy* of *Eccleſiaſtics*—and of the *Eccleſiaſtical Hierarchy*.

* By this it ſhould ſeem, that "the *laws* of *Chriſtians*" were ſuppoſed to be as diſtinct from the "*law* of *Moſes*," as from the "*law* of *Mahomet!*" This is *audax* JAPETI *genus* with a witneſs!—See before, p. 68, n. After all, what were theſe "*laws* "of *Chriſtians*," but the arbitrary impoſitions of *fathers*, *popes*, *councils*, &c. on the reſt of mankind?

CENT. XV.

Council of OXFORD, *anno* 1408.

Can. 4. Nothing ſhall be taught about the *ſacraments*, but what is agreeable to the *doctrine of the church*.

This council, which was held under *Thomas Arundel*, archbiſhop of *Canterbury*, made thirteen regulations, to put a ſtop to the progreſs of *Wickliff's errors*.

Council of SALTZBURG, *anno* 1420.

Can. 6. Excludes *baſtards* from the order of the *clergy*.

Council of COLLEN, *anno* 1423.

Can. 1. Againſt *concubinary clergymen*.

Can. 8. Concerns *public concubinaries*.

Council of PARIS, *anno* 1429.

John of *Nanton*, archbiſhop of *Sens*, forbad the *licences* diſpenſing with the *banns* of *matrimony* to be granted eaſily.—With us they are *eaſily granted* to all who can afford to *pay* for them.

N. B. There was a council held at *Bourges*, *anno* 1438, but as *Du Pin* does not mention it in its place, the reader will find it, as in *Du Pin*, under the next *century*, art. 1.

Council of ANGERS, *anno* 1448.

Can. 12. Forbids *clandeſtine marriages*.

Council of TOLEDO, *anno* 1473.

Can. 16. Forbids to *celebrate marriage* at

at any other time than what is permitted by the *laws* of the *church*, and condemns thoſe *clergy* to be fined, who give the *nuptial bleſſing* at the times forbidden. See canon 62 of the church of *England*.

Can. 17. Againſt *clandeſtine marriages*.

Council of SENS, *anno* 1485.

The archbiſhop of *Sens* aſſembled a ſynod at *Sens*, wherein he confirmed the conſtitutions made in a *ſynod* held twenty-five years before, for the *celebration of marriages*.

One of the *errors* imputed to *Wickliff*, was, his ſaying, "that the cauſes of *divorce*, on account of *conſanguinity* and *affinity*, as eſtabliſhed by the *church*, are *human* conſtitutions, and *groundleſs*."

One *Lailier*, a licentiate in *theology* at *Paris*, was ſeverely perſecuted, for ſaying, "1. You ought to keep the commands of GOD and His *apoſtles*; and, as to the commands of the *biſhops*, they are no better than chaff, for they have deſtroyed the *church* by their *reveries*. 2. Saying *St. Francis* was rather in *hell than* in *heaven*. 3. I am not bound to believe a man is a *ſaint* becauſe he is *canonized*, ſince he is *canonized* for *money*, and none are *canonized* but thoſe who give *ſomething for it*. 4. If a *prieſt* marry *clandeſtinely*, and come to me

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" me and confeſs it, I would not enjoin " him *penance*. 5. The prieſts of the " *eaſtern* church do not *ſin* in marrying, " and I believe that neither ſhould we *ſin* " in the *weſtern* church, if we ſhould " marry. 6. 400 years ago the *prieſts* " were forbidden to marry, by a *Pope or a* " *butterfly*—[D'un *pape* ou un *papillon*]— " I don't know whether he could do it. " 7. I would give two *blancs* to him, that " will produce any paſſage in *ſcripture*, " whereby we are obliged to faſt in " *Lent*."

The faculty condemned theſe propoſitions as *heretical*, *erroneous*, *ſchiſmatical*, *raſh*, &c.; for which *Lailier* was *excommunicated*, and would probably have fared much *worſe*, if the poor man had not been put into the hands of an *inquiſitor* and a *biſhop*, who frightened him into a recantation.

This *century* was diſgraced with the burning of *Sir John Oldcaſtle*, *John Huſs*, *Jerome of Prague*, and other champions for the religion of the *Bible*, as *heretics*— hereby giving a deadly proof of the ſad conſequences to mankind, when the *eccleſiaſtical* and *ſecular* powers unite, for the maintenance of *error* and *ſuperſtition*, and of courſe to deſtroy thoſe who dare to diſcover and oppoſe them.

CEN-

CENTURY XVI.

We are now coming to the moſt remarkable *period* in all the annals of *Europe*. In *Germany* LUTHER riſes, ſees the *papacy* diſowned in *Saxony*, *Brandenburgh*, *Heſſe*, *Pomerania*, the greateſt part of the territories that belong to the houſe of *Lunenburg*, and moſt of the free cities. In *Sweden* and *Denmark* his doctrine is abſolutely and quietly ſettled.

In *England*, HENRY VIII. takes away the *Pope*'s power, pulls down *monaſteries*, and ſcatters the ſworn defenders of the *papal hierarchy*. His ſon *Edward* VI. builds upon his foundation, and goes on with that *reformation* which his father had begun. All this was firſt occaſioned by the preaching of *Luther*, a private *monk*, whom his enemies would have *cruſhed* with an high hand, and deſpiſed till it was too late.

Having ſeen, during a long ſucceſſion of ages, the church of *Rome* gradually riſing into its plenitude of power—all matters relative to *marriage* taken into the hands of *men*, and regulated as they thought moſt conducive to the advancement of *eccleſiaſtical intereſt* and *authority*; inſomuch that GOD's *word* was entirely aboliſhed, as having any ſhare in the *laws* which were made concerning it—one might

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might expect to find, that the *reformation* would have totally changed the *face* of things, in this respect—that *marriage* would have been restored to its *antient simplicity*, and, instead of being suffered to remain on that *papistical* plan, where *Popes*, *councils*, and *fathers* had placed it, and as our *reformers* found it, we should have seen the *Bible* made the only rule of *faith*, in this respect, as in others, perhaps of inferior consequence to the present and eternal interests of mankind.—Whether we have reason to complain of *disappointment*, will appear in the *sequel*.

Council of BOURGES, *anno* 1438.

Referred to by *Du Pin*, Cent. XVI. c. i.

Art. 20. Against such *clergymen* as kept *concubines publicly*. It deprives them of the profits of their benefices, and declares them incapable of being promoted to any honours, dignities, and benefices, without a DISPENSATION from their SUPERIORS; and if they relapse after such DISPENSATION, they shall be out of hope of ever having *another*.

It also orders how such *superiors* shall be proceeded against, who are not careful to punish them: and as to those who ought to be deposed by the *Pope*, the *provincial councils* or their *superiors* may inform

inform againſt them, or ſend informations to the *holy ſee*.

It is declared, that a perſon who keeps *concubines publicly*, is not only he that is ſo declared by a ſentence of *law*, or by his own confeſſion made judicially, or by the notoriety of the fact, which cannot be concealed; but he that keeps a ſuſpicious, or infamous woman in his houſe, and, being admoniſhed by his *ſuperior*, doth not put her away. The council alſo decrees the puniſhment of thoſe *eccleſiaſtical* judges, who ſhall *commute* with thoſe that keep *concubines*, or that ſuffer, or neglect to puniſh them. It enjoins *ſuperiors* to force their *inferiors* to caſt off their *concubines*, and forbids *ſecular judges*, yea, KINGS THEMSELVES, to hinder the proceedings of *eccleſiaſtical* judges againſt them. It alſo adviſes the *laity* to *marry*, and not live in *concubinage*.

N. B. *Concubinage* brought in no *griſt* to the *Pope*'s mill—for by *concubinage* we are to underſtand *cohabitation*, independently of *prieſtly* ceremony; which *cohabitation*, in proceſs of time, grew into a *mortal ſin*, though ſuch *concubinary* parents, as they were called, might get their *marriage ratified*, and their *iſſue legitimated*, by a proper ſum of money, and attending while a *prieſt* performed the *maſs*, or *office of matrimony*. See *Reynold*'s Hiſtorical Eſſay, p. 71. See *Thelyph.* vol. ii. 155—6, 1ſt edit.——p. 148, 2d edit.

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In ſhort, the *eccleſiaſtical* powers had now got full poſſeſſion of the ordinance of *marriage*; it was now numbered among the *ſacraments*; its *nullity*, except adminiſtered according to the *rites* and *ceremonies* of the church, inculcated; and we find its "*eſſence* made to conſiſt, in the "*contract and in the ſacrament*, not in *one* "without the other. This was ſaid to "be the opinion of *councils*, *fathers*, and "*divines*, and the moſt *judicious* of the *ca*-"*noniſts*." See *Du Pin*, cent. xvi. p. 143. Eng. Tranſ. fol.

From hence aroſe the doctrine—"*No* "*prieſt no marriage*"—if no *marriage* no *obligation*—if no *obligation*, no *ſecurity* whatever to the *ſeduced*:—hence was derived that inundation of *whoredom* and *proſtitution*, which *has been*, *is*, and *will be*, the *diſgrace* and *curſe* of this, and every other *Chriſtian* country, where this *Popiſh lye* is adopted; which is ſo *bare-faced*, as not to *dare* to appeal to a ſingle text of ſcripture for its defence and ſupport.

On their part, the *lawyers* defined marriage to be "a *lawful* and perpetual union "of man and wife, in order to the pro-"creation of children, which includes a "partnerſhip of life and goods."

This definition looks fairly, but the *graſs* which conceals the *ſnake* is in the word *lawful*; and on due examination we ſhall find, that the *civil* and *eccleſiaſtical*

laws, which, from the days of *Conſtantine*, were entering into an *alliance* for the ſupport of *church power*, againſt the natural rights and liberties of mankind, both agreed to define that to be *lawful*, which was made ſo by the legiſlative contrivances of *human power* and *policy*.

What is *lawful* according to the ſcripture, and in GOD's ſight, would have been a dangerous queſtion to their whole *ſyſtem*, and muſt have laid their *Popes*, *councils*, *divines*, *canoniſts*, and *caſuiſts*, under the moſt unſurmountable difficulties to maintain their *plan*. They ſeem to have feared and dreaded the teſtimony of the *pure* ſcripture, as a *thief* would dread the *teſtimony* of a *witneſs* that could *hang* him.—They ſeldom mention that of the holy ſcripture, but they couple it with *tradition* and the fathers; which *two laſt* they introduce, as the people in *Bengal* are ſaid to introduce their *interpreters* before the *European* judges, in order to miſlead them by falſe interpretations of what the witneſſes depoſe.

As for this country—we cannot eaſily forget can. 4. of the *council* of *Oxford*, *anno* 1408, by which it was decreed, that "nothing ſhall be taught about the *ſacra-* "*ments*, but what is *agreeable* to the *doc-* "*trine of the church*." Here was a ſtop put to all enquiry upon the ſubject, on the footing of *divine revelation*; and thus the

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the *man of ſin* placed *himſelf in the temple of* GOD, *exalting himſelf above all that is called* GOD, *or worſhipped.* See 2 Theſſ. ii. 4.

MARTIN LUTHER.

At length, *Martin Luther* aroſe—He opened his *Bible*—by the light of this, he enabled *numbers* to ſee, as he did himſelf, the monſtrous iniquity, that, for ſo *many ages,* had been deceiving the *Chriſtian* world. He had, at firſt, in a manner, *all the world* againſt him, and he was perſecuted with all the malice that could be poured out upon him. He was an inſtrument, every way fitted for the work he had to do —vehemence of temper—unſhaken courage —invincible reſolution—were in his compoſition—theſe, with *truth* on his ſide, proved too hard for all the efforts of, what was then called *legal authority*;—the *Pope* —the *Emperor,* with other *kings* and *princes* of the earth, in vain oppoſed; he fairly ſet them at defiance, and, in the face of *difficulty*, *danger*, and, as it were, of *death* itſelf, was the great inſtrument, in the hands of Providence, to break off the yoke of *papal* power, and to looſe the bands of *ignorance, error*, and *ſuperſtition*, from the necks of many countries.

He was wonderfully preſerved, from the time when he publiſhed his firſt theſis againſt *indulgences* at *Wittemberg, anno*

1517, 'till his *death*, which happened at *Iſleben*, anno 1546, a ſpace of 29 years.

It would be beſide my preſent purpoſe, to enter farther into *Luther*'s hiſtory, than is neceſſary to elucidate the ſubjects of this book; but we may learn this uſeful leſſon from it—that *intrepidity* in the cauſe of *truth*, however offenſive *to them that live in error*, and to thoſe who chuſe their own *deluſion to believe a lye* (ſee 2 Pet. ii. 18. and 2 Theſſ. ii. 11.) is not to deſpair of meeting with ſucceſs in the end.

Three of *Luther*'s noble and ſcriptural poſitions, with reſpect to *marriage*, which were cenſured by the divines at *Paris*, held at the *Mathurins*, anno 1521, were as follow: "1. That * *matrimony* is not a *ſacrament* of "CHRIST'S inſtitution, but invented by "*men*." "2. That the union between "the *man* and *woman* ought to hold, al- "though it be made contrary to *human* "laws." "3. That the prieſts ought to "approve all marriages contracted againſt "the *eccleſiaſtical* laws, with which the "*Popes* can diſpenſe, except the *mar*- "*riages* of thoſe that are expreſsly for- "bidden in ſcripture."

All the *doctors* in the aſſembly determined *Luther*'s doctrine "to be proper

* Meaning, doubtleſs, that execrable *farce*, which the *prieſts* had been acting ſince the days of INNOCENT III. and which was *now* called—"THE FORM "OF THE SACRAMENT."

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" only to *deceive ſimple people*—injurious " to all the *doctors*—derogatory from the " *power* of the *church*, and *hierarchical* " order — openly ſchiſmatical — contrary " to the ſcripture, whoſe ſenſe it cor- " rupts — blaſphemous againſt the *Holy* " *Spirit*—pernicious to the *Chriſtian* com- " monwealth—and ſo it ought to be ſup- " preſſed, the writings which contain it " to be burnt, and the *author* forced, by " all *lawful* means, to recant — for that " *all his doctrine* contained deteſtable *errors* " both in *faith* and *manners*."

Never was man who experienced more *abuſe* than *M. Luther*.—The *Popiſh* rulers ſaw, very plainly, that the *doctrines* which he had ſet forth in his *writings*, were too well founded on the authority of the ſcripture, to be ſhaken by fair and plain argument. They therefore eſſayed two modes of refutation, which, backed by the credit they themſelves were in with the ignorant vulgar, they imagined would anſwer the purpoſe which they deſpaired of from fair argument.

One of theſe was, deviſing ſcandalous and opprobrious terms for the *writings* themſelves, which implied great miſchiefs to the *church* from the conſequences of *Luther*'s " damnable and antichriſtian " errors," as they called the doctrines which he ſet forth.

The other was, raking together all the perſonal

perſonal ſcandal they could, in order to vilify and blacken the author in the eſtimation of mankind, and thus ſhake the credit of his *writings* in the public opinion.—In what manner this is ſet forth in the canon of *St. Victor*, may be ſeen in the *Gen. Dict. Hiſt.* & *Crit. Art.* LUTHER. See before vol. ii. 164, n. 1ſt edit. —154, n. 2d edit. CENT. XVI.

However powerful ſuch methods as theſe may prove, in vulgar, weak, low, ignorant, and malicious minds, yet what do they amount to in the eyes of diſpaſſionate, moderate, and conſiderate men? *Theſe* will always reflect, that the merit or demerit of any writing, is to be demonſtrated by *itſelf*, and to be gathered by a ſober, attentive, unprejudiced, and deliberate peruſal of it; not from this or that *epithet*, which malice, prejudice, and ignorance may have beſtowed upon it; this, perhaps, from mere report of thoſe who have never red a line of the book in queſtion, and who owe, very probably, their opinions to the reports of others as ignorant as themſelves.

The meaneſt, and loweſt, and moſt wicked of all, is, the *ſecond* experiment, which was tried on *Luther*'s perſonal character. This doubtleſs had its effect with many empty and ignorant profeſſors, who had not recollection enough to make them reflect on its total *inconcluſiveneſs*, with reſpect to the *truth* or *falſhood* of the doctrines

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which *Luther* had advanced. His attack on the villainous traffic of *indulgences*—on the doctrine of *purgatory*—the worſhip of the *Virgin Mary* and the *ſaints*—the merit of *works*—the papiſtical ſchemes of *celibacy* and *matrimony*—&c.—had little to do with all they could ſay againſt *Luther* himſelf. The truth or falſhood of what he ſaid, did not in the leaſt depend on the *man*, but on the *word of* GOD, on which he reſted the whole evidence of what he publiſhed.

Luther full well knew the truth of theſe obſervations in his own mind, and therefore all that was ſaid againſt *him* and his *writings*, was treated with deſerved contempt.

He ſtill had a friend in the *Elector* of *Saxony*; who, foreſeeing that the *Emperor* was about to make a bloody edict againſt *Luther*, and that he could protect him no longer after that, nor ſuffer him in his countries, without bringing trouble upon himſelf from the *Emperor*, reſolved to have him taken, and put into a *caſtle*, where he might lie concealed, and no man know where he was; which was accordingly done. For when *Luther* went to *Eyſenac*, *May* 3, and was paſſing through a foreſt in his way to *Wittemberg*, he was ſet upon by ſome horſemen in diſguiſe, who threw him down, and took him, as it were by force, to carry him into the

caſtle

caſtle at *Wittemberg*, where he lay concealed *nine months*.

While *Luther* was ſhut up in his *caſtle*, which he called his *hermitage* and his *Patmos*, he compoſed ſeveral books, to maintain his opinions, and to deſtroy the *diſcipline of the church*, threatening the *Pope* and the *biſhops*, if they did not change their cuſtoms, after they were warned by his writings, GOD would permit others to oblige them to it.

It is not to be wondered at (ſays *Du Pin*) that *Luther*'s doctrine, which was ſo favourable to *concupiſcence*, ſhould meet with many followers—that the *monks* left the *cloyſters*, and diſpenſed with the obſervation of their *vows*; that the *prieſts married*, and the *people* were pleaſed, to ſee themſelves diſcharged of all that was *penal* by the laws of the *church*, as *faſting*, *confeſſion*, *penance*, &c. and embraced greedily theſe *novelties*: *Caroloſtadius* was one of the firſt, that gave the *prieſts* an example of *marrying*. *Juſtus Jonas*, provoſt of *Wittemburg*, and *Bernard Veltkirck*, paſtor of *Kenbergen*, did the ſame, as alſo *John Buginhagius*, who had been a ſchoolmaſter at *Treptow* in *Pomerania*, but then ſettled at *Wittemburg*. *Veltkirck* was accuſed of the matter before the *Elector of Mentz*, *Archbiſhop of Magdeburgh*, and *Veltkirck* made an apology to him, to *juſtify* what he had done.

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Luther ſcrupled not to defend his doctrines in many writings, in which he ſeverely attacked the *Pope* and the *biſhops*; he accuſes the latter of *ignorance*, *debauchery*, and *tyranny*—of being enemies to the *goſpel*, and the *truth*—of being *idolaters*, becauſe they followed the *traditions* of men, and worſhipped their idol the *Pope*. He ſaid that *monaſteries*, *cathedral* and *collegiate churches*, are the *gates of hell*, and *ſhops* * *of uſeleſs ceremonies*. He declaims againſt *celibacy* and *vows*—"hiding his "*malignity* (ſays *Du Pin*) under an ap- "pearance of *zeal* for the truth, and cit- "ing ſeveral texts of ſcripture to ſhew, "that the doctrine and behaviour of the "biſhops of his time, were oppoſite to "thoſe which *St. Paul* requires in a *bi-* "*ſhop*. Laſtly, he ſays his deſign is to "perform the office of a public herald, "to make it manifeſt every where, that "the *biſhops*, which govern the greateſt "part of the world, are not of GOD's ap- "pointment, but by the deluſion of *Sa-* "*tan*, and by error and traditions of men,

* It would have reflected great honour on the *reformation*, if all *theſe ſhops* had been *ſhut up* entirely, and their revenues, which are *immenſe*, been properly appropriated to the poor parochial *clergy*; the indigence of many of theſe is a *ſcandal* to the *nation*, but hardly a greater, than, that *others* have to ſay—

Nos numerus ſumus, fruges conſumere nati. HOR.
But we, mere cyphers in the book of life,
Born to conſume the fruits of earth. FRANCIS.

"and,

" and, in one word, the *nuncios* and *vicars* " of the *devil.*"

There lived in the *ſixth century* one *Gildas*, ſurnamed the *Wiſe*, who was made *abbot* of *Bangor*; this man was born in *England*, *anno* 520, and by his writings we find, that, from his time to *Luther*'s, *churchmen* were no *changelings*; for of the *clergy* of *England* *Gildas* writes — " *England* has " *biſhops* enough, but they are either *fools*, " or *miniſters* to the paſſions of the great, " or unchaſte men—it has *clergy* enough, " but, for the moſt part, they have only " the *name* of *paſtors*, and are, at the bot- " tom, *wolves* prepared to kill the ſouls " of their *ſheep*; they never think of do- " ing good to the people, but *only* how to " *fill their own bellies.*—They ſeek for " *churches*, but it is *only* out of a deſire of " *filthy gain*—they teach the people, but " at the ſame time they give them bad ex- " amples—they very ſeldom offer ſacrifice, " and never go to the altar with a clean " heart—they flatter the people in their " crimes, and ſeek only to ſatisfy their " paſſions—they very ſeldom ſpeak the " *truth*—they deſpiſe the poor, and make " court to riches—they canvaſs for and " purchaſe *eccleſiaſtical* offices, &c. He " concludes with a prayer to GOD, to " preſerve the ſmall number of good paſ- " tors that was left." See *Du Pin*, cent. 6. tit. *Gildas*.

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Luther's writings gave great offence, and raiſed up many *anſwerers*; among the reſt he had a *royal* adverſary, Henry VIII. King of *England*, who, for the book which he wrote againſt *Luther*, was honoured by the *Pope* with the title of *defender of the faith*, which has ever ſince been given to our *kings*.

However, nothing could daunt *Luther*'s truly heroical ſpirit; he found, that all the calumny and abuſe from his enemies, and with which they loaded him in their attacks upon his writings, tended to little elſe than to expoſe the nakedneſs of their cauſe, and but badly ſupplied the place of rational and ſcriptural arguments, he therefore was no more troubled at them, than at the whiſtling of the wind.—His pen was kept conſtantly at work: and in *anno* 1522 the *Pope* ſent his *nuncio Cheregatus* to the *diet* of the *empire*, held at *Nuremburg*, to declare, that though he was "comforted to think that *Luther*'s doc-"trine was ſo viſibly *bad*, that he could "not believe it would be *tolerated*, yet "this *poiſonous* plant had taken root—that "it appeared ſtrange, that ſo large and re-"ligious a nation as *Germany*, could be "ſeduced, in ſo great a part of it, by a "*wretched fryar*, who had *apoſtatized* from, "and left the way, which our LORD, the "*apoſtles*, *martyrs*, and ſo many illuſ-"trious perſons for *doctrine* and *holineſs*,

"and

" and laſtly, their *anceſtors*, had followed " to that very time—that *Luther* ſtill con- " tinued to teach and put out *books* full of " *errors*—that he takes the ſame methods " to ſeduce the people that *Mahomet* uſed; " for, as *Mahomet* allowed men to have *ſe-* " *veral wives*, and divorce them when " they pleaſed, ſo *Luther*, to draw *monks*, " *nuns*, and laſcivious *prieſts* to him, he " allowed them to *marry*.

" That having repreſented theſe things " to them, he exhorted the *princes*, *pre-* " *lates*, and *people*, to rouſe up themſelves " to oppoſe the injuries which the *Lu-* " *therans* do to GOD and to *religion*—that " the *Pope*'s ſentence and the *Emperor*'s " edict ſhould be executed—that *Luther* " ſhould not be allowed to *defend* what he " hath taught about matters of faith, be- " cauſe moſt of the *truths* which he op- " poſeth, have been determined by *general* " *councils*, and ſuch things ought never to " be called in queſtion, as have been *once* " *approved* by thoſe *councils*, and *all the* " *church*."—N. B.

The *diet* anſwered the *Pope* very reſpect- fully—at the ſame time giving him to un- derſtand, that they did not chuſe to enter upon the violent meaſures, with reſpect to the *Emperor's edict* and the *Pope's ſentence* againſt *Luther*, which *his holineſs* had re- commended—" As to the advices which " the *Pope* had deſired, that, they did " not

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" not mean to treat only about the bu-
" ſineſs of *Luther*, but alſo concerning
" the extirpation of many other errors,
" abuſes, and vices, *rooted by cuſtom and*
" *time*, and maintained by the *ignorance*
" of ſome, and *malice* of others.

They then ſpeak of taking away the *liberty* of the *preſs*, that " *Luther*, and his " followers, might not write, print, or " put any thing out in public—that the " *magiſtrates* ſhould appoint men, of *pro-* " *bity* and learning, to licenſe *new books*, " and without this, no *new books* ſhould " be *publiſhed*; and thus things would be " *kept quiet*, till a free *council* could be " called, with conſent of the *Emperor*, in " ſome convenient place in *Germany*.

" As to the prieſts which are *married*, " and the *monks* who have left their *con-* " *vents*, they ſhould be puniſhed by their " *ordinaries* according to the *canons*, by " deprivation of their benefices, or the " like, ſince the *civil* laws had declared " nothing againſt them."

The *Nuncio*, in his reply, ſaid, " that " for the future, they ſhould put in exe- " cution the decree of the *council* of *La-* " *teran*, by which it is forbidden to *print* " any *book* about *matters of religion*, that " had not been allowed by the *ordinary*." About the matter of *married prieſts*, he ſaid—" the anſwer of the *diet* did not diſ- " pleaſe him, if it had not this clauſe at " the

" the end, That the *breakers* of their *vows*, " if they committed any crime, ſhould be " puniſhed by the *ſecular magiſtrates*, pre- " tending that it was contrary to the li- " berties of the *church*, and that the " judgment of ſuch perſons belonged to " the *eccleſiaſtical* judges."

After this the *diet* ſent a *memorial*, of " *an hundred grievances*," to the *Pope*. Some of which were, about *conſtitutions*— they complained, that there was too great a number of *human conſtitutions*, about things which are neither commanded nor forbidden by the *commandments* of GOD; among others, " the hindrances of *kindred* " and *affinity*, *legal* and *ſpiritual*—about " *marriage*, abſtinence from *meats*, &c. " which they *diſpenſed* with for *money*; " by which means, they got great ſums " out of *Germany*, beſides the *ſcandals* and " other evils which this multitude of laws " cauſed."

They alſo complained of the incroach- ments of *eccleſiaſtical* judges, in *laymen*'s cauſes, and the malverſations which they committed in their *judgments*—of the ex- actions of the *clergy* for the *ſacraments*, and alſo for *licences* to keep a *concubine*.— Alſo of the faculties given to the *Pope's le- gates* and *Nuncios* to legitimate *baſtards*, &c. &c.

They told the Pope, that, " if he gave " them not ſatisfaction, they were re- " ſolved

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" ſolved not to ſuffer theſe charges, nor " thoſe of *indulgences*, which freed men " from *puniſhment* for *money*; they would " ſeek means to releaſe themſelves from " them."

This reſolution of the *diet* of *Nuremberg*, was made into the form of an *edict*, and publiſhed *March* 6, 1523.

Luther's exhortations were ſoon followed with effects. The ſame year *Leonard Coppen*, a *burgeſs* of *Targaw*, took away *nine nuns*, on a *Good Friday*, among which was *Catherine Bora* (whom *Luther* married *two years* after) from the nunnery of *Nimptſchen*, and carried them to *Wittemberg*. This action (ſays *Du Pin*) *Luther* dared to extol, in a book in the *German* language, where he has the impudence to compare that deliverance, to that of the ſouls which CHRIST delivered by his *death*.

Luther, deſiring utterly to ruin the *monaſtic* orders, and mix them with the public, made a kind of *manifeſto* in the *German* tongue, which he intitled, " *The Common* " *Treaſury*;" in which he affirms, that there ought to be a *treaſury* made out of all the revenues of the monaſteries, *biſhoprics*, and *chapters*, and in general out of all *eccleſiaſtical benefices*, and be given partly to the *paſtors and preachers*, and other parts to different beneficial and charitable *uſes*.

Zuinglius made no leſs progreſs in *Switzerland*, than *Luther* did in *Saxony*. He taught

taught that *marriage* is allowed to all the world, and no man is obliged to make a *vow* of *chaſtity*, and that *prieſts* are not at all obliged to live unmarried.—That the power which the *Pope* and *biſhops* aſſumed to themſelves, is a piece of pride, which hath no foundation in the ſcriptures.—That the *character* which the *ſacraments* are ſaid to impreſs, is a modern invention, of which the ſcripture makes no mention. CENT. XVI.

John Faber, chief vicar of the *biſhop* of *Conſtance*, who oppoſed *Zuinglius* at the conference of *Zurich*, maintained, that where a doctrine had long been ſettled in the *church*, and authorized by the practice of all nations, ſuch cuſtoms *ought not to be aboliſhed by any allegations out of the ſcriptures*, or *pretences that they are contrary to them.*—*Zuinglius* replied, that we ought not to regard how long a thing has been, or has not been in uſe; but obſerve only whether it be agreeable to the *truth*, or *law* of GOD: to which cuſtom could not be oppoſed.—N. B.

Auguſt 23, 1522, *Zuinglius* preſented, in his own name, and in the name of many of his followers, a petition to the *biſhop* of *Conſtance*, to intreat him to *allow*, at leaſt to tolerate, the *marriage* of *prieſts*. He wrote alſo a letter, againſt ſuch *impediments* of marriage, as were thought to be made by *ſpiritual affinity*.

The

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The *Pope's legate*, not ſatisfied with the decrees of the diet of *Nuremberg*, held an aſſembly at *Ratiſbon*, with ſome *princes* and ſeveral *biſhops*, where it was decreed, that there ſhould be *no alterations* in the celebration of the *maſs*, *adminiſtration* of the *ſacraments*, and other *ceremonies* of the *church*, or in other *antient uſages*—that the *marriages* of *monks* and *prieſts* ſhould be hindered, and thoſe *puniſhed* that ſhould do the *contrary*—that *printers* ſhould not commit any book to the *preſs*, till it had been *examined* and *approved*—that no *prince* ſhould entertain a *Lutheran* in his dominions—that *prieſts*, who keep *concubines*, ſhall be ſeverely puniſhed—that *marriages* ſhall be *celebrated* in a *full congregation* in the *church*, unleſs there be a neceſſity to aſk the *biſhop*'s conſent, except in *Lent*, the laſt weeks of *Advent*, at the feaſt of *Eaſter*, *Whitſuntide*, and the *Nativity*, and their *octaves*, and the *Rogation* days—that *monks* and *prieſts* which *marry*, ſhall be proceeded againſt, and if the ordinaries neglect to do it, the *Pope* ſhall appoint *judges* to puniſh the *guilty*.

About this time aroſe great troubles in *Germany*, greatly owing to the diſputes and controverſies among the *Proteſtants* themſelves. Still *Lutheraniſm* increaſed, and ſettled itſelf in ſeveral cities. The *Elector* of *Saxony*, the *Landgrave* of *Heſſe*, the *Duke* of *Brunſwick*, profeſſed it; the city

of *Straſburg* received it; and the *Senate* of that city maintained the *married clergy*, in oppoſition to the *biſhop*.—In almoſt all the ſtates of the *Empire*, *Lutheraniſm* was preached, and gained many followers.

In the ſame year 1525, *Luther* married *Katherine Bora*, a perſon of quality, who had been a *nun*, and was taken (as before is mentioned) out of the *nunnery* of *Nimptſchen*, in 1523; he defended the fact, without *bluſhing*, in the face of all the world, and had the *boldneſs* to adviſe the *archbiſhop* of *Mentz* to do the like.

Diet of AUGSBURG, 1530.

The *Emperor* publiſhed the decree of the Diet, which ordered, "that the doc- "trine of *juſtification by faith* ſhould be "rejected — that the *ſacraments* of the "church ſhould be preſerved in the ſame "*number* and manner as formerly—that "the *ceremonies* and other uſages of the "*church* ſhould be obſerved—that married "*prieſts* and *clerks* ſhould be deprived of "their benefices, unleſs they would leave "their wives."

HENRY VIII. King of *England*.

We muſt now go back a little, in point of time, in order briefly to ſtate the beginning and progreſs of *reformation* in this *country*.

Henry VII. married his eldeſt ſon *Arthur*, prince of *Wales*, to *Katherine* the daughter

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daughter of *Ferdinand*, king of *Arragon*—*Nov.* 14, 1501. *Arthur* dying in a few months after, it was promiſed that *Katherine* ſhould be married to *Henry* duke of *York*, the king's *ſecond ſon*.

But becauſe this could not be done without a *diſpenſation*, *Pope* JULIUS II. was ſued to for one; who granted it, by his *Bull*, bearing date *December* 26, 1503, wherein he recites—"That *Katherine* had "been married to *prince Arthur*, and that "perhaps this marriage was conſummated—that nevertheleſs, *Arthur* being "dead, *Henry* his brother and ſhe deſired "to be married together; whereupon, to "preſerve peace among *catholic kings* and "*princes*, he *diſpenſed* with the *impediment* "of *conſanguinity* in *Henry* and *Katherine*, "all *ordinances* and *apoſtolic conſtitutions* "*notwithſtanding*; he allowed them to "*marry*, and, if they were already *married*, "he confirmed it."—See *Lev.* xviii. 16.

After this *diſpenſation*, *Henry*, who was ſtill under age, was married to his *brother's wife*.—See *Thelyph.* vol. ii. 1ſt edit. p. 76, n. —p. 70, 2d edit. and p. 13, n.

'Tis not known upon what account his father obliged him to enter a *proteſtation* againſt this marriage, *June* 27, 1505, before *Fox*, biſhop of *Wincheſter*; "that, "being of age, he now revoked the marriage, which he had made with his *brother's widow*; that he thought it *null*, and "would

" would have it *legally diſſolved*." Nevertheleſs it remained ſtill as it was.

Henry VII. dying *April* 7, 1509, the young *king* cauſed the validity of his marriage to be examined by his *council*; and *Warham*, archbiſhop of *Canterbury*, was hardly brought to approve it; but the contrary opinion being the ſtronger, the *king* married *Katherine* publicly, *June* 25, 1709. This *princeſs* was with *child* ſeveral times, but either *miſcarried*, or the iſſue lived but a little while, except one daughter, *Mary*.

Henry lived with *Katherine* till 1525, without any ſcruple about his marriage, for he did not think of the divorce till 1526. What moved him to begin is not certainly known. He only pretended *conſcience*. The diſtaſte which he took to *Katherine*'s infirmities did contribute to it, but the love which he entertained for *Anne Boleyn* fixed his reſolution more than all the reſt, to require a *divorce* from *Katherine*, that he might marry *Anne*.

Cardinal Wolſey, out of revenge for ſome treatment he had received from the emperor *Charles* V. nephew of queen *Katherine*, reſolved to make king *Henry* an irreconcileable enemy to the *emperor*, confirmed *Henry*'s ſcruples about the lawfulneſs of his marriage; well knowing, that as *Katherine* was ſiſter of *Joan* of *Arragon*, the mother of *Charles* V. it would be an horrid affront, that would fall upon the

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whole family, to have her deſpoiled of her quality of *Queen*, her daughter *Mary* thereby declared illegitimate, and incapable of inheriting the *crown* of *England*.

The whole affair may be ſeen in *Du Pin*, and *Burnet* Hiſt. Ref. at a much greater length than it is at all to my purpoſe to mention here. I would only obſerve, that after much chicanery and diſputation, among divines and caſuiſts, in almoſt all the countries of *Europe*, the queſtion was decided againſt the poor *Queen*, and a ſentence of divorce pronounced by *Cranmer*, archbiſhop of *Canterbury*, as *legate of the Holy See*, May 23, 1533. Five days after which, king *Henry*'s marriage with *Anne Boleyn* was confirmed, ſhe came to *London* in triumph, May 29, made a magnificent entrance, and was proclaimed *Queen* on the 30th, and the *King* commanded all his ſubjects not to give *Katherine* the name of *queen*.—He alſo cauſed her to be importuned not to ſtand on the validity of the *marriage*, but all in vain.

News being carried to *Rome*, whither *Katherine* had appealed, incenſed that court againſt *Cranmer*; the *Pope* made all his proceedings void, denouncing *excommunication* againſt the *King* and *Anne Boleyn*, if they did not appear at *Rome* before the end of *September*, or if they parted not before that time.

Few

Few among the Proteſtants favoured the king's cauſe, or approved of his divorce from *Katherine*. *Melanchthon*, and the other *Lutheran* divines, held that the marriage with her was *valid*. *Oeclampadius*, *Zuinglius*, and *Calvin*, aſſerted the nullity of the marriage, grounded on the prohibition in *Leviticus*. Several books were put out, for and againſt the marriage of *Henry* with *Katherine*, and the queſtion was hotly diſputed between the *divines* and *caſuiſts*.

At *Rome* the affair was debated in a conſiſtory, May 23, 1534, and of twenty-two *cardinals*, nineteen were of opinion, that the *marriage* of *Katherine* with *Henry* was good, and the *divorce null and void*.—He was enjoined to take her again for his wife, and forbidden to continue his ſeparation from her any longer.

This proceeding laid the foundation of aboliſhing the *Pope*'s power in *England*, and occaſioned many *acts of parliament* for that purpoſe; but *Popery* ſtill remained, and ſome of its moſt horrid cruelties placed in the power of the *king*. They alſo ſettled the ſucceſſion of the crown upon the children that ſhould be born of *Anne Boleyn*; and the princeſs *Mary*, the daughter of *Katherine*, was excluded.

Anne Boleyn did not long enjoy her dignity: the *king*, being enamoured with *Jane*

 Seymour,

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Seymour, found a means to get rid of his wife *Anne*, by accuſing her of *adultery*; for which ſhe was condemned to *death*.

Before this ſentence was *executed*, ſhe was forced to declare, before the *archbiſhop* of *Canterbury*, and the *eccleſiaſtical court*, that, before ſhe married the *king*, there was a promiſe or contract of marriage between her and the lord *Percy*, who was then become earl of *Northumberland*; and, upon this declaration, *Cranmer* paſſed a *ſentence*, by which her marriage with the *king* was declared *null*, and her daughter *Elizabeth* declared illegitimate, as *Mary* the daughter of *Katherine* had been. *Anne* was beheaded, May 19, 1536.

The next day after her *death*, *Henry* married *Jane Seymour*, with whom he was paſſionately in love. The *princeſs Mary* was received into favour, after acknowledging in writing that the *king* was *ſupreme head* over the church of *England*, and that the marriage of her mother was *null* and *inceſtuous*.

In the following *parliament* a very ſevere law was made, *anno* 1536, againſt thoſe who ſhould acknowledge the power of the *Pope*.

The *convocation* of the *clergy* agreed on ſeveral matters, by which the Popiſh doctrines were eſtabliſhed, as *tranſubſtantiation*, auricular confeſſion, and that the *ceremonies* are to be retained as good and commendable;

able; with many other matters of the like sort. These were all confirmed by the *king*. CENT. XVI.

Nevertheless he did not spare the *abbies* and *nunneries*, but dissolved them all, and * seized their revenues.

In 1539 he caused six articles to be drawn up, and to be established by the parliament. One among which was, that it is not lawful for those in *holy orders to marry* —the marriages of *priests* declared void, and those ordered to be punished with *death* who should *marry*, as well as those who, by preaching, writing, or open discourse, should declare or maintain it *lawful* for them so to do.

Jane Seymour, the third wife of *Henry*, dying in 1537, two days after her delivery of *Edward* (afterwards *Edward* VI.) the *king*, by the *advice* of *Cromwell*, whom he had made his vicegerent in *spiritual* affairs, and *lord privy seal*, and had lately created earl of *Essex*, married *Anne of Cleves*; but the *king* took a distaste to her, and, immediately after his marriage, endeavoured to break it. Poor *Cromwell* was disgraced— accused of *heresy*, and other offences, for which he was beheaded, July 28, 1540.

* I have been told, that the only one that escaped, was the little *convent* of *St. Katherine*'s near the *Tower*, which still consists of a *Superior* (now called the *Master)* and of *Brothers* and *Sisters*.

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He was no ſooner condemned, than the *king* ſought to diſſolve his marriage with *Anne of Cleves*. The cauſes alledged for it were, that ſhe had been before contracted to the *marquis* of *Lorrain*—that the *king*, having married her againſt his inclination, had never conſummated the marriage. Upon theſe reaſons, the *parliament* declared the marriage *null*, and *Cranmer*, and the reſt of the *clergy*, were of the *ſame opinion*, and ſo ſentence was given *July* 9th.

The *queen* conſented to it, and remained ever after in *England*. The *king*, ſoon after, married *Katherine Howard*, whom he *loved paſſionately*.

The *commiſſioners*, whom the *king* had appointed for *eccleſiaſtical* affairs, drew up a long inſtruction, in which they owned all the *Catholic doctrines* except the *Pope's ſupremacy*. They regulated all the *ceremonies and rites* then in uſe, according to the practice of the *primitive church*. They alſo held *free-will*, and the *merit* of *good works*.

Doctor Barnes, and ſome others, having preached againſt theſe doctrines, were condemned to death as *heretics*. In ſhort, *Henry* puniſhed with death, *Lutherans*, and the defenders of the *Pope's ſupremacy*, alike.

Katherine Howard was diſcovered to lead a looſe life; which being proved againſt her, ſhe was beheaded, *February* 12, 1542.

King

King *Henry*'s ſixth wife was *Katherine Parr*, the widow of *Nevil lord Latimer*, whom he married in *July* 1543. Though ſhe favoured the *Proteſtants*, yet the *king* did not ſtop the execution of the *Lutherans*, or *Sacramentarians*. *Henry* to his death continued in the ſame judgment, as to his *religion*, but would never return to the church of *Rome*, and in this diſpoſition he died, January 27, 1547, being fifty-ſix years old, having reigned thirty-ſeven years and nine months, and having paſſed many laws, which made him a *Pope*, and the *archbiſhop of Canterbury*, and the reſt of the *biſhops* and *clergy* in *convocation*, ſo many *Popes* under him.

Diet of RATISBON, *anno* 1541.

Before we proceed any farther in the affairs of religion in *England*, it will be neceſſary for us to return to the *Continent*, in order to acquaint ourſelves with thoſe tranſactions, which may be ſaid to have had ſo great an effect with regard to religion in general, and particularly afterwards in *England*.

The diet of *Ratiſbon* was attended by the emperor in perſon, and by all the *princes* of the *empire*, either in *perſon* or by *deputies*. The *Pope* ſent to it cardinal *Contarenus*, a man famous for *wiſdom* and *profound learning*.

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At this *diet* there was a conference appointed, between the *Catholic* and *Proteſtant* divines, nominated by the *emperor* for this purpoſe. He choſe for the *Catholics*—*Julius Pflugius*, *John Eckius*, and *John Groppen*:—And, for the *Proteſtants*—*Philip Melanchthon*, *Martin Bucer*, and *John Piſtorius*.

A book was delivered to the *collocutors*, thought to be drawn up by *Groppen*, which contained 22 articles.

Art. 15. Is about the *ſacrament* of *marriage*, and tells us, "That it is *appropriated* to *Chriſtians*; that it is grounded "upon the words of CHRIST, when the "inſeparable union of *male and female* is "commanded, and the outward conjunction of them is the *element*, and the *virtue* conſiſts, in acknowledging that *man* "*and wife* are joined together by the *authority* of GOD, and have received a "*grace* which makes their *union lawful*."

Art. 21. Concerns the *eccleſiaſtic* diſcipline of the *clergy*, and it is ſaid, "That "if the latter *canons*, which obliged *prieſts* "to live *unmarried*, be retained, the antient cenſures againſt *prieſts* that keep "*concubines*, ought to be revived." Some of the antient rules, concerning the *continence* of *prieſts*, are here ſet down.

Theſe, and others of the *articles*, were objected to by the *Proteſtants*. The *Pope*'s legate gave an anſwer which they did not like;

like; this provoked the *Proteſtants*, diſpleaſed the *emperor* and the *Catholic princes*; but the *legate* ſaid, that the *articles* ſhould be generally reſerved to the judgment of the *Pope*, and the *Apoſtolical See*, in a *council*, to which he remitted that buſineſs entirely.

While the *emperor* and king of *France* were waiting for the calling of a *general council*, they conſulted the *divines* of the *Univerſity* of *Louvain*, which was one of the moſt famous in *Europe*, who drew up 32 articles againſt the *innovators*, Nov. 6, 1544.

Art. 18. *Marriage*, lawfully *contracted*, and *conſummated*, among *Chriſtians*, cannot be diſſolved, though it happens to either of them, who are ſo joined together, that they commit *adultery*, or become *barren*, or be *heretics*.

Art. 19. It was never allowed to a *Chriſtian* man to marry again after a *divorce*, ſo long as the *woman* from whom he was *parted* be *alive*.

Art. 20. That *marriages* contracted againſt the *canons*, which have laid down the invincible impediments, are *null*.

Art. 32. That it is good to make *monaſtic* and other *vows*, and that being made they are obligatory before GOD.

The divines of *Paris*, by the *king's* order, *March* 10, 1542, compoſed 25 articles of faith.

Art. 11. It is not to be doubted but the

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the *ſaints* in heaven and earth work miracles.

Art. 12. It is a pious thing, and agreeable to GOD, to pray to the *virgin Mary*, and to the *ſaints*, that they would be our *advocates* and *interceſſors* with GOD.

Art. 15. That if any one prays to the *virgin Mary*, or to ſome ſaint, rather than to GOD, he doth not ſin.

Art. 20. It is certain we ought to believe many things, which are not mentioned in ſcripture, but received by the *tradition* of the *church*.

Art. 25. That *monaſtical* vows of *chaſtity*, *poverty*, and *perpetual obedience*, oblige in *conſcience*.

That the conſtitutions of the *church* oblige in *foro conſcientiæ*.

There were ſeveral *provincial councils* held in *France* and *Germany*, before the *council* of *Trent*, againſt the *new hereſies*.

Council of BOURGES, *anno* 1528.

Can. 1, 3. The *hereſy* of *Luther* having been condemned by the *holy ſee*, no perſon ſhall *print*, *ſell*, or *keep* any *books*, in which the ſaid *hereſy* ſhall be diffuſed.

Can 12. Injoins the *curates* not to ſuffer certain ridiculous *ceremonies* any longer to be uſed in the *adminiſtration* of the *ſacraments* of *baptiſm* and *marriage*.

Can. 18. No *ſchool-maſters* ſhall read ſuch

ſuch books to their *ſcholars*, as may make them averſe to the *ceremonies* of the *church*.

Council of the *Province* of SENS, held at PARIS, *anno* 1528.

Can. 1. Is about the *unity* and *infallibility* of the *church*. It is there declared, that it cannot fall into any error about *faith* and *manners*; and he that doth not *depend* on its authority, both in *doctrine* and *manners*, is *worſe than an infidel*.

Can. 3. He that reſiſts the authority of *general councils*, ought to be accounted an *enemy* to the *faith*.

Can. 4. It belongs to the *church* to interpret the ſcriptures; and thoſe who do not follow the *canons* of the council of *Carthage*, *Innocent*, and *Gelaſius*, and refuſe the *ſenſe* which the *holy* fathers have put upon them, are *ſchiſmatics* and *heretics*.

Can. 5. Eſtabliſhes the neceſſity and validity of *traditions*, and tells us, that ſuch things as are derived to us *that way*, ought to be *believed*, and *obſerved*, and whoſoever refuſeth to accept any truth, for *this reaſon only*, "becauſe 'tis not *clearly delivered* to "us in *holy* ſcripture," ought to be eſteemed an *heretic* and *ſchiſmatic*.

Can. 6. Concerns the obedience due to the *conſtitutions* and *canons* of the *church*, and *condemns* thoſe that *deſpiſe* them.

Can. 7. They are pronounced *accurſed*, who

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who do not obſerve the *Lent faſt*, and other *faſts*, and times of *abſtinences* commanded by the *decrees* of the *church*.

Can. 8. Numbers thoſe among *heretics*, who teach that *prieſts*, *deacons*, and *ſub-deacons*, are not obliged to live a *ſingle life*, and ſo leave them at liberty to *marry*.

Can. 9. Againſt thoſe who count *perpetual* vows unlawful, and eſpecially *monaſtical* vows. They *prove* the obligation of them, and order thoſe to be puniſhed according to the *canons*, who ſay that it is *lawful* to *break* them.

Can. 10. Condemns ſuch as leſſen the *number* of *ſacraments*, or deny that they have a power to *confer grace*—that *marriage* is a true *ſacrament*, by which the perſons joined together receive a *celeſtial bleſſing*.

Laſtly. All thoſe that acknowledge not the ſeven *ſacraments* are to be eſteemed *heretics*.

In another ſet of *canons*—It is ordered, that all ſhall attend the *parochial maſs* on *Sundays*, and inform the *officers* of the *eccleſiaſtical courts*, of thoſe who are abſent three *Sundays* together.

Can. 39. *Marriage*, being a *ſacrament*, ought to be received with reverence, and all perſons ſhall forbear laughter, and merry talk, while the *office* is *celebrating*, and the *marriage-bleſſing* is pronouncing—that the perſons *eſpouſing*, ſhall prepare themſelves for

for this *ſacrament* by *faſting* and *penance*— that none ſhall be *married* for the future 'till after *ſun-riſing*, and not immediately after *midnight*, as has been uſual; which has been the occaſion of many *clandeſtine* marriages, from whence many very great ſcandals have ariſen; and therefore all ſuch as *contract* or *favour* them, are excommunicated *ipſo facto*.

Can. 40. No new *miracle* ſhall be publiſhed, without the expreſs licence of the *biſhop*.

Firſt *Provincial* Council of COLOGNE, *anno* 1536.

This *provincial* council was called in the time of PAUL III. and of the *Emperor* CHARLES V. by *Herman de Meurs*, archbiſhop of *Cologne*; who afterwards embracing the *new doctrine* of LUTHER, ſent for BUCER and MELANCTHON to preach it in his *archbiſhopric*; and whoſe engagement to this *new doctrine* was ſo ſtrong, that he rather choſe to leave his *archbiſhopric* than renounce it; and ſo he died in 1552, in the *hereſy* which he had embraced.

Art. 32, 33. Contain an advice to ſuch as have *ſeveral benefices*, eſpecially with the *cure of ſouls*, not to ſatisfy themſelves, that they have gotten the *Pope's* (*hodie* the *archbiſhop of Canterbury's*) diſpenſation for it; but to examine themſelves, and ſee *whether they*

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they have one * *from* GOD: nevertheleſs, for fear they ſhould injure their own conſciences, they are ordered to ſubmit their *diſpenſations* to the *biſhops*, that they may judge impartially whether the pretences be juſt.

In the *ſecond* part of the council are 32 articles.

Art. 25. It were to be wiſhed that *clergymen* would not be preſent at *weddings*.

Art. 40—47. Speak of the *ſacrament* of marriage, and wiſh that the good cuſtom of *faſting* and receiving the *communion* before *marriage*, were again reſtored. It enjoins *curates* to *marry* none, unleſs the *banns* were publiſhed *three times*; as alſo not to *marry* any ſtrangers without certificate from the place of their abode, to teſtify that they are not already *married*, and without a *licence* from their *curates* that they may be married by another. And if there be any degrees of *conſanguinity* between the perſons, who are to be joined in *marriage*, and if they have obtained a *diſpenſation* from the Pope, to examine it, and if they find the copy is not true, to declare their *diſpenſation* null: as alſo to forbid thoſe ſports at church, which are uſual after the *celebration* of *marriage*, with the new-married couple.

It is alſo forbidden to eat *fleſh* in the *holy* time of *Lent*, upon account of weakneſs, without licence from a *curate*.

* Qu? If this *advice* can ever be *unſeaſonable?*

Council

Council of MENTZ, *anno* 1549,

Determines that the marriage of children, without the consent of their parents, is *null and void*; and orders, that all marriages shall be celebrated in the *church*, with the *usual ceremonies*, and after the *banns* have been *thrice* published. See Stat. 26 Geo. II. c. 33.

Divines of PARIS, assembled at MATHURINS, May 6, 1518.

They gave their judgment on two propositions concerning *indulgences*. The first was—"Whosoever shall put into the *cru-* "*sade*-box a *testoon*, or the value of it, for a "soul that is in *purgatory*, he shall free "that soul immediately, and it shall in- "fallibly and directly go to *paradise*. Item. "If he cast in ten *testoons* for *ten souls*, or "a *thousand testoons* for a *thousand souls*, "they shall go immediately and certainly "into *paradise*."

This, the *Paris* divines, alarmed with what *Luther* had published about *indulgences*, were afraid to approve of; however, they approved of a *second* proposition, which softened the *first*, by saying—"We must "leave it to GOD to apply the treasure of "the *church* to such *souls* as He *pleaseth*."

On May 16, 1526, The *faculty* passed a general censure on *Erasmus's Colloquies*, as a work wherein the *fasts* and *abstinences* of the

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church are little eſteemed, *prayers* to the *virgin* and *ſaints* laughed at, and *virginity* is ſet below *marriage*.

There is alſo another *cenſure*, April 30, 1530, on the two following propoſitions, viz.

Firſt. That the ſcriptures can't be well underſtood without a knowledge in the *Hebrew* and *Greek* tongues.

Second. That a preacher can't explain the *epiſtles* and *goſpels* aright without the ſaid *tongues*.

The *firſt* is condemned as raſh and ſcandalous—the *ſecond* as falſe and impious, and which diſcourages *Chriſtian* people from hearing the word of GOD. They add, that both of them render their *authors* ſuſpected of *Lutheraniſm*.

N. B. One precedent, at leaſt, of that *neglect*, and indeed, of that *contempt*, among *Chriſtians*, of the *original* ſcriptures.

How would it *ſound* to the *ears* of *common-ſenſe* and *right reaſon*, to be told of a *people* who *cultivate* the knowledge of moſt *other* languages, and *deſpiſe* the attainment of *thoſe*, in which the *only* foundation of their *religion* is contained?—We ſhould be ready to ſay—"Surely, *ignorance* is the mother "of that *people*'s devotion"—yet in ſo ſaying we muſt reproach ourſelves.

It is to be remarked, that whenever men have ſought dominion over the minds and conſciences of their fellow-mortals, they have

have ever wiſhed to keep them in ignorance; this is by no means to be confined to the *church of Rome*; the leaders among the *fanatical* ſectaries in the *laſt century*, decried all *human learning* as *heatheniſh*, *antichriſtian*, and *profane*.—*Dr. South* (Sermons, vol. iii. p. 500) obſerves, that all "*learning* was then cried down, ſo that, "with them, the beſt preachers were "they that could not read, and the beſt "divines, ſuch as could not write."—"*Latin*," ſays he (Sermon intitled *Chriſtian Pentecoſt*) "unto them was a mortal "crime, and *Greek*, inſtead of being the "language of the *Holy Ghoſt* (as in the "New Teſtament it is) was looked upon "as the *ſin* againſt it: ſo that, in a word, "they had all the confuſion of *Babel* "among them, without the diverſity of "tongues."

What's Latin, but the language of the beaſt?
Hebrew and Greek is not enough a feaſt:
Han't we the Word in Engliſh, which, at eaſe,
We can convert to any ſenſe we pleaſe?
Let them urge the original, if we
Say 'twas firſt writ in Engliſh, ſo't ſhall be.
For we'll have our own way, be't wrong or right,
And ſay, by ſtrength of faith, the *crow* is *white*.
See GREY. HUD. vol. i. 280, n. 3d edit.

The great and learned Mr. *Selden* was a member of the aſſembly of divines, anno 1643; and ſometimes, when they had cited

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a text of ſcripture to prove their aſſertion, he would tell them—"*Perhaps in your* "little *pocket-Bibles* with *gilt leaves*" (which they would often pull out and read) "*the* "*tranſlation may be thus*, but the *Greek* or "the *Hebrew ſignifies thus and thus*;" and ſo would totally ſilence them. *Whitlocke*, 71.

ERASMUS.

This great and learned man was born at *Rotterdam*, anno 1464 or 1465. *Du Pin* relates a curious anecdote relative to him. His father *Gerard* had two ſons, by *Margaret* the daughter of a phyſician of *Tergoes*, to whom he had made a *promiſe* of *marriage*; the eldeſt of theſe ſons was named *Peter*, and the younger *Eraſmus*. *Gerard* was reſolved to have married *Margaret*, but his father and brothers would not ſuffer him to do it; therefore he ſtole away out of that country and went to *Rome*, leaving *Margaret* great with child of her *ſecond* ſon. She went to *Rotterdam* to lie in there, where *Eraſmus* was born.

His father was at *Rome*, where he got his bread by writing, when he was informed that *Margaret* his ſpouſe-elect was dead. He had always entertained hopes, that ſhe ſhould at laſt become his *wife*, and was ſo ſenſibly touched with the news of her death, that he gave over all thoughts of

marriage, and entered into *prieſt's* orders. Yet the news proved falſe; for when he returned into *Flanders*, he found her ſtill alive, with his *two* ſons, whom ſhe was forced to provide for. Now, though he was no more in a condition to *marry*, or to live with her, yet he always loved her, and, ſo long as he lived, he took care of the two ſons he had by her. As for himſelf, he was a man of good learning, had a talent for preaching, and in that employed himſelf the reſt of his life.

Eraſmus entered into the order of the *canons regulars* at *Stein*, when he was about nineteen years of age, but diſliking the way of life, he left it, and, at his intreaty, JULIUS II. gave him a *diſpenſation* from his *vows*. This great man had a ſoul too enlarged, and a mind too well cultivated, to reliſh the wretched *ſchool-divinity* of his day; he wrote many treatiſes, and brought much controverſy upon himſelf, from men who ſeemed to have become his *enemies*, becauſe he wiſhed to tell them ſome *truth*. At the requeſt of the *Pope*, the *Emperor*, the King of *England*, the *Cardinals*, *Prince George of Saxony*, and his own friends, he at laſt attacked Luther's book "*de Servo Arbitrio*," which engaged him in a long controverſy with *Luther*. However, he was ſuſpected in ſome points of *Lutheraniſm*, and ſome propoſitions were

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preſented to the *parliament of Paris*, in 1523, which were cenſured as *erroneous and ſchiſmatical*, by *Natalis Bedda*, ſyndic of the faculty.

Eraſmus wrote an Apology, in which he detected *Bedda*'s diſingenuouſneſs, and refuted his cenſures; however, a decree againſt *Eraſmus* was publiſhed at *Paris* 1532.

The offence which *Eraſmus* gave, by ſpeaking too freely againſt the *monks*, the *ſchool-divines*, and againſt ſome *ſuperſtitions*, occaſioned him many bitter enemies among the *ſchool-divines* and *monks*, who charged him with *error*, *hereſy*, and *impiety*. The freedom with which he reproved them, the prejudices they were poſſeſſed with againſt every thing that appeared *new*, their *bigotry* in adhering to ſome common opinions and cuſtoms, were the cauſes of all that trouble which he ſuffered from them.

In ſhort, *Eraſmus*, notwithſtanding his early prejudices for the church of *Rome*, declaimed openly againſt thoſe, who, neglecting thoſe ſacred fountains of truth the *holy ſcriptures*, ſpent their time about queſtions of no moment, and who, neglecting the duties of *true religion*, too much confided in *ceremonies*.—He longed for a reformation of manners among the clergy, as the beſt way of putting an end to thoſe diſorders and confuſions, which had been occaſioned by

by the handle they had given to their opponents the *Lutherans*. Inſtead of this being taken in good part, they ſelected pieces of his writings, lame and imperfect ſentences, detached from what *went before*, and from what *followed after*, and thus they obtained the *decree* againſt him as before mentioned. His maxim was—"*I deſire to do good to all* "*mankind, without offending any man*,"—but he found, as every man will, that this is impoſſible.

He died, however, a true *Catholic* (after refuſing a *Cardinal*'s hat) at *Baſil*, where he was *rector* of the *univerſity*, anno 1536.

In one of his epiſtles he ſpeaks of *Tertullian*, and ſeems to endeavour to ſoften many errors of that *father*, wherein he mentions the *antients* as againſt *ſecond* marriages, and that they even enjoined *celibacy*.

In another, to the biſhop of *Rocheſter*, he tells him, that, on *one* ſide, he had the *monks* and *divines* to encounter with, and they deſigned his ruin; and, on the *other*, the *Lutherans*, who fretted at him, becauſe he retarded their triumphs, as they pretended, and would not openly profeſs *Luther*'s doctrine. He ſays, there were ſome things in that doctrine which he did not underſtand —ſome which he doubted of—and ſome which his conſcience would not allow him

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to maintain: and he wiſhed that the diſorders which *Luther* had raiſed, might be as a bitter and violent potion, which might purge the *church*.

In an epiſtle to *Franciſcus a Victoria*, he mentions an horrid ſaying of *St. Jerome's* on the ſubject of *marriage*, viz. "*What kind* "*of good can that be, that is only approved* "*of, in compariſon with ſomething that is* "more ſinful?"

Eraſmus wrote a book intitled—"The "inſtitution of a *Chriſtian marriage*."—In the *preface* he obſerves, that, "Of all things "in this life, marriage is of the greateſt "importance—the *Pagan philoſophers* have "written of it, with all the prudence that "reaſon could ſuggeſt to them. There "have been an infinite number of *laws* "made for the durableneſs and ſacredneſs "of *marriages*.

"It ſeems the *antient Chriſtians* were "more *negligent* of *this*, than of other "things, becauſe the *greateſt* part of them "were, by a fervent zeal, wonderfully in-"clined to *celibacy* and *perpetual virginity*. "This is the reaſon that ſo many of them "have made panegyrics on *virginity*, and "have preſcribed rules to *widows* and *vir-*"*gins* how to live devoutly, and that *few* "or *none* of them have done the ſame to "*married* perſons."

He defines *marriage*, with the *lawyers*,

to

to be " A *lawful* and perpetual union of " *man* and *wife*, in order to the procreation " of children; which includes a partner- " ſhip of life and goods. That *procreation* " being the end of *marriage*, it cannot " properly be ſaid that *marriages*, between " perſons not capable of having chil- " dren, are *true marriages*, yet he is ſatis- " fied that the *church* doth approve of " them, and that they are in themſelves " *lawful*.

" He ſpeaks occaſionally of the *cere-* " *monies* of *antient Pagans* in their *marri-* " *ages*. He treats very fully of the mar- " riage between *Jeſus Chriſt* and his *church*, " of which, marriage among *Chriſtians* is " a *ſacrament* or *ſign*."

He ſays, " That ſome *antient divines* con- " ſidered *marriage* only as a ſign, and did " not acknowledge that it conferred *grace*, " and therefore did not place it in the rank " of thoſe that are properly called *ſacra-* " *ments* of the *New Teſtament*; in which, " the *ſigns* are efficacious by virtue of the " covenant, in which GOD has declared his " will. But that the more plauſible opi- " nions of *modern divines* had prevailed, " who taught, that in *marriage*, *lawfully* " *ſolemnized*, there is conferred, as in other " *ſacraments*, a ſpecial gift of the *Holy* " *Ghoſt*; by which the man and the woman " are confirmed in their reſolutions to live

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" together in perpetual agreement—but, " as in the other *ſacraments*, we do in- " cur the diſpleaſure of Heaven, if we do " not receive them as we ought to do, " ſo the ſame thing happens in *mar-* " *riage*."

He confeſſes, " that the primitive *Chriſ-* " *tians* had ſo great a veneration for *vir-* " *gins*, that their *glory* did obſcure the " *glory* of *marriage*. He does not think " that every conſent makes a true and law- " ful *marriage*. It is neceſſary, that the " conſent be given by *verba de præſenti:* " that it be free and voluntary, and accord- " ing to the *laws*."

He relates " many ſubtle queſtions of " *lawyers* concerning this conſent, and " treats very fully of the obſtacles of mar- " riage, as well of thoſe which make it " *void*, as of thoſe which make it *unlawful*, " and would have the obſtacle of ſpiritual " relation altogether ſuppreſſed.

" That parents ſhould inſtruct their " children, at about *three* years of age, to " bow at the name of *Jeſus*, and to kiſs " the *crucifix*, &c."

Eraſmus was of opinion that *St. Paul* was *married*, and he tranſlated γνησιε συζυγε, Phil. iv. 3. by *Germana conjunx*, by which, he believed, *St. Paul* meant his *wife*, becauſe the perſon here ſpoken to, was to miniſter to the neceſſities of the *female ſaints*.

GAUFRIDUS

GAUFRIDUS BOUSSARDUS,

Wrote a treatiſe concerning the *celibacy* of the *clergy*. Upon that queſtion, "Whether the *Pope* can permit a *prieſt* to "*marry*"—he lays down *ſeven* propoſitions, viz.

1. It is, and always has been, permitted in every place, as well in the *Eaſtern* as in the *Weſtern* church, for the *clergy* that are in *leſſer* orders to *marry*.

2. That it was allowed, as well in the *Eaſtern* as in the *Weſtern churches*, from the very firſt beginning of the *church*, 'till the times of *Pope Siricius* and *Innocent* I. to promote *married* men to the higher orders, including that of the *prieſthood*; and the *prieſts*, as well as others, were allowed to *live* with their *wives*.

3. Since the times of the above *Popes*, it ſeems it had never been allowed, in the *Weſtern church*, that *married* men, who *lived* with their *wives*, ſhould be promoted to *deacon's* or *prieſt's* orders; or that thoſe who were promoted to thoſe *orders* ſhould have *wives*—or, if they had any, they were obliged to promiſe that they ſhould live in *continency* with them. But 'till the times of *Pope Gregory*, married men might be ordained *deacons*, without *obliging themſelves* to *continence*.

4. Since the time of *Pope Gregory* I. it has never been allowed in the *Weſtern church* to

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to ordain any *deacons*, but thoſe who promiſe ſolemnly to live in *continence*.

5. It is and always has been allowed, in the *Greek* and *Oriental* churches, that thoſe who are *married*, may be advanced to *orders*, even *prieſt's orders*, and that they may *live* with their *wives*.

6. It is not, nor ever was, allowed, that thoſe who are already in *holy orders* (*prieſts*, *deacons*, or *ſub-deacons*) ſhould *marry*.

7. The *Pope* may, in ſome caſes, grant a *diſpenſation* to a man that is in *holy orders* to *marry*.

CARDINAL CAJETAN.

In a treatiſe on marriage he teaches, that a marriage ſolemnized by *proxy* is not a *ſacrament*, if it be not afterwards ratified by the parties preſent—That *clandeſtine marriages* may be ſometimes permitted—That it is *abſolutely unlawful* to converſe together as *man* and *wife*, before they receive the *benediction of the church*—That the *prieſthood* does not make a *prieſt* abſolutely incapable of marrying, and that it does not make void a marriage already contracted—That the *prieſts*, when they enter into orders, take upon them the *vow* of *virginity*, but the *Pope* may *diſpenſe* with it. He may alſo *diſpenſe* with the *law*, which obliges them to live *unmarried*—That the *Pope* may *diſſolve* a *marriage* contracted, but not conſummated, and that he may do this not only

only when either of the parties, or both, are to enter into a *monaſtery*, but alſo for *other reaſons*; becauſe the only reaſon why the *ſacrament* of *marriage* is not *diſſolvable* is, that it is the ſign of the union of JESUS CHRIST with his *church*; but marriage is not a compleat ſign of that *union*, 'till it be *conſummated*. That the *Pope* can diſpenſe with the *vow* of *chaſtity*, but not with the vow of *living unmarried*. He maintains the validity of *Henry* VIII.'s marriage with his *ſiſter-in-law*.

CORNELIUS AGRIPPA,

In his treatiſe of the *ſacrament* of marriage, extols that *ſacrament*, for the *antiquity* of its inſtitution, for its *generality*, and for its being *indiſſoluble*, becauſe, that, by *marriage*, the *man* and his *wife* become *one fleſh*, and that a man cannot part with his *own fleſh*; yet he excepts the caſe of *fornication*.

He was greatly cenſured, for ſaying "that marriage was diſſolved by *adultery*." He held, that *Adam*'s ſin, "was nothing "elſe, but the carnal knowledge of *Eve*" —Et "*ſerpens Evam* tentans, *Adami* vere-"trum."

JOHN FISHER, Biſhop of ROCHESTER.

He maintained, that JESUS CHRIST has taught, and appointed *many things*, that are not written in the *four goſpels*, and that the *Holy*

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Holy Ghoſt might teach the *church* ſome truths, which JESUS CHRIST had not taught before. He cenſures *Luther*'s arrogance, in deſpiſing the laws, cuſtoms, opinions, and faith of the *church:* and exhorts all *Chriſtian princes* not to give ear to his *groſs impieties*; and to employ the ſame force againſt *Luther*'s hereſies, as they would againſt *Turks*, *Saracens*, and *Infidels*.

Fiſher was one of thoſe who refuſed to put King Henry VIII. in the *Pope's* place, by acknowledging *his Majeſty ſupreme head* of the *church* of *England*, and taking the appointed *oaths*—for which he was *beheaded*, June 17, 1535.

JACOBUS LATOMUS.

He was *doctor and profeſſor* of divinity at *Louvain*, and a great controverſialiſt againſt *Luther* and his doctrines.

In a treatiſe *on Marriage*, he begins with laying down ſome principles concerning that *ſacrament*. To prove that a marriage *contracted* and *conſummated* can only be diſſolved by death, he lays it down—

1. The *ſacrament* preſuppoſes the *contract*, and if a ſtop be put to the *contract*, the *ſacrament* is *null*; as if, in *baptiſm*, the *water* were hindered from touching the body, then there would be no *baptiſm*.

2. When the *contract* is *valid*, and made according to the *laws*, then, neither the *contract*

tract nor the *ſacrament* can be made void by the ſins of the *contractors*.

3. Marriage is *indiſſoluble* by the law of GOD, founded on this divine oracle—*They two ſhall be one fleſh—what God hath joined together, let no man put aſunder.*

4. It is contrary to the *law of the goſpel*, to ſay, that a marriage contracted, and *conſummated*, can be *diſſolved* during the *lives* of the parties; which he proves by the authorities of *St. Auſtin*, *St. Jerome*, *St. Ambroſe*, *St. Chryſoſtom*, and ſome *other fathers*.

From theſe principles he concludes, that a marriage contracted and *conſummated*, can never be diſſolved, in the caſe of *adultery*. But he maintains, that, when it is not *conſummated*, it is diſſolved if either of the parties do enter into a *religious* order, becauſe the perſon that does ſo, is *civilly dead*.

FRANCISCUS DE VICTORIA,

Profeſſor of divinity at *Salamanca*, where he died anno 1546.

In a *lecture* on *marriage*, which he compoſed on occaſion of the divorce of the *King of England*, he ſays—

1. Marriage is an indiſſoluble contract between *man* and *wife*; and there are two ends of it; the one is, the procreation and education of children; and the other is, the mutual aſſiſtance that they ought to give one

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one another; that the *conſent* of *huſband* and *wife* is abſolutely neceſſary to *marriage*, and to be plain and expreſs *per verba de præſenti*.

2. That *princes*, as well as the *church*, have power to determine obſtacles that break marriages; but that it is in the *power* of the *church* to take that power from them, and to diſcharge them to take the concerns of marriage under their cognizance.

3. The obſtacles of marriage mentioned in *Leviticus*, are not *all* of perpetual obligation, by the *laws* of GOD and of *nature*.

JOHANNES COCHLÆUS,

A great writer againſt the *Lutherans*.—He declaimed boldly againſt the *impudence* of thoſe, who allowed *prieſts and monks* to *marry*, and all ſorts of people to carry away the *ſpouſes* of JESUS CHRIST.

Council of TRENT, begun Dec. 13th, 1545, ended 1563.

This *council* may be ſaid to have finally ſettled and fixed the *canon* of *Popery*—to have collected together all the *Popiſh* doctrine relative to the *ſacrament* of marriage, *celibacy of prieſts*, *polygamy*, *clandeſtine marriages*, and *marriage ceremonies*, &c. and to have formed the whole into one connected *ſyſtem*, which, receiving the *Pope's* approbation, became the rule of *faith* touching theſe matters,

matters, and remains ſo in the church of *Rome* to this day.

It would extend this work beyond all reaſonable bounds, to ſet down the various arguments, *pro* and *con*, on the ſeveral ſubjects relative to *marriage*, which were ſolemnly treated at this famous *ſynod*; they may all be found in *Brent*'s tranſlation of "The Hiſtory of the *Council of Trent*, "written in *Italian* by *Pietro Soave Polano*." —Let it ſuffice that I tranſcribe the *canons* formed and publiſhed on the occaſion, as I find them in my author, p. 784.

"The doctrine of the *ſacrament* of *mar-*
"*riage* did contain; that *Adam* did pro-
"nounce the *bond* of *matrimony* to be *per-*
"*petual*, and that ONLY *two perſons* may
"be joined therein; a thing more *plainly*
"declared by CHRIST, who alſo by his
"paſſion hath merited *grace* to confirm it,
"and to ſanctify thoſe that are joined;
"which is intimated by *St. Paul*, when he
"ſaid that, "this was a great *ſacrament* in
"CHRIST and the *church*." Whereupon
"matrimony in the *evangelical law*, ex-
"ceeding the *antient marriages*, by addi-
"tion of *grace*, is juſtly numbered among
"the *ſacraments* of the *new law*. There-
"fore the *ſynod*, condemning the *hereſies*
"in this matter, doth conſtitute the ANA-
"THEMATISMS.—N. B.

"1. Againſt him that ſhall ſay, that ma-
"trimony is not one of the *ſeven ſacra-*

"*ments*

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" *ments* inſtituted by CHRIST, and doth not " *confer grace.*

" 2. Or that it is lawful for *Chriſtians* to " have *many wives* at once, and that it is " not forbidden by any law of GOD.—N. B.

" 3. Or that only the degrees of *affinity* " and *conſanguinity*, expreſſed in *Leviticus*, " may nullify the marriage, and that the " *church* may not *add others*, or *diſpenſe* " with ſome of *them.*

" 4. Or that the *church* cannot conſti- " tute *impediments*, or hath erred in con- " ſtituting them.

" 5. Or that one of thoſe who are *mar-* " *ried* may diſſolve the matrimony for " hereſy, troubleſome converſation, or vo- " luntary abſence of the other.

" 6. Or that *lawful* matrimony, *not con-* " *ſummated*, is not diſſolved by a ſolemn " religious *vow.*

" 7. Or that the *church* hath erred in " teaching, that the matrimonial bond is " not diſſolved by *adultery.*

" 8. Or that the *church* doth err in ſepa- " rating thoſe who are married for a de- " terminate or indeterminate time, in re- " ſpect of carnal conjunction or cohabi- " tation.

" 9. Or that the *eccleſiaſtics* of holy or- " der, or profeſſed *regulars*, may *marry*, as " alſo all thoſe who find they have not the " gift of *chaſtity*, in regard that GOD doth

" not

" not deny the gift to him that doth de- Cent.
" mand it. XVI.

" 10. Or that ſhall prefer the ſtate of
" *marriage*, to *virginity* and *chaſtity*.

" 11. Or that the prohibition of *marri-*
" age, in certain times of the year, is *ſu-*
" *perſtition*, or ſhall condemn the *benedic-*
" *tions* and other *ceremonies*.

" 12. Or that matrimonial cauſes do not
" belong to *eccleſiaſtical judges*.

" The decrees of the *reformation* of *mar-*
" *riage* did contain,

" 1. That, howſoever it be true, that
" *clandeſtine marriages* have been *true* and *law-*
" *ful*, ſo long as the *church hath not diſ-*
" *allowed them*, and that the *ſynod* doth *ana-*
" *thematize* (i. e. curſe) him who doth not
" hold them for ſuch; as alſo thoſe who
" affirm, that *marriages* contracted without
" conſent of parents, in whoſe power the
" married perſons are, are void, and that
" the fathers may entirely approve or diſ-
" approve them, yet the *church* hath ever
" forbidden and deteſted them.

" And becauſe prohibitions do no good,
" the *ſynod* doth *command*, that the *matri-*
" *mony* ſhall be denounced in the *church*,
" *three feſtival days*, before it be contracted,
" and, no impediment being found, ſhall be
" *celebrated* in the face of the *church*, where,
" the pariſh *prieſt*, having interrogated the
" man and the woman, and heard their con-

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" ſent, ſhall ſay—*I join you in matrimony,*
" *in the name of the Father, Son, and Holy*
" *Ghoſt,* and ſhall uſe other words ac-
" cuſtomed in the province.

" Notwithſtanding, the *ſynod* doth re-
" fer it to the will of the *biſhop* to *omit*
" the *banns,* but doth declare thoſe to be
" incapable of *marriage* who attempt to
" contract it without the preſence of the
" *pariſh prieſt,* or another *prieſt* of equal
" authority, and of *two* or *three* witneſſes,
" making *void* and *nullifying* ſuch con-
" tracts, and *puniſhing* the tranſgreſſors.

" Afterwards it exhorts the *parties* not
" to dwell together, before the *benediction,*
" and commands the *pariſh prieſt* to have a
" book, in which marriages, ſo con-
" tracted, ſhall be written.

" It exhorts the parties that are to be
" married to *confeſs,* and communicate,
" before the *contract,* or *conſummation* of
" the marriage.

" It reſerveth the *cuſtoms* and *ceremonies*
" of every province, and will have this
" decree to be of force, within *thirty* days
" after it ſhall be publiſhed in every
" pariſh.

" 2. Concerning the *impediments* of
" *marriage*; the *ſynod* doth affirm, that
" the multitude of *prohibitions,* did cauſe
" great *ſins* and *ſcandals:* therefore it doth
" reſtrain that of *ſpiritual cognation,* to that
" which the *baptized,* and their parents,

" have

" have with the *god-fathers* and *god-mo-* CENT.
" *thers*, and the number of theſe to one XVI.
" man and one woman only. Ordaining
" the ſame about the kindred, which doth
" ariſe by the *ſacrament* of *confirmation*.

" 3. It doth reſtrain the *impediment of*
" *honeſty*, which hath its beginning from
" contracts, to the *firſt degree* only.

" 4. That of *affinity* by *fornication* to
" the firſt and ſecond.

N. B. The *Albigenſes*, about the year 1175, taught—that, " the conſent of a " *willing* couple, without the formality " of *ſacerdotal benediction*, made a *lawful* " *marriage*."

The *Lollards*, cent. 14, laid it down as *ſound doctrine*, that, " if a man and woman " came together with an *intention* to live " in *wedlock*, this *intention* is ſufficient, " without paſſing through the *forms* of " the *church*."—See before, vol. i. p. 148, 149, 1ſt edit.—p. 140, 2d edit.

On the other hand, the *church of Rome*, and more eſpecially after the time of *Pope Innocent* III. converted the above *ſcriptural* ideas of *lawful* marriage, into the damnable ſin of *fornication* and *whoredom*; in this the *Proteſtants* have followed them. But where is there ſo much as a glimpſe of *ſcriptural authority* for this? Where can there be found a ſingle *lawful marriage* throughout the whole *Bible*, if the formality of *ſacerdotal benediction*, or *paſſing*

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through the forms of the church, are neceſſary to conſtitute it? There is not the ſmalleſt trace of any ſuch thing. Therefore, however this piece of *eccleſiaſtical knavery* may be part of the *craft by which ſome have gotten their wealth*—yet, as has been ſhewn at large, as it is ſubverſive of the *order* of *Providence*—an inſult on the truth of GOD—and big with *ruin* to the *weaker ſex*, it may be deemed one of the moſt wicked, dangerous, and deſtructive impoſitions, that ever were invented, or forced on the credulity of mankind.

But there is ſomething in the words of this *canon*, as of *others* to the ſame purpoſe, which are to be found in the courſe of the preceding evidence, which evince the nature and force of *truth* — it is like the *ſun*; though clouds overwhelm its brightneſs, and conceal the full blaze of its ſplendor from our eyes, ſtill it will be perceived ſufficiently to make our day—thus will the *truth* of GOD, however darkened by error, ſhine ſufficiently through it, to diſcover its power and influence on the human mind. Here it has forced the *Papiſts* into an acknowledgment of it, and ſuch a one as contradicts their whole *ſyſtem* on the ſubject of *marriage*. For if this be a mere *nullity* without the *forms* of the *church*, how can it raiſe an *affinity* between the parties? If it does, what is that *affinity* or *relationſhip*, but that which the ſcripture

ſcripture hath holden forth to us under the idea of *marriage?* If it does *not*, how can there be any *affinity* reaching between deſcendents to the *firſt* and *ſecond degree*, when there was *none* between the *parents* or *anceſtors?* The idea of a *nullity* deſtroys that of *affinity*—and that of *affinity* deſtroys that of *nullity*. Take the matter either way, it proves that the *truth* was too hard for them, and above their art to conceal *entirely*.

WHEATLY, on the Common Prayer, edit. 7th, p. 424, tells us, that "*baſtard* "*children*" (*i. e.* thoſe born *only* under the law of GOD and *nature*) "are no "more at liberty to marry within the "degrees of the *Levitical law*, than thoſe "that are *legitimate*" (*i. e.* born of parents joined by *prieſtly ceremony.*) But why not? If the *marriage* of the parents is a *nullity*, the ſuppoſed *conſanguinity* or *affinity* between the *deſcendents* muſt be a *nullity* alſo—for out of *nothing* can come *nothing*.

This ſtrange jumble between *truth* and *falſhood*, making the ſame *marriage* to be ſo *valid* as to fall within the reach of the *Levitical* law in reſpect of the iſſue, and yet ſuch a *nullity* with reſpect to the parties themſelves as to be no better than *whoredom* and *fornication*, is too palpable inconſiſtency and contradiction to agree even with *itſelf*, and can never be proved

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to harmonize with the uniform and consistent scheme in GOD's word.

Mr. WHEATLY, p. 219. concerning the place where the ceremony is to be performed, expresses himself thus—" And " since GOD himself doth join those that " are *lawfully* married; certainly the house " of GOD is the fittest place wherein " to make this *religious covenant*. And " therefore, by the antient *canons* of this " church, the celebration of matrimony " in taverns, and other unhallowed places, " is expresly forbidden." Here he cites an old Popish canon of *Winton*, made anno 1287, which was not long after *marriage* was made a *sacrament*. " And the office " is commanded to be performed in the " *church*, not only to prevent all clandes- " tine marriages; but also that the sa- " credness of the place may strike the " greater reverence into the minds of the " *married couple*, while they remember " they make this *holy vow* in the place of " GOD's peculiar presence."

Thus we see, what *reverence* is to be paid to the *marriage-ceremony*, of man's *invention*, while the *ordinance* of GOD's *institution* (GEN. ii. 24.) if without the *former*, is dishonoured with the opprobrious stigma of *whoredom* and *fornication*.—Surely nothing but the *impudence* of *Popery* could ever have dared to have set *such* an example of *contempt*.

A Jewish

A Jewiſh *prieſt*, under the *law*, who had taken upon himſelf to introduce an *uncommanded ceremony* into the *temple-worſhip*, and had ſo ſpoken of it, as to endeavour to perſuade the people that it was *ordained* of GOD—and that ſome other *ordinance*, which was of GOD, was not to be regarded but as *criminal* without it—would probably have been ſtoned to death for *ſacrilege* and *blaſphemy*, by the ſentence of the *judges* of *Iſrael*. CENT. XVI.

For my own part, I can find juſt as much *ſcripture authority* for changing a *civil contract* into the *form* of a *ſacrament*, to be adminiſtered, as *ſuch*, by the hands of a *Popiſh prieſt*, as for turning it into a *religious ceremony*, to be adminiſtered by a *Proteſtant miniſter* at the *communion table* in a *church*. And I do believe, that we may venture to ſuppoſe, if the *former* had never been *invented*, the *latter* had never been *thought of*.

One thing is very certain, that, they almoſt *equally* contribute to hide from the eyes of men, the real *nature*, the true *eſſence*, the certain *obligation*, the antient *ſimplicity*, and the appointed *efficacy* of the *primary inſtitution*, and thus aſſiſt to carry on that ſcheme of *female ruin*, which evidently reſults from vacating every *contract* but what ariſes from their own *authority*.

" 5. It doth take away all hope of *diſ-*
" *-penſation*, for *matrimony* wittingly con-

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" tracted in degrees prohibited; and to
" thoſe who have ignorantly contracted,
" without the *ſolemnities*, in caſe of proba-
" ble ignorance, a *diſpenſation—gratis*.

" But to contract in degrees prohibited,
" a *diſpenſation* ſhall *never* be granted, or
" *ſeldom* only, for a juſt cauſe, *without*
" *coſt*; nor in the *ſecond* degree among
" *princes*, except for a *public cauſe*.

" 6. *Matrimony* ſhall not be contracted
" with a woman *ſtolen* away, ſo long as
" ſhe is in the power of him that did *ſteal*
" her; and doth declare thoſe *raptors*,
" and thoſe who do aſſiſt them with coun-
" ſel, aid, or favour, *excommunicated*, in-
" famous, incapable of all dignity; and
" the *raptor*, whether he marry the wo-
" man or not, ſhall be bound to give
" her a *dowry*, at the pleaſure of the
" *judge*.

" 7. It ordains that *vagabonds* ſhall not
" marry, without a diligent inquiſition
" firſt made, and *licence* of the *ordinary*,
" exhorting the *ſecular* magiſtrates to pu-
" niſh them ſeverely.

" 8. It doth ordain againſt *concubinaries*,
" that being admoniſhed *thrice* by the *or-*
" *dinary*, in caſe they ſeparate not them-
" ſelves, they ſhall be *excommunicated*, and
" perſevering one year after the cenſure,
" the *ordinary* ſhall proceed ſeverely a-
" gainſt them; and the *concubines*, after
" *three* admonitions, ſhall be *puniſhed*,

" and,

" and, if the *biſhop* ſhall think fit, chaſed " out of the territory, by aſſiſtance of " the *ſecular power*.

" 9. It commandeth every temporal " *lord* and *magiſtrate*, upon pain of *excom-* " *munication*, not to compel their ſubjects, " or any others, to *marry*, directly or in- " directly.

" 10. It doth reſtrain the antient pro- " hibitions of *nuptial ſolemnities*, from *Ad-* " *vent* to the *Epiphany*, and from *Aſh-* " *Wedneſday* to the *octaves* of EASTER."

The *Papiſts* borrowed many things from the *heathens*, and, among others, the prohibiting *marriage* at certain *religious ſeaſons* of their own *creating*: thus the *Romans* would not permit thoſe days that were dedicated by them to acts of *religion*, to be hindered or *violated* by *nuptial* ceremonies. See WHEATLY on *Com. Prayer*, edit. 7. p. 427.

The *heathens* alſo were ſo ſevere on children's marrying without *conſent* of *parents* or *guardians*, as to declare the marriage to be *null*, and the *children* to be *baſtards*. The antient *canon* law of the *Greek* church, accounts all *children* who marry without conſent of parents, while under their power, to be no better than *fornicators*. The church of *England*, before the *marriage-act*, did not proceed to ſuch extremities, though ſhe took all imaginable care

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care before-hand to prevent ſuch marriages. See WHEATLY, 427.

After the evidence which has been produced in this *chapter*, of the inſolent and daring attacks upon the *divine æconomy*, reſpecting *marriage*, which were made and carried on for above 1500 years together, to the utter demolition of that *plan* which was ordained by the *Creator*, and by *His command* recorded in the *Hebrew ſcriptures*, it is to be hoped we ſhall hear no more of *church-authority* for the truth of any thing which is to be believed upon the ſubject.

We have been told, " that the *primary* " *command* of GOD ALMIGHTY, in which " He *ordained* and *bleſſed* the *increaſe of* " *mankind*, is antiquated and paſſed away— " that it does not relate to *Chriſtians*— " that the *intercourſe* of the *ſexes* is *evil* in " itſelf—that marriage was the conſe- " quence of *ſin*—that *celibacy* makes men " like *angels*, and, that in compariſon " thereof, *marriage* is *ſinful*—that all *ſe-* " *cond* marriages are no better than *forni-* " *cation*—that thoſe who do not *marry* " according to the *laws* of the *church*, " live in *whoredom*, if they cohabit toge- " ther—that a new ordinance of *marriage* " was ordained by JESUS CHRIST, appro- " priated to *Chriſtians*, and that the *divine* " *æconomy* reſpecting the *commerce of the* " *ſexes*, as revealed by *Moſes*, is totally " vacated

" vacated and deſtroyed by the *law of the* CENT.
" *goſpel*—that when the race of mankind XVI.
" was to be increaſed, before the coming
" of the *Meſſiah*, marriage was to be ſought
" after, and even *polygamy* allowed; but now
" it is forbidden—that *celibacy* and *virginity*
" ought to be looked upon as the higheſt de-
" grees of perfection—that, next to this, is
" the total *abſtinence* of perſons who are
" *married* from each other."—Theſe moſt notorious and horribly-deſtructive *lyes*, with as many more as would fill a *Wincheſter* buſhel, may be picked out of the preceding evidence, and may ſerve to ſhew us how the *credulity* of one part of the world can be impoſed on by the *knavery* of the other—and, conſequently, how careful we ſhould be, of adverting to any other authority for what we believe, *than* GOD'S WRITTEN WORD.

In ſhort, the *Chriſtian* fathers, &c. ſeem to have endeavoured to contrive a *religion* of their *own*, as unlike that of the *Bible* as they poſſibly could; inſomuch that JEHOVAH might well complain of them as of revolted *Ephraim* (Hoſ. viii. 12.) and ſay—*I have written to them* THE GREAT THINGS OF MY LAW, *but they were accounted a ſtrange thing*.

The TWO GREAT COMMANDMENTS, on which hang all *the* LAW *and the* PROPHETS, contained nothing favourable to *clerical* ambition, pride, and covetouſneſs,

and

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and thoſe more *particular* precepts, which were derived from them, were too inconſiſtent with the views of the *clergy*, to maintain their weight and conſequence among them—therefore neither *root* nor *branch* were ſpared, but deſtroyed by a ſeries of *traditional* impoſition on the minds of men, till the *laws* of the *church*, and not the *laws* of JEHOVAH, became the meaſure and rule of right and wrong. *Chriſtianity* was not looked upon as the unfolding and completion of the mind and will of JEHOVAH, as revealed and promiſed in the *Hebrew* ſcripture, directing us to make His *laws* our *rule*, His *word* our *guide*; but as a *ſyſtem* independent of every thing but *itſelf*, which was to be faſhioned and formed into as many ſhapes as the imaginations of *churchmen* could give it, and as beſt ſuited to promote their total aſcendency over the human *underſtanding*, their entire dominion over the *conſcience*, and their uncontroulable diſpoſal of the *perſons* and *properties* of mankind.

The antient and perfect *law* of JEHOVAH, which He, in His infinite *wiſdom*, ordained for the moral government of His reaſonable creatures, was too inimical to the deſigns of *eccleſiaſtical* fraud, deceit, and violence, to gain an admiſſion into the *plan*, either on the ſubject of *marriage*, or any thing elſe.—"Thus ſaith the "*church*,"

"*church*," was the warrant for men's belief; and thoſe who oppoſed this, were certain to ſuffer every pain and penalty, which the meaneſt and moſt wanton cruelty could ſuggeſt:—while wilful *murder*, *adultery*, *ſodomy*, crimes made *capital* by the law of GOD, were abſolved on a few years *penance*.

Such was the ſtate of our *national Chriſtianity*, at the beginning of the *reformation*—the *reformers* once more brought the ſcriptures into view, with what ſucceſs, as to the matters which are the ſubjects of theſe *volumes*, will be conſidered in the following *chapter*.

CHAP.

CHAP. XIII.

Obſervations on the foregoing—applied to the Subjects of this Treatiſe.

HAVING now, by a long induction of particulars, ſhewn how the ſimple *ordinance of marriage*, and the CREATOR's whole plan for regulating the *commerce of the ſexes*, have been taken out of *His hands*, into the *hands of men*, who have dared to throw aſide thoſe *laws* which the MOST HIGH eſtabliſhed for the *propagation*, *continuance*, and *preſervation* of the *human ſpecies*—and more eſpecially for the protection of *female chaſtity*, from the ravages of ungoverned and intemperate *luſt*—by vacating all obligation between the *ſexes*, but what ariſes from *human contrivance*—it may not be improper, in this place, to make ſuch remarks upon the evidence, as will demonſtrably ſhew, that *our* whole plan is founded in error, and originates in the uſurped power of *Popiſh churchmen* over the commandments and ordinances of JEHOVAH, as by him delivered in his MOST HOLY WORD.

It will then follow, that thoſe miſeries of the *female ſex*, which have been ſo largely ſpoken of in the preceding *volumes*, and which it is the *author*'s grand *end* and *aim* to *prevent*, or *remedy*, on the *baſis* of the *divine*

law, are the natural and inevitable conſequences of *Popiſh uſurpation* over the underſtandings and conſciences of mankind, and of the abolition of that *holy ſyſtem* of ſecurity and protection to the *weaker ſex*, which is afforded them by the ſolemn and unalterable ſtatutes of *Heaven*.

As in what concerns the reſt of the *univerſe* in general, ſo with reſpect to the *human ſpecies*, the *laws* of *Heaven* are *ſimple*, unmixed with dark and hard *ſpeeches*, conceived in words clear, plain, and eaſy to be underſtood: there are no *ſophiſtical* diſtinctions about what *is* or *is not* a *marriage contract*, thus leaving ſo important a concern vague and indeterminate, as to the matter or eſſence of it in GOD's ſight; there is nothing, in this reſpect, ſaid about *prieſts*, *ſurplices*, *altars*, *churches*, *bells*, *maſs-books*, *banns*, *licences*, *diſpenſations*, outward religious *rites* and *ceremonies*, or of any one requiſite to marriage but the CREATOR's own *appointment*.

Therefore, whether theſe things were invented by *Popes*, *Councils*, *Synods*, or other human power in the *church of Rome*—or adopted by *John Doe* and *Richard Roe*, as requiſites in the *Reformed churches*—they are equally out of the queſtion, and can no more affect the validity and obligation of GOD's *ordinance*, than they can controul the courſe of the *ſun*.

The general command, when GOD bleſſed the *male* and *female*, and ſaid—"*Increaſe* "*and multiply*"—was evidently to be done in a way

a way which the CREATOR himſelf was to appoint; no device whatſoever of the *creature* could any more interfere in this, than in the diſpoſal and government of the *univerſe*.

That which was to be the *efficient cauſe* of *propagation*, was to be alſo the *matter* of indiſſoluble union between the *male and female*, ſo as to make them *one fleſh*, and to create an *affinity* or *relationſhip* between them, even above and beyond that of parents and children.—Gen. ii. 24.

Thus the matter *ſtood* on the *original inſtitution*—but as the human race increaſed, it ſeemed good to *infinite wiſdom*, to make ſuch regulations as ſhould obviate the ſad conſequences of men's forgetting the ſtrictneſs of the *matrimonial union*, and taking upon themſelves to *diſſolve* its *obligation*. The ſeduction of *virgins*, and then forſaking them for others, muſt be attended with conſequences of the moſt fatal kind to *themſelves*, as well as to *ſociety*, in the confuſion that would be occaſioned, not only with regard to the property of the women, but alſo as to their iſſue—it was therefore ordained, that wherever the *marriage-union* had paſſed, it * muſt continue; the man could not forſake the woman, nor the woman give herſelf to *another*, during the firſt man's life—whether the man, taking the *virgin*, was before in poſſeſſion of *another* or not, it made no differ-

* The *author* muſt be ſuppoſed to except ſuch caſes as are excepted by THE LAW. See, for inſtance, LEV. xviii. 6—18.

ence

ence in these respects, he having become *one flesh* with her, made her his unalienable property from that moment, and it was not only forbidden him to *put her away*, but she was to be *put to death* if she went to *another*; and any man who took a woman that had become another man's property, was also to suffer *death*. Thus were *adultery* and *whoredom*, *seduction* and *prostitution*, provided against IN THE MOST EFFECTUAL MANNER.

Thus also was a line drawn, which none could pass with impunity; and, that it might be thoroughly understood, it was delivered to *Moses* by JEHOVAH, and afterwards committed to writing, for all future generations, in that sacred and indelible system of *divine jurisprudence*, which bore the most SOLEMN COMMAND, that none should *add to it*, nor *diminish from it*.

Such was the *law* of that *kingdom*, which GOD established over *Israel*, when he delivered them out of *Ægypt*—bore them on *eagles wings, and brought them to himself*.—See Exod. xix. 4, 5; where the LORD says—*Now therefore, if ye will obey my voice indeed, and keep my covenant, then ye shall be a peculiar treasure unto me above all people: for all the earth is mine.*

What the *Jews* suffered for not *obeying* GOD's *voice* in his *commandments*, their history informs us, and our own daily observation, on their present situation, evidently shews us.

When it pleased GOD, *in the fullness of time*, to take out of *the Gentiles a people for his*

name (Acts xv. 14.) by *ſending his own Son*, JESUS CHRIST, *to redeem them from all iniquity, and to purify to himſelf a peculiar people zealous of* * *good works*—one capital and gracious promiſe of the *covenant* ran thus—"*I will put* MY LAWS *into their minds, and* "*in their hearts will I write them. I will be* "*their* GOD—*and they ſhall be my people.* See Jer. xxxi. 33.—As in another place he ſays —*I will call them my people that were not my people*—Hoſ. ii. 23. Rom. ix. 25, 26.—HIS LAWS then, *put into their minds*, and written in *their hearts*, were to be the ſtatutes of *that kingdom within them*—ſee Luke xvii. 21.—of which the LORD HIMSELF was to be SOVEREIGN.—No other *laws* do we ever hear mentioned, as the *rule* of their *obedience*, but the ROYAL LAW (ſee James ii. 8.) which had once been delivered by JEHOVAH, in all the awful majeſty of GODHEAD at *Mount Sinai*.

JESUS, the great *prophet* like unto *Moſes*—(ſee Deut. xviii. 15. Acts iii. 22.)—preached theſe *laws*—declared that *not a jot or tittle ſhould paſs from them—that he who broke the leaſt of them, and taught men to do ſo, ſhould be called leaſt in the kingdom of heaven.*

Notwithſtanding all this, as the *Jews* had made void theſe *laws* by *their traditions*, the *Chriſtians*, as we have ſeen, ſoon began to tread in their ſteps, and to ſet up a *kingdom of this world*, which they called the *church*, over which *man*, not GOD, was to govern; and in which, not GOD's *laws*, but man's *devices*,

* See Tit. ii. 14.

were

were to be the rule of obedience. The conſequences of this may be ſeen in the foregoing pages of this *volume*, and the dreadful effects are felt, ſeverely felt, by thouſands to this hour.

There aroſe men, who, under notions of *piety* and *purity*, found fault with every thing GOD had done, with reſpect to peopling the world; and plainly give us to underſtand, that if *they* had been to contrive the matter, they would either have done it by ſome other method, or have put an end to the human race. GOD had ſaid—"*Increaſe and multiply*" —this they were for confining to the times of the *Jewiſh* diſpenſation, and exhorted *Chriſtians* to live in *celibacy*, aſſuring them that this was "as far above *marriage* as the "*heavens were higher than the earth.*"

"Some there were of the moſt eminent "*biſhops*, and moſt zealous *Chriſtians*, who, "having imbibed the *philoſophers* opinions "and prejudices againſt *marriage*, as an eſtate "in itſelf *unclean*, and ſo troubleſome, that "it was utterly inconſiſtent with an *holy* and "*ſpeculative* life, did ever retain ſuch an an-"tipathy againſt it, eſpecially in the *clergy*, "that they were inveighing againſt them "that were *married*, inſomuch that they "brought it into general diſlike."—See *Du Pin*, Cent. vii. p. 9. n. "The council of "*Eliberis*, *anno* 305, can. 33, actually de-"creed againſt *prieſts* marriage. Ib.

However, with regard to the *laity*, in order to ſanctify the *unclean* as well as they

could, they invented *prieſtly benediction*, where people *married* but *once*; as for marrying a *ſecond* time, it was called—" only a more ſpe-" cious and decorous kind of *adultery*"—and *prieſts* were forbidden ſo much as to be preſent at *ſecond* marriages—which, by the way, proves that *marriages* were yet looked upon as *valid*, without a *prieſt*, only they were deemed *unholy*, as wanting the *benediction*.

In proceſs of time, this *benediction* of a *prieſt* paved the way for other religious *forms of words*, and farther *ceremonies*. The reader may eaſily acquaint himſelf with their progreſs, by reviewing the ſtate of the preceding evidence —Chap. xii.

At length, the *laws* of JEHOVAH, which held forth the primary *inſtitution*, in its whole *nature* and *eſſence*, as making the *male* and *female one fleſh*, and as conveying an excluſive property to the man in the *woman*, by the *ſimple ordinance* ſet down Gen. ii. 24. were ſo far laid out of the queſtion, as not only to eſtabliſh *no obligation* whatſoever, ſimply on the footing of the CREATOR'S OWN FIAT; but *This*, without the *ceremonies* which the *church* had invented and impoſed, was ſtamped with *infamy*, called *fornication* and *whoredom*, and as ſuch is looked upon in the *Chriſtian* church to this hour!

That this was not effected, but by ſlow degrees, is very apparent from what paſſed in the *fourth century*; when *Conſtantine*, who was a great favourer of the *views* of the *clergy*, as well as a great promoter of their

power,

power, enacted a law to diſcourage *concubinage*, and to promote *matrimony*, as they * called it; which law provided for the legitimacy of *ante-nuptial* children, i. e. ſuch as were born of parents who had lived together ſimply on the footing of GOD's *own inſtitution*, and whoſe children began to be deemed *baſtards*. —"The *church*," it is ſaid, "meddled not "with theſe diſtinctions of the *civil* laws, "but, regarding only the law of nature, *ap-* "*proved* every conjunction of one man with "a woman, if it was with one woman, and "perpetual; and the more ſo, becauſe the "holy ſcriptures employ the name of *wife* "and of *concubine* indifferently." See before, vol. i. p. 31, n. 1ſt edit.—p. 32. 2d edit.

By what has been ſaid, it appears, that the notion of the unlawfulneſs of *ſecond* marriages had taken deep root, and that *polygamy*, of courſe, was indiſcriminately baniſhed from the *Chriſtian* plan of marriage — but, that *prieſtly benediction*, and religious ceremony, were by no means then eſtabliſhed, as of the *eſſence* of the *lawful* conjunction of the *man and woman*.

As *churchmen* increaſed in *power* and *wealth*, the love of *both* increaſed, in every age; and, as we have already ſeen, by the moſt pregnant teſtimonies, *marriage* was entirely taken, as it were, out of GOD's hands, into the hands of *churchmen*; the *Hebrew* ſcriptures, relative to the *commerce of the ſexes*,

* The word *matrimonium* was borrowed from the *Heathen*.—See AINSWORTH—ſub voc.

for certain very *cogent* reaſons, laid out of the caſe; and what the *Popes*, *councils*, *ſynods*, and *human laws* determined to be *marriage*, was *marriage*; what they determined to be *whoredom* and *fornication*, was ſo; what they determined to be *baſtardy*, was *baſtardy*; but what GOD had determined to be, or not to be, any of *theſe*, ſignified no more than if He had never determined any thing about the matter.

The great affair of all was the invention of *Peter Lombard*, when he found out *marriage* to be a *ſacrament*—this was the means of throwing it entirely into the hands of the *prieſts*, and making it an object of the juriſdiction of *eccleſiaſtical* judges. It gave the *churchmen* a power of *celebrating* it with what *rites* and *ceremonies* they thought proper, and to declare, that, on no *other* terms than what they had invented, could the parties be *man* and *wife* in the ſight of GOD—ſo that all this may be deemed *pure*, *true*, and *genuine* POPERY —which, by leaving men and women under no obligation to each other, but on the footing of what was afterwards finally determined and ſettled at the *council of Trent*, has opened that door to *female ruin*, which, in all its increaſing horrors, is ſo peculiarly the *diſgrace* of all *Chriſtian* countries in general, and of this in particular, as to call aloud for the reſtoration of the *divine law*, which is the only means of putting a ſtop to it.

As for the *reformed* church of *England*, it owns but *two ſacraments*, and of courſe does not

not call *marriage* by that *name*; but when we conſider, that our "*form of ſolemnization of* "*matrimony*" was compiled in the days of *Edward* VI. by men who had been educated in the *church* of *Rome*, and who muſt have had their minds prejudiced and deeply tinctured with the *Popiſh* ceremonies, we are not to be ſurprized that our *ritual* and that of the *Romiſh* church ſhould bear ſo ſtrong a reſemblance.

It is to be adminiſtered by *a prieſt*—in a *ſurplice* (*ſuperpellicio indutus*, ſays the *Popiſh* rubric)—in the *church*—at the *communion-table*—" the *man* and *woman* are to *kneel down* " before the LORD's *table*" at a certain part of the *ſervice*—" *Sacerdos jubeat eos invicem jun-* " *gere dextras, dicens—Ego conjungo vos in* " *matrimonium, in nomine Patris, & Filii, &* " *Spiritus Sancti. Amen.*" Rom. Rit. " Then " ſhall the *prieſt* join their right hands " together, and ſay—" Thoſe whom GOD " hath joined together, let no man put aſun- " der——I pronounce that they be *man* and " *wife* together, in the name of the *Father*, " and of the *Son*, and of the *Holy Ghoſt*. " AMEN." Ch. of Engl.

The reaſon which the council of *Trent* gave for the uſe of theſe words, was, that—" in a ſhort time it might become an *article* " *of faith*, that *thoſe words*, pronounced by " the *pariſh-prieſt*, were the *form* of the *ſa-* " *crament*."

Now, if an honeſt *Quaker* was to ſay to me—" Friend, thou doſt not allow *marriage*

" to be a *ſacrament*, that is, thou doſt not " call it by that name; but, how doſt thou " diſtinguiſh thy proceedings from thoſe of " the *church of Rome?* how doſt thou, as to the " *thing itſelf*, call it by what *name* thou wilt, " make more or leſs of it in reality, than hath " been made by the *council of Trent?*"—I do confeſs, that I know not how I ſhould get rid of my *plain friend*, unleſs he would be ſatisfied with a *quibble*, inſtead of an *anſwer*, or with a *diſtinction*, without *difference* enough fairly and ſubſtantially to warrant it.

Were he to preſs me farther upon the ſubject of *banns*, *diſpenſations*, and *licences*, or to aſk me to produce an authority from GOD's word for our *ritual*, or almoſt any thing belonging to it, I muſt turn him over to *popes*, *councils*, *fathers*, &c. and get out of his way as faſt as I could, or elſe endeavour to ſilence him, by telling him, " that the aforeſaid " *ritual* is part of the *law of the land*, eſta- " bliſhed by *act* of *parliament*, and is alſo " guarded by a *canon*, loaded with excom- " munication *ipſo facto* againſt all impugners " of it."—To this he might reply, that " in " the days of *Henry the king*—it was made " *felony* for our *prieſts* to *marry*—to deny " *tranſubſtantiation* was *burning alive*, with " forfeiture, as in caſes of high treaſon; but " theſe were ungodly laws, and therefore " were repealed, and ſo ought all other *laws*, " which, like them, oppoſe the truth of the " ſcriptures, or lead people into *error and*

" *ſuperſtition*, by hiding from them the true " *nature* and *obligation* of GOD's *inſtitu-* " *tions*."

The *Romiſh* ritual is in *Latin*; which, rendered into *Engliſh*, begins thus—" The *pariſh* " *prieſt*—*parochus*—who is about to celebrate " matrimony (publication of *banns* having been " made on *three feſtival days* as before ſaid) " if no lawful *impediment* hinder, ſhall come " into the *church*, cloathed in a *ſurplice* (*ſu-* " *perpellicio*) and *white robe* (*albâ ſtolâ*) tak- " ing with him at leaſt *one clerk*, who may " bring the *book*, and a veſſel of *holy water* " with a *ſprinkler*, before three, or two, wit- " neſſes, ſhall aſk the man and the woman " (who for decency ſhould be attended by " their relations or neighbours) concerning " their conſent, ſeverally, in this manner, in " the vulgar tongue.

" *N.* wilt thou take *N.* here preſent, for " thy lawful wife, according to the rite of " *holy mother church?* The *man* ſhall an- " ſwer—*I will*, &c. &c.

" Then the *prieſt* is to *ſprinkle* the parties " with *holy water*; then he is to *bleſs* the *ring*, " and *ſprinkle* it with *holy water* in the form " of a *croſs*; and the bridegroom, receiving " the ring from the *prieſt*, is to put it upon " the *fourth* finger of the woman's *left* " hand" (*Digito annulari*—a phraſe borrowed from the *Heathens*, as the *cuſtom* itſelf * was)

* See *Thelyph.* vol. ii. 203, n. 2d edit.—p. 222—3, n. 1ſt edit.

" the

" the prieſt ſaying—In the name of the *Fa-*
" *ther*, and of the *Son*, and of the *Holy*
" *Ghoſt*."

The nuptial ceremony among the *Hottentots* is as follows—" The men ſquat themſelves on the ground in a circle, all but " the *bridegroom*, who ſquats in the center. " The women, at ſome diſtance, ſquat themſelves likewiſe in a circle about the *bride*, " who likewiſe ſquats. Then the *prieſt*, or " maſter of the *religious* ceremonies, who is " always that of the *kraal* where lives the " *bride*," (and ſo may be ſtyled *parochus*) " enters the circle of the men, and, coming " up to the *bridegroom*, *waters* upon him a " little—the *bridegroom* receives the *ſtream* " with much eagerneſs, rubbing it briſkly " all over his body, and making with his " long nails ſeveral deep ſcratches in his " ſkin, that the *urine* may penetrate and " ſoak the farther. The *prieſt* then goes to " the circle of the women, and coming up " to the *bride*, *waters* a little upon her; ſhe " receives and rubs the *urine* upon her body, " with as much eagerneſs as the bridegroom. " Then goes the *prieſt* again to the *bride-* " *groom*, and having *watered* a little more " upon him, away he goes again to the " *bride*, and again *waters* upon her. And ſo " he goes from one to the other, 'till he has " exhauſted upon them his whole ſtock of " *urine*, uttering from time to time to each " of them, one of the following good

" wiſhes, till he has pronounced the whole " upon them both.—" *May you live long and* " *happily together.—May you have a ſon be-* " *fore the end of the year.—May this ſon live* " *to be a comfort to you in your old age.—* " *May this ſon prove a man of courage, and a* " *good huntſman.*"——This is the whole of " the nuptial ceremony; after which the " whole company riſe, and prepare for a " feaſt." See *Kolben*, Cape hiſt. vol. i. p. 153.

Now, I do not ſuppoſe that the reader can peruſe this account of ſo filthy, ſo ridiculous, ſo abſurd a *ceremony*, without laughing, and feeling in his mind a moſt ſovereign contempt for a people ſeemingly ſo loſt to the poſſeſſion of common *reaſon*. But this is not the caſe; there are doubtleſs as wiſe and underſtanding men among the natives of the *Cape of Good Hope*, as among the *Europeans* (why ſhould there not?—" God *hath* " *made of one blood all nations for to dwell on* " *all the face of the earth.*")—Their fondneſs and reſpect for ſo beaſtly and abſurd a *ceremony*, does not therefore proceed from a want of *natural reaſon*, but, from a proſtitution of their rational faculties, to a certain thing called *ſuperſtition*; which, under the auſpices of another certain thing called *prieſtcraft*, puts *Chriſtians* and *Hottentots* upon a level, as to a blind ſubmiſſion of their underſtandings and conſciences to thoſe who have been artful enough to gain an entire aſcendency

dency over them. *Lord Peter's holy water* has no more to do with GOD's ordinance of *marriage*, than the *Savage's urine* has; but neither the *Hottentot* nor the *Papiſt* will acknowledge that they are miſtaken; and I ſhould ſuppoſe, that a man would ſtand as bad a chance for his *life* in a *Kraal* at the *Cape*, as in the *Holy Inquiſition at Rome*, were he to ſay, in either place, what I have ſaid upon the ſubject.

The *Hottentot anderſmaken*, it muſt be confeſſed, is not quite ſo cleanly as the *Popiſh ritual*; but it has this advantage over the latter, that it is not *lying in the name of the* LORD;—it is not a profeſſed *impoſition* upon the *minds of men*, in the very face of GOD's revelation—it is not an unauthorized uſe of that *venerable* and *holy name* of the LORD OUR GOD, in order to make men believe, that *marriage* is, what GOD has never made it—"a *ſacrament*, ordained by *Chriſt*—*appro-*" *priated* to *Chriſtians*."

Perhaps my *Quaker-friend* might here remind me—"thou ſhouldſt not throw *ſtones*, "for *thine houſe* is alſo made of glaſs."

In ſhort, wherever the *ſimple ordinance* of GOD is obſcured, ſo that men are kept in the dark as to its nature and obligation—wherever thoſe wiſe and holy *laws*, which GOD hath made for the preſervation of his creatures from *miſchief* and *ruin*, are ſuſpended, on ſome terms and conditions of human invention, ſo that they cannot operate, or anſwer

ſwer the ends for which they were revealed—wherever an *human ceremony* is impoſed upon the underſtandings of mankind, as that, without which, the poſitive inſtitution of GOD ALMIGHTY is *null and void to all intents and purpoſes whatſoever*—it makes little difference, by what *name* the obſtacle be called, or by *whom* invented; it is an inſolent attack upon the *divine ſovereignty*—a daring invaſion of the *divine prerogative* of *legiſlation*—a downright and open *rebellion* againſt the *majeſty* of GOD—and, whether this be done by *Chriſtians*, on this, or on the other ſide the *Tyber*—

Tros, Tyriuſve, mihi nullo diſcrimine agetur. Virg.

We have ſeen, in the long detail of the foregoing evidence, ſome dreadful *miſchiefs*, which have attended the unnatural oppoſition, raiſed againſt the *primary decree* of Heaven, relative to the *propagation* of the *human ſpecies*.—The *celibacy* of the *clergy*, being contrary to *nature* itſelf, as well as to ſcripture, produced *evils* of the moſt *horrible* and *deſtructive* kind — this may be concluded, from the many *canons* we find againſt *ſodomy*, *child-murder*, either by cauſing *abortion* or *otherwiſe* — likewiſe, the frequent mention of the crimes of *adultery*, *whoredom*, and *fornication*, particularly charged *on the clergy*, as alſo of *baſtards* being excluded from holy orders, and the like.

Theſe are ſtanding proofs of the * miſchiefs which

* The *Wickliffites* or *Lollards* as they were called, endeavoured to get their doctrine approved by *parliament*, and

which enſued from men's inventing *ſchemes* of *holineſs* and *purity*, in order to maintain which, the *word of* GOD was thrown aſide, and the *wiſdom* of man exalted in its place. The *union of the ſexes*, though ordained of GOD, as that *inſtitution* by which the world ſhould be peopled, was ſtamped with a degree of *infamy*, as *impure* in itſelf, and cauſing a defilement in thoſe who engaged in it, unleſs *prieſtly benediction* and religious ceremony interpoſed: and even here, it was ſtill too *impure* to be engaged in by thoſe who miniſtered in holy things; and therefore forbidden to the *laity*, without the purification of *holy water*, &c. and forbidden to the *clergy* entirely.

Impediments to marriage, which are mentioned in GOD's law, were diſpenſed with—others were invented, which GOD's law never mentions, and made the grounds and cauſes of diſſolving *marriage*—ſuch as between *god-*

and in 1395 preſented a remonſtrance to the Houſe of Commons, containing many articles, one of which was—"that the *celibacy* of the clergy occaſioned many ſcandalous irregularities in the church"—another was—"that the vow of *ſingle life*, undertaken by women, was "the occaſion of numberleſs diſorders, and of the *murder* of multitudes of *children* unbaptized, and even unborn." Rapin, vol. i. 481.——Qu? Where is there any thing in the ſcripture which authorizes bringing women under ſuch a ſtate of bondage to *fear* and *ſhame*, as to induce them to *murder* their *children*, in order to conceal their *pregnancy* or *delivery?* No ſuch thing was ever known or heard of in the *church* of GOD, 'till lyes and fictions took place of the *divine law*; when *celibacy* was preferred to *marriage*—and *marriage* itſelf only allowed under ſuch *terms* as men invented, and impoſed on their fellow-creatures.

fathers

fathers and *god-mothers* at *baptiſm* or *confirmation*—relatives to the *ſeventh degree*—and even as far as any *relationſhip* could be traced—a man's having *another wife* living, though ſhe was under circumſtances, by which every end of marriage was prevented—the apoſtle's rule was inverted, it was no longer *better marry than burn*, but better *burn* than *marry*—thus were the *Chriſtians* laid under a *yoke* to which the *Jews* were utter ſtrangers, and were taught to believe, that, whatever *marriage* was by the *Moſaic law*, it was now totally altered; it was "a *ſacrament*, inſtituted "by *Chriſt*, and appropriated to *Chriſtians*"—a *law of the goſpel*, was to ſuperſede the *law* of JEHOVAH as delivered at *mount Sinai*, and, in ſhort, *marriage* was to be what *churchmen*, from time to time, were pleaſed to make it; for which, after ſome faint attempts to juſtify their proceedings, by, what they *ſtyled*, "the *new evangelical law*," they fairly and honeſtly avowed the power of the *church*, i. e. of the *Pope*, and his coadjutors, the *cardinals*, *archbiſhops*, and *biſhops* in *council* aſſembled, to be paramount to all other power whatſoever; they trampled *all laws*, *divine* and *human*, under foot; and not what GOD had ſaid in his WORD, but what the *church* had ſaid in its *canons* and *decrees*, was the rule of *faith* and *manners*.

There is a paſſage in the *Turkiſh Spy*, on the innovations which human imagination, and church power, introduced in the place of GOD's laws, which I ſhall make no apology for

for quoting on this occaſion, as its ſubject-matter, and the reflections with which it concludes, are much to our purpoſe, and well worthy our obſervation.

" By the very ſame rule, they introduced " the uſe of *images* and *pictures* in their " *churches:* and the veſtments of their *prieſts*, " the ornaments of the *altar*, the *tapers*, " *lamps*, *incenſe*, *flower-pots*, and other religi- " ous gaieties, were faſhioned according to " the *patterns* they received from the *prieſts* " of *Jupiter*, *Apollo*, *Diana*, and the reſt of " the *heathen deities*. Hence, the feſtivals of " the *gods* and *goddeſſes* were turned to holy- " days of *ſaints*; and temples, before conſe- " crated to the *ſun*, *moon* and *ſtars*, were afreſh " dedicated to the *apoſtles* and *martyrs*.

" Thus the very *Pantheon* itſelf in *Rome*, " or *temple of all the gods*, in proceſs of time, " by an *eccleſiaſtic* dexterity, was converted to " the *church* of *all ſaints*.—In a word, *Chriſ-* " *tianity* in all things ſeemed no other than " *Gentiliſm* in diſguiſe. And it muſt be thought " a *pious fraud*, thus to wheedle ſo many " millions of *ſinners* into the boſom of the " *church*, whether they would or no.

" Oh *father William!* doſt thou not bluſh " at theſe trivial excuſes, for the manifeſt " violation of the laws of GOD? Can man be " wiſer than the *Omnipotent?* Or will he pre- " ſume to correct the ways of HIM that is " PERFECT IN KNOWLEDGE? Is the true " *religion* to be propagated by imitating the " idolatrous *rites* of *infidels?* Or by proſti-

" tuting

" tuting the ſacred injunctions of Heaven " to the caprices of human policy? Did any " wiſe *law-giver* condeſcend to alter and new- " model his laws, to humour a peeviſh cap- " tious ſubject? Would he *add*, or *diminiſh* " any thing for the ſake of gaining a faction " or party? and can we think, that GOD " ever deſigned, to have His *divine laws* " garbled and mixed with profane *indul-* " *gences*, *diſpenſations*, and amendments of " *mortals?* As if He had been *ignorant* what " he did; when He divulged his *ſtatutes*, and " wanted the *counſel* of his *creatures* to help " him out at a *dead lift*.

" Was that tenderneſs only to be ſhewn to " the *Jews* for a time? And were they, for " ever afterwards, to be ſcandalized? In vain " does the *church* daily pray for the conver- " ſion of that people, whilſt by her *doctrines*, " and daily *practices*, ſhe hardens them more " in their *infidelity*." *Turkiſh Spy*, vol. vii. p. 304, 305.

Though it be evident from the ſcriptures (comp. Iſaiah vi. 9, 10. with Acts xxviii. 25, 26, 27.) that the rebellious obſtinacy of the *Jews* provoked GOD to leave them under a *judicial blindneſs*, yet one *mean* of faſtening it upon them is, the *doctrine* and *practice* of *Chriſtians*. What muſt a thinking *Jew* conclude, from an *auto de fé*, where he ſees, not only the diſciples of *Moſes*, but thoſe alſo who are the profeſſing diſciples of *Jeſus*, bound in one *chain*, tied to one *ſtake*, and tormented in the ſame *flame?*—what, when he reads of

the *maſſacres* of *Paris* and of *Ireland?*—what, when he is told, that, above a *million* and an *half* of reaſonable and innocent creatures, including all *ages*, *conditions*, and SEXES, have drenched the earth with their *blood*, and all this, becauſe they refuſed to worſhip a piece of *wafer* or a log of *wood*—or to acknowledge the traditions and doctrines of men, as above the teſtimony of the ſcriptures?

How ſhould the *Jews* ever give credit to a *ſyſtem*, which contradicts their antient ſcriptures? which lays the *holy laws* of their *Pentateuch* in the duſt, and treads under foot the *awful majeſty*, the ſupreme and unrivalled *ſovereignty* and *authority* of JEHOVAH? which tells them, they muſt renounce their LAW-GIVER, LORD, and KING, (ſee Iſaiah xxxiii. 22.) and liſten only to *men* who have overturned the whole fabric of their œconomy, with reſpect to *marriage*, and deſtroyed thoſe *bulwarks* which the GOD of *Iſrael* raiſed, for the ſecurity of their *wives* and *daughters* from *ſeduction and proſtitution?*—that the protection of *female chaſtity*, which their forefathers experienced, is no longer the object of divine legiſlation; but, that every man is now at liberty, to ravage, as he can, upon the *weaker ſex*, no *reſponſibility* left, no obligation created, no juſtice exacted?

How can they endure to hear the taunts of *Chriſtians*, on their antient *ſtatutes?*—or bear with *patience* to hear the *Chriſtians* ſpeak of their honoured and venerable *anceſtors*, as *adulterers*, *whoremongers*, and *debauchees?*—licentiates

tiates in *ſin*—*tolerated* in *forbidden lewdneſs* by their GOD—worthy the ſtroke of vengeance, and only ſpared from it by *divine connivance?* All this, and more, they muſt be content to hear, and to ſubmit to, or they muſt keep out of the reach of *Chriſtian* churchmen, or ſhut their ears and hearts againſt them.

So that while *Popiſh canons*, and *human laws*, are to lay down principles on which the regulation of the *commerce of the ſexes* is to depend, we can entertain no great hopes of *men*, who, from the giving of the law at *mount Sinai* to this hour, have known no other *ſyſtem* than that delivered by *Moſes*, and acknowledge no appeal from their antient *ſcriptures*, to the more *modern inventions* of the *Chriſtians*.

Another *article*, eſtabliſhed on the foregoing evidence, is the indiſcriminate prohibition of *polygamy*—this appears in ſeveral of the *canons* which have been cited, and at laſt, by the *council* of *Trent*, cent. 16. finally laid under a *judicial curſe*. So that, no *neceſſity* of *circumſtances*, no *ſituation* into which a man already married can be brought—his *wife's* inſanity—diſtemper of body or mind, or other *unavoidable* deprivation of her *ſociety*—can turn the point-blank of this dreadful *canon* from the unhappy objects of its vengeance.—The *Proteſtants* have added to the terror of this piece of *artillery* a *penal ſtatute*, by which *polygamy*, under what circumſtances of *neceſſity* ſoever, is prohibited on pain of *death*.—The *debauchery* of the *wives* of *others*, the ſeduction and ruin of *virgins*, the incentives to

procuring *abortion*, the *murder* of *new-born infants*, though notorious conſequences of *prieſtly celibacy*, cannot prevail on their fellow-creatures to ſuffer them to *marry*; and all theſe, though conſequences equally of that *factitious celibacy*, which ariſes from an *indiſcriminate* prohibition of *polygamy*, cannot prevail for the repeal of that *law*, which makes it a *capital felony* for a man to do, what GOD not only *allows*, but in many caſes *commands*, (ſee Exod. xxii. 16. Deut. xxii. 28, 29.) Add to all this, the driving men into *fornication* with *harlots*, or into other nameleſs and numberleſs *inconveniences*, which *drown them in deſtruction and perdition*. This is a *tyranny* over the conſciences of men, well worthy the *Popiſh* inventors of it. It was altogether unknown to the *antient people* of GOD, who lived under the immediate government of the DIVINE LAW.

But here methinks I hear a *Jew* ſay—"*Our law* has an eſpecial care of *population*, "and provides againſt the *extinction* of fami-"lies by *barrenneſs*.—Our father *Abraham* "married *Sarah*, but finding ſhe was *barren*, "he took *another wife*, that he might have "*children* by her, and this by the perſuaſion "of *Sarah* herſelf.—Our father *Jacob* alſo "did the ſame at the perſuaſion of his wives "*Leah* and *Rachel*."—See Gen. xvi. 2. xxx. 3. 9. "All this is very true, anſwer I; but "if *Abraham* had lived among *Chriſtians*, one "*ſect* of them would have *curſed and excom-*"*municated him*, another would have *hanged* "*him*,

" *him*, and ſent him to the *devil* into the bar-
" gain; and ſo they would have ſerved his
" grandſon *Jacob*, and, for aught I know,
" *half* his *generation*."

Another obſervation is alſo to be made, as reſulting from the foregoing *evidence*, and that is, on the ſubject of *concubinage*. When *Bucer* ſays—" *legitimæ etiam erant uxores*"—" They were alſo *lawful wives*"—I firmly believe him, becauſe the HEBREW SCRIPTURES mention them as *ſuch*.—As for the NEW TESTAMENT, I do not find any thing ſaid about them. The word παλλακη, which the LXX uſe for the Hebrew פילגש, and which we render *concubine*, does not once occur—therefore this matter muſt be confeſſed to ſtand *ſingly* and *merely* on the ſcriptures of the Old Teſtament.

The *church*, in the days of *Conſtantine*, clearly held, that " the ſcriptures uſed the " word *wife* and *concubine* indifferently," and therefore they would not enter into the diſtinction which that *Emperor* was making, between *marriage* and *concubinage*—the council of *Toledo*, anno 400, were of the ſame opinion—and *St. Auguſtine* alſo, who is ſtyled the *father of the Latin church*, did not differ from them.—See before vol. i. 32, n.

As the church grew more *corrupt*, and *churchmen* more inſolent, and more ambitious of increaſing their dominion over the minds of men, they confounded all ſcripture definitions and ideas of things; and ſuffered the people only to *think* as they *would have them*,

and as might beſt ſerve for the advancement of *prieſtly* power. The poor *clergy*, who were forbidden to *marry*, endeavoured to find a refuge in *concubinage*, or living with women which they took as *wives*, but without the *forms* which had been arbitrarily introduced into the *church*—however they were driven out of this, the practice itſelf *condemned*, by ſeveral *canons*, and, by little and little, *concubinage* was looked upon as infamous, and at length deemed no better than *whoredom* and *fornication*.

That *polygamy* and *concubinage* were both *diſpenſations* of GOD, both *modes* of *lawful* and *honourable marriage*, is a propoſition as clear as the *Hebrew ſcriptures* can make it—That *polygamous* and *concubinary* contracts are deemed by the *Chriſtians null and void*, and ſtamped with the infamy of *adultery* and *whoredom*, is as certain as that the *canons* and *decrees* of the *church of Rome* * made them to be ſo.—The

* Our having learned from the *Papiſts*, to call *polygamy*, *adultery*, and *concubinage*, *whoredom* and *fornication*—reminds one of the *wiſdom* of that ſapient and worthy *Town-clerk*, in SHAKESPEARE'S *Much ado about Nothing*, in the examination of *Conrade* and *Borachio*—

1ſt. WATCH. This man ſaid, Sir, that *Don John*, the *Prince's* brother, was a *villain*.

To. CLERK. Write down, *Prince John* a *villain*—why, this is flat PERJURY, to call a *prince's* brother *villain*.

SEXTON. What heard you him ſay elſe?

2d. WATCH. Marry, that he had received a thouſand ducats of *Don John*, for accuſing the Lady *Hero* wrongfully.

To. CLERK. Flat BURGLARY as ever was committed.

DOGB. Yea, by the maſs, that it is.

conſequences

conſequences of the *former*, were, the preſervation of *female chaſtity*, and the prevention of *female ruin*—The conſequences of the *latter*, have been, and ſtill are, the *deſtruction* of *thouſands* of *both ſexes* (but more eſpecially * of the *female*) in this *world* and in the *next*.

Leigh, Crit. Sacr. ſub voc. פלגש—ſays—"*Concubina-uxor*. Gen. xxii. 24. and xxv. 6. "The Hebrew *Pilgeſh* (whereof the Greek "παλλακη and Latin *Pellex* are borrowed, "which we call a *concubine*) ſignifieth *an half-*"*wife*, or a *divided* and *ſecondary wife*; which "was a wife for the *bed* (and thereby differ-"ing from an *whore*) but not for honour, and "government of the family, neither had "their children ordinarily any right of in-"heritance, but had gifts of their father, "(ſee Gen. xxv. 6.)" On the *margin*, *Leigh* cites *Grotius* on *Judges* xix. 1. "*Quidam vo-*"*cem compoſitam volunt ex* פלג *diviſit*, & "אשה *uxor*, quaſi *uxor diviſa*. *Nomen He-*"*bræum honeſtius eſt quam Græcum* παλλακη, "*& Latinum* PELLEX, *quæ tamen inde vene-*

* After all the rout that has been made about *polygamy* and *concubinage* in the *Chriſtian* church—the only real and ſubſtantial difference between the *antient Jews* and the *Chriſtians* is this—The *former* took a plurality of women, whom they maintained, protected, and provided for, agreeably to GOD's word — the *latter* take a plurality of women, and turn them out to ruin and deſtruction, not only againſt GOD's word, but againſt every principle of juſtice and humanity.—Or, in other words if the *Jew* took as many as he could *maintain*, the *Chriſtian* ruins as many as he can *debauch*.

" *runt*. PELLEX *eſt* uxorem habentis—CON-
" CUBINA *poteſt eſſe* cælibis: *neque talis con-*
" *junctio contra legem & bonos mores erat illis*
" *temporibus*."

" Some will have this to be a compound
" word—of פלג *he divided*, and אשה *a wife*
" — a *divided wife* as it were. The *Hebrew*
" name is of more *honeſt* import than the
" Greek παλλακη, and the Latin *Pellex*,
" which are however both derived from it.
" *Pellex* is underſtood in Latin to ſignify the
" woman who lives with a *man that has a*
" *wife*—*Concubina* may ſignify her who lives
" with a *ſingle man*." — (Theſe diſtinctions,
made by different words, do not occur in the
Hebrew) " nor was ſuch a conjunction con-
" trary, in thoſe times, to *law* or to *good*
" *manners*."

The *concubines* ſeem to have been uſually of an inferior rank, as maid-ſervants, and the like, and to have been taken without the formality of *dowry*, or any other *outward* circumſtance whatſoever—but ſtill they were certainly eſteemed as the *property* of the man, as clearly appears from what *Jacob* ſaid, Gen. xlix. 4. and a *concubine* was frequently ſtyled אשה—*a wife*. Comp. Gen. xvi. 3. with Gen. xxv. 6. See alſo Gen. xxx. 4. with Gen xxxv. 22. xxxvii. 2.

I have before obſerved, that *concubines* are not *once* mentioned in the New Teſtament; ſo that *concubinage* ſtands entirely on the authority of the *Hebrew ſcriptures*. Theſe, indeed,

ſeem

ſeem to have been entirely laid aſide, and *concubinage*, after the *fourth century*, gradually became the *ſinful* and *abominable* thing which we are taught to believe it. There is now no *medium* between *whoredom* and *formal marriage*—the ſame *Popiſh* dexterity, which converted a piece of *wafer* into an *human body*, and *marriage* into a *ſacrament*, turned a *concubine* into a *whore*, and *concubinage* into a *damnable ſin*. See before p. 30. and n.

In ſhort, *concubinage* brought no *griſt* to the *mill*; no *licences*, *diſpenſations*, aſking of *banns*, &c. enriched either the *Pope*'s coffers, or the prieſt's *pocket*; therefore it was found *better*, that a *poor ſeduced girl*, and the *man*, who to humour his own pride, or that of his *family*, did not chuſe the *ſacrament* of *marriage*, ſhould be ſeparated, and *ſhe* turned adrift, by "being baniſhed the territory;" *he* at liberty to *ruin* as many more as he could, without any incumbrance or expence, and all *theſe* to become vagabonds on the face of the earth, rather than *holy church* ſhould loſe her *prerogative* of *ſupremacy* over the *conſciences* of her *votaries*; or thoſe darling emoluments, of *power* and *wealth*, be *leſſened*, or *interrupted*, in their increaſe.

This has been improved into an *article of faith*, and has been the deſtruction of as many *women*, as would out-number the *ſtars of heaven*, and, in its conſequences, of as many *unborn* and *new-born* infants, as would make the *infanticides* at *Bethlehem*, or the

prieſts

prieſts of *Moloch*, comparatively *innocent*, if the *numbers deſtroyed* are to be ſtandards of *guilt*.

Sure theſe themſelves from primitive
And heathen prieſthood do derive,
When butchers were the only clerks,
Elders and preſbyters of kirks:
Whoſe directory was to kill,
And ſome believe it is ſo ſtill.
The only difference is, that then
They ſlaughter'd only beaſts, *now* men:
For then to ſacrifice a bullock,
Or now and then a child to MOLOCH,
They count a vile abomination,
But not to ſlaughter a whole nation.

HUD.

It has been before obſerved, vol. i. 58, n. how apt all arbitrary and living languages are to gain new meanings by length of time, ſome inſtances of which are there given, and many more might be given. Mr. *Warton*, in his *Eſſay* on SPENCER's *Faery Queen*, has obſerved, that—"words, by an imperceptible progreſſion, from one kindred ſenſe to another, at length obtain a meaning entirely foreign to their original *etymology*."—And indeed they frequently change from a *good* ſenſe to a *bad* one. Who would think the word *imp* was anciently a title of royal dignity? *Lord Cromwell*, in his laſt letter to HENRY VIII. prays for the *imp* his ſon. So HENRY V. is hailed, as "*Royal imp* of *fame*." *Now* it is only uſed in contempt or abhorrence, as ſignifying an *evil ſpirit*—a *dæmon*. See *Steevens* and *Johnſon's*

ſon's Shakeſ. vol. ii. 391, n. and vol. v. 607, n. and *Phillips*'s Dict. ſub voc.

Thus has it fared with the words *concubinage* and *concubine:*—the *ideas* which have been annexed to theſe words by the *Papiſts*, and after them by the *Proteſtants*, are as foreign from the *ſcripture ideas* of them, as it is almoſt poſſible for one thing to be from another.—*Concubinage*, as repreſented in the *Hebrew ſcripture*, was evidently one *mode* of innocent and lawful *marriage*, and *concubines* were, of courſe, innocent and lawful *wives* — *legitimæ erant uxores*, ſaith *Bucer*. So late as the fourth century, the terms *wife* and *concubine* were uſed indifferently. So in the year 400, the council of *Toledo* decreed, that—"it was neceſſary for "every member of the *church* to ſatisfy "himſelf either with *one wife* or *one concu-* "*bine*—that he ought not to be excommu- "nicated who has only a *concubine.*"—As *prieſtly* benedictions, and other eccleſiaſtical forms and ceremonies of *marriage*, increaſed by the inventions of men, *concubinage* was not only laid aſide, but was looked upon as *ſynonymous* with *whoredom* and *fornication*, and a *concubine* was treated as a *whore:*—they certainly had as much authority for this from the ſcripture, as to have *burnt* her for a *witch*.

Still the *thing itſelf*, as in GOD's ſight, remains juſt as it did, neither better nor worſe; for no *change* can poſſibly be wrought either in the *divine mind*, or in the *ſacred language*

language in which it is expreſſed.—This mode of *marriage* being allowed of GOD, muſt be concluded to have been for the *wiſeſt reaſons*, not the leaſt of which ſeems to have been, to preſerve the *lower* order of *females* from *deſertion* and *proſtitution* (a thing not known among the antient *Jews*) but to which they have been conſigned by the *Chriſtians*, without *mercy* or *remedy*.

I diſmiſs this part of the ſubject, with referring the *reader* to *Martin Bucer*'s ſound and ſcriptural thoughts upon it, in the *Appendix* to chap. ii. of *this work*, at the end of vol. i.

Another obſervation, which ariſes from the foregoing evidence, is with regard to thoſe dangerous engines of *prieſtcraft*, and *church-tyranny*, called, in the *Popiſh canons*, *eccleſiaſtical courts*; which, together with all their *officials*, *commiſſaries*, and other *officers* thereunto belonging, were the *improvements* made by the *church of Rome*, on the power granted to *biſhops* and *councils* for the *internal* adminiſtration of the *church*, by the Emperor *Conſtantine*. In ſhort, when he and his ſucceſſors became *Chriſtians*, they thought it highly for the honour of *Chriſtianity*, that the *clergy* ſhould be inveſted with outward dignities, preheminences, and authorities, ſuitable to that *kingdom of this world* which then began to be erected—or, as I may ſay, when the *princes* of the empire became *Chriſtians*, the *Chriſtian churchmen* became *princes*, and this begot the *eccleſiaſtical courts*; from them came

came the courts of *inquiſition*, and every other mode of oppreſſing mankind, under colour of law, by *eccleſiaſtical judges*. Theſe *courts*, under the juriſdiction of the *biſhops*, were erected in every *dioceſe*, and, together with *Popery*, tranſplanted into this country. They were the infernal *tribunals*, which harraſſed, perſecuted, diſtreſſed, tortured, and burnt *Proteſtants* alive, and might do ſo ſtill, but for the 29 Car. II. c. 9. which takes away the writ *de heretico comburendo*, yet reſerves all other puniſhments but *death*, in as ample a manner as before the making of the *act*, for "*hereſy*, *ſchiſm*, and all other damnable *doctrines* and *opinions*." But what theſe are, who can define? They are vague deſcriptions of *offences*, concerning which, mankind are not agreed to this hour, and yet puniſhable by theſe *courts*, by any *eccleſiaſtical cenſures* ſhort of *death*, even to *excommunication* itſelf.

Outlawry in *treaſon* or *felony* is a *civil death*, but *excommunication* may be called a *death* both *civil* and *eccleſiaſtical*; and, when duly conſidered for *what* it may be inflicted, and by *whom*, and what its *conſequences* are, can, in all reaſon and ſenſe, only be looked upon as one of the moſt barbarous, oppreſſive, and iniquitous engines of *church-power*, that the *Pope* left behind him, when his immediate *ſupremacy* in this country was deſtroyed.

As for *what* it may be inflicted, it reſts very

very much in the breasts of the *ecclesiastical judges*, according to the construction they may be pleased to put on the words—"*he-*"*resy*, *schism*, and *other damnable doctrines* "*and opinions.*"—In some instances, indeed, there are determinate causes assigned of *excommunication ipso facto*, as the reader may see by turning to the "*Constitutions* "*and Canons Ecclesiastical*, treated upon by "the *convocation* 1603," and affirmed afterward under the *great seal* of England, by that *pious*, *wise*, and *patriotic* prince, *King James* I.

In the *twelve* first *canons*, the reader will find no less than *eleven* causes of *excommunication*—nine *ipso facto*, not one of which have the least to do with the *Bible*, or were offences existing 'till the inventions of *men* gave them birth. There are also other causes of *excommunication*, in others of these said *canons*, which have as little to do with the *Bible*, as those have which are before mentioned. The last *three canons* also denounce *excommunication* for causes unknown to the *scriptures*.

The *person* by *whom*, either the *sentence* of *excommunication*, or the *excommunication ipso facto*, may be awarded, is the *ecclesiastical judge*, who is usually a *layman*; and, if prejudiced against the party, or a man of a severe and bad temper, may find out interpretative causes of *excommunication*, so many and so various, as to leave no man safe:—no *jury* interferes

interferes in the trial of the cauſe, no determinate definition of "*hereſy*, *ſchiſm*, and "*other damnable doctrines and opinions*," to direct or confine the *judgment*—but it ſtands on the breath of a *ſingle mortal*, to determine on whom this horrid engine of *excommunication* ſhall be played off.—Add to this, as all the proceedings are in *writing*, a man may be accuſed by a perſon he never knew, and convicted of the crime laid to his charge, without ever ſeeing the face of one of the *witneſſes* againſt him.

As to the conſequences of theſe *excommunications*, I can hardly ſuppoſe, that, as to any *ſpiritual* damage to a *man's ſoul*, any perſon of common ſenſe would trouble his head about them, or give a *braſs farthing* for his *abſolution*; I am ſure, if he did, he would give more, by all the money, than it is *worth*.—But as to the *temporal* inconveniences accruing from theſe *engines* of *eccleſiaſtical* deſpotiſm, they are certainly very terrible, ſo much ſo, as to render them very ſerious objects of our conſideration, as a *free* and *Proteſtant* people.

There are two ſorts of *excommunication*, called the *leſſer* and the *greater:* the *leſſer* is the depriving the offender of the *uſe of the ſacraments*, and *divine worſhip*; and this ſentence is paſſed by *judges eccleſiaſtical*, on ſuch perſons as are guilty of *obſtinacy* or *diſobedience*, in not appearing upon a citation, or not ſubmitting to *penance*, or other injunctions

tions of the court. The greater *excommunication*, is that, whereby men are deprived, not only of the *ſacraments*, and the benefit of *divine offices*, but of the *ſociety* and *converſation* of the *faithful*—i. e. of all perſons *not* excommunicated.

If a perſon be *excommunicated* generally; as if the *judge* ſay—"*I excommunicate ſuch a perſon*"—this ſhall be underſtood of the *greater excommunication*. *Lindw.* 78. *Lindwood* ſays, that *excommunication ipſo facto* is—*nullo hominis miniſterio interveniente*—which is about as equitable as hanging a man without a trial.

By art. 33, of the church of *England*, "that perſon, which, by open denunciation "of the church, is rightly cut off from the "unity of the church, and *excommunicated*, "ought to be taken of the whole multitude "of the faithful as an *heathen and publican*, "until he be openly reconciled by *penance*, "and received into the *church* by a *judge* "that hath authority thereunto."

By can. 85, "the *churchwardens* or *queſt-men* eſpecially ſhall ſee, that all perſons "*excommunicated*, and ſo denounced, be kept "out of the *church*." See Burn Eccl. Law, tit. *Excommunication*.

The conſequences of all this are, that a man is deprived of the participation of the *means of grace*—inhibited the commerce and communion of the *faithful*—and moreover, after forty days, the *ſpiritual* court ſignifying this to

to the court of *Chancery*, by *ſignificavit*, there iſſues a writ *de excommunicato capiendo*, which is all but as bad as the *heretico comburendo*, for it cauſes the man to be apprehended by the *civil power*, and thrown into *gaol*, where he may lie 'till he *rots*, if he has not money enough to purchaſe his letters of abſolution, as in caſes of *excommunication* for non-payment of * *coſts*, and the like.

Moreover, it is to be obſerved, that the *excommunicate* perſon is ſo far put out of the protection of the *laws* of his country, as that he cannot ſue an action *real* or *perſonal*

He cannot make a laſt *will* and *teſtament*.

He cannot be an *advocate*—or a *witneſs*—nor a *juror*, if the record of the judgment be produced.

He cannot act as an *executor*, or proſecute any action for the teſtator's goods; and they which converſe with an *excommunicate* perſon are *excommunicate* † alſo.

And

* One of the *twenty-eight grievances* complained of to the Houſe of *Commons*, *anno* 1640, was—"the general "abuſe of *excommunication*, which was inflicted for *tri-*"*vial* matters, and the *abſolution* whereof could not be "obtained without money." Another—"the great "abuſe of *eccleſiaſtical* courts."—See *Rapin*, vol. ii. 361.

† Let it be obſerved, that all theſe miſchiefs may befal a man, who is neither guilty of a breach of any revealed *law* of GOD—nor of the known *law of the land*—no part of *this* can the *canons* be reckoned, as the higheſt ſanction which they ever obtained, was that of the *great ſeal*.—How then is impriſonment of an *Engliſh*

And that they may *be-devil* a man to the uttermoſt, it is ordered, by can. 68, that a *miniſter* is to be ſuſpended for *three months*, who affords *Chriſtian burial* to a perſon, againſt whom the *court-chriſtian* (for ſo the *eccleſiaſtical court* is ſometimes called, as the court of *inquiſition* is called the *houſe of mercy*—as *lucus* a non *lucendo*—) hath pronounced the * *greater excommunication*, which may be done by the ſingle voice of the *judge*, only ſaying—"*I excommunicate ſuch a one*," and that, for offences which have no foundation, but in the uncertain conſtruction of vague and indeterminate *human words*, or in the *canons* of the *church*, which are the pure inventions of an *eccleſiaſtical ſynod*, and framed, as near as may be, to ſave appearances, to the *canons* of the *church of Rome*.

Surely ſuch powers as theſe are too great to be truſted in the hands of *any man*, and are

ſubject, under *excommunication* for offending againſt theſe *canons*, conſiſtent with that axiom in the *grand charter* of *Engliſh freedom*, c. 29.—"*Nullus liber homo* "*capiatur vel impriſonetur*, &c. *nec ſuper eum ibimus*, *nec* "*ſuper eum mittemus*, *niſi per legale judicium parium ſuo-* "*rum vel per legem terræ*."—"No free man ſhall be "taken or impriſoned, &c. nor we will not paſs upon "him nor condemn him, but by *lawful judgment of his* "*peers*, or by the *law of the land?*

* The church of *Rome* is rather more charitable in this buſineſs, for it has a—"*Ritus abſolvendi excommu-* "*nicatum poſt mortem*"—"A *rite* of abſolving an ex-"communicate perſon after death,"—and if *buried*, they will dig him up again for this purpoſe, provided he ſhewed a ſign of *contrition* on his *departure*.—The ceremony of *verberation* and *abſolution*, together with all the reſt of the *farce*, is in the *Rituale Romanum*.

ſuch

ſuch as are too inimical to public *liberty* and *ſafety*, to be ſuffered to exiſt any where, much leſs in a *free* and *Proteſtant country*. While the *Pope* was ſupreme head of the *church of England*, had ſet himſelf above *all law*, and could cauſe a learned, brave, and *great king* (*Henry* II.) to be *flogged* by a parcel of rat-cally *monks*, at *Thomas à Becket*'s tomb, like a *thief* at a *cart's tail*—could lay whole kingdoms under an *interdict*, and cauſe the kings of the earth to be *excommunicated*, and *depoſed* and *murdered* by their *ſubjects*—one can account for the people of this infatuated country's ſubmitting to the *eccleſiaſtical tyranny* of the *ſpiritual courts*—but ſurely, after above *two centuries* have paſſed ſince the baniſhment of the *Pope*, it is high time for us to reflect as to the ſituation we are in, with reſpect to theſe dreadful *tribunals*.

I have before, (vol. i. p. 67) ſpoken of theſe *courts*, and called their power "*very* "*feeble*"—this muſt be underſtood in a comparative ſenſe, to what it was before the abolition of the *high commiſſion* court, by 16 Car. I. c. 11.—the taking away the writ *de hæretico comburendo*, by 29 Car. II. c. 9.—and the paſſing that truly *Chriſtian* law, commonly called the *toleration*-act, 1 W. and M. c. 18.—but there is ſtill power enough left, to make the ſubjects of this kingdom tremble for what may happen, in leſs moderate times than thoſe we live in.

What *offences* can poſſibly ariſe, which a *temporal judge*, and a jury of *twelve men*,

cannot puniſh? What evils, which they cannot properly and duly † animadvert upon? Or what laws can be imagined, which they cannot execute, on the conſtitutional principles of a fair and open trial on *vivâ voce* evidence, and on the words of determinate and certain ſtatutes? Why are * *wills* and *teſtaments*, *matrimonial cauſes*, and other matters of a *temporal* nature, to be conſigned into the hands of *eccleſiaſtical judges?* — I can give no other reaſon, than that the *Pope* wreſted them out of the hands of the *civil* powers, and placed them there; which, by the way, is no bad reaſon for their being reſtored to the *civil power* again.

Much has been ſaid, and much more

† "As *St. Paul* thought that men might *lead quiet and* "*peaceable lives*, *in all godlineſs and honeſty*, under pro- "per ſubjection to, and coercion of the civil magiſtrate, "I do not ſee that I ſhould be aſhamed to think ſo too." *Confeſſional*, 3d edit. 231.

* "The probate of teſtaments did not originally be- "long to the *eccleſiaſtical* juriſdiction, but to the *county* "*court*, or to the *court baron* of the reſpective *lord of the* "*manor* where the *teſtator* died, as all other matters did." 2 *Bac.* Abr. 398.

"The truth is, there were *wills* before there was any "*eccleſiaſtical* juriſdiction, and conſequently the cog- "nizance thereof pertained then *ſolely* to the *civil* ma- "giſtrate." See *Burn*, Eccl. Law. tit. *Wills*.

The truth of all is, that *papal* uſurpation ſtopped at nothing, which could encreaſe the wealth, or gratify the ambition of *churchmen*. When the *Pope* ſent his *ſuperſtition* into this country, by *Auſtin* the *monk*, his *power* followed hard after it, and laid its hands on what it pleaſed, none daring to reſiſt. This is the true original of throwing *matrimonial* and *teſtamentary* cauſes into the hands of *eccleſiaſtical judges*. See *Tyleyph.* vol. ii. p. 141, 2d edit.

might

might be ſaid on the ſubject; but how we can call ourſelves *Proteſtants*, or boaſt of our being a *free* people, while we are under this *imperium in imperio*, I cannot conceive—therefore, as the *parliament* of *England* aboliſhed the *high commiſſion* court, by 16 Car. I. c. 11, it would be an *act* becoming an age of ſtill greater *Proteſtant* liberty, to *annihilate* every power of *churchmen* to do *miſchief*, and leave them no other, than that of doing *good*.

Another *obſervation* which may be made on the foregoing *evidence*, relates more immediately to the ſubjects of theſe *volumes*; I mean, the contrivances of the *Popiſh* canon-law, to blind people from the real and true nature of *marriage*; to make them believe that it conſiſts in an *outward ceremony*, which *man* has invented, and not in that *perſonal union* which GOD ordained *at the beginning*; and, of courſe, to throw *nullity*, and even *infamy*, on the *latter*; thus to ſtrip it of all *obligation* and *validity*, and by theſe means, leaving the ſeduction and dereliction of *virgins* wholly in the power of their *betrayers*. To this the *church*, the *prieſt*, and the other religious formalities, have ſo greatly contributed, that neither *Papiſt* nor *Proteſtant* have the leaſt doubt upon the ſubject.—The *Papiſt* calls *his prieſt*'s LEGERDEMAIN the *form* of the *ſacrament*, but the *ſacrament* itſelf is the *union* created by the *Ego jungo vos*, &c. The *Proteſtant* will tell us, that an *outward ceremony* is the *form*

of the *marriage*, but that the *marriage* itſelf conſiſts in the *union* ariſing from *certain words* ſpoken in *Engliſh* inſtead of *Latin*. —Without this there is no *marriage*, as both will confeſs; therefore both equally make *marriage* to conſiſt in ſomething, which, ſo far from being of the *eſſence* of it, is not ſo much as *mentioned*, or even hinted at, throughout the whole *word of* GOD, no, not even as the moſt diſtant circumſtance attending upon it.

We are encouraging the revival and improvement of the liberal arts; *painting*, *ſculpture*, *muſic*, and other ornaments of civil ſociety, meet with their patrons and promoters; *ſchools* and *academies* are erected, and buſily employed, in the more noble and uſeful reſearches of *navigation*, *aſtronomy*, and their concomitant *ſciences*; how is it then, that we are, with regard to the important ſubjects of theſe volumes, contented to remain where the *dawning* of the *Reformation* left us, partly *delivered*, partly *retained* in the hands of that *ſuperſtition*, ſo much of which our firſt *reformers* ſhook off?—how is it, that the *miſeries* of *ruined females* have little other effect upon us, than to provoke our *contempt*, or ſometimes, perhaps, excite our *pity?*—Will —"*be ye warmed*"—relieve them from the *winter's cold?*—or—"*be ye clothed*"—cover *their nakedneſs?*—Why not ſearch into the *records of everlaſting truth*, to ſee whether there is not a ſolid proviſion made againſt their diſtreſſes—ſome mighty bulwark raiſed for their

their *ſecurity* and *protection* — ſome remedy provided againſt the crying, ruinous, and deſtructive evil of public *proſtitution?* If there be ſuch things—let them be brought forth into open daylight, let them be *proclaimed on the houſe-tops*—had we *Virgil*'s

Linguæ centum—oraque centum——

let them be all employed upon the glorious, ſalutary ſubject—let *Proteſtant* legiſlation deſtroy *Popiſh* encroachment; let it adopt the *laws of Heaven* for its guide—rendering unto *Cæſar the things that are Cæſar's, and unto* GOD *the things which are* GOD's.—Thus making *marriage* what GOD has made it—in its *nature, end,* and *obligation*; and confirming *all theſe,* by ſuch *laws of the ſtate,* as may inſure, by OUTWARD RECOGNITION, what has been commanded and eſtabliſhed by HEAVENLY and DIVINE INSTITUTION.

From the foregoing long ſeries of evidence it likewiſe appears, whence has been derived the whole art and myſtery of *ſin-making,* and *unmaking* it again, by human contrivance—alſo *ſaint-making—croſs-making—creed-making*—the conſecration of *days* and *ſeaſons*—framing *calendars,* which, like the *Faſti* of Heathen *Rome,* are filled with obſervances of ſuperſtitious veneration in honour of dead *men* and *women.*—The *Heathen* had their *Dii majorum gentium,* and their *Dii minorum*—their *Gods, Demigods,* and *Heroes—Chriſtian churchmen* regiſtered their *Lady* * the *Virgin Mary*—

* *Annunciation* of OUR LADY. See *Eng. Kal.* of *proper leſſons.*

angels — apoſtles — ſaints — martyrs — confeſſors —and each of theſe had his day on which he was to be worſhipped.

We likewiſe find the true origin of thoſe uncommanded and humanly-invented *rites* and *ceremonies*, which corrupted the ſimplicity of the *divine ordinances*, obſcured the true nature of *divine inſtitutions*, and fixed the eyes of *Chriſtians*, not on what GOD had *ordained*, but on what *men* had *invented*.

Theſe were guarded, in the moſt tremendous manner, by the *eccleſiaſtical* powers, againſt all contradiction and innovation.—Many inſtances of this we have already met with—but let us hear the *Council* of *Trent*, Seſſ. 7. Can. 13.

" Si quis dixerit, receptos & approbatos ec-
" cleſiæ Catholicæ ritus in ſolemni ſacramen-
" torum adminiſtratione adhiberi conſuetos,
" aut contemni, aut ſine peccato a miniſtris
" pro libitu omitti, aut in novos alios per
" quemcumque eccleſiarum paſtorem mutari
" poſſe—*anathema ſit*."

" If any one ſhall ſay that the received
" and approved *rites* of the *Catholic church*,
" which are wont to be uſed in the ſolemn
" adminiſtration of the *ſacraments*, are to
" be contemned, or, without ſin, can be
" omitted at the will of the miniſter, or can
" be changed for other new ones by any
" paſtor of the churches—LET HIM BE AC-
" CURSED."

Now let us hear the *Proteſtant* church of *England*, CAN. 4.

" Whoſoever ſhall hereafter affirm, that
" the

" the form of GOD's worſhip in the church
" of *England*, eſtabliſhed by *law*, and con-
" tained in the book of the *Common Prayer*,
" and adminiſtration of *ſacraments*, is a cor-
" rupt, ſuperſtitious, or unlawful worſhip of
" GOD, or containeth *any thing in it* that is
" repugnant to the ſcriptures, let him be
" EXCOMMUNICATED *ipſo facto*, and not re-
" ſtored, but by the *biſhop* of the place, or
" *archbiſhop*, after his repentance, and public
" revocation of ſuch his *wicked errors*."

Can. 6. Exhibits a like ſentence againſt—
" Impugners of the *rites* and *ceremonies* eſta-
" bliſhed in the church of *England*"—EX-COMMUNICATION *ipſo facto*.

So we ſee, that, as the *Papiſts* CURSE the *Proteſtants*, the *Proteſtants* CURSE *one another*—and all this, for matters entirely of *human invention*.—Surely this is a likely way to reconcile our *diſſenting Proteſtant brethren* to the *church* as by law *eſtabliſhed!* and to convince *infidels*, that when they laugh at us all for a parcel of *fools*, they are *very much* in the *wrong!*

As to *marriage*, the *Romiſh* ritual ſays—

" Parochus—Noverit ex probatis auctori-
" bus, quæ ſint canonica impedimenta ma-
" trimonii contrahendi, & quæ contractum
" dirimant: & qui ſint gradus conſanguini-
" tatis & affinitatis, & item cognationis ſpi-
" ritualis ex baptiſmi vel confirmationis ſa-
" cramento contractæ:

" Habeat imprimis ipſe bene cognita præ-
" cepta illa omnia, quæ in matrimoniis ritè

" conficiendis

" conficiendis ſervari oportere, ſacri canones,
" et præcipuè ſancta ſynodus Tridentina
" juſſit, dabitque operam, ut illa in parochia
" ſua accuratè exactèque ſerventur."

" Let the *pariſh prieſt* know, from *ap-*
" *proved authors*, what are the *canonical* im-
" pediments of contracting matrimony, and
" what things may deſtroy the contract: and
" what are the degrees of affinity and con-
" ſanguinity, alſo of ſpiritual relationſhip,
" contracted by the ſacrament of baptiſm or
" confirmation.

" Let him, above all things, be well ac-
" quainted with all thoſe precepts which
" ought to be kept, in rightly and duly per-
" forming marriages, according to the *ſacred*
" *canons*, and eſpecially according to what
" the holy *ſynod* of *Trent* commanded. And
" he ſhall do his endeavour, that theſe ſhall
" be accurately and exactly kept within his
" pariſh."

We find here *particularly*, as before in *general*, from whence we derive our notions of ſending people to *canons*, *learned authors*, and *acts of parliament*, to be taught what are or are not *impediments* to marriage; as likewiſe how totally the *antient laws* of JEHOVAH, relative to what does or does not make a valid marriage in His ſight, are caſhiered and laid out of the *queſtion*—and how the ordinances of men are ſubſtituted in the place of the inſtitutions of GOD.

There is another clauſe in the *Romiſh ritual*, which, compared with the preceding evi-

dence,

dence, ſhews how *ſecond marriages* of all ſorts have, through a long ſucceſſion of *ages*, met with the diſapprobation of the *church*.

" Caveat etiam *parochus* ne quando con-
" juges in primis nuptiis benedictionem ac-
" ceperint, eos in ſecundis benedicat, ſive
" mulier, ſive etiam vir ad ſecundas nuptias
" tranſeat: ſed ubi ea viget conſuetudo, ut
" ſi mulier nemini unquam nupſerit, etiam-
" ſi vir aliam uxorem habuerit, nuptiæ be-
" nedicantur, ea ſervanda eſt. Sed viduæ
" nuptias non benedicat, etiamſi ejus vir
" nunquam uxorem duxerit."

" Let the *prieſt* alſo beware, leſt, when
" *married* perſons have in *former* nuptials
" received the *benediction*, he confer it on
" them in *ſecond* nuptials, whether a *woman*,
" or even a *man*, paſſes on to a *ſecond* mar-
" riage. But where the cuſtom prevails,
" that, if a woman has never been married
" before, though the man has had another
" wife, the nuptials ſhall be *bleſſed*, there
" that cuſtom ſhall ſtand. But he ſhall not
" bleſs the nuptials of a *widow*, although
" the man ſhe marries never had another
" wife."

If it be aſked, by what authority is all this?—I anſwer, by as *good* authority as we refuſe the *benediction* to a man who has a wife in a *mad-houſe*, and who marries another to keep himſelf out of a *brothel*. Or to one who was to do the ſame becauſe he had detected his wife in *adultery*, and could not afford to pay the monſtrous expence of an act

of

of parliament to divorce her. Or to others who are as juſtly and unavoidably ſeparated, as if their wives were *dead.*

In ſhort, it is needleſs to cite any more authorities to prove, that the *ideas* which the ſcriptures have given us of *marriage*, in all the *forms* in which it appeared under the immediate diſpenſation of GOD, have long been changed into a very different *ſyſtem*, and that our ſentiments of the matter are to be entirely regulated by the contrivances of mortals, and not by the unerring *rule* of GOD's law. But when we conſider the miſchiefs with which this is attended, in the deſolation and ruin of the *weaker ſex*, and that all the inventions of human wit and wiſdom are utterly diſproportionate to the taſk of finding out a remedy, we ought to confeſs—that "*we have committed two evils, in forſaking* "JEHOVAH, *the fountain of living waters,* "*and hewing out unto ourſelves ciſterns, broken* "*ciſterns, that can hold no water.*" Jer. ii. 13.

The *Papiſts*, as we have before ſeen, teach, that "marriage is a ſacrament of the New "Teſtament, ordained by CHRIST, and *appro-* "*priated* to *Chriſtians.*"—This we deny in *words*; but how diſtant *our ſyſtem* is from it, or how different in truth and in fact, or how eſſentially more conformable to the *Bible*, requires a much more diſtinguiſhing head than I can boaſt of to define.

My friend, the honeſt *Quaker*, ſays—that —"*a cat in a window is like a cat out of a* "*window.*"—What he means by this I leave

to the reader to determine, as well as what he means by affirming—

" That, if two men were to ſit down to " write a *gloſſary*, in which the *Engliſh* words— " *Marriage—Whoredom—Fornication—Poly-* " *gamy—Concubinage—Divorce, &c.*—were " to be explained;—were theſe writers to be " ſhut up apart in different rooms, *one* with " the *Popiſh ſyſtem*, as ſet forth in the deter- " minations and decrees of *Popes*, councils, " ſynods, &c. of the church of *Rome*— " the *other* with the *ſtatutes* at large, the " " *conſtitutions and canons eccleſiaſtical*," and " other muniments of this *Proteſtant* coun- " try—and both theſe men honeſtly and " fairly adhered to their ſeveral *patterns*;— " they would, when they came forth, pro- " duce *works* ſo *like* one another, and ſo *un-* " *like* the *ſcriptures*, as to make one ſuſpect " (as has been thought of *Ptolomy's ſeventy* " *interpreters*) that though the writers ap- " peared to have been ſeparated, yet they " muſt have had ſome communication to- " gether, though ſo ſecret as not to be diſ- " covered."

As *Rome* was not *built* in a day, ſo neither could it be *demoliſhed* in a day.—The Proteſtant *Reformers* did *much* towards its demolition, but they could not do *all*.—The prejudices which they had to encounter, the oppoſition and perſecution which they endured, the controverſies they were engaged in, and many other things which were inſeparable from their peculiar ſituation, ought rather

rather to make us wonder that they got *ſo far* as they did, rather than be ſurprized that they got no *farther*.

When *Henry* VIII. quarrelled with the *Pope*, he yet by no means quarrelled with *Popery*, as the *ſix* bloody *articles*, which were the ground of that antichriſtian and bloody law, 31 H. VIII. c. 14. intituled, "An act "for aboliſhing of diverſity of opinions in "certain articles concerning *Chriſtian reli-* "*gion*," fully ſhew. — Other laws, which took the *ſupreme* power in *eccleſiaſtical* matters out of the hands of the *Pope*, threw it into the hands of the *King*; and good care was taken that the *hierarchy* under *Henry* VIII. ſhould have all powers of co-operation with his *Majeſty*, as they had before with his *Holineſs*.—The kingdom in the next reign (of *Edward* VI.) aſſumed the name of *Proteſtant* with much more colour of title than in the preceding—Queen *Mary*'s acceſſion bid fair to undo all again;—but in the long reign of her ſucceſſor *Queen Elizabeth*, the *Proteſtant* eſtabliſhment gained that ſtrength and firmneſs, which it acquired by ſundry laws made in its favour; and was ſtill more eſtabliſhed at the glorious *Revolution*, when the State found it neceſſary to guard, in the ſtrongeſt manner, againſt the danger of the return of *Popery*, in the perſon of a Popiſh *Pretender*.

Still *marriage*, and all things relative thereto, were dependent on thoſe *opinions* of *men*, which had been the ground of antient *canons*, and

and other laws concerning them.—In many great and important articles of religion, the reformers had acted upon the great *Proteſtant axiom*, that "the ſcriptures are the *only rule* "*of faith.*"—As to the *rites* and *ceremonies* of the *church*, theſe remained, with a very ſtrong mixture of the old ones, which had been eſtabliſhed before the *Reformation*—therefore all ſimilarity between them and thoſe of the *church of Rome*, muſt be accounted for, partly from the early * prejudices of the compilers, partly from the influence, which a more conſiderable alteration muſt have had, on certain very lucrative emoluments ariſing to the *church*, from things remaining in their preſent form.—*Henry* VIII. ſaw how much it was for his own intereſt to keep *marriage* within the power of human

* That maſterly writer, the author of the *Confeſſional*, furniſhes me with words to expreſs what I mean.

"On this ſtate of the caſe, it appears that the matter "of complaint does not affect the *fathers* of the *Refor-* "*mation*, by far ſo much as their *ſons* and *ſucceſſors*. "Our firſt *Reformers* were beſet with their own and "other men's prejudices, to a degree that rendered them, "in a great meaſure, incapable of conviction. It was "next to impoſſible to convince them, that their eſta- "bliſhed confeſſions of faith" [and ſo their notions, doubtleſs, on many other ſubjects] "were unchriſtian "impoſitions, for which there was no juſt authority, "when they had the early practice of the *Chriſtian* "*church* to appeal to, long before the tyrannical ſpirit "of *Rome* prevailed. Their veneration for antiquity "prevented their ſeeing that theſe very precedents were "ſome of the ſteps by which the *Papal* power aſcended "to its height, and arrived at the plenitude of its uſur- "pation." *Confeſſional*, 3d edit. p. 27.

legiſlation, and to model it as he liked, for his own convenience; and it is moſt probable, that the *clergy* would not have made it very eaſy for his *Proteſtant ſucceſſors*, had they been inclined to it, to have wreſted ſo † profitable a branch of *clerical* profit and importance out of their hands. Hence it is, that things "are as they are;" and there is no great

† Mr. VINCENT ALSOP (the famous author of ANTI-SOZZO) in his *Melius Inquirendum*, p. 68. on that poſition, "*that no reformation can be made, but what* "*will notably diminiſh the revenues, grandeur, and credit* "*of the church*"—obſerves, "that whatever have been "the ſpecious pretences, this has been the *real* obſtruction "of *effectual reformation*; *Kings* and *Parliaments* have "always been inclinable towards a redreſs of exorbi-"tancies, but the covetouſneſs and pride of *churchmen* "have ever impeded their pious endeavours. *A Par-*"*liament* in Queen *Elizabeth*'s reign, as we read in "Dr. *Fuller*'s Church Hiſtory, was bringing in a bill "againſt *pluralities*, and archbiſhop *Whitgift* ſends a letter "to her majeſty, ſignifying, that they were all undone, "horſe and foot, if it paſſed. Obſerve how he deplores "the miſerable ſtate of the *church—The wofull and diſ-*"*treſſed ſtate into which we are like to fall, forceth us,* "*with grief of heart, in moſt humble manner, to crave your* "*majeſty's moſt ſovereign protection.*——Why, what is the "matter?—were they making a law againſt *preaching?* "No.—Or againſt *common-prayer?* By no means!—"What ails then the diſtreſſed man? Why—*we, there-*"*fore, not as directors, but as humble remembrancers, be-*"*ſeech your highneſs's favourable beholding of our preſent* "*ſtate, and what it will be in time, if the* BILL *againſt* "PLURALITIES *ſhould take place.*—No queſtion it muſt "be utter extirpation of the *Chriſtian religion.*

"Thus, in another letter to the ſame *Queen*, he com-"plains, with lamentations that would ſoften an heart "of marble—that, they have brought in a *bill* giving "*liberty to* MARRY *at all times of the year without re-*"*ſtraint.*—Well, but if men be obnoxious to *the evil*

"at

great likelihood they ſhould undergo the leaſt alteration, till we are thoroughly awakened to a ſight and ſenſe of the deplorable conſequences of our preſent *ſyſtem* (where *adultery* goes without due puniſhment, and *ſeduction* remains without all obligation from the *ſeducer* to the *ſeduced*) and we ſeriouſly wiſh to reform the deplorable ſtate of things, by the *pattern delivered in the Mount*; I mean, by thoſe MOST RIGHTEOUS LAWS which the GOD of *Heaven* revealed, for the *moral* government of his reaſonable creatures, in that moſt important of all things in *this world*—*the commerce of the ſexes*.

" at *all times of the year*, why ſhould they not uſe the " *remedy* which GOD hath appointed *at all times of the* " *year?* The *Apoſtle*, who tells us—*It is better to marry* " *than burn*, did not except *any time of the year*. But " why may not a *Parliament* make *a law*, as well as " the *Eccleſiaſtical Court* give *a licence*, that it ſhall be " lawful to *marry* at *any time of the year?* Ay—but " the *Parliament* will make the *law* for *nothing*, whereas " thoſe other will have *money for* their *licences*. But " he proceeds — *It is contrary to the old canons con-* " *tinually obſerved by us*. Why, but is it not *con-* " *trary to the old canons* to take money for a *licence?* " Yes!—but—*it tendeth to the ſlander of the church, as* " *having hitherto maintained an error*. And now you " have the bottom of the bag: all *reformation* muſt " touch the *clergy*, either in their *credits or profits*, and it " were better never to put *an hand to that work*, than " touch *either of thoſe* with a little finger." p. 69.

INTRODUCTION TO CHAP. XIV.

MR. LOCKE, b. ii. c. 33, "Of the aſſociation of *ideas*," obſerves, that—"Some "of our *ideas* have a natural correſpondence "and connexion one with another: it is the "office and excellency of our reaſon to "trace theſe, and hold them together in that "union and correſpondence which is found-"ed in their peculiar beings.

"Beſides this, there is another connexion "of *ideas*, wholly owing to chance or cuſ-"tom: *ideas*, that in themſelves are not at "all of kin, come to be ſo united in ſome "men's minds, that 'tis very hard to ſeparate "them: they always keep company, and the "one no ſooner comes into the underſtand-"ing, but its aſſociate appears with it; and "if they are more than two, the whole gang, "always inſeparable, ſhew themſelves toge-"ther.

"This connexion in our minds, of *ideas* "in themſelves looſe, and independent of one "another, is of ſo great force to ſet us awry "in our actions, as well moral as natural, "paſſions, reaſonings, and notions them-"ſelves, that perhaps there is not any one "thing that deſerves more to be looked af-"ter. Thus the *ideas* of *goblins* and *ſprights* "have really no more to do with darkneſs "than light; yet let but a fooliſh maid in-"culcate theſe often on the mind of a child, "and raiſe them there together, poſſibly he "ſhall never be able to ſeparate them again

"ſo

" ſo long as he lives, but darkneſs ſhall ever
" afterwards bring with it thoſe frightful
" *ideas*.

" Some ſuch wrong combinations of *ideas*
" will be found to eſtabliſh the irreconcile-
" able oppoſition between different ſects of
" philoſophy and religion; for we cannot
" imagine every one of their followers to
" impoſe wilfully on himſelf, and knowingly
" refuſe truth offered by plain reaſon. That
" therefore which captivates their reaſons,
" and leads men of ſincerity blindfold from
" common ſenſe, will, when examined, be
" found to be what we are ſpeaking of:
" ſome independent *ideas* are, by education,
" cuſtom, and the conſtant din of their
" party, ſo coupled in their minds, that they
" always appear there together, and they can
" no more ſeparate them in their thoughts,
" than if they were but one *idea*; and they
" operate as if they were ſo.

" This gives ſenſe to jargon, demonſtra-
" tion to abſurdities, and conſiſtency to non-
" ſenſe, and is the foundation of the greateſt,
" I had almoſt ſaid of all the errors in the
" world: or, if it does not reach ſo far, is at
" leaſt the moſt dangerous one, ſince, ſo far
" as it obtains, it hinders men from ſeeing
" and examining the confuſion of two dif-
" ferent *ideas*, which a cuſtomary connexion
" of them in their minds hath to them in ef-
" fect made but one, and cannot but fill men's
" heads with falſe views, and their reaſon-
" ings with falſe conſequences."

On the principles of this great man, many

things are to be accounted for, which otherwiſe are unaccountable. When one looks (for inſtance) into the ordinance of the CREATOR, by which the human ſpecies is to be propagated and preſerved—when we conſider the ſimple ground of *union*, as repreſented Gen. ii. 24, and the conſequence drawn from it by the great *interpreter* of the *law*—Matt. xix. 5, 6—we muſt aſcribe the independent *ideas*, which, by long cuſtom and uſage, have united themſelves in the minds of men concerning *marriage*, to their having been inculcated from early infancy, by others, who themſelves have come by them in the ſame way; and thus having been delivered over, ſince their *coinage* in the *church* of *Rome*, from generation to generation, they ſtand in the public opinion as ſo many abſolute and demonſtrable truths: whereas, not a ſingle trace of them is to be found in the *Bible*; neither *religious perſons*, nor *religious outward ceremonies*, have any more to do with the eſſence or validity of the marriage-union in GOD's ſight, than *darkneſs* has to do with *ſprights* and *goblins*, or the *ſign* of the *croſs*, or *godfathers* and *godmothers*, have to do with the ordinance of *baptiſm*.—The neceſſity of an *outward* contract does not therefore ariſe from any command of GOD, ſo as to make the union null and void, or ſinful, without it; but from cauſes of the moſt diſgraceful nature, and which are owing to the dreadful departure of mankind from truth and juſtice, and from that reverence and obedience to the

CREATOR's

CREATOR's appointments, which it was once the honour and happineſs, and muſt be for ever the duty, of man to pay them.

CHAP. XIV.

Of the true ORIGIN *and* NECESSITY *of* MARRIAGE-CEREMONY.

THE invention of *marriage-ceremonies*, is as great a proof of the depravity and corruption of human nature, as the invention of written *bonds* and *obligations* under *hand and ſeal*; they alike prove, that they are the effects of that neceſſity, which mankind laboured under, to ſecure themſelves againſt the villainy, treachery, and deceit of one another. Was the *world* what it *ought to be*, no *obligation*, beſide that of *conſcience*, would be neceſſary for the ſecurity of men, with regard to any kind of bargains which they could make with each other. The man who lent another a ſum of money, though without any other witneſſes to the tranſaction than the *parties* themſelves, would be perfectly ſecure, perhaps more ſo than he is *now*, with a bond duly ſtamped, and ſealed, and delivered by the hand of the obligor, in the preſence of witneſſes.—If we aſk whence aroſe thoſe voluminous ſecurities, known in our law by the names of *marriage-ſettlements*, *mortgage-deeds*, and *ſpecialties* of various kinds? it may be anſwered, "From men's being "afraid to truſt one another without them."

The very ſame principle firſt gave birth to outward *marriage-ceremony*; the ſimple *inſtitution* of *Heaven* would have been as ſufficient to have bound the parties to each other at this hour, as it was in the days of *innocence*, had not the corruption of human nature deſtroyed the influences of *juſtice*, *mercy*, and *truth* within the human ſoul. The adventitious circumſtances of *human ceremony*, on this account, became neceſſary; and, as the world increaſed, and villainy of all kinds increaſed, the means of ſecurity againſt it has at all times exerciſed the invention of *legiſlature*, and employed the vigilance of the *executive power*, in order to obviate the miſchievous effects of it.

But what a ſtrange thing would it be to hear, that a *bond*, on paper, ſtamped with a ſtamp of ſuch a value, and ſealed and delivered in the preſence of witneſſes, and *not* the ſum of money *lent*, raiſed the *duty* in the obligor's conſcience to pay it? and what a conſcience muſt that man have, who looks upon an outward ſecurity as the only reaſon for acknowledging a juſt debt? yet this is the language of mankind with reſpect to *marriage*; the debt of *juſtice*, ariſing from the command of God, is all eaſily ſet aſide, and nothing is looked upon as obligatory but the outward bond. To ſay, that this is leſs a mere *civil contract* than the other, is ſaying what is not true, and is the great advantage which has been taken of men's underſtandings in the buſineſs of *marriage*, to the no ſmall emolument of thoſe that have taken it,

and

and to the diſtreſs and deſtruction of millions that have ſuffered by it.

Again, let us ſuppoſe the whole body of *attorneys, conveyancers*, &c. banding together to perſuade mankind, that the doctrine of conveyances by *leaſe* and *releaſe*, by way of *mortgage*, and this farther ſtrengthened by levying *fines* and ſuffering *recoveries*, in caſes of *intailed eſtates*, came from *heaven*; and that no man was obliged in conſcience to be anſwerable for a ſum of money which he had borrowed, unleſs he employed a *conveyancer*, and ſet his hand and ſeal to *ſixty* large ſkins of parchment; and that if he borrowed money without this, and dared to pay it, he would be *damned*—we ſhould here ſee a lively emblem of what *churchmen* have taught us upon the ſubject of *marriage-ceremony:* — as the *lawyers* would place the ſole obligation of payment in their *wax* and *parchment*, and in the chicane of their art, and not in the command of *Heaven* "*to render to all their* "*due;*" ſo *churchmen* have placed the whole *marriage-obligation* in an outward ceremony, and not in the *command of God*, "*they ſhall* "*be one fleſh*"—they have let looſe all obligation whatſoever ariſing from this *command*, inſomuch that it is under pain and peril of *damnation*, that a man dares perſiſt in it, unleſs the *prieſt* accounts him *rectus in curia*, and can bring him to *ſign* and *ſeal* by an *outward ceremony*; which, under certain circumſtances, is impoſſible, becauſe human laws have made it ſo.

Now, what a *bond*, or *mortgage*, is by way of ſecurity for money, that a *marriage-ceremony* is, by way of ſecurity with regard to *marriage:* and as a man who lends another a ſum of money has a right to demand a proper ſecurity for the repayment of the debt, principal and intereſt; ſo has every woman a right to demand the ſecurity of ſuch *ceremony* as the laws of her country have ordained, with reſpect to the man who has *ſeduced* her — GOD has in effect COMMANDED it, Exod. xxii. 16. and therefore the ſevereſt penalty ought to be inflicted on the man who refuſes it. The woman who delivers her perſon into the poſſeſſion of a man, without the *ceremony* firſt performed, does not act a * *cautious*, *proper*, or

* Some may perhaps think, that I have ſpoken here too *mildly* of ſuch an act, and that I ſhould have introduced the epithet *ſinful* among the reſt; but, as I ſee no tranſgreſſion of any *law of* GOD in the matter, and am told that *where there is no law there is no tranſgreſſion*, I dare not adopt ſo *pernicious a tenet*, as to call that *ſinful*, which GOD commanded with a *bleſſing*. See Gen. i. 28, and again Gen. ii. 24. See before vol. i. chap. 2. paragr. 1 and 2.

If mortals have entirely changed the diſpenſations and ordinances of GOD, into *ſyſtems* of their own invention, this can have no ſort of effect on the real and determinate nature of *good* and *evil* as defined in the *holy ſcriptures*. For my own part, I am moſt perfectly convinced, that the *fear* and *ſhame*, which the *pernicious tenet* above hinted at hath by cuſtom brought on the *mother*, hath, in numberleſs inſtances, occaſioned the *murder* of the *child*; and therefore it may well be termed *pernicious*, in the moſt emphatical ſenſe of the word. See before, index to vol. ii. tit. CHILD-MURDER. See alſo the doctrines of the *Albigenſes* and *Lollards*, before p. 243.

wife

wiſe part; any more than the man who lends a large ſum of money without the due execution of the *bond* or *mortgage-deeds*; but he who can take an undue advantage, in either caſe, muſt be a villain in grain. In the money-affair, he would be thought ſo, and treated as ſuch—a *court* of juſtice would be open to the *injured*, and redreſs afforded; but in the other caſe, though a villainy attended with irreparable miſchief, the very *law itſelf*, as it *now* ſtands, bars all redreſs, conſigns the wretched female to deſtruction, and leaves the man, to ruin as many more women as he can deceive.

All this is owing to our following the *Popiſh* plan, which has been ſo much ſet forth at large in the former part of this *volume*; owing to *this* it is, that we make *marriage-ceremony* what it is not, and do not make *marriage itſelf* what it really is.

Our *lawyers* can well diſtinguiſh between that which raiſes the debt or obligation, and that which is the ſecurity for the payment of the *one*, or for the performance of the *other*.

Our *caſuiſts* would find little difficulty in determining, that a man is equally bound in *conſcience* to pay a ſum of money which he has borrowed, whether the *lender* has taken a written *ſecurity* for it, or whether he has not; or whether the money was lent before an *hundred* witneſſes, or only when the *lender* and *borrower* were alone in *private*.

Now, let what has been ſaid be taken all together, and let none charge the *author* with depreciating

depreciating thoſe *ſecurities* which men take of one another for the payment of money; let none ſay he wants to diminiſh the public revenue by what he has ſaid on the ſubject of *bonds*, and other *deeds*, which carry *ſtamps*; or that he means to leſſen the obligation on people to pay their debts, becauſe he contends that *in foro conſcientiæ*, and as in the ſight of the *Judge of all*, a man would be as much obliged to pay what he owes, *without* any *bond* or *mortgage* as *with* it: what he has ſaid on this ſubject, tends to prove, that if *men* were what they ought to be, and what the *divine law* requires them to be, every man's *word* would be as *good as his bond*; but that, as things are, it muſt be allowed, that *moſt* men's *bonds* are better than their *words*.

Ultima Cæleſtum terras ASTRÆA *reliquit*——

Therefore, in *all* caſes it is *prudential*, becauſe in *moſt neceſſary*, that the *creditor* ſhould have ſomething more ſubſtantial to depend upon, than the bare word of the *debtor*; and the *lender* be ſecured againſt the *borrower* by ſomething of more notoriety than can poſſibly ariſe from a private tranſaction, or verbal agreement merely between themſelves.

What is here ſaid, I mean to apply to *marriage-ceremony*, by whomſoever, or howſoever, or whereſoever adminiſtered. Like all other *ſecurities*, it tends to the aſcertaining of property; to the protection of the honeſt and undeſigning, againſt the machinations of treachery and deceit; and anſwers too many valuable

valuable purpoſes to *ſociety* in general, not to be *inforced* by the *ſevereſt laws*.

But, as in all other *contracts*, different nations have different modes of making them, ſo it is with reſpect to *marriage-ceremony*. As we find no trace of ſuch a thing in the ſcriptures, unleſs the payment of the מהר—or dowry of 50 *ſhekels* to the *father of the damſel*—may be ſo called, we cannot, on any *divine authority*, ſay, there was any fixed or determinate *form* whatſoever; and even this *payment of the dower* was omitted in the caſe of *concubines*, who are alſo *called wives*, but certainly appear to have been of an inferior rank, though as *lawful wives* as thoſe who were *endowed*. This was the caſe in the *Chriſtian church*, ſo late as the time of *Conſtantine:* ſee before vol. i. p. 32. n.—and this vol. p. 30.

Were we to ſearch the whole hiſtory of the world, we ſhould hardly find many inhabitants of it, without ſome *marriage-ceremony* or other, and this, becauſe *nature* itſelf, as now circumſtanced, ſeems to point out a *neceſſity* for ſome outward recognition of ſo important a contract; for, as the corruption of human nature is to be found in all the naturally-engendered offspring of fallen *Adam*, ſo the dire effects of it have made it neceſſary to guard againſt them by ſome means or other.

As to the *Jews*—"There were, according "to the *Talmudiſts*, three ways of *betroth-* "*ing*. 1. By a written contract. 2. By "a verbal agreement, accompanied with a

" piece of money. 3. By the parties coming " together, and living as *man* and *wife*; " which laſt they could not properly call " *betrothing*, for it was *marriage itſelf*."—See Alex. Hiſt. of Wom. vol. ii. p. 193.

As for their *ceremonies* on the *eſpouſals* or *marriage* (the payment of the *dowry* excepted) they are entirely of *human* invention, and I do not imagine that they are pretended to be otherwiſe—nor do I ſuppoſe that a *Jew* would venture to talk of them as of higher authority.

The *Roman Chriſtians* learned, from their *Heathen* * predeceſſors, to impoſe on the *credulity* of mankind, and to make their *prieſts* the grand engines of that *impoſition*. *Numa Pompilius*, the ſecond *king* of the *Romans*, in order to divert his ſubjects from the purſuits of ambition and violence of arms, multiplied *ceremonies* in *religion*, and gained a reverence and ſanction to them, by giving out that he received them nightly from the goddeſs *Egeria*; by whoſe direction alſo he inſtituted *Flamines*, (*prieſts* or *arch-prieſts*) *veſtal virgins*, (a ſort of *nuns*) the *Salian* prieſts, and *Pontifex Maximus* (or heathen *Pope*.)—So the Roman *Chriſtians* invented, firſt *Chriſtian*

* " *Obſervavi ſingularem patrum prudentiam, qui pa-* " *ganorum multa inſtituta ad pios uſus retulerunt. Ego* " *non nego poſteriorum culpâ multa mala inde proveniſſe.*"
" I have obſerved the ſingular prudence of the [anti-" ent] *fathers*, who applied many inſtitutions of the *Pa-* " *gans* to *pious uſes*. I do not deny, that many *evils* ac-" crued from thence, through the fault of thoſe who " came after." *Caſaubon*, Ep. 931. *Thuano*. edit. Alm.

prieſts,

prieſts, then a *Pontifex Maximus*, or *Pope*, who, with the aſſiſtance of his *Flamines* or *arch-prieſts*, invented *rites* and *ceremonies*, all which were pretended to be *jure divino*; among the reſt, *marriage-ceremonies*; afterwards, theſe were turned into the *form* of a *ſacrament*, and pretended to be *divinely* inſtituted by *Jeſus Chriſt*; which is juſt as true, as that *Numa* had his *rites* and *ceremonies* from the goddeſs *Egeria*.

I have little occaſion to dwell any longer on this part of the ſubject in this place, becauſe the firſt contrivance, and ſubſequent progreſſion and increaſe, of *ſacerdotal* knavery and impoſition, through a long ſucceſſion of many ages, has been fully manifeſted, to the diſcerning and attentive reader's obſervation, in the former parts of theſe volumes, but eſpecially in the *firſt chapter* of *this*.

In a ſeries of letters written from *Conſtantinople*, by *M. de Guys*, of the academy of *Marſeilles*, to *M. Bourlat de Montredon* at *Paris*—which were tranſlated and publiſhed in London anno 1772 — there is a moſt curious account of ſome people, who are inhabitants of the iſland of *Mitylene*, which tends to ſhew, that there may be ſome reſpect for *marriage-ceremony*, where there is none for the ſacred obligation of *marriage*.

The title of the book is —"*A Sentimental* "*Journey through* GREECE"—and, in one of the *letters*, of which the narrative is compoſed, *M. de Guys* relates a very extraordinary *cuſtom* among the *Mitylenians*—"Now "let

" let me inform you," ſays he, " of a cuſtom " ſubſiſting at this day in the ſame iſland. " About three days journey from the capital, " is a ſmall town, where every *ſtranger*, " when he arrives, is compelled to marry " one of the *women*, even though his ſtay " ſhould be for one night only. They gene- " rally preſent a *maiden* to him, whom he " muſt take for *his wife*; but if he ſhould " prove to be a man of any property or im- " portance, he has the choice of ſeveral to " ſelect one. Travellers of an inferior rank " have no choice, but muſt abſolutely put " up with the *lady* offered to them, who, in " that caſe, is generally the *oldeſt* and *plaineſt* " in the province. A *prieſt* then appears, " who performs the *marriage-ceremonies* with " great ſolemnity; a *nuptial-feaſt* is prepared, " and the new-married couple paſs the night " together. The *huſband* may depart, if he " pleaſes, the next morning. If he has any " money or valuable effects, and chuſes to " make his *ephemeral* wife any preſent, it is " received, and indeed expected; but if he " does not, he may proceed on his journey " without moleſtation. The *lady* thinks " herſelf ſufficiently obliged to him for hav- " ing delivered her from the *reproach* of *vir-* " *ginity*, which it is ignominious to retain, " or to give to one of the *province*. It is " neceſſary, for the preſervation of the *lady's* " *honour*, that her *firſt* marriage ſhould be " with a ſtranger. It is of no conſequence " whether he remains with her, or ever re-

" turns.

" turns. At the expiration of a year, ſhe " may contract a new marriage with any man " that preſents himſelf, and ſhould the *former* " huſband appear, he would have no legal " claim whatever upon her. The fact is, " that a *lady* cannot marry to advantage, " until ſhe has lain with a *ſtranger*. This " *cuſtom* is ſaid to be of the *moſt antient date*. " The only alteration which the teachers of " the *Chriſtian* religion have been able to ef- " fect among theſe people, in the above par- " ticular, is, that the *cohabitation* ſhall be " preceded by a *marriage* according to the " *forms* of the *church* now eſtabliſhed there. " By this compromiſe, the *prieſt*, the *bride*, " and *all parties* quiet the ſcruples of their " conſcience."

" This *cuſtom* is no leſs *curious* than well " atteſted."

When we meet with ſuch an inſtance as the above—that of the *Troglodytes*, mentioned *Thelyph.* vol. i. 213. n.—and numberleſs others which might be mentioned—what a *chimæra* is that of the *philoſophers*, who contend for a *religion of nature*, or principle of *morality* common to all mankind, *mores communes naturali rationi conſentanei*, as *Grotius* ſpeaks! *Cicero* obſerved very truly, that, " *there is nothing* " *ſo ſtrange, which has not been maintained by* " *philoſophers*;" and, among the reſt, the κοιναι εννοιαι, or primary and innate principles, or notions, which are ſo accurately diſcuſſed and refuted in the firſt book of Mr. *Locke's* Eſſay on Human Underſtanding.

Some few *ſavage* nations, which we meet with

with accounts of, ſeem, if we believe the relations which authors have given us, to have little, if any, notion of *marriage-ceremony*; among theſe may be reckoned the inhabitants of the iſland of *Otaheite*, who are ſaid "to purſue incontinent gratifica-"tions, wherever inclination leads them; "but when a woman becomes *pregnant*, the "*father* of her child *thereby* becomes her "*huſband*." Alex. Hiſt. of Wom. vol. ii. p. 187.

Theſe *ſavages*, and *we Chriſtians*, are much upon the ſame eſtabliſhment, as to "*the* "*purſuit of incontinent gratifications, wherever* "*inclination leads them*"—but as to the conſequences of this, with regard to the *women*, the *females* at *Otaheite* have vaſtly the advantage of *ours*; for the *Chriſtian* women, on their becoming *pregnant*, if not ſecured *verbo ſacerdotis*, are treated with a degree of barbarity and inhumanity, which we may ſuppoſe the *ſavages* would be aſhamed of.

The only object among us, is to ſecure a *pariſh* from the expence of what we call a *baſtard*—therefore, if a female be *pregnant*—which is frequently the conſequence of men's "being at liberty to purſue inconti-"nent gratifications wherever inclination "leads them"—ſhe is perſuaded by certain *tyrants*, called *pariſh-officers*, by the gentle eloquence of being threatened with *bridewell* or *ſtarving*, to go before a magiſtrate, and to *ſwear* the *child* ſhe goes with, to the *father* of it; this being done, a warrant goes forth

to

to apprehend the ſaid *father*, and if he is caught, he is to find ſecurity to indemnify the pariſh, to appear at the next quarter-ſeſſions, or muſt go to gaol; but no part of his recognizance engages for any amends or ſecurity to the *woman*, or to have any thing to do with the *child*, farther than to ſave the *pariſh* harmleſs from any *burden* it may bring upon it. If the fellow runs away, which is a common caſe, the poor *female*, after a *month* from her lying-in, becomes an object of one of the moſt ſevere and brutal ſtatutes that could well be penned, viz. 7. Jac. c. 4. § 7. " Every lewd woman which ſhall have any " *baſtard*, which may be chargeable to the " pariſh, the juſtices of the peace ſhall com- " mit ſuch lewd woman to the houſe of " correction, there to be puniſhed and ſet on " work, during the term of one *whole year*." —The readings on this clauſe, as cited by *Burn* from *Dalton*, are worth attending to.—" *Shall commit ſuch lewd woman*]—But " ſuch puniſhment ſhall not be, until after " that the woman is delivered of her child; " neither are the juſtices to meddle with the " woman, until the child be born, and ſhe " ſtrong again."—i. e. till (as we ſay) her *month* is up.

" Alſo it ſeemeth, that ſuch *baſtard child* " is not to be ſent with the mother to the " *houſe of correction*, but rather that the child " ſhould remain in the town where it was " born, (or ſettled with the mother) and " there to be relieved by the work of the

" *mother*, or by relief from the *reputed fa-*
" *ther:* and yet the common opinion and
" practice is otherwiſe, viz. to ſend the
" *child* with the *mother* to the *houſe of correc-*
" *tion*; and this may alſo ſeem *reaſonable*,
" where the child *ſucketh* on the mother."
Dalt. c. 11.

" But it ſeemeth much the beſt, to com-
" mit the *mother* only, and not the *child*, but
" leave it to her choice whether ſhe will
" take it with her, and if ſhe will not, then to
" ſend it to its lawful place of ſettlement."

I am clearly of Doctor *Burn's* opinion, that " it ſeemeth *much beſt* (i. e. *moſt politic*) to " commit the *mother* only, and *not the child*" —becauſe it relieves the *pariſh* from its *burden* much *ſooner*, than by ſuffering it to go with its mother to the *houſe of correction*, from whence, being preſerved by the breaſt and attention of its poor mother, it may return again, and then it may be *chargeable* to the *pariſh*; whereas, if it be torn from the mother's breaſt at the tender age of one *month*, and be committed to the cuſtody of a certain ſpecies of *ſhe-wolf*, called a *pariſh-nurſe*, unleſs it ſhould have the conſtitution of *Romulus* and *Remus* put together, the pariſh will ſoon be rid of its incumbrance. Theſe ſage and pious *matrons* commonly ſupply the place of the *mother's milk*, with as little nutriment as they can, with any tolerable hopes of ſteering clear of a *coroner's inqueſt*, or of not diminiſhing their own ſcanty ſtipend too much, adminiſter. Others of them are very *public-ſpi-*

rited, and have too much *care* for the welfare of the parish, to suffer an incumbrance upon it longer than needs must, and they usually adapt their *care* of the child accordingly.

But suppose the wretched mother, influenced by the natural feelings of maternal tenderness, takes with her her poor infant, to be a sharer in the cold and filth of a prison, and for a *whole year* is to endure the stripes of her *punishment*, inflicted by the unrelenting hand of a sour gaoler; suppose her set to some laborious work, and at the same time to nourish her child, and to have no recruit for her exhausted strength, but the scanty provision of the * *gaol-allowance* of bread and water; in what a condition must she be?—to what state of constitution may she be reduced?—but, which is still worse, what are the probable consequences of her being shut up, for a whole *twelvemonth* together, with *common whores* and *thieves*, but that all the remains of decency, modesty, and of the comparative innocence which she carried with her, should all be obliterated, and she should become, on her return to her parish, a common pest and nuisance, and fit for nothing but to be exterminated from the face of the earth?

I question not but the terror of this statute has occasioned many a CHILD-MURDER, and wonder not, that, fourteen years afterwards, the legislature should be compelled to pass a law in hopes of putting a stop to it—*viz.*

* This, I have been informed, amounts to *three halfpence* a day.

21 *Jac.* I. c. 27. the preamble of which clearly confirms what I am now ſaying—"Whereas many lewd women that have "been delivered of baſtard-children, to "AVOID THEIR SHAME, and to ESCAPE "PUNISHMENT, do ſecretly *bury*, or *conceal* "the *death* of their children; and after, if "the *child* be found *dead*, the ſaid women do "alledge, that the ſaid *child* was *born dead*; "whereas it falleth out ſometimes (although "hardly it is to be proved) that the ſaid "*child* or *children* were *murdered* by the ſaid "*women*, their lewd *mothers*, or by their aſ-"ſent or procurement—For the preventing "therefore, &c."

Now, what would have become of ſuch a woman under the DIVINE LAW?—She would have been deemed the man's *wife*, and as ſuch he muſt have maintained and cohabited with her—and ſo it would be among the *Jews* to this day.—So it was *once* by the law of *France*—ſo it is *now* by the laws of *Switzerland* (ſee vol. ii. 335, 1ſt edit.—297, 2d edit.)—and ſo it is (to our ſhame be it ſpoken) among the *ſavages* of the *iſland* of OTAHEITE!

By the way, we muſt not forget, that while the poor creature has ſo much done by the *civil power* for the correction of her *body*, it is by no means improbable, but, on due *preſentment* by the *right truſty* and *well-beloved* the *churchwardens*, the *ſpiritual court* may think it worth their while to do ſomething *pro ſalute animæ*, "*for the good of her ſoul.*"—

See

See the caſe of *Ann Jenkinſon*, Thelyph. vol. i. p. 67, n. If theſe two modes of puniſhment were ſteadily and uniformly applied, it might be of *prodigious ſervice* to pariſhes, in eaſing them from the burden of *lewd women* and *baſtard children*, as furniſhing a very ſtrong inducement to the *mothers* to *cut their infants throats*, rather than run the riſque of ſo much ſhame and miſery; the conſequence of which would probably be, that the *hangman* would eaſe the pariſh of the burden of the *mother*.

Anno 1780.—At *Nottingham*, a poor girl of a neighbouring village was libelled, in the *ſpiritual court*, for *fornication*; the caſe was, that, ſome time before, ſhe had had a child that was born a *baſtard*; ſhe was ſentenced by the court to do *penance*—in order to this, ſhe was to pay down a ſum of money, which ſhe had not; my *informant* ſaw her weeping bitterly under this piece of oppreſſion; however, by the help of a friend's charity, ſhe was at laſt enabled to pay the *exaction*, and ſo was delivered from the jaws of *excommunication*.

It ſhould ſeem, from the converſation which I had with the gentleman who related the above to me, that the poor people in the *northern* diſtant counties are dreadfully ſcourged and harraſſed with theſe oppreſſive exactions, it being the conſtant cuſtom, in many parts, to puniſh the unhappy victims with theſe *ſpiritual* extortions of money, beſides expoſing the delinquents to the contempt and ſcorn of

the whole pariſh, by ſetting them publicly in the church in a white ſheet.—My *friend* aſked ſome of thoſe whom he was converſing with on the ſubject, if people did not complain of it as a great oppreſſion and hardſhip? "O no," ſaid one, "we like it much, for "we ſhould have ſo many *baſtards* to keep, "as to be quite over-run with them, if it "was not for this."—How far this obſervation might hold, I can't ſay; but I am afraid, that, from a certain concatenation between *cauſe* and *effect*, ſuch proceedings are a means of leſſening the charge of pariſhes with reſpect to *baſtards*, more by increaſing the number of *murders*, than by any thing elſe. See before vol. ii. 347, n. 1ſt edit.—p. 307, n. 2d edit. concerning this *relic of Popery*.

I am acquainted with a certain *magiſtrate*, who, in caſes of this ſort, makes the beſt enquiry he can of the *pariſh officers* concerning the character of the woman; and if, from what they ſay, and from other circumſtances, he has reaſon to think, that her ſituation is owing to the ſeduction of the man, and that ſhe has had no *concerns* with any other, he always perſwades a public marriage; he even inforces his arguments from the ſcriptures which have been ſo often mentioned, and ſcruples not to declare, "that, as in GOD's ſight, the woman "is already the man's *wife*," and therefore to conjure him, as he ſhall anſwer it at the day of judgment, to make her ſo according to the laws of his country. In ſeveral inſtances, conviction has been wrought, the parties have been

been married, and the magiſtrate has, on enquiry after them, had the ſatisfaction to hear, in ſeveral inſtances, that they go on well, and ſeem perfectly contented. How much for the honour of GOD, and for the good of the kingdom in general, would it be, if *magiſtrates* (as in *Iſrael*) had a power, in all caſes, to *inforce* ſuch arguments on the *refractory*, by the coercive power of a wholeſome law made for the purpoſe!

One caſe I cannot help mentioning, as it tends to illuſtrate what has been ſaid on the evil tendency of the *marriage-act*.

A young fellow, who had been ſworn to as the father of a child, with which a young woman was then pregnant, and who was within a little of her time, being brought by a warrant before the ſaid *magiſtrate*, was interrogated concerning a point which the girl had mentioned during the time of her examination, which was, whether he had not *promiſed* her *marriage*? The man owned he had—the *magiſtrate* then inforced, by every argument he could think of, the duty and neceſſity which the man was under to fulfil his * promiſe. The man, after ſome

* Such a *promiſe*, accompanied by ſuch an *act*, would be deemed by the *eccleſiaſtical law* a marriage *de facto*, and the man might have been compelled to have ſolemnized it publicly in *facie eccleſiæ*—but *now* there's an end of that, and one of the moſt atrocious and miſchievous villainies that any man can be capable of committing, has the ſanction of an *act of parliament*, by the expreſs words of which, the perpetrator of it is ſet free from all matrimonial engagement whatſoever. See before, vol. i. 30, 31. and vol. ii. c. 7. throughout.

little hesitation, owned himself convinced, and consented to *marry* the girl as the *next morning*. The *magistrate* was not a little pleased, to hope, that here was another *female* likely to be saved from *ruin*, another poor *infant* from the infamy and disadvantages of † *bastardy*;—but a check was put to it all, for, as by the *marriage-act* three *Sundays* must intervene for the asking of *banns*, the man's good intent could not be carried into execution without *a licence*—now a *marriage* by *licence* comes to above *forty shillings*, including the *church fees*—the poor fellow, by keeping out of the way for a time, had thrown himself out of work, the poor girl had been turned out of her service, and had been living on the little pittance which had come to her for *wages*, and on the disposal of part of her *cloaths*, till she applied to the parish; so that, between them, they could not raise a *fifth* part of the money. The *magistrate* having, on like occasions, applied himself to the *parish officers* with success, recommended it to those then present to be at

† Many cases might be put, where children, as the law now stands, must *necessarily* be born *bastards*, however willing the *parents* may be to prevent it. As for example—suppose *one* or *both* the parties to be *under age*, their parents dead, and no guardians appointed—they can't be married by *licence*; they can't, through their *poverty*, apply to the court of *Chancery*; the delay of three *Sundays* for *banns* may outrun the time of the *woman*'s pregnancy—but how much more, where, as in some poor parishes in *Wales*, and in some parts of *England*, there is no *service* above *once* in a *month*; here *three months* may be to elapse before the *marriage* can be had and solemnized.

the

the *expence* of the *wedding*; one of them ſeemed inclined to it, but his ſurly partner interrupted all compliance, by entering his proteſt againſt it—" *Noa—noa*—we'll do no " more *vor un*, an't pleaſe your worſhip, we " ha' been at expences *enow aready*—what " wi' hunting *ater* the mon, and coming " backwards and *vorwards* about *zwearing* " the child, and one thing or *wother*, it has " coſt the pariſh as good as *ten ſhillings*, and " we'll do no more *vor un*."—All remonſtrance was in vain, the honeſt farmer's—" we'll do no more *vor un*," prevailed with his partner, and there ended all hope of the ſpeedy marriage, which had been propoſed and aſſented to. The *magiſtrate*, therefore, finding the young man without ſureties to anſwer for his appearance, and the impoſſibility of perſuading either of the officers to do that kindneſs, or " *any more vor un*"—and that he could as ſoon have repealed the *marriage-act*, or have reconciled it to ſcripture, common ſenſe, or true policy — made uſe of his *diſcretion*, and *committed* the young man to *priſon*, 'till the *three Sundays* ſhould be paſſed, and the *banns* publiſhed; with an order to the *gaoler*, to deliver him, on the *Monday* following the laſt day of *publiſhing the banns*, to the cuſtody of the *conſtable* of the pariſh to which the *parties* belonged, that the ſaid *conſtable* ſhould convey him to the pariſh church at the appointed hour, ſee them *married*, and then diſcharge his priſoner.

This

This obligation to ſend the young man, to live near three weeks among the inhabitants of a common priſon, might have been attended with conſequences of the worſt kind to the priſoner; who could be looked upon as no other than a *victim* to a cruel and unnatural *law*, and whoſe only crime, for which he was confined, was, that he could neither contract *three weeks* into the ſpace of *twenty-four hours*, nor produce between *forty* and *fifty ſhillings*, to *pay* for doing an act of *retributive* juſtice to his fellow-creature, in the moſt expeditious manner.

However, the parties were married, and there was an end—the young man turns out a good huſband, and the woman a good wife; but there can be little doubt, that there are many caſes of this ſort, which do not *end* quite ſo *well*; for of all *experiments* which can be tried for the corruption of the common people, none have been found ſo thoroughly to *ſucceed*, as that of ſending them into a *gaol*; and to be laid under a neceſſity of doing this, merely becauſe a man's power of doing a *right* thing is to be ſuſpended for a length of time, beyond his deſire and intention to do it, is a ſort of practical ſoleciſm, unjuſtifiable in itſelf, irreconcileable to common juſtice, inconſiſtent with ſound policy, and a moſt painful taſk impoſed on the humanity and feelings of the *magiſtrate*—add to this, one good reaſon, among others, for the repeal of a law, which

may

may occaſion theſe things to happen every day.

The more merciful *Romiſh ritual* ſays—"*Publicationibus factis tribus diebus feſtis;*" and our own ritual (which follows the *Romiſh* pretty cloſely) till ſuperſeded by the *marriage-act*, ſaid—"*three Sundays or holy days*"—ſo that, by poſſibility, a *few* days might determine the matter:—but now the interval between the *marriage-ceremony* and the *contract* is ſo far protracted, and ſo far out of the reach of the *poorer* ſort to ſhorten by the enormous expence of *licences*, as to form, in many caſes, a very *inconvenient*, in not a few, a very *dangerous* delay—and is ſurely well worthy the very ſerious conſideration of the *legiſlative* powers.

'Till an alteration be made, we certainly are far behind, in point of policy and humanity, as well as in conformity to the *divine law*, the ſavages of *Otaheite*, and perhaps many others—who, *not having the law, do by nature the things contained in the law.* Rom ii. 14.

Though the *Otaheiteans*, and we, differ in what has been before mentioned, yet we wonderfully agree in certain other particulars. Dr. Alex. Hiſt. Wom. vol. i. p. 286, ſays—"*As* POLYGAMY *is not allowed among them*" (there we agree) "*they have a ſociety among* "*them called* ARREOY, *in which, to ſatisfy* "*the luſt of variety, every woman is common* "*to every man.*"—And have we no ſuch ſocieties? what are our *brothels*, what are our public

public ſtreets after dark? what, many aſſemblies of men and women, of more oſtenſible decency perhaps, but really and truly ſo many ARREOYS?——"*And when any of theſe* "*women happens to have a child, it is ſmo-* "*thered in the moment of its birth, that it* "*may not interrupt the pleaſures of its infa-* "*mous mother;*"—Children are rarely *murdered* by their mothers, among us, merely from this principle; but if from *fear*, *ſhame*, or the *dread* of *ſevere puniſhment*, women are terrified into the *murder* of their children, it amounts much to the ſame, with reſpect to the *children*; and if we take into the account the numbers deſtroyed by *cauſing abortion*, an art which it does not appear that the *ſavages* have as yet acquired, and thoſe which are deſtroyed either *in the birth*, or *after*—many of which *murders* are never diſcovered, perhaps more than are diſcovered—it is hardly to be doubted, but this *iſland equals* at leaſt, if not *exceeds*, in numbers of *murdered* infants, the iſland of *Otaheite*. Their *Arreoy* ſeems to be confined within a much ſmaller compaſs than *ours*; for as to the liberty our men enjoy, to ruin as many women as they *can*, it is unconfined and unlimited throughout the kingdom.—— "*but in this juncture, ſhould nature revolt at* "*ſo horrid a deed, even then the mother is not* "*allowed to ſave the child*,—This, I confeſs, goes beyond us; and yet, the taking a young *infant* from the *mother's breaſt*, and committing it to the *care* of a *pariſh-nurſe*, on ſending the *mother* to be *puniſhed* in the *houſe of correction*,

correction, is not without ſome *affinity* to this practice.——"*unleſs ſhe can find a man who will* "*patronize it as a father*;"—This brings the matter into ſomewhat like a parallel again, as many children among us have been *murdered* through the *deſertion* of the *pregnant* woman by the *father* of the *child*.——"*in which caſe*, "*the man is conſidered as having appropriated* "*the woman to himſelf, and ſhe is accordingly* "*extruded from this hopeful ſociety*."

This particular has already been ſufficiently obſerved upon, and the advantage of the *Otaheitean* pregnant women, above that of the *European*, pointed out.

To attempt a recapitulation of all the *marriage-ceremonies* of the different nations of mankind, would be a work far exceeding the limits as well as the intention of this *volume*; but whatever they may be, as to *matter* or *manner*, they are doubtleſs of *human* contrivance, and therefore ought only to be looked upon as the ſeveral modes of eſtabliſhing a *civil-contract*, not only between the *parties*, but with reſpect to the *ſociety* where their lot may happen to be caſt.

Dr. Alex. Hiſt. Wom. vol. ii. p. 207, obſerves as follows:—"In the proſecution of "our enquiry, we have ſcarcely diſcovered "among other primitive nations" (beſides the *Jews*, which he had mentioned before, as having no religious marriage-ceremonial revealed to them) "we have ſcarcely diſcovered "any of them even pretending that *marri-* "*age* (i. e. marriage-ceremony) was the in-

"ſtitution

" ſtitution of their gods; but of their firſt le-
" giſlators, as *Menes* in *Egypt*, and *Cecrops* in
" *Greece*; nor have we found, even among the
" *Jews* themſelves, that either *prophet* or
" *prieſt* were concerned in the *celebration* of
" *marriage*, though they managed every thing
" that was conſidered as *ſacred*, or of *divine*
" inſtitution: the ſame was the caſe among
" other primitive nations; they had *prieſts*
" to whom the celebration of every holy rite
" was committed; but their *magiſtrates*, and
" the relations of the contracting parties,
" were the only people who concerned them-
" ſelves about *marriage*; a ſtrong preſump-
" tion, that it was not conſidered in any other
" light than as a *civil-contract*."

There is, however, with regard to the *Jews*, no reaſon to talk of " ſtrong preſumption," for the light itſelf is not more clear and evident, than that, throughout the whole law of *Moſes*, there is not the leaſt hint or trace of *nuptial ceremony* of a religious kind, or the interference of any *miniſter* of religion in the matter—therefore the throwing *marriage* into the hands of *Chriſtian churchmen* (and by what means and by what degrees that has been done clearly appears from the foregoing evidence) and pretending that a ceremonial to be adminiſtered by *prieſts—jure divino*, was neceſſary and eſſential to make *marriages* valid as in GOD's ſight—and that all who came together, and lived together, without it, lived in " a ſtate of whoredom and fornication"—is alſo more than a *ſtrong preſumption*, for it amounts

amounts to *demonſtration*, that *Chriſtian churchmen* have been the greateſt, and moſt errant and complete ſet of KNAVES, that ever infeſted the earth. None but *ſuch* could, for their own profit and intereſt, have miſinterpreted, perplexed, and confounded, as they have done, the holy and ſimple ordinance of GOD with reſpect to *marriage*, and then throw the duſt of *prieſtly rites* and *ceremonies* into the eyes of the laity, to prevent a diſcovery of their *impoſture*.—How all this originated, how it has been carried on, and how it ſtands at this hour, has been fully declared.

One ſhould hardly think, that *ſuch* a *contempt* poured on the *Hebrew ſcriptures*, in which the whole *mind* and *will* of JEHOVAH ſtands written, as with a *ſun-beam*, touching thoſe wiſe and beneficent regulations, which HE was pleaſed to ordain with reſpect to the *commerce of the ſexes*, could admit of *aggravation*; but this matter leaves no ſort of doubt, when we find the *impoſtors* placing the great *reviver*, *interpreter*, and *defender* of the *law* of JEHOVAH, at the head of their *faction*, and repreſenting HIM as inſtituting a *new ordinance* of *marriage*, appropriated to *Chriſtians*—this upon the foundation of a *new law*; and thus rendering *null and void* the fixed and unalterable *decrees* of *Eternal Wiſdom*—on the important and intereſting ſubject of *marriage*.

Let thoſe who think I carry this matter *too far*, firſt read their *Bible*, then let them take *Du Pin's* hiſtory of *Eccleſiaſtical Writers*, &c. or, if they do not care to read over ſo voluminous a work, let them conſider well the preceding

preceding extracts from it; let them then compare the whole of *our system*, with what they find there upon the subject, and if, after all this, they do not agree with me, then let them take for their motto—*Non persuadebis, etiamsi persuaseris.*

In the foregoing long detail of evidence, we have often met with the word *Church*, which is the *English* translation of the *Greek* εκκλησια, and of the Latin *Ecclesia*; these seem derived from the Greek ἐκκαλειν to *call out*, and denote the *church* of GOD, or an *assembly* or *society* of men, *called out of mankind* by the WORD of GOD; these are, *through sanctification of the spirit, and belief of the truth*, (2 Thess. ii. 13.) united to God and to each other, by the THREEFOLD CORD of FAITH, HOPE, and LOVE. They have ONE LORD—ONE FAITH—ONE BAPTISM. See Eph. iv. 5. All the members of this *society*, however *distressed, distinguished*, or *dissipated* over the face of the earth, form, in a collective sense, the *holy Catholic church*; and where only *two or three of* them *meet together* in the name of their *common* LORD, HE *is in the midst of them.* Matt. xviii. 20. Therefore there are as many *churches* on earth, as there are such societies thus *meeting together*—but these, as well as the *individuals* which compose them, though *many*, form but one *Body*, of which CHRIST is the HEAD. Eph. i. 22, 23.

For my own part, I doubt not but there are members of this *church* among all *sects* and *parties* of professing *Christians*, and it dilates my heart with a transport of joy, to think

think how many *thouſands*, now divided from each other from various cauſes of ſeparation, as to place, ſituation, and other unavoidable circumſtances incident to the preſent ſtate of things—perhaps divided by the narrowneſs of a *party*, or the prejudices and bigotry of *ſectarian** zeal, which, like impaſſable gulphs, ſtand between them—ſhall one day meet together, and join with one heart and one voice,

* In the year 1644, at the treaty of *Uxbridge*, the reverend *doctors* of the *king*'s party affirmed *Epiſcopacy* to be *jure divino*—the reverend *miniſters* of the other party, affirmed *Preſbytery* to be *jure divino*. Theſe diſputes were carried on with great warmth, and pretty equal ſucceſs, for both parties ended juſt where they began, and full as wide from each other's ſentiments.—The foundation of *all*, ſeems to have been, ſomething very like that of a certain diſpute, which is recorded *Mark* ix. 34. If *both* ſides had attended as they ought to the *rebuke* given ver. 35, matters would have ended more amicably—however, a third *jure divino* ſtarted up under the notion of *Independency*, which, by the help of the *jure divino* of *Preſbytery*, overturned the government both in *church* and *ſtate*—cut the *king*'s head off—and then took all into their own hands—'till the intolerable tyranny they exerciſed upon one another, obliged them to reſtore the antient government again. After this, the *Epiſcopalian jure divino* took care to ſecure itſelf, and pay off old ſcores, by cruel and oppreſſive laws againſt *diſſenters*, which erected a *tyranny* ſorely felt by *theſe laſt*; 'till, after the *Revolution*, its *claws* were cut, and its *teeth* broken, by the truly *Proteſtant* and *Chriſtian toleration-act*.—However, hiſtory informs us, that perſecution and intolerancy are too congenial with human *pride* and love of *power*, to be chargeable only on the *church of Rome*. All *ſects* and *parties* have, in their turns, been calling for *fire from heaven*, as it were, againſt one another, little thinking *what manner of ſpirit they are of*, or what muſt become of them, if the JUDGE OF ALL ſhould deal with them as they would deal with each other

in the united praiſes of their glorious HEAD, and bluſh to think, that they have ſuffered any outward diſtinctions to influence or leſſen that inward affection, which, with reſpect to each other, ought to have been a tranſcript of the *Redeemer's* love to them. See John xiii. 34.

Such is the *church-militant* on earth, which, with that *triumphant* in *Heaven*, makes but one *family* (Eph. iii. 5.) which conſiſts of the *redeemed* out of *every nation, kindred, people, and tongue.* (Rev. vii. 9.) This, in a *comparative* view, is ſtyled—*a little flock*, Luke xii. 32; but, when *all* ſhall be *gathered together*, will appear to be *a great multitude which no man can number.*

After all this, it muſt ſurely appear to the diligent reviſer of the former part of this *volume*, that the word *Church* is to be underſtood very differently, in thoſe extracts from the annals of *Popery*, which ſo long detained his patience in the peruſal of them.

There, this ill-underſtood and much-abuſed word *Church*, denotes a ſet of people, deſcribed by the *apoſtle*, Acts xx. 30. *as grievous wolves, entering in and not ſparing the flock—ſpeaking perverſe things to draw away diſciples after them.*—We have ſeen how early this *myſtery of iniquity* began to *work*—how, under the name of THE CHURCH, a *kingdom of this world* was erected, and its *throne* filled with the *man of ſin, who oppoſeth and exalteth himſelf above all that is called* GOD, *or that is worſhipped; ſo that he as* GOD *ſitteth in the temple of* GOD, *ſhewing*

ſhewing himſelf that he is GOD. 2 Theſſ. ii. 4. We have ſeen, how, in conſequence of this, and in order to ſupport this ſame CHURCH, the minds of men ſhould be filled with ſuch ideas as were beſt ſuited to maintain its dominion, not only over the *people*, but even over the *kings* of the earth.—Hence falſe *traditions* took place of the *written ſcriptures*—*legends*, full of lying *miracles* and *wonders*, ſupplanted the *records* of *divine truth*—laws of *councils*, *ſynods*, and *Popes*, were ſubſtituted for the *laws* of *Heaven*—the love of *power* ſupplanted the humble ſpirit of the goſpel—*ambition* and *pride* drave out *lowlineſs* and *meekneſs*—an iron *ſceptre*, wielded by the hand of *tyranny*, ſucceeded to the mild and gentle reign of *Chriſtian* liberty—adamantine chains of *ignorance* and *ſuperſtition* were forged for the reaſon and underſtanding of mankind—the *eaſy yoke* of CHRIST was laid aſide, and the intolerable burden of *church*-power cruſhed all who refuſed to ſubmit to it.

Such being the form and government of this *worldly kingdom*, its *miniſters*, who were to carry it on, muſt be ſuitable to the nature of it. Hence aroſe, in the ſhape, and under the venerable names of *cardinals*, *archbiſhops*, *biſhops*, *prieſts*, *deans*, *canons*, *prebendaries*, &c. &c. as many *Lords over* GOD's *heritage* as the wit of man could invent, or the power of the *Pope* create; *riches* * and *worldly* grandeur

* It was a fine check which was once given to a certain *Pope*, who was, with no ſmall ſatisfaction, deſcanting

deur gave them pre-eminence, and every means to advance these were devised and employed. Among the rest, the ordinance of *marriage* was framed anew; its antient and simple dispensation afforded no *revenue*, added no *importance* to *churchmen*; where it was *divinely forbidden*, no *dispensation* from *man* could authorize it; where it was *divinely allowed*, no *licence* from man could add to its perfection and obligation:—this was found necessary, therefore, to be changed; the *thing itself* must be destroyed, and framed anew; its *nature* and *essence* must no longer remain upon the CREATOR's institution, but depend on certain *rites* and *ceremonies* of man's invention—these were to be supposed to be coëval with the dispensation of the *gospel*, and the laws of JEHOVAH, by which it had been regulated and settled from the *beginning*, were deemed *antiquated* and laid aside. We have seen the degrees by which this was effected, from the first introduction of clerical *benediction*, to the total invalidation, not only of the *divine law*, but of all *civil contract*, by the *council of Trent*—we have seen what mischiefs have been produced to the world, more especially to the *female sex*, by these *papal* inventions; and happy would it be for *millions*, did we also see, that nothing can obviate these mischiefs, but returning to

canting on the great accession of *riches* to the *church*—"Now," said he, "the church can no longer say, as *St. Peter* did—*Silver and gold have I none.*"—"No," answered one, "Neither can it say, as he did—"*In the name of* JESUS CHRIST *of Nazareth, rise up and walk.*" See Acts iii. 6.

that

that from whence we are fallen — the HOLY, WISE, BENEFICENT, and SALUTARY LAWS OF HEAVEN.

The way to do this, is to reſtore to the *civil power* that which has been evidently taken from it; to ſuffer no longer a *ſyſtem* to remain, which hides from the eyes of mankind the real and true nature and obligation of the *divine ordinance*. The *civil magiſtrate* ought to have the *ſole* juriſdiction over *civil contracts*, in *this* as well as in all other caſes—and ſurely a way might eaſily be found, by which this might be brought to paſs, ſo as to anſwer every good end that can poſſibly accrue from the preſent mode of marriage, and defeat thoſe miſchievous ends which are the infallible conſequences of the preſent ſyſtem; above all, that *anti-ſcriptural* and deſtructive notion, that men are under no obligation to that retributive juſtice which GOD has commanded, unleſs bound upon them by the word of a *prieſt*. On ſuch occaſions, the acceſs to the *magiſtrate* ſhould be facilitated as much as poſſible, and his power, like that of the magiſtrates in *Iſrael*, ſhould inſtantly compel ſuch an obſervance of it, as they would have done in the like caſe. See before vol. ii. p. 73. 1ſt. edit.—p. 67. 2d edit. This would rid the world of all the miſchief which now accrues from the difficulties laid in the way of *marriage*, by *eccleſiaſtical* contrivance, and by the falſe policy of the *marriage-act*.

One would think, that in ſuch a country as this, when we are driven to ſuch a ſtate of *depopulation*, as to make laws to invite *foreigners*

to navigate our ſhips, and find ourſelves obliged to allow our merchants *three fourths* of *foreign ſeamen*, in order to carry on our trade, (See 20 G. III. c. 20.) all the cauſes of *depopulation* ſhould be well conſidered, and as many of them removed as poſſible; that *marriage*, ſo far from being clogged with difficulties and impediments which are ſolely the inventions of men, ſhould be facilitated and encouraged, by being reſtored to its *antient* footing, as it appears to have been ordained, inſtituted, and regulated, by the GREAT LORD OF HEAVEN AND EARTH.

This would alſo, as has been already ſhewn at large, greatly deſtroy that *deſtroyer* of ſo many—*public proſtitution*.—It would reſcue multitudes of breeding women from that fatal obſtacle to *population*, the *promiſcuous* intercourſe of the *ſexes*—it would be a means of eradicating that dreadful *diſeaſe*, which is the baneful conſequence of it, and which, in different ways, robs us of ſo many people.

By recommending a reſtitution of the *divine law*, I am recommending no *new invention*, no *Utopian* ſcheme, no *medicine* for our ſad and mournful ſtate of *conſtitution*, but what has been tried and found to ſucceed; there is not an *ingredient* in it, but what has been thoroughly *weighed and prepared by unerring wiſdom*.—Let us only take a view of its effects on *Iſrael of old*, who were as *the ſands on the ſea ſhore, and as the ſtars of heaven for multitude*.—The *plan* which they purſued was of GOD—from whence the plan which we are purſuing is *derived*, or by *whom deviſed*,

I ſhould imagine the *reader* can be at no loſs to determine, after having attentively red, and conſidered, the contents of this, and of the two preceding *volumes*.

From the foregoing *evidence* it alſo appears, from whence we derive our oppreſſive and unjuſtifiable notions of *divorce* a *vinculo matrimonii*—of permitting men to forſake women entirely, if not *married* to them with every given requiſite of ſome *human form*, though ſuch *requiſites*, or the reaſons of annulling marriages, which are wholly grounded on thoſe *requiſites*, ſo far from having *ſcripture-warrant*, directly oppoſe the *mind* of GOD as revealed in the *ſcriptures* upon the *ſubject*.

We may farther be inſtructed, whence is derived the depriving men of that moſt important privilege of *divorce* in caſe of the wife's *adultery*, and *forbidding* them to *marry* others during the *adultereſs's* life, unleſs ſet free by *human authority*; this at ſo enormous an expence as few can afford.—Thus is a man placed in a moſt cruel ſituation, either to ſhare his wife with others, and be liable to the maintenance of other men's children; or, if he ſeparates himſelf from her, he is reduced to all the temptations and miſchiefs of a *celibacy* which is impoſed on him by the ſole tyranny of *human authority*, without any power whatſoever of flying to that redreſs, which is graciouſly and gratuitouſly afforded him by the GOD of *nature*. We have ſeen the dreadful conſequences which attended the *celibacy* of the *clergy*—we are aſtoniſhed at

the wickedneſs of thoſe *canons* which enjoined it—we wonder, that, to this hour, it ſhould be continued in the *Romiſh* church—we approve, and juſtly, in the higheſt terms, the baniſhment of it from among the *Proteſtants*—how is it that we do not ſee, that our continuing to follow the *Popiſh* canons relative to *divorce*, is productive of a ſort of factitious *celibacy*, with reſpect to men who cannot *afford* divorces on the footing on which the *Pope* placed them, and on which we have in effect continued them, only with having increaſed the expence an *hundred fold*, and by this having placed them ſo much further out of the reach of the *injured*—how is it, I ſay, that we cannot ſee, that *this ſort* of *celibacy* is attended with all the miſchiefs of the *other*, and, without doubt, as great an incentive to *adultery* and *whoredom*, and, in conſequence, to the *ruin* of *women* both *married* and *unmarried?* What difference can it poſſibly make to a man, whether he be left a wretched prey to his paſſions, becauſe he has *taken orders*—or becauſe his *wife* is become *no wife* to him, and he is forbidden to take *another*, but on impoſſible terms?

We have had alſo laid open before us, in the preceding long teſtimony, the inſult put on the *ordinance* of *Heaven* by the ſeveral *canons* which were made for preventing *clandeſtine marriages*, and making them *null* and *void*—a matter which was ſo far from being unanimouſly agreed upon, even at the *Popiſh council of Trent*, that *Cardinal Varmienſe* abſented

ſented himſelf the day on which the voices were to be collected for the *decree*; and no leſs than *fifty-three* others of the *council* gave their voices againſt it—" for, that, marriage " being a *divine*, not an *human* ordinance, " *could not be diſſolved by any power of man.*"— See before vol. ii. p. 39. 2d. edit. n.—p. 41. 1ſt. edit. n.

By what art of *logic* can it be made out, that this is not as good a reaſon againſt our " act for preventing *clandeſtine marriages*," as it was againſt the proceedings of the *council* of *Trent?* Or how can the *influence* of that *great man*, who brought in the *marriage-act*, and who, by dint of the weight of that *influence*, carried it through all its ſtages in *parliament*, create a more *ſcriptural* ſanction of that law, than the *influence* of the *Pope* over the members of the *council* of *Trent*, could juſtify paſſing the *decree* for preventing, and making void, *clandeſtine* marriages?

We likewiſe may ſee the power aſſumed to vacate *marriages*, which are had and ſolemnized before a certain time of life, which is arbitrarily fixed to the age of 21 years in both parties, unleſs had by conſent of *parents* and *guardians*. A Pope of *Rome* could fix the age of the *man* at 30, and of the *woman* at 25: we are more moderate—but where doth GOD make *ſuch* marriages void?

The law, antecedently to the *marriage-act*, ſtood thus, viz.

" From the age of *ſeven* to the age of " *twelve* as to the woman, and of *fourteen* as

" to

" to the man, they cannot contract matri-
" mony *de præsenti*, but only *de futuro*.

" A *man*, so soon as he hath accomplished
" the age of *fourteen* years, and a *woman*, so
" soon as she shall have accomplished the
" age of *twelve* years, may contract true
" and lawful matrimony.

" But by *can.* 100 — no children, un-
" der the age of 21 years complete, shall
" contract themselves without the consent of
" their parents or guardians, and governors,
" if their parents be *deceased*."—It is to be observed, that here is nothing said of vacating actual marriage. See *Burn*'s Eccl. Law, tit. *Marriage*, § 2.

By 25 of Hen. VIII. c. 21, power is given to the *archbishop* of *Canterbury*, to grant *faculties*, *dispensations*, and *licences*—as the POPE *had done before*. This *Papal* power is reserved by the *marriage-act* to the *archbishop*, who, by virtue thereof, can *license* persons to *marry* at any time or place; which *marriages*, without such licence, would be void to all *intents and purposes* whatsoever! So that now, all that glorious and beneficent plan, which was ordained of GOD, for regulating the *commerce of the sexes*, and more especially for the preservation and protection of the *female sex*, is set aside, and we are to consider the validity of the *divine ordinance of marriage*, in *all cases*, as dependent on the laws of men, and in very many cases, as narrowed into the compass of an *archbishop's* licence!—*Deo non obstante*.

Thus

Thus have we been brought to a thorough acquaintance with the whole doctrine of *marriage*, as it is in *deed* and in *truth* the ordinance of GOD, and as it is now in *deed* and in *truth* a creature of the ſtate, or rather a ſort of creature of *Popiſh* extraction, yet of the *amphibious* kind, partaking partly of *eccleſiaſtical law*, partly of the *civil municipal law*, but hardly a trace remaining of its antient conformity to the LAW OF HEAVEN.

The effects and conſequences of all this have been clearly pointed out, and laid before the *public*—ocular demonſtration proves their truth, and every day's experience brings in its evidence for the neceſſity of REFORMATION.

Laſtly, and upon the whole—It does appear, that *Chriſtian churchmen* have imitated the *apoſtate Jews*. The cauſe *theſe* had to ſerve was the ſubverſion of *Chriſtianity*; therefore, when "they got the New Teſtament "into their hands, and ſaw the evidences it "was built upon, they turned *Maſorites*, "*Rabbies*, Expounders, Scribes, &c. patched "up *Talmuds*, *Miſhnas*, *Cabbalas*, &c. and at "laſt ſet up that outrageous impoſtor *Ma*-"*homet*; all to facilitate their main plot."—See Hutch. Abr. p. 205.

So when the *others* had framed a plan to eſtabliſh a *worldly kingdom*, and to wield a *ſceptre* of *deſpotiſm* over their ſubjects the *laity*—when they ſaw the evidences againſt their whole plan, which were contained in the *ſacred writings*—they turned *Commentators*,

tors, Expoſitors, Traditioniſts, &c. patched up *Bulls, Decrees, Canons, Synodal Determinations*, &c. and ſet up that outrageous impoſtor the *Pope*, to facilitate their main plot againſt the liberties and properties, the underſtandings and conſciences of mankind.

Whereas, in truth and in fact—

The whole of JEHOVAH's *inſtitutions* was renewed to the *Iſraelites* at mount *Sinai*, minutely deſcribed and recorded in the *law* committed to their cuſtody, and ordered to be preſerved as a ſacred *depoſitum* for the benefit of all nations—the long ſucceſſion of *prophets* confirmed its ſtability and importance—and the whole of the New Teſtament refers us to no other foundation for the truth and obligation of all its precepts.

It follows then, that, as JEHOVAH created man upon the earth—*commanded* the increaſe and propagation of the human ſpecies—*ordained* the means of it—*circumſcribed* thoſe means, by poſitive ſtatutes, as to His infinite wiſdom ſeemed good — no *man* or *men*, of any *deſcription* * or *character* whatſoever, hath or have any power or authority whatſoever, to add to, diminiſh, change, or alter, one ſingle *ſtatute* relative to *marriage*, as to who

* "As ſurely as God hath revealed true religion, ſo "ſurely has he inhibited magiſtrates, and all others, "from eſtabliſhing any thing *contrary* to it, or *devi*- "*ating* from it." *Confeſſional*, 3d edit. p. 258. — This appears to be ſo ſelf-evident an *axiom*, as to admit of no controverſy; and yet, as we have ſeen from the foregoing long detail of evidence, has been practically denied for many ages.

may

may or who may not intermarry—what does or does not conſtitute it as valid and obligatory in the ſight of GOD, either with reſpect to the parties themſelves, the lawfulneſs or unlawfulneſs of their iſſue, or any circumſtance whatſoever concerning the divine ordinance delivered in the *revelation* of GOD's *mind* and *will*, and *recorded* in the *book of the law*.

Much leſs, if poſſible, have they any power or authority to forbid *marriage* where GOD hath allowed it—to make that *criminal* which he hath made *lawful*—that *null and void* which he hath *eſtabliſhed*—that *infamous* which he hath made *honourable*.

What abundant reaſon then hath GOD to complain of the *Chriſtians*, as he did of the *Jews*—Ezek. v. 6.—*They have refuſed my judgments*, and *my ſtatutes, they have not walked in them?* And again—Amos ii. 4.—*They have deſpiſed the law of* JEHOVAH, *and have not kept his commandments, and their lyes cauſed them to err, after the which their fathers have walked.*

Many other remarks might be made from the foregoing long detail of inconteſtible evidence, which probably have not eſcaped the intelligent *reader's* obſervation; I do not at all wiſh they ſhould, as each of them muſt tend to diſcover the frauds and fallacies which have been made uſe of, to wean the minds of people from the *great* and *only ſtandard* of *all truth*, and to conciliate a reverence and eſteem for the traditions and inventions of men;

men; thus to emancipate them from the *commandments* of GOD, and to bring them into that worſe than *Ægyptian* bondage, a blind ſubmiſſion and ſubjugation of their underſtandings to the *ſleight of men, and cunning craftineſs whereby they lie in wait to deceive.* Eph. iv. 14.

The undeniable proofs of this, are too glaring to be denied, with the leaſt pretence to fairneſs; and afford a very uſeful caution, againſt believing things to be true, becauſe they make a part of a *popular ſyſtem*, or of a *national religion*. We have ſeen how many *forgeries* and *lyes* have grown into credit and reverence, merely from their introduction by *men* in *power*, and their having acquired conſequence by *length of time*. We have ſeen how the coercive terror of *capital* puniſhment has been made uſe of to inforce a veneration for *falſhood*, and the terrors of *hereſy* and *ſchiſm* brandiſhed at the heads of thoſe, who have dared to oppoſe *ſcripture* to *human tradition*. We have ſeen laws of GOD annihilated, and laws of men put in their place. We have ſeen *Chriſtianity* made incompatible with the *ſtatutes of Heaven*, and the *ſtatutes of Heaven* repealed by *Popiſh* canons, and acts of *parliament*. All this, and much more, *ejuſdem farinæ*, we *have ſeen*.—I leave it to the common ſenſe and reaſon of every judicious and obſervant perſon to determine—what we *ſtill ſee*.—And to HIM, who is alone *the ſupreme diſpoſer of all events—whoſe ways are not our ways*, and *whoſe thoughts are not our*

our thoughts—do I moſt humbly, ſubmiſſively, and unreſervedly, leave whatever *ſhall be ſeen* hereafter: moſt aſſuredly believing, as moſt fully perſuaded, let appearances be what they may to the eye of human wiſdom, that a time will come, when *the kingdoms of this world*—however now divided by human policy—deceived by eccleſiaſtical contrivance—impoſed on by prieſtcraft—miſled by folly—or blinded by ſuperſtition—will *become the kingdoms of* JEHOVAH and HIS CHRIST—and that *the earth ſhall be filled with the knowledge of* JEHOVAH, *as the waters cover the ſea.* See Iſ. xi. 9.—Rev. xi. 15. Then will the *ſong of Moſes the ſervant of* GOD, and *the ſong of the Lamb*, be found in exact harmony with each other—and the *burden* of *both* be—*Great and marvellous are thy works*, LORD GOD ALMIGHTY!—*juſt and true are thy ways*, THOU KING OF SAINTS! Rev. xv. 3.

CON-

CONCLUSION.

THE author having now finiſhed his deſign, in laying before the *public* as complete a *ſyſtem*, as he was able to collect and lay together, for the prevention of *adultery*, and of the *public proſtitution* of women—which ſaid ſyſtem is founded ſolely on the baſis of the *divine law*—he deſires to conclude the whole, with ſome very eſſential parts of his *creed* relative to the ſubjects herein treated.

1. He does moſt ſolemnly *believe*—that the *moral laws* and *precepts* contained in the *Pentateuch*, or *five books* of *Moſes*, were deſigned for the *moral government* of GOD's *people* in all *ages* of the *world*.

2. That all the *ſtatutes* therein, relative to *marriage*, and all that concerns it, as to it's *nature* and *eſſence*, are the fixed and immutable determinations of *Infinite Wiſdom*.

3. That no *power* on *earth* can lawfully *add* to, or *diminiſh* from them, a ſingle *jot or tittle*.

4. That all variations, and departures from them, are ſo many *inſults* againſt the *power*, *wiſdom*, *holineſs*, and *purity* of the DIVINE LAWGIVER.

5. That all *human* contrivances to evade their force, and to deſtroy their influence and obligation—which were begun by *primitive Chriſtians* and *fathers*—carried on and completed

completed by *Chriſtian churchmen*, whether *Popiſh* or *Proteſtant*—are ſo many inſtances of human *corruption* and *depravity*, which cannot admit of much greater *aggravation*, than having appeared in the world under the ſpecious garb of *piety* and *ſanctity*, while they are ruining the bodies and ſouls of mankind—but more eſpecially of the *female ſex*—and ſetting the *laws*, made by the GOD of *nature*, for their ſecurity and protection, at open defiance.

6. That all theſe poſitions are proved in the foregoing *volumes*, and abundantly confirmed by every day's experience.

7. That, as far as the *divine law* is adopted into our *municipal ſyſtem*, ſo far will the ruinous and deſtructive crimes of *adultery* and *proſtitution of women* be checked—but by no other means which ever has, or can be, invented.

8. That we are all more the creatures of *cuſtom* than we are aware of—that the human mind, having no *innate ideas* of *right* and *wrong*, becauſe it has none of that *law* which conſtitutes them, takes up with the firſt that offer themſelves to its obſervation; theſe grow up with it, and form themſelves into thoſe various modes of opinion, which divide one part of mankind from another in their ſentiments and judgments of things; theſe are improved into habits by education and uſage, and hence ariſe the oppoſition and difficulty which *truth* meets with, when it preſents itſelf, on its own ſimple authority, to the

mind of man, and would ſupplant thoſe *prejudices* which are found to have uſurped its place and influence within the ſoul.

9. That the *Hebrew* tongue, in which the *divine law* is revealed and recorded, has one fixed and determinate meaning, with regard to the things therein contained; and, that not a ſingle word, phraſe, ſentence, paragraph, verſe, or chapter, has any other meaning *now*, than when firſt written by the ſacred *pen-men* — that every part of the creation, whether animate or inanimate, is juſt what it is there deſcribed, and that all the *moral* actions of men are *good* or *evil*, only as they are conformable, or not, to the true intent and meaning of the unchangeable *laws* of the *Creator* there recorded.—Therefore,

10. To imagine that the *ſun* which rules our *day*, and the *moon* which governs our *night*, are not the ſame identical *luminaries* of which we read in the *Hebrew ſcriptures*, is not more falſe, abſurd, and unwarranted, than to ſay that *marriage*, under all the *forms* in which it exiſted under the diſpenſation of GOD, as revealed in the *Hebrew ſcriptures*, and there recorded, is not *now* one and the ſame in GOD's ſight. And we are no more authorized to ſuppoſe, that it is in the power of *man* to create a new *ſun* or *moon*, than we are, that *he* can make *marriage*, as in GOD's ſight, any thing elſe than what GOD Himſelf hath made it in His moſt *holy law*.—To aſſert that there is ANY LAW, *holier*, *purer*, *wiſer*, or *better* adapted to regulate the *commerce of*

the ſexes, than that which JEHOVAH publiſhed at *Mount Sinai*, is *horrible blaſphemy!*

11. The author doth moſt certainly believe, that as the ſacraments of the *Lord's Supper* and *Baptiſm* have been corrupted by *anti-chriſtian* inventions—ſo the ordinance of *marriage*, as appointed by GOD, and regulated by *His laws*, hath ſhared the ſame fate—and that nothing can reſtore any of theſe to their primitive ſimplicity, but an unreſerved ſubmiſſion of the minds of men to the pure and perfect WORD OF GOD.

12. He doth alſo believe, that if ever the increaſing ruin and deſolation of *the ſex*, the *lower orders* thereof eſpecially, ſhould be deemed, as it ought, a ſerious object of *parliamentary* conſideration, as a national *evil* of the moſt *deſolating* and *deſtructive* kind, not only to *individuals*, but to the *public* in general—if ever the *legiſlature* ſhould think, with *Baron Monteſquieu*, that—"in a popular ſtate, "*public incontinence* may be regarded as the "greateſt of misfortunes" — if ever they wiſh to diſcourage and check *adultery*, *whoredom*, and *celibacy*, which are the cauſes of *depopulation*, and of other *numberleſs evils*; and to promote the intereſts of *chaſtity* and *marriage*, which are the approximate cauſes of *population*, and of other *numberleſs benefits*—no plan that ever can be deviſed or thought of will ever anſwer theſe moſt deſirable ends, like that exhibited to us in the *divine law*; which has been conſidered and ſet forth in theſe *volumes*, and which, however anti-

quated and laid aſide by the craft and policy of *Popiſh* contrivance, to anſwer the purpoſes of *prieſtly* importance, ambition and wealth, *is* yet, as it *was*, and ever *will be*, the only *rule of right*—millions have had cauſe to *curſe* the day when it was *laid aſide*—*millions* would have reaſon to bleſs the day when it ſhall be reſtored.

As for the experiments which have been try'd, to improve upon the *diſpenſations* of the MOST HIGH, with reſpect to the *moral* government of mankind, they certainly have precedents of a very early date. They began with our *firſt parents*, and have been handed down to us in regular ſucceſſion for near ſix thouſand years. The *Jewiſh* church was very fertile in ſuch *experiments*, as its *hiſtory*, both in the *Old Teſtament* and *New Teſtament*, abundantly informs us. As for the *Chriſtians*, they have not been behind hand; they have always had *projectors*, of very high and diſtinguiſhed abilities in *that way*—their *projects* and *experiments*, with reſpect to GOD'S *laws* which were to regulate the *commerce of the ſexes*, have been ſet forth without reſerve in theſe *volumes*, but more eſpecially in the *firſt chapter* of *this* — and what has been the conſequence? — We have almoſt loſt ſight of that *ſimple*, *plain*, and *ſalutary* PLAN, held forth to us in the *divine law* — and are now under a *complicated*, *dark*, and *deſtructive* SYSTEM, which, inſtead of reſembling the *plain* and evident *way* of *duty* pointed out to us in the *ſtatutes* of *Heaven*, rather may remind

us

us of *Virgil's* account of the *Cretan labyrinth*, where the devouring monſter *Minotaur* was kept—

Ut quondam Cretâ fertur labyrinthus in altâ,
Parietibus tectum cæcis iter, ancipitemque
Mille viis habuiſſe dolum; qua ſigna ſequendi
Falleret indeprenſus et irremeabilis error.

Æn. v. 588.

Like as the *Cretan* labyrinth of old,
With wandering wave, and many a winding fold,
Involv'd the weary feet without redreſs,
In a round error which deny'd receſs.

DRYDEN.

Fable tells us, that *Ariadne*, the daughter of King *Minos*, gave *Theſeus* a *clew*, by which he found his way out of the *labyrinth*, after having ſlain the *Minotaur*.

If theſe *volumes* ſhould be made inſtrumental to our deliverance, by unravelling the iniquitous *myſtery* of human ſyſtems reſpecting *marriage*, and by checking the devaſtations of thoſe *worſt* and moſt deſtructive of *monſters* * — *adultery* and *female proſtitution*— their *end* will be anſwered.

SOLI DEO GLORIA.

* See before vol. ii. p. 104. 1ſt. edit.—p. 98. 2d. edit.

ADDENDA.

Note, vol. i. p. 263. l. 1—4. 1ſt edit.——
p. 250. l. 7—10. 2d edit.

IN the *Quæſt. et Reſponſ. ad Orthodox*, uſually printed with the works of *Juſtin Martyr*, the former part of the 132d *Queſtion* runs in Engliſh thus:

" If, according to the *Moſaic* law, a man " taking the wife of his brother, who was " dead without iſſue, begat *iſſue* of her, which " *iſſue* by *nature* were his, but by the *law* " his *brother*'s — how could this be other- " wiſe than wrong, in caſe the ſurviving " brother had *another* wife, together with " whom he alſo took the relict of his de- " ceaſed brother?"

THE ANSWER.

Τȣ νομȣ μη κωλυσαντος τȣς Ισραηλιτας γυναικα λαβειν, ει ἐβλοιντο, ȣ μονον συγγενιδα, αλλα και αιχμαλωτιδα και παλλακιδα· ȣδεν αρα ατοπον, ȣδε ἐλαπτει εκ τȣ γυναικα επι γυναικι λαβειν αδελφȣ τȣ τελευτηκοτος, τȣ νομȣ μη καταλυομενȣ· πασα γαρ ατοπια επι τῃ παραβασει τȣ νομȣ καθιʒαται.

" Since

" Since the law did not prohibit the " *Iſraelites*, if they choſe, from taking a " wife, not only of their own nation, but " likewiſe a captive and a concubine, there " could, therefore, be nothing wrong or in- " jurious in a man's taking the *relict* of his " *deceaſed brother* to a wife he had before; " for the law was not hereby violated: *for* " *all wrong conſiſts in the violation of the* " *law.*"

Vol. ii. 215, n. 1ſt edit.—2d edit. 197, n.

In the time of the *troubles* in the laſt *century*, by an ordinance of *Auguſt* 1653, 'twas enacted,

" That all perſons intending to be *mar-* " *ried*, ſhall come before ſome *juſtice* of the " *peace*; and if there appear no reaſonable " cauſe to the contrary, the marriage ſhall " proceed in this manner: — The *man* to be " married, taking the *woman* by the hand, " ſhall plainly and diſtinctly pronounce theſe " words: — I *A. B.* do, in the preſence of " GOD, the ſearcher of all hearts, take thee " *C. D.* for my wedded wife; and do alſo, " in the preſence of GOD, and before theſe " witneſſes, promiſe to be unto thee a loving " and faithful huſband. — The *woman* pro- " miſes, in the ſame form, to be a *loving*, " *faithful*, and *obedient wife*. —— And it is " further enacted, That the *man* and *woman* " having made ſufficient proof of the con-

" ſent of their parents and guardians (if un-
" der the age of twenty-one years) and ex-
" preſſed their conſent unto *marriage*, in the
" manner and by the words aforeſaid, before
" ſuch *juſtice*, in the preſence of two or more
" credible witneſſes, the ſaid *juſtice* may and
" ſhall declare the ſaid *man* and *woman* to be
" thenceforth *huſband* and *wife*; and the mar-
" riage ſhall be good and effectual in law,"
&c.—The *reader* may find the whole at large in *Schobel*'s Collections, 2d part, p. 236.

This was called — " being married by the *Directory*." —— The generality of the *Preſbyterians* were then married in this manner, enjoined by the *Directory*, and not by the *Liturgy*, though there were ſome inſtances to the contrary; and among theſe, Mr. *Stephen Marſhal* (who was a zealot, and had a chief hand in compiling the *Directory*) did marry his own daughter by the form preſcribed in the *Liturgy*, being unwilling to have his daughter " returned to him as a " *whore*, for want of legal marriage, the ſta-
" tute eſtabliſhing the *Liturgy* not being re-
" pealed:" and having ſo done, he paid down *five pounds* to the churchwardens of the pariſh, as the fine or forfeiture for uſing any other form of marriage than that in the *Directory*. See HEYLIN's *Examen Hiſtoricum*, p. 364.—GREY HUD. vol. ii. p. 177, n.

By this we may perceive, that they did not attempt the *invalidation* of *marriages*, becauſe not ſolemnized according to a particular *form* or *ceremony*.

In

In the above, there was an effectual care taken of the *civil contract*; and, by placing it in the hands of the *civil magiſtrate*, it was reſtored to its *ancient* and proper juriſdiction.

Vol. iii. p. 271. l. 13, 14.

I mentioned vol. i. p. 79. 2d edit. n. this *third volume*, in which I ſaid it would appear, that the "making *marriage* under the "New Teſtament different from what it was "under the Old Teſtament, is *true genuine* "*Popery*." — I appeal to the above *ſentiment*, or rather *dogma*, for the fulfilment of what the reader was to expect.

In this there are three *propoſitions*, every one of which is a downright *falſhood* — 1. "That marriage is a *ſacrament*" of the New Teſtament. 2. "That it was inſtituted by "CHRIST." 3. "That it is appropriated "to *Chriſtians*;"—and, of courſe, the whole diſpenſation of *marriage*, as revealed in the Old Teſtament, is as much antiquated and laid aſide, as the rites of *circumciſion* and the *paſſover*.

Now, how does the matter really ſtand? It is ſurely evident, that the *ſpecific ordinance* by which *the man and woman become one fleſh*, is ſet down Gen. ii. 24; and that the *indiſſolubility* of the *union* ariſes from what is there ſaid.

OUR SAVIOUR, ſo far from making the leaſt alteration in this point, recites this *very paſſage* — Matt. xix. 5. — and infers from it (v. 6.)

(v. 6.) the indiſſolubility of the contract, in order to ſhew the *Jews* the unlawfulneſs and inefficacy of their wanton and arbitrary *divorces*.

St. *Paul* ſtates the very ſame paſſage, as his authority for determining the abuſe of the *marriage-ordinance*, in the illicit commerce with an *harlot*. 1 Cor. vi. 15, 16.

The ſame *apoſtle* cites alſo the ſame paſſage of Gen. ii. 24. in order to prove what conſtitutes *marriage*, ſo as to render it an emblem of the *union* between CHRIST and his *church*.——See Eph. v. 31.

After all this plain, clear, unequivocal evidence, what ſhall we ſay to the poſition, that — "*marriage* under the New Teſtament "is different from what it was under the "Old Teſtament?" — We may as well ſay, that *arithmetic* has changed its calculations; that among the *ancient Jews two* and *two* made only *four*, but now they make *fifty*.

Note, vol. iii. p. 275. l. 23—26.

Dr. GREY, in his edition of *Hudibras*, among many other curious and inſtructive anecdotes, which are well worthy the *reader*'s peruſal, has the following: — *Part* iii. *Canto* i. l. 627, 628. n.

"The Emperor *Leo* (as my very worthy "and learned friend Dr. *Dickins*, profeſſor of "*civil law* in the *Univerſity* of *Cambridge*, "informs me) allowed a *ſeparation* in the "caſe of *incurable madneſs*.

"Per

" Per conjugium, inquiunt, in corpus co-
" ïerunt, oportetque membrum alterum al-
" terius morbos perpeti: & divinum præcep-
" tum eſt *quos Deus junxerit, ne ſeparentur.*
" Præclara quidem hæc & divina, utpote
" quæ a Deo pronuntiata ſunt: verum non
" rectè neque ſecundum divinum propoſitum
" hic in medium adferuntur: ſi enim matri-
" monium talem ſtatum conſervaret, qualem
" ejus in principio *pronuba* exhibuiſſet, quiſ-
" quis ſepararet, improbus profecto eſſet, ne-
" que reprehenſionem effugeret.

" Jam verò cum præ furore ne vocem
" quidam humanam a muliere audias, nedum
" aliud quidquam eorum quæ ad oblectamen-
" tum & hilaritatem matrimonium largitur
" ab illâ obtineat: quis adeo acerbum hor-
" rendumque matrimonium dirimere nolit?
" Ea propter ſancimus, &c. ut ſi quando poſt
" initum matrimonium, mulier in furorem
" incidat, ad tres annos infortunium maritus
" ferat, mæſtitiamque tolleret: & niſi inter
" ea temporis ab iſto malo illa liberetur, ne-
" que ad mentem redeat; tunc matrimonium
" divellatur, marituſque ab intolerabili illa
" calamitate exoneretur. *Imp. Leonis No-*
" *vella* CXI.

" *Per Novellam Sequentem:* Si maritus per
" matrimonii tempus in furorem incidat in-
" tra quinquennium matrimonium ſolvi ne-
" queat: eo autem elapſo, ſi furor eum ad-
" huc occupet, ſolvi poſſit.

" By marriage, they ſay, there is a bodily
" union, and it behoveth the one member to
" bear

" bear the diſeaſes of the other: and it is a " divine precept—*thoſe whom God hath joined* " *together, let them not be put aſunder.* A " moſt excellent and divine ſaying, as pro- " nounced by GOD; but here it is not " brought into the queſtion (of divorce) " rightly, nor according to the divine pur- " poſe: if the matrimony remained as at the " beginning, maintaining the ſame ſtate as " when the woman was firſt a *bride*, who- " ever ſhould *ſeparate*, would indeed be " wicked; nor would they eſcape reprehen- " ſion. But when, through *madneſs*, you can- " not hear from the woman even a human " voice, nor can the huſband obtain any of " thoſe things which matrimony beſtows for " delight and comfort, who would not de- " ſtroy ſo bitter and horrible a marriage? " Wherefore we ordain, &c. that if, at any " time after the marriage, the wife falls into " madneſs, the huſband ſhall bear his miſ- " fortune and grief for *three years*—and, un- " leſs ſhe ſhall be delivered, and return to " her right mind in that time, then the mar- " riage ſhall be diſſolved, and the huſband " releaſed from ſo intolerable a calamity.

" If the huſband falls into *madneſs* during " the coverture, the marriage cannot be diſ- " ſolved within *five years*; but, that time " being elapſed, if the *madneſs* ſtill poſſeſſes " him, it may be diſſolved."

The *Emperor* ſeems to have carried his notions and allowance of abſolute *divorce* farther

farther than the ſcriptures warrant; yet on reaſonable proof of the above facts, a *ſeparation*, but ſo as that the man ſhall ſtill maintain and provide for the woman as his *wife*, might ſurely be allowed; as alſo, that he might marry another, not only on account of *madneſs*, but where through other *diſeaſes*, or unavoidable cauſes of *ſeparation*, the man ceaſes in fact to have any one end of marriage.

The allowance of abſolute *divorce* on the *madneſs* of the *huſband*, or other cauſe of unavoidable *ſeparation* from him, is a very *different queſtion*, and does not appear to have any warrant whatſoever from GOD's *word*. See Rom. vii. 3. 1 Cor. vii. 11.

Here I would add another remarkable matter, which occurs among the *canons* of Gregory II. and ſhould have had a place before, p. 84. but was omitted by miſtake, though it is mentioned in *Du Pin*.

" *Si mulier infirmitate correpta non valuerit*
" *debitum viro reddere, quid ejus faciat jugalis?*
" — *bonum eſſet ſi ſic permaneret: Sed quia*
" *hoc magnorum eſt, ille qui ſe non poterit con-*
" *tinere, nubat magis:* — *non tamen ſubſidii*
" *opem ſubtrahat ab illâ quam infirmitas præ-*
" *pedit, non deteſtabilis culpa excludit.*"

" If a wife be ſeized with ſome infirmity,
" ſo that ſhe be not capable of rendering *the*
" *debt* to the huſband, what ſhould he do?
" — It would be good if he remain as he is.
" But becauſe this is very difficult, he who
" cannot *contain*, had better *marry*. Not

" that

" that he is to withdraw the aſſiſtance of " his ſupport (and maintenance) from her " whom infirmity hinders (*i. e.* as aforeſaid) " even ſome deteſtable crime does not ex- " clude this."

Though this be the language of *a Pope* of *Rome*, it is yet ſo agreeable to *nature*, *reaſon*, and *ſcripture*—to the moſt apparent dictates of *common ſenſe*, and *underſtanding*—to every principle of *juſtice* and *equity*—and is ſo calculated to prevent numberleſs *evil conſequences*; which muſt flow from a conſtrained, involuntary, and unnatural *celibacy*—it is as much to be *lamented*, that the *church* could ever alter or abrogate this *canon*, as it is to be *wondered* at, that there ſhould be found a *Chriſtian* legiſlature which has not adopted it. Well—perhaps—*non ut male nunc, & olim ſic erit.*

To RICHARD HILL, Esq.

My dear Sir,

I AM entirely of opinion with *you*, that *religion*, inſtead of leſſening our *ideas* of *friendſhip*, tends to exalt them; for which reaſon, it gives me a concern which I cannot expreſs, to be forced into a *remonſtrance* againſt any *conduct* of *your's*, with whom it has been my honour and happineſs, for *many*, *many years*, to live on a footing of the moſt diſintereſted, tender, and affectionate friendſhip. I hope I ſhall not forget this in any thing which I may ſay on the preſent occaſion.

It is not my purpoſe to write a regular anſwer to your late book, intitled, the "*Bleſ-*
"*ſings of Polygamy*, &c." In the firſt place, *that*, in general, appears to me ſo completely done to my hands already, in the *publication* which you attack, that there is little reaſon for me to repeat the trouble; and, if you will read the *books* which you cenſure, with more attention than you ſeem to have done, I am not without hopes, that your *candour* may lead you to be of that opinion.

However, you muſt give me leave to aſk you, in the firſt place, how far it is reconcileable to thoſe notions of *urbanity* and *politeneſs*, which I have ſo often obſerved to be remarkably conſpicuous in Mr. Hill, to put any man's *name* to a work, where the *au-*

thor

thor has not done it himſelf?—but, more eſpecially, where there is little other intention, than holding forth the *man* and his *work* in the light in which you have been pleaſed to exhibit your old and *faithful friend* —that is to ſay, in as *injurious* a point of view as he could well be placed, ſo far as relates to the *publication* which you cenſure.

In the next place, I would obſerve, that I cannot think it very conſiſtent with that warmth and delicacy of *friendſhip*, which has ſo long ſubſiſted between us, to ſay nothing to your old *friend* of your intention to produce ſuch an attack upon him in the face of the *public*, before you ſent it to the preſs:—Would it not have been more *friendly*, not to ſay more like *yourſelf* as a *gentleman*, to have ſhewn him the *manuſcript*, heard and weighed maturely his objections, and to have corrected the *language* or *ſentiment*, where you might have been convinced that your *pen*, in ſome places, had *haſtily* overleaped the bounds of that *reſpect* and *regard* which you profeſs for the *Author* in other parts of your performance? As far as I know myſelf, and can judge from my preſent feelings, I could not, on any account, have publiſhed *ſuch a book* againſt *you*, without firſt ſhewing it to you, and liſtening, moſt attentively, to whatever might tend to correct any *aſperity* of expreſſion, or any *perſonal reflection*, which might *hurt* you in your own mind, or injure your *character* in the ſight of the world.

It is not an enemy that has done me this diſhonour,

diſhonour, &c.—As to your *animadverſions* on *Thelyphthora*, I could wiſh for your *own ſake*, as well as *mine*, that you had taken *more time* to conſider them before they were publiſhed, and to have reflected how far they agreed with the ſubjects of them in point of *accuracy*. For inſtance—you certainly attempt to charge the *author* "with recommending an *indiſcriminate* and unlimited "practice of *polygamy*, and wanting a *law* "to eſtabliſh it."—This, though not the very words, is yet the undoubted *ſubſtance* of your accuſation on the point, as it may be fairly deduced from your book.—How is this conſiſtent with the following paſſage, *viz.*

"As to *Polygamy*—which is certainly one "*link* in the *chain* of GOD's diſpenſations, "as ſo abſolutely neceſſary to prevent, in "many caſes, the deſertion and proſtitution "of women, as well as to preſerve men from "vice and profligacy, under various circumſtances of unavoidable difficulties and "temptations, which *neceſſary ſeparation* "may render them liable to (ſee before, "vol. i. p. 181—2) the cauſes of which "may fall ſhort of being grounds for *utter* "*divorce*—it is, conſidered in *itſelf*, one of "the *laſt* things which a man ſhould think "of, who wiſhes and aims at the happineſs "of a domeſtic life. The weight and burden of a double family, the diſtractions "which moſt probably muſt be the effect of "jealouſy between the women, each envying "the other her ſhare in the huſband's af-

" fections, muſt be productive of diſputes,
" quarrels, and perpetual diſquiet. We ſee
" this to have been the caſe even among the
" beſt of people, who were *polygamiſts*.—
" What were *Abraham*'s trials, which aroſe
" from his connections with *Hagar*?—What
" thoſe of *Jacob*, from the jealouſy and
" diſcontent of *Leah* and *Rachel*? So *Elka-*
" *nah* ſuffered not a little, at the treatment
" which his favourite *Hannah* received from
" her rival *Peninnah*—and, indeed, it is ſo
" much in the nature of things, that matters
" ſhould fall out alike in all times, where there
" are the ſame *cauſes* to produce the ſame
" *effects*, that one ſhould imagine moſt men,
" who conſulted the peace, quiet, and com-
" fort of themſelves and families, would ſub-
" ſcribe to *Horace's*

" *Felices ter & amplius*
" *Quos irrupta tenet copula; nec malis*
" *Divulſus querimoniis,*
" *Suprema citius ſolvet amor die.*

" *Thrice happy they, in pure delights,*
" *Whom love with mutual bonds unites;*
" *Unbroken by complaints or ſtrife,*
" *Ev'n to the lateſt hours of life.*
" FRANCIS.

" It is moſt readily to be allowed, that
" ſuch people can have nothing to do with
" the ſubject of *polygamy*." [" Except it be
" to abhor and execrate the very thought of
" it." 2d edit.] See *Thelyph.* vol. ii. 187—191.

I might alſo refer you to p. 378, n.

which

which ſtands thus:—" Doubtleſs in this, " as in all things elſe, which, however *law-* " *ful* or *innocent* in themſelves, may become " *ſinful* by *abuſe* or *exceſs*, we may ſay with " *Horace*—

" *Eſt modus in rebus—ſunt certi denique fines,*
" *Quos ultra citraque nequit conſiſtere rectum.*

" Some certain *mean* in all things may be found,
" To mark our *virtues*, and our *vices* bound.
" FRANCIS.

" That *polygamy* is *lawful in itſelf*, and in " many caſes *expedient* (See before 192—3, n.) " in ſome *duty* (See vol. i. p. 297—8.) " none can deny, who will yield to the teſ- " timony of the ſcriptures and plain matter " of fact. But where it is entered upon " with no other view than to *pamper the ap-* " *petite*, and to indulge a *love of variety*, it " degenerates into *evil*; and ſeems to be " to *marriage*, what *gluttony* and *drunkenneſs*, " and exceſs of *apparel*, are to *food* and *rai-* " *ment*—a *ſinful*, becauſe a forbidden, *abuſe* " of *lawful* and neceſſary things."

I am much concerned, Sir, that I am conſtrained to remind *you* of theſe paſſages; more ſo, that they did not prevent the *ſeverity* of ſome of your *cenſures* on the *author*, as a maintainer and recommender of *indiſcriminate* and *unlimited polygamy*—an *idea* as much abhorred by him as by *yourſelf*.

Again—you ſeem to argue, as if the author meant to diſparage *marriage-ceremony*, or to *diſpute* the *neceſſity* of it; though afterwards, indeed, you do allow, that he contends for

it.—My dear Sir, you ſay (p. 124) that you will not diſpute with me, whether "the mere in-"tercourſe of a man with a virgin conſtitute "a marriage in the ſight of GOD"—but as to the neceſſity of "ſome ſolemn act of recog-nition," (p. 125.) can you yourſelf ſay more than is ſaid in the following words?

"Now to apply what has been ſaid to the "ſubject of this *chapter*, it will be neceſ-"ſary for us to keep the ideas of *marriage*, "as it is a *divine ordinance* with reſpect to "GOD, and as it is a *civil contract* with reſpect "to the *public*, diſtinct in our minds. It is the "*firſt* only which conſtitutes the indiſſolu-"ble union in GOD's ſight, but it is the *ſe-"cond* which recognizes and ratifies that "union in the ſight of the world; and this "is a ſort of ſecurity which (as ſo much de-"pends upon it with reſpect to *ſociety*) the "world has a right to require, conſequently "to exact; and thoſe who wilfully refuſe to "give it, deſerve to loſe every privilege "and benefit which are annexed to it. "Were the *conſciences* of men what they "*ought to be*, the *fear* and *love* of GOD "would reign within them, and a ſtrict ob-"ſervance of his commandments be the "meaſure and rule of all their dealings to-"wards GOD and each other. But in this "corrupt ſtate of things, this is not the "caſe, therefore human laws are neceſſary "to enforce the *divine law*, in no inſtance, "perhaps, *more neceſſary* than in the caſe "before us. If no *contract* of a *public nature* "was inſiſted upon, but all left to the pri-

"vate

" vate agreements and determinations be-
" tween the parties, men might take women,
" and women men, and keep or put one
" another away as humour or fancy ſuited;
" the woman who was the wife of A. to-
" day, might become the wife of B. to-
" morrow; in ſhort, it is impoſſible to
" *conceive*, much more ſo to *expreſs*, the con-
" fuſion which muſt enſue on ſuch a plan.
" Therefore, when human laws are made to
" exact a public contract between the par-
" ties in the face of the world, which con-
" tract cannot be broken nor diſſolved but
" for the *one cauſe* which GOD's word al-
" lows, ſuch laws are in affirmance of the
" law of GOD, and therefore are righteous
" laws; and, as ſuch, ought to be obeyed;
" nor have any perſons a right to that reſpect,
" and to thoſe privileges, which are due to
" married perſons, who deſpiſe ſuch an or-
" dinance of man as creates a *civil contract*
" in the ſight of the world, by way of *re-*
" *cognition* of that *private contract* which
" they have entered into between themſelves
" in the ſight of GOD. Thoſe who wilfully
" live together, as *man* and *wife*, without
" this, are deſervedly reckoned infamous,
" and as deſervedly cut off from the benefits
" of marriage, ſo far as *civil ſociety* is con-
" cerned: therefore to diſcourage, and even
" to *puniſh*, ſuch a conduct, is certainly with-
" in the authority of all *civil government*,
" nor would any government be juſtified in
" not doing it, for without this, men and

" women would be living like the beaſts of
" the field. No fault is therefore to be
" found with our laws for enforcing the
" public recognition of GOD's *ordinance*,
" but for not enforcing it *in all caſes*, and for
" making it *null* and *void* in *any*, where GOD's
" law hath not made it ſo. Inſtead of ſhut-
" ting up the *eccleſiaſtical* courts againſt the
" complaints of deſerted females, or pre-
" venting their enforcement of *that redreſs*
" which GOD's law commands, every court
" in *Weſtminſter Hall*, and every *magiſtrate*'s
" houſe in the kingdom, ſhould be open to
" them, and on pain of death, or at leaſt of
" perpetual impriſonment till compliance,
" every man who had ſeduced a woman, whe-
" ther with or without a promiſe of *marriage*,
" ſhould be obliged to wed * her publicly.
" Under what *rite* or *ceremony* this is done,
" is of very little conſequence, ſo that it be
" effectual for the notoriety of the contract,
" and the prevention of cauſeleſs divorce.
" That which makes the *marriage* before GOD
" is the ſame every where, that which *re-*
" *cognizes* it in the ſight of men, is, and
" may be different, but all tending to one
" point, that of affording to the ſtate, as
" well as to the parties themſelves, ſuch a ſe-
" curity for their cohabitation, as is neceſ-
" ſary for the peace, good order, and wel-
" fare of the whole. Something like what
" *Q. Curtius* reports *Alexander* to have ſaid,
" when he cut the famous *Gordian* knot, I

* See *Thelyph.* vol. i. p. 290, 2d edit. and n.

" would

" would say on the *tying* the *nuptial knot*, as " far as public ceremony is concerned—" So " it *be* done, no matter *how*."—*Thelyph.* vol. ii. 70—73.

After an attentive revisal of the above, I hope you will be very sorry that you so far forgot *yourself*, and injured *your friend*, as to tell the *whole world*, under your *own hand*—p. 125—that " he *explodes* * every thing of " *this sort*," (i. e. external *marriage-ceremony*) " as superstitious priestcraft."

Something akin to this may be found p. 140, where you quote the following passage from the advertisement to *Thelyphthora*, 1st edition.—" In the eye of our municipal " laws, women are of less consequence than " the beasts of the field—for it is *less penal* " to seduce, defile, and abandon to prosti- " tution and ruin a thousand women, *mar-* " *ried* or *unmarried*, than to steal, kill, or " even maliciously to maim or wound an ox " or a sheep. See 22 and 23 Car. II. c. 7. " 9 Geo. I. c. 22."

On this you comment thus:—" I had " like to have said, that there is a most pal- " pable *falsity* in this assertion, but I will re- " call the word, and instead of *falsity* we will " read *fallacy*."—i. e. here is not a *lye*, but only an *equivocation*.

In order to make out this *charge*, which you must permit me to call rather of the *il-*

* From this, and from *other strokes* of Mr. H's very *hasty pen*, I am perfectly convinced, that *my friend* has scarcely one *real idea* of the book which he writes against.

liberal kind, far more ſo than I could have thought *you* capable of towards any body, much leſs towards *me*—you afterwards cite only the firſt ſentence—" In the eye of our " municipal laws women are of leſs conſe- " quence than the beaſts of the field."—This, as it ſtands by itſelf, as an unlimited and univerſal propoſition, you have my free leave to call a downright *lye*, and a very *nonſenſical* one into the bargain—but why did you omit what follows, which ſhows that the *author* means this *reſtrictively*, in a *certain reſpect*, which is mentioned, and in which *reſpect* the propoſition is certainly true? —it is *more penal*, maliciouſly to *hamſtring* an *ox*, than to " ſeduce, defile, and abandon to " proſtitution and ruin a thouſand women, " either married or unmarried," for the offender in the *firſt caſe* would be hanged; and if you can prove that this would be the fate of the *ſeducer*, &c. then I will grant that the law is not *leſs penal* towards him than towards the other.

But, my dear Sir, why would you paſs over in ſilence that farther explanation of the *author's* meaning, which muſt have met you, vol. ii. p. 58, and ſo entirely elucidates his ſentiments on the ſubject, as ſurely to leave no reaſonable ground for ſo *heavy* a *charge* as you have brought againſt his *ſincerity?*—the whole paſſage alluded to runs thus:—

" The more we examine the *law of* God, " the more ſhall we be apprized of its har-

" mony

" mony and conſiſtency with itſelf, as well " as with the peace, good order, and welfare " of human ſociety; more eſpecially with " regard to its care and watchfulneſs over " thoſe who ſtand moſt in need of its pro- " tection, the *weaker ſex*; which, as matters " are now ordered, ſeems of leſs value than " the beaſts of the field. If a man goes into " his neighbour's field, and wilfully *maims* " or *wounds* his *cattle*, it is *felony without be-* " *nefit of clergy*; but to *ſeduce*, and *debauch* " his *daughter*, and then to look upon him- " ſelf as free from all legal obligation to " *marry her*, is the grand privilege which " he finds annexed to our repeal of the *laws* " *of Heaven*. As for the ſufferer, if ſhe be " *poor*, ſo that her maintenance depends upon " her *character*, this being gone, ſhe muſt " ſtarve for want of employment, or plunge " herſelf into the depths of proſtitution to " get food and raiment." I cannot perceive any *falſity* or *fallacy* in alledging, that, in this reſpect, the law takes more care of a man's *ox* than of his *daughter*, or that it is *leſs penal* to debauch and abandon her to proſtitution, than to *maim* or *wound his cattle*.

What occaſion was there for your talking of *rapes*, *attempts to commit them*, &c. and *ſtealing*, *killing*, or *maliciouſly* wounding a wife or a virgin? though, by the way, a man might *maliciouſly wound* either of *theſe*, and not be liable to *death*, as he would in the caſe of the *cattle*—and as for the *action* for *damages* by a *father*, againſt a man who *vio-*

lated

lated the chaſtity of his daughter *of marriageable age*, I believe, if it came out in *proof*, that the "man had intercourſe with her by "her *freeſt conſent*,"—as you ſpeak—he would get little more by his *action*, than a very large *bill* from his *attorney*, for which he might be *arreſted*, and ſent to *gaol*. Beſides, Sir, the *poorer ſort* of people could hardly venture on the riſque and expence of ſuch an action at all. I therefore ſtill *venture* to *believe*, that the *Jewiſh laws*—Exod. xxii. 16. and Deut. xxii. 28, 29—had by far more *wiſdom* and *juſtice* in them, than there is to be found in any *other plan*, which mortals ever *have* contrived or *can* deviſe.

You ſay, p. 11—"I would not be un-"derſtood to inſinuate, that polygamy was "ever a part of the law of GOD. On the "contrary, there is no *command whatever* "which injoins it, or even leans towards it." —What think you of the *Levirate*, or law of *marrying the brother's wife?*—See *Bp. Burnet*'s opinion, *Thelyph.* vol. i. p. 313.—Again, what ſay you to Exod. xxii. 16. and Deut. xxii. 28. 29? Hear your friend *M. Luther*—"Nota ſunt jura *Moſaica*, de fratris defuncti "uxore, & de filia correpta invito patre, quæ "*cogunt plurium eſſe uxorum virum.* And "again, in *Comment* in *Gen. in propos*, & "in libro *de bigamia epiſcoporum.* We find that "LUTHER aſſerted—*Polygynæciam* non eſſe "contra *legem naturæ*; aut *moralem*, aut ipſam "*ſcripturam ſacram.*" See *Pol. Tri.* THESIS, xc. —I ſhould recommend it to you, not to be over fond

fond of calling either *Luther* or *Zuinglius* (See *Thelyph.* vol. i. 406, n.) as *witneſſes* for your *ſentiments*, or honeſt *M. Bucerus*, or indeed any of the chief *Reformers*.

P. 13.—Prov. v. 16. relates to the *children*, ſo no occaſion for the *Kennicottian* NOT: The omiſſion of which is certainly not *exactly of the ſame kind* as "the printer, whom "*Laud* fined," was guilty of; ſince in Prov. *all* the *printed editions* which I have ſeen, and among them the *Complutenſian*, *want* the Hebrew word for *not*.

P. 16, 17.—Inceſtuous marriages would ſtill have been lawful, *if not expreſsly forbidden by God*—prove that *polygamy* has been ſo forbidden. (But why muſt the marriages immediately after *Noah*'s flood be *inceſtuous*—might not all his grand-children marry their *firſt couſins?*)

P. 18.—A compariſon of Numb. xv. 32, 33, &c. with Exod. xxxv. 2. xvi. 23. ſhews the reaſon of the ſeverity againſt the *ſtick-gatherer*.—The law againſt *lighting a fire* on the *ſabbath* ſeems only *temporary*, while they were fed miraculouſly with the *Manna*.

P. 29.—What authority has Mr. *H.* to ſubſtitute, in Exod. xxi. 8. *humbled her*, for *dealt deceitfully with her*.—A knowledge and proper regard to the *Hebrew* Bible would here have been of uſe to him.—The *textual* reading of verſe 8, in all the printed *Bibles* which I have ſeen (eſpecially the *Complutenſian*) is "who hath *not* betrothed her;" and the

words at the end of ver. 8. ſhould have been rendered—*in dealing*, or *to deal deceitfully with her*. Theſe *remarks* give a different view of the paſſage.—Ver. 9. "If he have betrothed her *(his female ſlave)* to his ſon," is a very different caſe from "a man's *enticing a virgin and lying with her*." In the *former* inſtance, the *man* treats the *maid* as his property, as ſhe truly was (for he had *bought* her, ver. 7;) but even here GOD provided a *remedy*, that the *maſter's ſon*, to whom ſhe had been *betrothed*, ſhould not treat her otherwiſe than any other *wife*. If he would not be a *huſband to her*, ſhe ſhould not be a *wife to him*. Such is the *equitable* and *benign* ſpirit of GOD's law by *Moſes!*.

P. 30.—What think you of our LORD's ſuperſeding the *judicial* law of *retaliation*, to be executed by the *magiſtrate*, by that more *benign* and *evangelical ſyſtem* which enjoins us (in our *private* capacity) to return good for evil? I believe the *law* of retaliation, in *all* caſes of *corporal injury*, (*an eye for an eye*, &c.) as well as in *murder*, would, in the event, be a moſt benign and merciful law.

P. 32, note—directly contradicts *Joſephus*, who, in this caſe, is an unexceptionable witneſs.

P. 37. "*Suppoſe*, &c. to *all his days?*"—What? *without evidence*, either poſitive or circumſtantial, upon the *mere ſay-ſo* of the woman or women? Do our laws hang men for *rapes* in the like *nonſenſical* manner?

P. 40.—"The *tyrannical* authority of *Sarah* over

over *Hagar*."—Her *treatment* of her was expreſsly approved by GOD *himſelf*, Gen. xxi. 12. though perhaps it might not be ſo by a *Bolingbroke* or a *Voltaire*.—Mr. H. in his zeal againſt *polygamy*, forgets that *Hagar*'s ſon *mocked Iſaac*, with whom GOD had eſtabliſhed his covenant; and that *St. Paul* calls this *mocking* a *perſecution*, Gal. iv. 29. If Mr. H. alludes to *Hagar*'s firſt flight from the *reſentment* of her miſtreſs, let him advert to the foundation of that *reſentment*, as mentioned *Gen.* xvi. 4, 5. and it will be found a *juſt* one.—Her contempt of *Sarai*, no doubt, produced a very improper conduct towards her, as appears by *Sarai*'s complaint to *Abram*, ver. 5.

P. 87. Mr. H. miſtakes the caſe of *Jael*, when ſhe ſlew *Siſera*, by ſaying ſhe acted *under the immediate direction of God*, of which there is no proof.—She acted as a voluntary and faithful ſubject of the *Iſraelitiſh* ſtate. See Bate's note on Jud. iv. 17, who is the only *commentator* I know that has explained this.

Theſe curſory remarks on particular parts of your book, I ſubmit to your *reviſal*. Your taking the *marginal* reading of Lev. xviii. 18. as the true ſenſe of the paſſage—and your controverting the interpretation of Mal. ii. 15. after your acknowledgment that you are *no Hebræan*—when the right underſtanding of thoſe texts muſt depend on the original words—might, perhaps, as well have been omitted.—You remember the old *proverb—Ne ſutor*, &c.

Your free *declamation*, and very extraordinary

nary caſes *imagined* on this occaſion, prove nothing but the livelineſs of *my friend*, and that it ſometimes hurries him into *reflections*, which may poſſibly fall where I am ſure he does not mean they ſhould. The ſyſtem defended in *Thelyphthora* is that of the *Divine law*. I can meet with no ſuch caſes as that of "*Lady A.* and Sir *Thomas A.*"—nor as that of "The humble petition of *Mary*, the wife "of *John Williams*"—nor of "*women* of the "*St. Giles's* breed, crying *murders** about the "ſtreets," as the conſequences of the *Jewiſh ſyſtem*; theſe are ſallies of your *vivacity*—which might have been as well ſpared, where the queſtion before you was not merely concerning human judgment, but concerning a matter *allowed* by the "*permiſſion*" at leaſt (as you confeſs) of GOD *himſelf*, for many ages together.

I could wiſh you to reflect on a paſſage in *Thelyphthora*, which, on this occaſion, you will give me leave to remind you of.

"To argue againſt any thing, from the "*abuſe* of it, is the moſt unfair of all me-"thods of refutation. There are no abſur-"dities, and, indeed, no lengths of *impiety* "and *blaſphemy*, into which, by ſuch means, "we may not be carried.

"We may even diſpute the *wiſdom* and

* Alluding to the diſmal ſtory of that *Patient Grizzel*, who is ſuppoſed "to cut the throats of her *huſband* and "his new *wife*, and then her *own*." P. 49.—I would adviſe *my friend* Mr. H. to leave off TEA, eſpecially in an *evening*; it is very apt, in ſome conſtitutions, to create *diſordered ſleep* and *frightful dreams*; theſe leave impreſſions on the *fancy*, which are not *eaſily* got rid of.

"holineſs

" *holineſs* of the CREATOR in making the " *human ſpecies* of different SEXES—in or- " daining the means of *increaſing and multi-* " *plying* the human race, by the union of " the *male* and *female*—in implanting, for " this purpoſe, a deſire towards each other " —for if all this had never been, *adultery*, " *fornication*, and *whoredom*, could not have " exiſted:—Nay, we may carry the argu- " ment ſo far, as to conclude againſt the " *Divine wiſdom* and *holineſs* in the *creation* it- " ſelf; for, if this had never been, no *evil*, " either *moral* or *natural*, could have ever " been known. See vol. i. pref. p. xxiii.

" Let us go a little farther, and we ſhall " get into *ſcepticiſm*—and from thence into " *atheiſm*—like thoſe

" ———who tread the high *priori* road,
" And argue downward till they doubt of GOD.
" POPE.

" In 1536, *Archbiſhop Cranmer*, who was " projecting the moſt effectual means for a " reformation of doctrine, moved in *convo-* " *cation*, that they ſhould petition the *King* " for leave to make a tranſlation of the *Bible*. " But *Gardiner*, and all his party, oppoſed " it, both in *convocation*, and in ſecret with " the *King*. It was ſaid, that all the *hereſies*, " and extravagant *opinions*, which were then " in *Germany*, and from thence coming over " to England, ſprang from the *free uſe* of " the *Scripture*: And whereas in the *May* " laſt year, nineteen *Hollanders* were accuſed

" of

" of ſome heretical opinions, for which opi-
" nions *fourteen* of them were *burnt* in *pairs*,
" in ſeveral places; it was complained,
" that all thoſe drew their *damnable errors*
" from the indiſcreet uſe of the *Scripture*.
" And to offer the *Bible* to the whole nation,
" would prove the greateſt *ſnare* that could
" be. See *Burnet* Hiſt. Ref. vol. i. p. 195,
" ſecond edit.

" Whoever reads with attention this ex-
" cellent and entertaining *hiſtory*, will ſee
" what reliance the *Popiſh* party had on this
" *mode of argumentation* againſt the *Reformers*,
" their *writings*, and indeed the *Reformation*
" *itſelf*. The great *Sir Thomas More*, in his
" writings, exerciſed all his dexterity in ex-
" poſing the *ill conſequences* that could follow
" on the *doctrine* of the *reformers*. Ibid. 356.

" Aſſuming certain prejudices as true,
" and thence drawing *concluſions*, which reſt
" ſingly on ſuch prejudices, is not only *un-*
" *fair*, but is one of the meaneſt and moſt
" deſpicable *ſophiſms* that error can have re-
" courſe to; it is that ſort of deceit and
" impoſition, which " imports the miſre-
" preſentation of the qualities of things and
" actions to the common apprehenſions of
" men, abuſing their minds with falſe no-
" tions; and ſo, by this artifice, making
" *evil* paſs for *good*, and *good* for *evil*, in all
" the great concerns of life. South's *Ser-*
" *mons*."—*Thelyph*. vol. ii. p. 324, n.

And indeed, my dear *friend*, after all you have ſaid—though your *haſte* has made you forget

forget your reſolution, p. 8, of making "uſe "of no other ſword *than that of the Spirit*, "*which is the word of* GOD"—you yourſelf ſeem to be a little ſuſpicious, that you may have gone rather *too far* in your *cenſures*, with reſpect to the *Old Teſtament* at leaſt.—Thus you expreſs yourſelf.

"But after all, ſuppoſe I cannot reconcile "this difficulty to my own apprehenſion; ſup- "poſe I am fearful of ſaying that *polygamy* was "no ſin under the *Old Teſtament*, and am alſo "fearful of aſſerting that *Abraham*, *David*, "and *others*, lived and died in *adultery*; ſtill "why cannot I content myſelf with what is "plainly revealed, and leave it to GOD to "clear up the juſtice and equity of His own "dealings with the children of men? *Secret "things belong unto Him.* Infinite wiſdom "has its own reaſons for whatever it does, "and will be accountable to none. What- "ever be dark, this is certain, that GOD "thought fit to *permit polygamy* under the "law: but *permiſſion* does not by any means "imply approbation; nay, GOD often per- "mits that which, from the very holineſs of "his nature, is his abhorrence."

Here I would juſt ſtop to aſk you, how far from "*implying approbation*" it is, where an action is "*permitted*," not merely on ſome *ſpecial*, *particular* occaſion, under ſome extraordinary circumſtances, but uniformly allowed, regulated by *poſitive laws*, and openly practiſed by the people of GOD (even the *beſt* of them) through an uninterrupted ſucceſſion

of many ages, and no where *condemned*, but in ſome caſes *abſolutely commanded?*

" On the other hand, it is *equally certain*, " that GOD has thought fit to prohibit *poly-* " *gamy* under the *Goſpel* — and therefore, " though *permiſſion* may well enough accord " with diſapprobation, yet prohibition and " approbation are ſo far from agreeing, that " they cannot ſtand together."

Here *my friend* ends the *controverſy at once*, and has eſtabliſhed his *point* with one *ſtroke of his pen*. In vain have ſo many great and learned men, ſuch as *Wetſtein*, *Barbeyrac*, *Biſhop Burnet*, and others, given their ſuffrages on the other ſide of the queſtion; my dear *friend* has *decided* it *tout d'un coup*. The excellent and learned *Dr. Doddridge*, whoſe very name is honoured ſo deſervedly by all that remember him, and who, I believe, was never ſuſpected of *licentiouſneſs*, either in principle or practice, thus modeſtly expreſſes himſelf in his note on 1 Tim. iii. 2.

" *The husband of one wife.*] Mr. *Hallet* " and Mr. *Whiſton* both infer from hence, " that *ſecond* marriages are unlawful to the " *clergy*; and the *Muſcovites* ſuppoſe, that " *one wife* is ſo neceſſary, that no man can " become a *biſhop* till he be *married*, nor " continue to exerciſe *that office* longer than " his *wife lives*. *Perry's Ruſſia*, *p.* 230. " But circumſtances may be ſo adjuſted, " that there may be as much reaſon for a " *ſecond* marriage as for a *firſt*, and as little " inconvenience may attend it. Upon the " whole,

" whole, therefore, it ſeems to me moſt rea-
" ſonable to believe, that (as there is *no ex-*
" *preſs precept in the Bible*, requiring a man
" who had ſeveral *wives* at the time of his
" embracing Chriſtianity, to *divorce* or diſ-
" miſs *all but one)* the divine wiſdom might
" judge that it was a proper *medium* between
" encouraging *polygamy*, and too great a ri-
" gour in *condemning* it, to fix ſuch a brand
" of infamy on this irregular practice, by
" prohibiting any man, let his character be
" ever ſo extraordinary, to undertake the *mi-*
" *niſtry* while he had more than *one wife*,
" and to *diſcourage* it in thoſe already con-
" verted, by ſuch paſſages as Matt. xix. 9.
" and 1 Cor. vii. 2."

You find here, how *cautious* this learned and reverend man was in his *expreſſions*.—I will anſwer for it, that if he had ſeen *your book*, he would have been *grieved*, if not *ſhocked*, at the *peremptorineſs* with which *you determine*, and the *levity*, I had almoſt ſaid *profane ribaldry*, with which you treat a ſubject of ſuch *ſerious importance*, and *vilify* a *practice* which you *yourſelf* acknowledge " GOD *thought fit to permit under the law*," p. 88. How far does it become you, Sir, to treat in ſo very *ludicrous* a ſtyle, any practice which the GOD that made you *thought fit to permit?* Even ſuppoſing what you take upon you to aſſert as " equally certain," be ſo—viz. that " GOD, who thought fit to *permit polygamy* " under the *law*, prohibited it under the *goſpel*" —how far is it *decent* to treat the ſubject with

ſo much *facetious raillery*, and to charge it with horrid conſequences, which you cannot bring a ſingle inſtance of from the *Bible*, wherein you *muſt*, and indeed *do*, confeſs the practice of it to be recorded, under the permiſſion of God himſelf?

Did you ever read *Lord Bolingbroke's Letters* on the *Study and Uſe of Hiſtory?* Do you recollect what he ſays upon the ſubject of the *ark*, and on certain other parts of the *Jewiſh laws*, *worſhip*, and *œconomy?*—And do you think him at all the more *juſtifiable*, becauſe the *ceremonial law—is waxed old, and vaniſhed away?*—My *friend* would be one of the laſt men upon earth to excuſe the *ſneers* of Mr. *Voltaire* upon the *Jews* and their *law*, by ſaying that the contents of the *Dictionaire Philoſophique* relate chiefly to the times of the *Old Teſtament*.

I throw out theſe *hints*, which I hope will be taken as they are meant, in a *friendly view*—for I do apprehend, that whatever can, in the moſt diſtant manner, reflect on the *propriety* and wiſdom of *any* of God's *diſpenſations*, are very unbecoming a zealous *profeſſor*, much more, what I ſincerely believe Mr. H. to be, a real *poſſeſſor* of *true religion*. For this reaſon I think it would have been full as *decent* to have ſpared the *ironical title* which you have been pleaſed to place at the *head* of your *performance*, as well as the *ſarcaſm* of your *dedication*.

Now, my dear Sir, you have nothing to do, but to produce ſome one plain mark or act

of the "*diſapprobation*" which you ſpeak of. —You have the *Bible* open before you; you have the hiſtory of near four thouſand years; you have numerous inſtances of *polygamous* contracts to refer to;—produce one inſtance of the divine *prohibition* or *diſapprobation*, and you will have the *Old Teſtament* on your ſide.

Then turn to *Rom.* vii. and you will find the chapter begins thus—viz.

"1. Know ye not, brethren (for I ſpeak "to them that know the law) how that the "law hath dominion over a man as long as "*it* liveth.

"2. For the woman which hath an huſ- "band is bound by the law to her huſband "ſo long as he liveth; but if the huſband "be dead, ſhe is looſed from the law of her "huſband.

"3. So that if, while her huſband liveth, "ſhe be married to another man, ſhe ſhall "be called an adultereſs: but if her huſ- "band be dead, ſhe is free from that law; "ſo that ſhe is no adultereſs, though ſhe be "married to another man."

The *Apoſtle*, you obſerve, ſpeaks to them *who knew the law*—and, on the footing of *that law*, plainly and openly delivers his ſentiments on the *caſe* mentioned. Now, if you can find as *plain*, as *expreſs*, as *unequivocal*, as *indiſputable* an authority from the *law*, for the prohibition of *polygamy* on the *man's* ſide, as in this place of the New Teſtament, and throughout the whole Old Teſtament, there

is on the *woman's*—I promiſe you, and I promiſe the *public*, to retract all I have ſaid on the ſubject. Otherwiſe, I muſt freely declare, that I cannot believe the ſcriptures ſhould be ſo uniformly *explicit* on *one ſide*, and ſo dark and perplexed on the *other*, as to leave us to ſeek the meaning of the *lawgiver* out of his words (as *Biſhop Burnet* ſays) "by "the ſearch of *logic*," where a point of ſuch infinite and eternal concern is at ſtake, as whether any given *practice* or *action* is *ſinful* or *not*, and of courſe *damnable*.

The Scripture, 1 Pet. iii. 8. ſays—be *pitiful*, be *courteous*, φιλοφρονες—*friendly* or *friendly-minded*—*benign*:—I know none of my acquaintance, in whom I have had occaſion to obſerve more of *theſe tempers*, than in my beloved Mr. H.; and yet his *zeal* on the preſent occaſion has hurried him into a *temporary oblivion*, at leaſt, of theſe conſtituent parts of his amiable character. He even goes ſo far as to charge his friend with "*low chi-*"*canery*"—this he "*at firſt felt himſelf* "*hurt at*"—"but I preſently recollected," ſays Mr. H. "*that he had been bred to the* "*bar*—and therefore paſſed it by with a "*ſmile*."

Now, what is this *low chicanery?* Why, the Author of *Thelyphthora*, in full conſiſtence with the *one principle* which he lays down at the *beginning*, and continues throughout to the *end*, that the word *adultery* is never uſed, but where the defilement of a *married woman* is concerned—for which he has

the

the uniform and undoubted authority of the *whole Hebrew* ſcripture—conſtrues the γυναικα, woman, Matt. v. 28. in this ſenſe—and this is done, among other reaſons, for the grand purpoſe of repreſenting ſcripture as conſiſtent in all its parts. However, my dear Sir, what will you ſay to *Wetſtein* on the place?—He thus explains it—"*Per γυναικα autem intelligitur uxor alterius.*"—"By the word γυναικα—*woman*—the wife of another is underſtood." See Thelyph. vol. i. p. 122, n. 2d edit. When your friend has ſuch reſpectable authorities for his interpretation of the text, I think he might have eſcaped the charge of "*low chicanery*," and a very *liberal, learned*, and *honourable profeſſion*, have avoided a very ſevere and indiſcriminate cenſure.

The mention of *Wetſtein*, who was certainly the moſt learned, laborious, and accurate *editor* of the *Greek Teſtament* that ever lived, reminds me of another part of your *critique*, I mean that on the word αλλην—*another*—in Matt. xix. 9, which I ſay, p. 385, "*may* be conſtrued in the ſenſe of αλλοτριαν γυναικα"—for this I appeal to that great man's comment on Matt. xix. 9. His words are—"Αλλην] i. e. Αλλοτριαν *ab alio itidem viro repudiatam—vel ab illo divertentem ut* HERODIAS & SALOME."——"*Another*] that is, *another man's wife*, who has been *repudiated* by him, or who has *left* her huſband; as did HERODIAS and SALOME."—Had you attended to what follows in *Wetſtein*'s note on Mark x. 11. p. 387, 391, 392, and carefully

and deliberately weighed the matter, perhaps you would have treated your *friend* with rather more *reſpect* than you have done on this occaſion.—But if you was not of opinion with him on the interpretation of the word ἀλλην, how comes it that you paſs over in ſilence his explanation of the μοιχαται? Is it quite fair, my dear Sir, to take one argument, condemn it, and ſo condemn the *author*, without noticing another moſt material ſupport of his opinion? and, when *Wetſtein*'s authority lay before your eyes, to charge the author as "*taking the liberty to change the word* αλλην "*for* αλλοτριαν?"

You tell us in your Poſtſcript, that "the "*treatiſe* had been publiſhed *full half a year* "before you could *perſuade yourſelf to read it.*" Your book is dated Jan. 15, 1781. Now the *treatiſe* was publiſhed the beginning of *June* (a few days before the *riots*) ſo that, "*full* "*half a year*" brings it to pretty near the *date* of your *book* — This accounts for the *haſte* in which you wrote, and *this*, for many paſſages in your *book*, which I am ſure you would have *expunged*, had you taken a longer time, either to conſider the *treatiſe* you was oppoſing, the *friendſhip* of the *perſon* you was writing to, or that *inconſiſtency* with the *ſweetneſs* and *benignity* of your own *diſpoſition*, which occurs here and there throughout your "*affectionate addreſs.*"

I cannot help alſo thinking, that, for that "*full half a year*," how hard your *prejudices* muſt be at work — they appeared pretty clearly

clearly in your letter of *February* 2, 1780, before you had ſeen *a line* of the performance; and when you could "*perſuade your-*" *ſelf to read it*," did not your *prejudices* incline you to wiſh that they might rather be *juſtified* than *removed?*—Aſk *yourſelf* this *queſtion* — It may not be quite impoſſible (if I may judge from ſome parts of *your book*) that the *honeſty* of your *heart* will anſwer you very faithfully in the *affirmative*. — This is but *human nature*. On this principle I can account for your repreſentation of our LORD's intention, in his conduct towards the *woman taken in adultery*. (John viii. 1, &c.) "It ap-" pears clear to me," ſays my friend, "that, " under the *goſpel*, he, *indirectly* at leaſt, pro-" hibited that either party, in ſuch caſe, " ſhould ſuffer death, either by ſtoning or " otherwiſe, as they were to do by the ſe-" verity of the *Jewiſh* law."

I think you may fairly be underſtood to mean by this, that CHRIST repealed the *judicial law* of GOD, ſo often repeated, againſt *adultery*. If ſo, how are we to conceive of *His coming not to deſtroy the law, but to fulfil it?* Matt. v. 17. How of His declaration—that not a *jot or tittle ſhould paſs from the law, till all be fulfilled*—Matt. v. 18?—I own I cannot help underſtanding theſe ſolemn aſſertions as totally inconſiſtent with an *indirect*, as with a *direct*, *repeal of the law*.

The *Phariſees*, no doubt, brought this *woman* to OUR LORD, with a moſt malicious and

and wicked intent — *to tempt Him, that they might have to accuſe Him.* ver. 6. *i. e.* either as an enemy to *Cæſar*, as taking upon Himſelf to exerciſe a *judicial* power independent of the authority of the *Roman* government, if He ordered the woman to be ſtoned to death; or, if He did not, to incenſe the people againſt Him as a favourer of ſin, and as an enemy to the law of *Moſes*.

The *manner* in which OUR LORD avoided the *ſnare*, and the *way* which He took to get rid of His malicious *enemies*, can never be ſufficiently admired for their wiſdom and prudence (ſee ver. 7—9.) any more than we can expreſs, or even conceive, the tenderneſs and compaſſion with which He looked on the poor *ſinner*, who calls Him LORD (ver. 11.) and receives her *pardon* from His gracious lips. Thus have we left us on record, my dear Sir, one inſtance, among many others, of that free and condeſcending grace, which is the only *hope* of guilty creatures like ourſelves.

But what has this to do with a repeal of the *law* of GOD againſt *adultery?* If CHRIST could repeal or change *one judicial precept* of the *moral law*, He certainly could alter any other;—but as my dear *friend* has no inclination, I am very certain, to ſtir a ſingle ſtep towards *Socinus*, I will ſay no more on the ſubject.

You ſay, after mentioning (p. 135.) Matt. v. 28 — and xix. 9 —, "In both theſe in-

"ſtances

" ſtances you inſiſt, that *a woman* muſt mean " a *married woman* only, becauſe otherwiſe " *polygamy* cannot ſtand."

Your aſſerting this as the author's reaſon for his interpretation of the word *woman*, in the *texts* above alluded to, is another proof, either of the *haſte* in which you *wrote*, or of the *prejudice* with which you *red*; otherwiſe you muſt have adverted to a reaſon of a much more important nature, *viz.*—that of exempting CHRIST from declaring a *doctrine* in the face of the whole *Jewiſh nation*, and this as deduced from the law of *Moſes*, without any other foundation for what He ſaid, than uſing the word *adultery* in a ſenſe in which it never once occurs throughout the whole *Hebrew ſcripture*. This I do acknowledge to be ſaid "*again*, and *again*, and *again*" in *Thelyphthora*; and yet this reaſon is *overlooked*, and another *ſubſtituted*, which is of my friend's own *invention*.

My *friend* has fallen under a miſtake, which I find has been the caſe with many; that is to ſay, " that, on the principles of " *Thelyphthora*, there is no ſuch thing as " *fornication* or *whoredom*; conſequently, that " ſuch a character as an *whore* or an *harlot* " cannot exiſt, but every *woman* who goes " from one man to another is an *adultereſs*, " always remaining the property of the *firſt* " *man* that *humbled her*." p. 84.

In anſwer to which, I ſay—what you own you " *will not diſpute with me*"—that the " in- " tercourſe of a *virgin* with a *man* conſtitutes a " marriage

" marriage in the ſight of GOD," becauſe it is written, *they ſhall be one fleſh*;—and our SAVIOUR, from this, concludes—that what GOD *hath joined together, no man ſhall put aſunder.*

But I farther ſay, that if this *woman* departs from this *firſt* man to *another*, the *bond* with the *firſt* is totally vacated by her act of *adultery*; ſo that the *firſt* man is totally releaſed from her. If afterwards ſhe goes from man to man, and ſells or gives her favours promiſcuouſly to all alike, ſhe is *everybody's* and *nobody's*: no man can lay any claim to her, or look upon her as his *property*, or be injured, as a *given, appropriated* huſband might be, by her infidelity. She is, in ſhort, *nullius inter bona*, and is an *whore, harlot*, or *proſtitute*, in the true ſenſe of thoſe words.

I really feel *hurt* and *aſhamed* at your ſtrictures on the ſtory of *Judah* and *Tamar*, p. 85. You had juſt written down the very words of Gen. xxxviii. 24, where " *they who told Judah* " *that ſhe was with child by whoredom*" call her his *daughter-in-law*—how ſo?—why, ſhe had been *married* to two of *Judah*'s ſons, *Er* and *Onan*, ſucceſſively, under the *cuſtom* of the *Levirate*; (which was afterwards enacted into a law, Deut. xxv. 5.) the *remarkable deaths* of *theſe*, muſt be too notorious not to be known among the *men of the place*—ſee ver. 21, 22—as alſo, that the widow of the *deceaſed* devolved on *Shelah*, the ſurviving brother, and, of courſe, that ſhe was engaged to him (Comp. ver. 11, 14.) ſo that *Tamar* muſt, by what ſhe did,

did, appear in the light of a *betrothed woman* who had gone aſtray, and liable to ſuffer as an *adulteress*; for, in conſideration of law, ſhe was a *man's wife*. (Comp. Deut. xxii. 23, 24.) How is it my *friend* could, with his *Bible* open before him, take no notice of *Tamar's* real ſituation, as engaged to *Shelah*—repreſent her on the footing of a *woman* that *had no husband*—and then call this "a fact ſtanding on record, as full "proof" of what he advances on the ſubject of *ſingle women?* It may be ſaid of *my friend*—*Quod vult valde vult.*——N. B. Try what you can make of the *maid* that is *not betrothed*—Exod. xxii. 16.—and of the *damſel*—Deut. xxii. 28.—Are theſe ſtigmatized as *whores?*

You do me juſtice, when you ſay, that I only "defend *polygamy* in ſome *rare inſtances.*"—But how can it be *defended* in thoſe *rare inſtances*, if it be againſt the *law of* GOD? Therefore, the purpoſe of *Thelyphthora*, ſo far as it relates to the ſubject, is to prove its *lawfulneſs*, that, in thoſe *rare inſtances*, it may be ſought to, as a remedy againſt the manifeſt *evils* which accrue from an *indiſcriminate* and *total* prohibition of it; which I deny to be warranted from GOD's *word*, and is no better than the effect of men's taking the whole œconomy, relative to the *commerce of the ſexes*, out of GOD's hands into their own, and of that *falſe policy*, ſo deſervedly and ably cenſured by the *Marquis of Beccaria*, in his *chapter* on *falſe notions of utility.*—See *Thelyph.* vol. ii. 424, n.

The

The laſt ſheet of this *volume* was ſent me to reviſe, when I received your book: I ſtop the *preſs* for the inſertion of this Letter to you; which muſt account for my haſte in writing, and for my not being more methodical and accurate in following you through your publication.

My full determination is, to enter into no freſh *controverſy* with any body. I ſhall *read* what may be *written*, and thankfully adopt into any future edition of *Thelyphthora*, ſuch uſeful *hints* as either my *friends* or *enemies* may occaſionally throw out.

My dear Sir, I now take my leave, with aſſuring you, that I remain your affectionate and faithful (tho' I am ſorry I muſt add, on this occaſion, your highly-injured)

Friend and ſervant,

March 26,
1781. *The Author.*

POSTSCRIPT.

YOU will pleaſe to obſerve, that the references and quotations from *Thelyphthora*, in this Letter, are from the firſt *edition*; as you do not appear to me to have ſeen the *ſecond*.

I ſhould

I ſhould have noticed the *queſtion*, which you have ſo often repeated — "Why write "*Thelyphthora? cui bono* * *ſcribere?*" — I anſwer — *pro bono publico* — To check the overflowings of *adultery* and *proſtitution* — to eſtabliſh the *means* of doing this on the *baſis* of the *divine law* — to ſet forth *that law*, as revealed in the *Bible* — to contend for its *wiſdom*, *holineſs*, *purity*, and *juſtice* — to ſhew how the *reſponſibility* which that *law* eſtabliſhes between the *ſeducer* and the *ſeduced*, would tend to curb the *licentiouſneſs* of what is called *gallantry*, and, of courſe, to prevent the *ruin of women*, with all its fearful appendages — to aſſert that *unrivalled ſovereignty*, and *uncontroulable ſupremacy* of JEHOVAH, which *mortals* have dared to diſpute with Him for ſo many *ages*, by ſetting aſide His *laws* relative to the *commerce of the ſexes*, and ſubſtituting their own *inventions* — to point out, from *deductions* drawn from undeniable *facts*, and from the moſt inconteſtible *proofs*, the *miſchiefs* of that *irreſponſibility* of MEN to WOMEN, and of WOMEN to MEN, in *inſtances* of the moſt *important* concern to BOTH, but more eſpecially to the *weaker ſex* — to recommend it to the *legiſlature* to take theſe matters ſeriouſly under their conſideration, and, being thus apprized of the *miſchief* and its *remedy*, if *times*, *circumſtances*, and the *ſituation* of *things* will not enable them to adopt the *whole* of the *plan* propoſed, yet to adopt

* N. B. This is not my *Latin*.

as

as much of it as ſhall be found *practicable*.—That *ſomething ought* to be *done*, none can DENY.—The *book* which you cenſure, has endeavoured to point out what *may* be done —and it muſt be left to the *wiſdom*, *humanity*, and *diſcretion* of *the powers that are* in this *Chriſtian* land, to determine what *ſhall* be done.

Though I am *at preſent* ſo circumſtanced as not to be able to add any more, yet, *my friend*, you will probably find, that *forbearance is no acquittance*; and on *a future occaſion*, your *explanation* of 1 Cor. vii. 1—10. or (as you expreſs yourſelf) your—"*affront* put "on the clear and plain language of the "*apoſtle*, where every word carries with it "*perſpicuity* and *conviction*" (which, by the way, is ſaying a good deal, on a paſſage of ſcripture which, from the different interpretations it has received from *commentators*, ſeems to be one of the moſt *dark* and *difficult* parts of St. *Paul*'s writings, eſpecially as we are not poſſeſſed of the *letter* written to him by the *Corinthians*) may probably meet with *due obſervation*. The *confidence* with which you treat this *ſcripture*, as you do *others*, ſingly on your *own* authority, without calling in aid or quoting a ſingle *commentator*, *hiſtorian*, or *other author*, to juſtify your *peremptory* determinations on the ſenſe of words—wherein you contradict ſome of the *greateſt*, *beſt*, and moſt *learned* men that ever lived—ſhews how far your *zeal* has outrun your *diſcretion*, and the

the impetuoſity of your *imagination*, the ſober dictates of due *conſideration* and *reflection*.

The light in which I ſhall find myſelf obliged, in juſtice to the *public* (to ſay nothing of *Thelyphthora*) to place *you*, as a *critic* and a *philologiſt*, will hardly be more diſagreeable to yourſelf than to the *author*—but be it remembered, Sir, that, happen what may, you have nobody to thank for it but yourſelf.—I heartily wiſh, that the "*ſenſe*" which you expreſs (p. 148.) "*of the deficiency of your* "*own abilities*" (at leaſt ſo far as a controverſy which depends on the knowledge of the *original* ſcriptures is concerned) had been as REAL as you profeſs it to be—you would then have left it to *others* to attack your *own friend*, while you had been following the *apoſtle*'s advice (1 Theſſ. iv. 11.) *Study to be quiet*.

I think the CARICATURAS which you have imagined for the *fair ſex*, in the *ſtrange* ſtories which you have *invented*, and exhibited for the *entertainment* and *edification* of your *readers*, (the *wit* of every one of which contains a very ſtrong *ſarcaſm* on the *Moſaic* law) repreſent the *ladies* in ſuch a light of *vengeance* and *aſſaſſination*, and, in ſhort, as ſuch a ſet of FURIES, as to outdo, if poſſible, the *three* famed *daughters* of ACHERON and NOX:—theſe tormented *other people*, but *your's* even *hang* them*ſelves* into the bargain.—However, put ſome *ſnakes* on their *heads* in your next edi-

tion, and then they may pass for the lineal descendents of ALECTO, MEGÆRA, and TISIPHONE. I marvel not that *my friend* has still to complain with *Horace*,

MARTIIS COELEBS QUID AGAM CALENDIS?

N. B. I did not receive your *book*, till FRIDAY, MARCH 23d.

FINIS.

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