

THE
HISTORY *12 Da*
OF THE
ACTS
OF THE
HOLY APOSTLES

Confirmed from other AUTHORS;

And consider'd as full EVIDENCE of the

TRUTH OF CHRISTIANITY:

WITH A

PREFATORY DISCOURSE

UPON THE

NATURE of that EVIDENCE.

BEING

Twenty-four SERMONS, preach'd in the Parish-
Church of St. MARY LE BOW, *London*, in the
Years 1736, 1737, 1738; at the LECTURE
founded by the Hon^{ble} ROBERT BOYLE, Esq;

By RICHARD BISCOE, M. A.

Chaplain in Ordinary to his MAJESTY.

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TO THE

RIGHT HONOURABLE

RICHARD,
EARL of *BURLINGTON,*

AND THE

Right Reverend Father in GOD,

EDMUND,
LORD BISHOP of *LONDON,*

TRUSTEES

Appointed by the Most Reverend Father in
GOD, *THOMAS*, late Lord Archbishop
of *CANTERBURY*, the last surviving Trustee
named

By the HONOURABLE

ROBERT BOYLE, Esq;.

These Sermons are most
Humbly dedicated.

5
4

THE
CONTENTS.

T HE Prefatory Discourse	Page 1
The Introduction and Scheme	15
Chap. 1. <i>A short View of the Facts contained in the History of the Acts, with some natural Reflections thence arising</i>	29
Chap. 2. <i>What is written in the History of the Acts of the ordinary Occurrences of that Time, and of the great Persons therein named, confirmed from other Authors</i>	39
Chap. 3. <i>A further Account of the Occurrences of the Time, and of the Persons named</i>	55
Chap. 4. <i>How far the various Distinctions of the Jews, which happen to be spoken of in the Acts, are confirmed by other Authors</i>	82
Chap 5. <i>How far the Jewish Customs referred to are confirmed</i>	103
Chap. 6. Part 1. <i>The Jewish Magistrates in Judæa, when under the Romans, had the Power of inflicting capital Punishments</i>	123
<i>The Introduction to this</i>	123
Sect. 1. <i>An Answer to the first Argument against it, taken from the Civil Law</i>	126

Sect.

The CONTENTS.

- Sect. 2. *The second and third Arguments taken from the Civil Law, answer'd* 136
- Sect. 3. *The principal Argument taken from the New Testament, answer'd* 142
- Sect. 4. *An Answer to two other Arguments taken from the New Testament* 157
- Sect. 5. *The Romans frequently indulged the Nations they conquered in the Use of their own Laws, even in capital Cases* 159
- Sect. 6. *The Romans were peculiarly favourable to the Jews, and allowed them singular Privileges in all Parts of the Empire* 179
- Sect. 7. *The Jews petitioned the Emperor Augustus, that their Country might be made a Roman Province, with this View, that they might have the free Use of their own Laws.* 185
- Sect. 8. *The Reasons we have to believe, that the Emperor Augustus granted to the Jews what they had in View in this Petition* 189
- Sect. 9. *Passages from Josephus and Philo, proving that the Romans did grant to the Jews the Execution of their own Laws even in capital Cases* 196
- Sect. 10. *Objections answered* 202
- Sect. 11. *Other Passages from Josephus, proving that the Jewish Magistrates had the Power of putting Persons to Death in the Execution of their own Laws* 210
- Sect. 12. *Passages from the Talmud to the same Purpose, and the Talmudical Account very consistent with the History of Josephus* 219
- Sect. 13. *An Argument of another Nature, rendering it highly probable, that the Jewish Magistrates*

The CONTENTS.

<i>gistrates under the Romans had the Execution of their own Laws in capital Cases</i>	227
Sect. 14. <i>Arguments taken from the sacred Writings to prove the same Thing</i>	229
Sect. 15. <i>Further Arguments from the History of the Acts</i>	235
Sect. 16. <i>Arguments to the same Purpose from the Gospels</i>	242
Sect. 17. <i>Further Arguments from the Gospels</i>	249
Part 2. <i>The Authority of the High-Priest and Jewish Magistrates in the Affairs of Religion extended to foreign Cities</i>	256
Chap. 7. <i>More Jewish Customs confirmed</i>	267
Chap. 8. <i>Grecian Customs confirmed</i>	290
Chap. 9. <i>Roman Customs confirmed</i>	327
Chap. 10. <i>An Account of the Places referred to</i>	361
Chap. 11. <i>The principal Facts confirmed</i>	394
Chap. 12. <i>A further Confirmation of the principal Facts</i>	426
Chap. 13. <i>A further Confirmation of the principal Facts</i>	452
Chap. 14. <i>The History of the Acts written by St. Luke</i>	474
Chap. 15. <i>The Acts of the Apostles was owned and received by the Christians of the first Ages as a sacred Book</i>	502
Chap. 16. <i>A brief Recapitulation of the Things said in the foregoing Chapter, together with the Evidence thence arising of the Truth and Certainty of the principal Matters related in the Acts</i>	529

Chap.

The CONTENTS.

Chap. 17. <i>The Evidence of the Truth of Christianity arising from the principal Facts related</i>	563
Chap. 18. <i>The Objections raised by Rabbi Isaac ben Abraham answered</i>	592
Chap. 19. <i>Further Objections of that Rabbi answered</i>	616
Chap. 20. <i>Other Objections answered</i>	637

E R R A T A.

PAGE 84. l. 19. for *Saturn Nius* read *Saturninus*. p. 92. l. ante-pen. for εἰσήνεγκαῖν read εἰσήνεγκαν. p. 95. l. 8. for *lean* read *be an*. p. 106. l. pen. for *laccobanim* read *haccobanim*. p. 142. dele (*d*) and the Note belonging to it. p. 147. l. 15. for *all* read *at all*. p. 167. l. 7. of the Note for *res* read *rei*. p. 197. Note (*a*) l. 7. for ἐκωλεύσαμεν read ἐκωλύσαμεν. p. 199. Note (*a*) l. 2. for θάναϊς read θάνατος. p. 203. Note (*b*) l. 1. for τῖος read τοῖς. p. 216. Note (*a*) l. 2. for ὀριθιν read ὀριθῆν. p. 220. l. 18. for ἀπονλοίας read ἀπονοίας. p. 221. Note (*a*) l. 2. for *pæncæ* read *pæncæ*. p. 224. Note (*c*) for ΠΥΨ ΤΠΥ read ΠΥΨ ΤΠΥ. p. 229. Note (*a*) l. 2. for *Pauvincium* read *Panvinium*. p. 239. Note (*a*) l. 1. for *seems* read *seem*. p. 277. l. 5. after *than* read *that*. p. 285. l. 16. for ἐν τῆθ. read ἐν τῆ θ. p. 293. Note (*a*) l. 5. for *Valer. c. 32.* read *Valer. l. 1. c. 3. § 2.* p. 299. Note (*b*) l. 3. for πρόνοϊαν read πρόνοϊαν. ——— l. 13. for *scemina quadam* read *semina quadam*. p. 304. l. 15. for *fice* read *Office*. p. 314. Note (*c*) l. 3. for δαι read δ:α. p. 315. l. 1. for *thers* read *others*. p. 316. Note (*d*) l. 1. for το read ῶ. p. 317. Note (*a*) l. 3. for *pulpus* read *pulsus*. p. 371. l. 31. for *Teios* read *Teos*. p. 373 l. 11. for *reasonable* read *reasonably*. p. 387. Note (*c*) l. 5. for κατεσκευάζετο read κατεσκευάζετο. p. 388. l. 12. after *of* read *the*. p. 423. l. 15. for *Jolossians* read *Colossians*. p. 450. l. ult. for ἐπεὶ τοῦτο εἶπ' read εἶτ' ἐπεὶ τῆτο. p. 451. l. 29. for διαφθείροντες read διαφθείροντες. p. 500. Note (*b*) l. 12. for *transverris* read *transvertis*. p. 604. l. 13. after *hæw* read *so*. ——— l. 15. dele *so*.

T H E

Prefatory DISCOURSE.

1 Pet. i. 8.

Whom having not seen, ye love, in whom, though now ye see him not, yet believing, ye rejoice with Joy unspeakable, and full of Glory.

THERE are three Graces mentioned here by the Apostle, each of which has a Commendation annexed to it. The first is Love to Christ, spoken of as raised and ennobled by this Circumstance; that it was loving one whom they had not seen; it being far more difficult to place our Affections on a Person we have never seen, than on one whom we see and converse with. To have an unseen Saviour frequently in our Minds, to be often thinking on the Excellencies of his Person, the Greatness of his Performance, his wonderful Love to us, the Sufferings he underwent upon our Account, and the Blessings he

B has

2 *The Prefatory Discourse.*

has thereby procured, to make these Things the Subject of our frequent serious Meditations, so as to excite a holy Flame in our Souls, is a Matter of Pains, and Labour, and Difficulty; especially since our Hearts are so apt to be entangled with the Things of Sense, and what we daily see, and converse with, so easily gains our Affections; since the Love also, which is required of us towards the Blessed Jesus, must exceed that of all Things here below, so that we must readily part with them for his Sake, whenever called out unto it.

The second Grace mentioned by the Apostle is Faith in Christ, *in whom believing*. This, though mentioned in the second Place, is the first in Order. For we therefore love Christ, because we believe in him. If we have neither seen him, nor believe in him, it's impossible we should love him. But although we see him not, yet if we believe in him, we may, and if we will act like reasonable Creatures, we must, both love and obey him. Believing in Christ, signifies our assenting to the Truth of those Things, which are related concerning him in the Gospels, particularly, that he was in the Beginning with God, and is God, that all Things were made by him, that he condescended to take to him the human Nature, led a poor suffering Life, and died a cruel lingering Death; that he died thus to make Atonement for our Sins, and reconcile us to God; that the Father was well pleased with the Sacrifice he made of himself; raised him from the Dead, and
has

has committed all Power into his Hands; that one Day he will come again, attended with the holy Angels; raise the Dead; cite all, both Quick and Dead, to appear at his awful Tribunal; and pass Sentence on them according to their Deeds; rendering eternal Happiness to those who have obeyed him, the severest everlasting Punishment to those who have not. If we yield our Assent to the Truth of these Things, can it be said, that we act like rational Beings, unless, by Submission and Obedience to Christ, we prepare for this great and solemn Day of Reckoning? It is of those, who so believe the Gospel, as to obey it, that the Apostle is here speaking: For he joins Love and Joy to the Faith mentioned. The Faith therefore, which the Apostle commends, is such an Assent to the Truth of the Gospel as has an Influence on the Heart and Life, such as begets in us a sincere and ardent Love to Christ, and is the Foundation of a true and solid Joy: *Whom having not seen, ye love, in whom, though now ye see him not, yet believing, ye rejoice with Joy unspeakable, and full of Glory, or of Praise; a Joy truly praiseworthy, approved and applauded by God and all good Men, and secretly commended by the Consciences even of the Wicked themselves.* Such a Joy proceeds from that Faith alone, which is fruitful in Love and good Works.

What I propose to consider more particularly at this Time is, the Commendation given to the Grace of Faith, as exercised by the Persons the Apostle writes to: *In whom, though*

4 *The Prefatory Discourse.*

now ye see him not, yet believing. It was Faith in a Saviour, whom they had not seen. That this Circumstance adds a Lustre to Faith, is confirmed to us by our Lord himself, who says to *Thomas, Because thou hast seen me, thou hast believed. Blessed are they who have not seen, and yet have believed,* John xx. 29 *Blessed are they,* i. e. they are more blessed. Whence we may justly conclude, that their Faith is more praiseworthy.

That we may the better understand, how this Circumstance adds a Lustre to Faith, and renders it more commendable, I would offer these two or three Things to your Consideration: First, this does not in the least imply, that in divine Matters we are not to seek after proper Evidence for what we believe. When the Apostle commends the Christians he wrote to for believing in a Saviour, whom they had not seen; and our Lord blames *Thomas* for his Incredulity, and applauds the Faith of such, who believed in him, though they had not seen him; it is not hereby intended to discourage Persons from looking after proper Evidence, in such Matters of Religion as are proposed to their Belief, or to hint to them, that they should blindly assent to Things, as the Truths of God, without having clear Proof given them of their being so. This would be greatly to demean and misemploy the Faculties bestowed on us. To what End have we a Capacity of searching into and examining the Truth of Things? Why has God given us a Power of considering the

Evidences

Evidences that are offered, and judging of their Weight and Force, if he did not intend it should be exercised by us? That he designed it should be exercised, we are fully informed in the sacred Writings, and are exhorted to it. Our Blessed Lord, *John* v. 32, 39. calls upon the *Jews* to consider the Evidence given them of his being the Son of God. He appeals to the Testimony of *John* the Baptist, to the Testimony of his Father, by a Voice from Heaven, and to the miraculous Works he enabled him to perform, and to the Testimony of the Holy Scriptures: *Search the Scriptures; for in them ye think, that ye have eternal Life, and they are they which testify of me.* In many Places, he appeals to the Evidence he gave them of being their Messiah, by the Wonders he wrought. And, *John* x. 37. assures them, that he expected not any Credit from them, if he gave them not full Proof hereof by his Works: *If I do not the Works of my Father, believe me not.* In another Place, he plainly declares, that if he had not given them clear Evidence, by his Miracles, of his being the Son of God, their Unbelief had been excusable, *John* xv. 24. *If I had not done among them the Works, which none other Man did, they had not had Sin.* The *Bereans* are highly applauded for searching into the Truth of those Things, which were spoken by St. Paul, *Acts* xvii. 11. *These were more noble than those in Thessalonica, in that they received the Word with all Readiness of Mind, and searched the Scriptures daily, whether those Things*

6 *The Prefatory Discourse.*

were so. And the Apostle *John* exhorts us, 1 *John* iv. 1. *Beloved, believe not every Spirit, but try the Spirits, whether they are of God, because many false Prophets are gone out into the World.* This therefore most certainly cannot be the Meaning of the Commendation here given to the Faith of these Persons, to discourage and prevent our looking after proper Evidence for the Things that are proposed to us in Matters of Religion, because this is a thing which the Holy Scriptures do indeed everywhere encourage, what they command us to do, and applaud Christians for doing. But,

2dly, The plain Meaning of it is, that when proper Evidence is offered, we should yield our Assent. When such Evidence is offered for the Truth of those Things which are proposed to our Belief in religious Matters, as wise Men commonly act upon in the Affairs and Concernments of the present Life, we are to yield our Assent to the Truth of those Things, and to act accordingly. Herein *Thomas* was wanting; and it is this Failure of his is blamed by our Lord. He did not yield to proper Evidence, to that Evidence which could not have been gainsayed by him in any other Case, and that was the Testimony of many credible Persons, who had seen our Lord after his Resurrection. As to the Thing reported by them, there was nothing improbable in it; because our Lord had not only expressly foretold, that he would rise the third Day, but had rendered what he said highly credible, by the many exceeding
great

great Works that he wrought in his Life-time, by his giving Sight to the Blind, healing the Paralytick, restoring withered Limbs, and raising some to Life that were actually dead. Since therefore he who had performed such Wonders, he who had raised others from Death, foretold his own Resurrection, there was nothing incredible in the Fact related.

Peter and *John* went to his Sepulchre, and found his Body missing. *Mary Magdalen*, who had been there before them, and by her Report occasioned their going, returning again to the Sepulchre with them, when they were departed, saw Jesus risen, and spake with him. He was afterwards on the same Day seen by *Simon Peter*, and by two other Disciples, who conversed with him in their Way to *Emmaus*, and on the Evening of the same Day, by the Disciples assembled together in a Body, who examined the Wounds made in his Hands and Feet, and saw him eat part of a broiled Fish, and of a Honey-comb. These relate the Fact to *Thomas*, who nevertheless would not believe it, but said, *Except I shall see in his Hands the Print of the Nails, and put my Finger into the Print of the Nails, and thrust my Hand into his Side, I will not believe.* This was rejecting such Evidence as all Men govern themselves by, and act upon, in other Cases. The Thing related was indeed more than probable from the Prediction of our Saviour, who had given such ample Proof of his being a Person sent from God, and was confirmed by the joint Testimony

B 4 of

8 *The Prefatory Discourse.*

of many Eye-witnesses, Persons, whose Credibility he had not the least Reason to suspect, and who could have no Interest in deceiving him. This Unbelief therefore was highly unreasonable, and what he is most justly blamed for.

Hence we may easily learn what is the Faith commended by our Lord in the Gospel of St. *John*, and by the Apostle in my Text. It is a Faith built upon such Evidence as wise Men assent to, and act upon, in the most important Concernments of the present Life: “ *Because*
“ *thou hast seen me, thou hast believed. Blessed are*
“ *they that have not seen, and yet have believed.*
“ Thou wouldst not believe my Resurrection,
“ unless thou didst see me with thine own
“ Eyes, and handlest my Wounds, although
“ thou hadst received plain and full Evidence
“ of the Truth thereof. Their Faith is more
“ to be esteemed and praised, who, although
“ they have not seen me themselves, yet believe
“ my Resurrection from the Report of those
“ many Eye and Ear-witnesses, who have seen
“ me, and conversed with me.” From comparing the Words of my Text with this Part of our Lord’s History, the plain Meaning of the Commendation given to the Grace of Faith in my Text, as exercised by those Christians the Apostle wrote to, from this Circumstance, that they had believed in him whom they had not seen, appears to be, not in the least to discourage them from looking after all fitting and suitable Evidence of the Truth of those Things
which

which are proposed to their Belief in the Gospel, for this is made their Duty ; but to encourage them in yielding their Assent to Truths built upon such Evidence, as we generally govern ourselves by, in the most momentous Affairs of the present Life, and in acting agreeably thereto.

Were we to believe nothing but what we are Eye or Ear witnessess of, the Business of the World would be soon at a stand. There could be little Trade or Commerce carried on in distant Parts of the World ; there could be no such thing as fixed Courts of Judicature ; there could be no Policy or Government, nor would there be much Comfort in Life itself. In the Affairs of this World we are forced to yield to probable Arguments, and the Testimony of others, and upon this Ground we proceed in the most important Concernments. When a Thing probable in itself is related by Persons of Credit, who, we have no Reason to suspect, would deceive us, we not only yield our Assent to it, but govern ourselves by it. Thus it is in all Matters of Commerce : Thus it is in all Courts of Judicature, not only in Civil, but in Criminal Cases, wherein the Liberties and Lives of Men are concerned : And thus it is in the arduous Affairs of Policy and Government, be they never so important. Now, if in Matters of Religion we have the same Evidence, as we have in those which are the greatest and most important Concernments of Life, and notwithstanding will not yield to this Evidence, but
require

require more, is not this highly blame-worthy? On the other hand, is it not right, and fitting, and commendable, to yield to such Proof, and act agreeably thereto? For,

3^{dly}, To act upon such Evidence, shews our Inclination and Readiness to obey the Will of God. To assent to the Truth of those Things, which we see with our own Eyes, and can no longer doubt of, as *Thomas* did, is no-ways praise-worthy. But to consider and examine the Evidence of what is offered to us, as a Truth coming from God, and containing his Mind; and when we find there is the same Evidence for it, as we are usually governed by, in the greatest and most momentous Affairs of the present Life, then to give our Assent to it, so as to govern ourselves by it, is truly commendable. This discovers a devout Frame and Temper of Mind, a Mind prepared to do the Will of God in every thing it knows to be such. It shews a Desire to understand, and a Willingness to perform, every thing which God shall require.

When Persons receive Things for the Will of God without a suitable Evidence of their being so, this discovers not so much a Zeal and Forwardness to do the Will of God, as a Laziness of Temper, a most culpable Indolence, a Sloth highly blame-worthy, which exposes them to receive the very worst Things as coming from above, the Dictates of Satan for the Truths of God; makes them liable to be imposed upon by the Cunning of designing Knaves, or the Madness of every Enthusiast;
and

and is a direct Disobedience to the Commands of God, which injoin us to *search the Scriptures, to try the Spirits,* and judge of divine Truths by their Evidence.

On the other hand, when Persons will not yield to such Evidence as is convictive in all other the most important Cases, and which they govern themselves by, in the weightiest Concernments of the present Life, this discovers an Obstinacy and Perverseness of Temper, that is no-ways excusable. It shews also a great Disinclination and Averseness to perform the Will of God. What Reason can be assigned, why they should withhold their Assent in Matters of Religion, when they have the same Evidence of the Truth thereof, as they are forced to yield to, and are governed by, in all other the most important Affairs, unless it be their Aversion to perform what God requires? If God has been pleased to give us as strong Proof, that the Things enjoined in the Gospel are his Will, as we are contented with, and act upon, in all the most momentous Concerns of the present Life; what can hinder us from embracing the Gospel Precepts as containing the Mind of God, and conforming thereto in our Lives, but a Disinclination to their Purity and Holiness, and a Fondness for the contrary Vices? Men are loth to part with their endeared Habits. To cut off a right Hand, and pluck out a right Eye, is matter of Pains and Difficulty. They cannot find in their Hearts to root up their beloved Lusts, and long-indulged Vices. Therefore they
resist

resist the very same Evidence they yield to in all other Cases, at least so far as not to be influenced and governed by it in their Conversations.

Forasmuch then as the admitting Things to be the Mind of God without proper Evidence, is directly disobeying the Command of God, and betrays a most culpable Indolence and Sloth; and again, the rejecting Things as divine, when supported by the same Evidence, which is convictive to us in all other the most important Cases, betrays an unreasonable Stubbornness of Temper, and an Aversion to the Things required of us; the middle Way is unquestionably the safest, and the only commendable one; which is to look into, and examine the Proofs of those Things which are offered to us, as containing the Will of God, and always to yield to such Arguments as we have nothing solid to object against; to give our Assent to, and act by such Evidence, as usually governs us in all the momentous Affairs of the present Life. This discovers a studious Desire in us, of knowing what the Will of God is, and a Readiness to acknowledge and obey it.

And should we err in following this Rule, which I cannot but think the Goodness of God will secure us from, we are undoubtedly safe with respect to the Favour of God, because such Error would, in the present Condition of human Nature, be utterly unavoidable. By this Method therefore we cannot fail of pleasing God. By seeking after proper Evidence,
we

we shew our great Unwillingness to be deceived, and to take that for his Will, which is not so: And by yielding to the same Evidence, which we are forced to assent to, and govern ourselves by, in the greatest Business and Concerns of Life, we shew our Desire to please him, and Readiness to obey him.

Thus have I considered the Commendation given to the Grace of Faith in my Text, and laid before you the Reason of it. I have already observed, that the Faith the Apostle here speaks of is such a Belief of Gospel Truths as begets Love in the Heart, and Obedience in the Life. This is the Faith he commends; for it is no-ways commendable, that a Person barely assent to the Truths of the Gospel upon the Evidence we have been mentioning, unless he also act accordingly, unless he govern his Temper, and direct his Behaviour agreeably to the Gospel Precepts. This is it that renders Faith in an unseen Saviour so praise-worthy, that we be not only inwardly convinced, but demonstrate that we are so, in our outward Conduct, by conforming ourselves to Christ's Example, and obeying his Commands.

And this is the only Way to attain the Joy so highly commended by the Apostle in the Words following: *In whom, though now ye see him not, yet believing, ye rejoice with Joy unspeakable, and full of Glory, or of Praise.* Would you maintain a Serenity of Mind, and Joy of Heart, in all States of Life, and under the near Prospect of Death? Would you be able to re-
joice

joice in the midst of Calamities, and under the severest Trials and Afflictions? Would you triumph even in the Agonies of a violent and lingering Death, as many of the holy Martyrs have done? You must not only give your Assent to the Truths of the Gospel, but must subject yourselves to Christ's Government, and perform his Will. Unless you produce the Fruit of a good Life, your Faith is dead, your Hope is Presumption, and all your Joy is Deceit. If you would lead a Life of Comfort and Joy, you must lead a Life of Faith. The Life you henceforth lead, *You must live by the Faith of the Son of God, who loved you, and gave himself for you. The Love of Christ must constrain you, that you live no longer to yourselves, but to him that died for you, and rose again from the Dead.* And if you have such a Faith as this, how reasonable is your Joy! Your Sins are pardoned: You are the Children of God, and Heirs of Glory; joint Heirs with Christ, to an Inheritance incorruptible, undefiled, and that fadeth not away. You may firmly depend on your Heavenly Father for whatever Aids, Supports and Comfort you need here, and rejoice in the Hope of everlasting Glory, and unspeakable Bliss hereafter.

T H E

Introduction *and* Scheme.

WE no sooner come to Years of Understanding and Reflection, than we feel one of those Truths, which (if we have had any tolerable Education) have from our Infancy been inculcated on us, striking us in the strongest manner; and that is, *That Religion is an Affair of the highest Moment, of the utmost Consequence to us possible.* This Truth shines with so overbearing a Light, that Persons must first deny the Existence of Religion itself, before they can doubt, dispute of, or diminish its Importance. Accordingly we find, when we arrive at Knowledge and Experience in the World, that it's a Truth universally allowed by those who acknowledge the Immortality of the Soul, or a future State of Rewards and Punishments, even though they deny all Revelation.

It's too plainly visible, that Mankind are not agreed in an Affair of this avowed Concern. Even those who are united in the Acknowledgment of its Moment and Consequence, differ widely in their Notions of the Thing itself:

And

16 *The Introduction and Scheme.*

And it cannot be concealed from us, that some Parts of the World are not more remotely distant from others in their Situations, Habits, and Languages, than in their religious Tenets. Ought not every Man then to examine, whether the Religion he professes be well founded, built upon such solid Grounds, as will not deceive him? The more necessary, useful and important the Edifice, the greater should be the Care taken, that the Foundation be sure and immovable.

Shall a Man grudge his Pains, and spare himself the Thought and Study, to be satisfied of the Truth of the Religion he professes? Can he be too solicitous, too diligent, in an Affair of the utmost Consequence? No, certainly; his Labour and Fatigue in the Inquiry ought to bear some Proportion to the great Moment of the Truth he is seeking; till he is firmly persuaded, that he has the justest Reason to give his Assent to it, and is fully determined to be governed by it. For should we be never so strongly convinced of the Truth of Religion, but at the same time will not form our Lives agreeably thereto, we might as well have omitted the Pains we were at, in examining its Evidence, and confirming ourselves in the Belief of it, because it cannot be of any Service to us to see our Way to Happiness, if we refuse to walk in it.

Forasmuch as the Religion we have been educated in, is that delivered down to us by Christ and his Disciples as revealed from Heaven,

ven, 'tis our Concern most certainly, well to consider, and duly to weigh its Pretensions; that if the Proofs there are for its being true and genuine, are substantial, and carry Conviction with them, we may with all Cheerfulness perform the Things thereby enjoined, and with Pleasure wait for the Glory and Felicity therein promised.

The first Thing that offers itself to our Thoughts in the Tryal of a Revelation pretending to come from above, is, Whether it be worthy of God, and suited to the Condition of Man. If it teaches Doctrines contradictory to the Nature of God, or to that Reason with which he has endued us; if it recommends Examples, or enjoins Precepts, inconsistent with the moral Attributes of the Divine Being, or the eternal Rule of right Reason; if it insist on the Practice of such Things as tend manifestly to the Hurt and Detriment of Man, and to the preventing his Happiness; we may justly and warrantably conclude, that it is not from Heaven. But the more fully we examine, and the more thoroughly we comprehend the Christian Scheme, the more firmly shall we be persuaded, that it was fitting to be revealed by God, and received by Men; that every Part of it exactly harmonizes with the divine Attributes, and is no less agreeable to the State of Man; that it has a plain and direct Tendency to improve and meliorate his Condition here, and thereby train him up, and prepare him for that Perfection it gives him Hope of here-
C after;

18 *The Introduction and Scheme.*

after ; that there's not the least Thing required of us, but what it was highly becoming the Wisdom of God to insist on, and manifestly conducive to our Interest and Welfare to comply with.

The next Enquiry that occurs naturally to our Minds is, Whether this Revelation be Fact. It's very possible, that after the strictest Scrutiny we are capable of making, we may be able to discern nothing, in a Revelation pretending to come from God, unworthy of him, or unsuitable to the State of Man ; at least, there may be so plausible an Interpretation put upon those Things we object to, as we cannot reasonably find Fault with. And yet, after all, this may be no other than the Invention of Men, the well-laid Contrivance of some crafty political Heads, who studiously considering and foreseeing the Objections that might be started, industriously prevented them.

It's not enough therefore to see, that the Christian Religion is every way becoming the Wisdom and Nature of God, and highly conducive to the Perfection and Happiness of Man, unless we can also satisfy ourselves of the Truth of the Fact, that it was indeed revealed from Heaven. And I doubt not to assert it as a Thing certain from manifold Experience, that the more fully Persons enquire into the Evidence of this Fact, the more nicely they sift, and the more scrupulously and minutely they examine its several Proofs, the more substantial

stantial and convincing will they always find them.

Another Thing that will present itself to the Enquiry of a considerate and knowing Mind as necessary to be canvassed, is, Whether this Revelation has not been superseded by a later. The *Jews* affirm, that theirs is the only Religion revealed from Heaven. *Christians* acknowledge the Truth of their Revelation; but at the same time alledge, that far the greater Part of the Things therein enjoined are set aside by the new Revelation made to them. Is there no one of a yet more modern Date, to which the *Christian* ought to yield? A very large Part of the World make Pretences to such a Revelation, and would obtrude the *Koran* upon us, as what ought to take place in the room of our Gospel. But the more impartially we examine the Contents of that Book, and the Methods by which a professed Belief of it has been enforced and propagated, so much the less Proofs shall we find of its being a divine Revelation. If War, Bloodshed, Slaughter, and Desolation, carried on for no End but the making Converts and Profelytes, can be Evidence of the Truth of a Religion; if the drawn Sword, pointed at a Man's Breast, can be a natural and proper Means to convince his Mind, divest him of his Errors, and shew him the Truth; then may we entertain favourable Sentiments of *Mohammed*, and his Religion. But if these are Methods repugnant to Nature and Truth, if these terrify and confound, but not instruct

Men, if they darken the Mind, instead of enlightening it, if they make Men hypocritically profess what they neither do nor can believe, then may we firmly persuade ourselves, that the Christian Revelation still continues in its full Force, and that the Pretences of the Musselmen are all groundless.

To go through each of these three Enquiries in so full and distinct a manner as a Subject of this Nature ought to be treated, and to answer all the Objections that have been raised, would take up much more Time than the honourable Founder has allotted to any one Person in the preaching of this Lecture. I shall confine myself therefore to the second Enquiry, and lay before you those Proofs, which convince me, that the Christian Religion is in Fact a divine Revelation.

No one, I think, pretends to deny, that Christianity has been now openly and publickly professed for 1700 Years and upwards; and were it denied, it is the easiest thing imaginable to shew it, by turning to the Histories of every Age during that Period. How great a Part of the World professed this Religion, when *Constantine*, the *Roman* Emperor, became a Christian, no one, who has looked into the Accounts of his Life and Times, can be ignorant. How very numerous the Christians were in the Province of *Bitbunia*, in the Reign of the Emperor *Trajan*, *Pliny* is an undeniable Witness. *Suetonius* and *Tacitus* inform us, with what Severity the Followers of Christ were treated
before

before this, under *Nero*. But if we ascend a little higher, and consult the Histories of *Julius Cæsar*, or his Successor *Augustus*, or of any Princes contemporary with or elder than them, we find not a Word of any such Religion, or of the Persons who professed it. Hence is it most evident, that the Relation given us in our sacred Books of the Rise of Christianity, exactly corresponds with what we are able to gather concerning it from other Authors: And it's plainly demonstrable from Heathen Writers, that the Time fixed by the four Gospels, and the Acts of the Apostles, for its first Appearance and Progress in the World, is the very Time in which it began, and no other.

As the five Books I have now mentioned are the only genuine sacred Books, which give us a clear, distinct, historical Account of the original Success of the Christian Religion, so the wonderful Facts related therein must, I think, be readily acknowledged by all, to be in themselves the most likely Means to spread and propagate it: And 'tis very difficult, if not impossible, to conceive how it should in so short a Time gain the Ground it did, if these Facts had not been true. If indeed we take them for granted, that is, if there were Prophecies delivered to the *Jewish* Nation many Ages before concerning the Messiah, who was to come; if these all centred in and described the blessed Jesus; if there were various miraculous Appearances preceding and attending his Birth; if he had open and express Attestations from Heaven

22 *The Introduction and Scheme.*

of the Truth of his Mission; if he healed the Sick, cleansed the Leprous, gave Sight to the Blind, cured the Paralytick, and this at a Word's speaking, and sometimes at a Distance; if he raised to Life those who had been some time dead; if, according to his own Prediction, he arose himself from the Dead on the third Day; if he foretold several Things as difficult to be foreseen as this, and which exactly answered in the Event; if his Disciples after him did more and greater Miracles than he himself had done; if they wrought these wonderful Works, not for the Space of one or two Years only, but upwards of thirty Years together, not in small Villages, but the greatest and most populous Cities; if the whole *Jewish* Nation, and Multitudes that came from all Countries to *Jerusalem*, were Witnesses of these Things; if they performed them not in *Judæa* only, but in every even the most distant Parts of the World, whither they went to preach the Gospel; if these Facts, I say, are taken for granted by us, it is no difficult matter to conceive, how the Christian Religion should in the Course of a few Years be spread through the vast Extent of the *Roman* Empire, and much beyond it. But if we will not admit the Truth of these Facts, I think it's utterly impossible for the Wit of Man to invent any probable Account, how it came to pass, that this Religion was so soon and so widely propagated as we find it was.

We learn both from *Jewish* and *Heathen* Writers, that the Author of this Religion underwent

derwent the Disgrace of a publick Execution, due only to the vilest of Malefactors: And Christians themselves have always openly professed, that he suffered the painful and ignominious Death of the Cross. How strong a Prejudice must this raise in the Minds of all against embracing it? How great an Aversion to it? What an invincible Obstacle must this have been to its Spreading and Prevailing, had not those extraordinary and miraculous Means before-mentioned been made use of to that End? And even those, when heard of only by a distant Rumour, but not seen, not examined into, and thoroughly understood, might give Persons no very agreeable Idea of the Christian Religion, being represented by its Enemies as the Effects of Sorcery. Hence it was, I am persuaded, that *Tacitus* and *Suetonius* were led to pass the harsh Censures (a) they do upon this Religion and its Professors. It was natural for Persons, who would not give themselves the Trouble to sift this Affair to the Bottom, to conclude, that a *Roman* Governor would not have condemned Christ to so cruel a Death, had he not been a Criminal that highly deserved it, and to take it for granted, that all who could list themselves under such a Wretch as their Teacher and Master, must be as wicked as himself, and that none but the worst of Mankind could deify and worship one, who had been deservedly punished

(a) *Exitiabilis Superstitio, Tac.*

Superstitionis malefica, Suet. Epithets very usually affixed to the Magical Arts.

24 *The Introduction and Scheme.*

with the Death of the vilest Slave. It is possible they might also think, that nothing but an invincible Love to the wicked detestable Arts of Sorcery, which he had taught them, could induce them to adhere to him. Is it any wonder, that Persons, who took up with Opinions so injurious, so foreign from the Truth, should speak ill of Christians, and their Religion? This however may convince us what Prejudices prevailed, and that nothing but the most glaring Evidence of the contrary Truths could have dispelled and removed them.

We learn also from the two fore-mentioned Heathen Writers, that Christians not only underwent an ill Fame, but were severely handled: That as early as *Nero's* Reign, they suffered a most bitter Persecution. *Tacitus* informs us, that a *great Multitude* of them were apprehended by that Emperor's Order, and exposed to the most cruel Tortures, the most painful and lingering Deaths. Now that Persons should vanquish the deep-rooted Prejudices they had sucked in with their Milk, abandon the Religion they were educated in, and notwithstanding the utter Aversion they might some time have felt in themselves to the doing it, become the Disciples, Adorers and Worshippers of one, whom far the most about them looked upon as no other than a Criminal justly condemned, and deservedly executed, and thereby lay themselves open to the Scorn, Contempt, Ridicule, Hatred, and ill Treatment, of their Kindred, Acquaintance and Neighbours; renounce all
their

their Hopes and Interests in this World; run the Risque of every thing that was dear and valuable to them here; hazard Life itself, and dare venture upon Death under its most ghastly Form, dying Piece-meal, and by Inches, I say, that a *great Multitude* should do this upon less Grounds than those related in the four Gospels, and the Acts of the Apostles, seems to me wholly incredible.

I know not, that any, who have yet written on the Infidel Side of the Question, have attempted to give us a reasonable Account of this Matter. Till they are pleased therefore to lay before us, at least a plausible Method, in which so great and sudden a Change might be brought to pass, we may, I think, safely continue in the Persuasion, that it was by the Wonders related in our Holy Books; and may take Leave also to say, that although they cannot, as they pretend, bring themselves to believe the historical Facts contained in the four Gospels, and the Acts of the Apostles, yet they can easily give Credit to that, which 'tis far more difficult to conceive, that is, that the Christian Religion could be spread through so many widely distant Nations, as we find it was in the Course of a very few Years; notwithstanding the Aversion and inveterate Prejudices of those who were to embrace it; notwithstanding the violent Opposition that was made to it by the Powers of the World; notwithstanding the Contempt, Ridicule, and Sufferings, the Professors of it underwent from their Friends and Neighbours, without

without any of the miraculous Means mentioned in our sacred Writings, and by the ordinary Course of human Affairs.

It has been often observed, that although Infidels accuse Christians of an easy Credulity, the Accusation, when retorted, is just : That they themselves, in Truth, are the Easy and Credulous, and embrace the most monstrous Absurdities in Maintenance of their Infidelity. What I have just now laid before you, is manifestly one Instance : They will not believe the wonderful Facts related in the Gospels, and the History of the *Acts* ; and yet they believe what is far more incredible, that is, that the Christian Religion was propagated without them. When once they attempt to shew us how this could be, I think it's very evident, that they will expose the Nakedness of their Cause, and their Absurdity must appear to all.

If the Matters of Fact contained in these historical Relations be admitted as true, it can be no longer doubted, whether the Christian Religion be a divine Revelation. If there were so many miraculous Appearances at the Birth of Jesus ; if during his Life he performed such amazing Works ; if after his Death he arose from the Grave, ascended visibly into Heaven, sent down the Gifts of the Holy Spirit on his Disciples, according to his Promise endued them with such wonderful Power, and enabled them to testify the Truth of his Resurrection with all Boldness, notwithstanding the Hazard they ran, and the ill Treatment they met with for so doing,

doing, as is particularly related therein ; no one, that allows himself at all to think, can make the least Doubt, that he is the Messiah, the Son of God, as he declared himself to be, and that the Doctrine he taught he received from his Father. For, as it is certain, that such Things could not be brought to pass without the Divine Permission, so no one can conceive it reconcileable with the Attributes of an infinitely holy, just, true, and good Being, to have suffered such Things to be done, in order to impose on and deceive the best of Men in an Affair of the highest Consequence to them possible. For Jesus openly appealed to his miraculous Works, and particularly his Resurrection from the Dead, as the Proof of his being sent from Heaven. Was it consistent with the Holiness, Justice, Truth and Goodness of God, to allow these Proofs to follow his Appeal, if he had not sent him ? If we admit a Providence ruling over all, we must be persuaded, that in a Case of such Importance, it would have interposed, and prevented the Imposture. For who were the Persons the most likely to be deceived ? Were they not those, who were the best-disposed, who entertained the highest Regard for the Deity, were the most desirous of knowing his Will, and the most willing to obey it ? And could there be any thing concern them more nearly, or of greater Consequence to them, than the Things which relate to the Worship and Favour of God, and a future Life ? Unless therefore

fore we can suppose, that the infinitely perfect Being could act an unkind and unfriendly Part by those who were most devoted to his Service, we can never grant, that he would suffer the Dead to be raised to Life, in Proof that certain Doctrines regarding his Worship, and a future Life, were revealed by him, which were not so.

This being a Consequence generally seen, and readily assented to, the Authority of our sacred Books, and the Truth of the Facts contained in them, have of late been disputed. I shall endeavour therefore to lay before you the plain Proofs we have of their being true and genuine Histories, and answer all the Arguments which I can learn have been made use of to weaken their Authority, and render the Facts related therein doubtful. I shall begin with the *Acts of the Apostles*, and (if the Time will give me leave) proceed afterwards to the four *Gospels*.

With regard to the *Acts of the Apostles*, I shall first give you a short View of the Facts contained therein; secondly, shew you how far these Facts are confirmed to us by other Historians; thirdly, lay before you the plain and direct Proofs there are, that this Book was written by *St. Luke*, and was owned and received by the Christians as a sacred Book, and the Arguments thence arising of the Truth of the Facts therein related; fourthly, the incontestable Evidence these Facts afford of the Truth of Christianity; and, lastly, answer all the Objections that I can find have been at any time started, either with regard to the Authority of this Book, or to the Truth of any of the Facts related in it.

C H A P. I.

A short View of the Facts contained in the History of the Acts, with some natural Reflections thence arising.

I Shall, first of all, give you a brief View of the Facts contained in this Book: They are, the visible Ascension of Christ into Heaven; the miraculous Effusion of the Holy Ghost on the Disciples, together with the wonderful Powers thereby conferred; the Healing the lame Beggar, who was daily laid at the *Beautiful Gate* of the Temple; and the Increase of Christ's Followers, by the amazing Conversion of many thousand *Jews*; the exemplary Punishment of *Ananias* and *Sapphira*, with many Miracles done by *Peter* and the other Apostles; the Imprisonment and miraculous Release of the Apostles; their being afterwards apprehended, and beaten by the Magistrates; the Appointment of seven Deacons; the Defence of *St. Stephen* before the Sanhedrim, and his being stoned; *Philip* the Deacon's planting the Gospel in *Samaria*; the Gifts of the Holy Ghost being conferred by the Hands of the Apostles; the feigned Conversion of *Simon Magnus*, and the real Conversion of the *Ethiopian Eunuch*; *Saul's* bitter Persecution of Christ's Disciples, and his miraculous Conversion;

version; St. Peter's curing *Æneas* of an eight Year's Palsy, and raising *Dorcas* from the Dead; his being taught by a Vision from Heaven, that the *Gentiles* were to be no longer esteemed unclean; his preaching the Gospel to *Cornelius* and his Friends, and the Holy Ghost's falling on them; the plentiful Crop of *Gentile* Converts after this, particularly at *Antioch*; the Prophecy of *Agabus* concerning the Dearth there should be under *Claudius Cæsar*; *Herod's* slaying the Apostle *James* with the Sword; his imprisoning of *Peter*, who is delivered by an Angel, and his remarkable End; that *Paul* and *Barnabas*, commissioned by the Holy Ghost to publish the Gospel among the *Gentiles*, arrive at *Salamis*, preach to *Sergius Paulus* the *Roman* Governor, are opposed by *Elymas* the Sorcerer, who is struck blind, and the Governor is converted; that they next preached the Word at *Antioch*, in *Pisidia*, first to the *Jews*, and then to the *Gentiles*, and among the latter had a large Number of Converts; but being persecuted by the envious *Jews*, they travelled to *Iconium*, and so spake there, that a great Multitude both of *Jews* and *Gentiles* believed; that they abode here a long time, and did many Miracles; but at length, being persecuted by the Envy of the *Jews*, they fled to *Lycaonia*, and St. *Paul* having healed a Cripple lame from his Mother's Womb at *Lystra*, the Inhabitants would fain have done him divine Honours, taking him for a God; the *Jews* here also stirred up the People against St. *Paul*, and prevailed to that Degree,

that

that they stoned him, drew him out of the City, and left him for dead; but the Almighty Arm saved him, so that either he received no Hurt from the Force and Weight of the Stones thrown at him, or his Bruises and Wounds were immediately healed; for he soon arose, and after the short Stay of one Night more in that City, went the next Day with *Barnabas* to *Derbe*, and having taught many there, they returned to *Lystra*, to *Iconium*, to *Antioch* in *Pisidia*, and having ordained Elders in every Church, which they had planted, they passed throughout *Pisidia*, came to *Pamphylia*, preached at *Perga*, went down to *Attalia*, and then returned to *Antioch* in *Syria*, from whence they set out: That *Paul* and *Barnabas* were sent from hence to *Jerusalem* to consult the Apostles, whether it were necessary, that the converted *Gentiles* should be circumcised, and declared before them and the whole Multitude of the Disciples at *Jerusalem*, what Miracles and Wonders God had wrought among the *Gentiles* by them; and the Apostles with the Elders having determined this Question in favour of the *Gentile* Converts, *Paul* and *Barnabas* returned to *Antioch*: That after some Days *Paul* and *Barnabas*, purposing to visit the Churches they had planted among the *Gentiles*, differed so greatly in their Opinions concerning *John*, whose Surname was *Mark*, that they separating, *Barnabas* went to *Cyprus*, and *Paul*, passing through *Syria* and *Cilicia*, went to *Derbe* and *Lystra*, as he went through the
Cities,

Cities, delivering the Decrees of the Apostles to keep, and establishing the Churches in their Faith: And having gone throughout *Phrygia* and *Galatia*, he came down to *Troas*; from whence, being warned by a Vision, he went to *Samothracia*, the next Day to *Neapolis*; and from thence to *Philippi*, which was the first City of that Part of *Macedonia*, and a *Roman* Colony: Here he converted *Lydia*, cast the Demon out of the *Pythonissa*, was scourged, cast into Prison, and had his Feet fastened in the Stocks; but at Midnight the Prison-doors being flung open by a miraculous Earthquake; and the Irons of every Prisoner falling off, the Gaoler, concluding they were all fled, in the Greatness of his Surprize would have stabbed himself, had not *Paul* assured him, that not one Prisoner was missing: Overcome by this wonderful Event, he gave Attention to the Word preached by *Paul* and *Silas*, and was baptized, he and all his Household: The Magistrates of this City, repenting of their rash Act, in beating and imprisoning two *Romans* unheard, uncondemned, came the next Day and besought them to leave both the Prison and their City: that *St. Paul* went from thence through *Amphipolis* and *Apollonia*, and came to *Thessalonica*, where, after having converted many to the Christian Faith, an Uproar being made by the unbelieving *Jews*, he went unto *Beræa*, whence after a large Harvest of Converts, the *Jews* stirring up the People against him here also; he was conducted to *Athens*: Having
preached

preached and made a few Converts in that City, he went to *Corinth*; there he abode about two Years, and converted very many. He was here carried before *Gallio* the Roman Proconsul, and *Softhenes* the chief Ruler of the Synagogue was beaten for his sake. He sailed from *Cenchrea*, the Eastern Port belonging to *Corinth*, for *Syria*, put in by the Way at *Ephesus*, and after a short Stay in that City, sailed thence to *Cæsarea*; and having gone up and saluted the Church at *Jerusalem*, he went down to *Antioch* in *Syria*. That after some Time spent here, he went again over all the Countries of *Galatia* and *Phrygia*, comforting the Disciples; and passing through the upper Coasts, came to *Ephesus*. Here he conferred the Holy Ghost on twelve Disciples, who before this had heard only of *John's* Baptism. He continued in this City three Months preaching in the Synagogue of the *Jews*, and after that disputed daily in the School of one *Tyrannus* by the Space of two Years, so that all who dwelt in *Asia* heard the Word of the Lord, both *Jews* and *Gentiles*: And God wrought special Miracles by the Hand of *Paul*, so that from his Body were brought unto the Sick Handkerchiefs and Aprons, and the Diseases departed from them, and the evil Spirits went out of them. Seven Sons of one *Sceva*, a *Jew*, and Chief of the Priests, attempting to cast out an evil Spirit by the Name of Jesus, in Imitation of the Apostle, were forced to flee out of the House wounded and naked. Many that used magick

Arts and Sorceries, being converted, confessed and renounced their evil Deeds, and burnt their Books. An Uproar was raised against *St. Paul* by *Demetrius* the Silver-smith, and artfully appeased by the Town-Clerk; after which *St. Paul* immediately left this City, and went through *Macedonia* into *Greece*. There he continued three Months, and learning, that the *Jews* laid wait for him, as he was about to sail into *Syria*, he returned to *Macedonia*, and sailed from *Philippi* to *Troas*. Here *Paul* raised *Eutychus* to Life, who had fallen from a third Story to the Ground, and was taken up dead. Thence he went to *Affos*, and *Mitylene*, and *Samos*, and *Trogyllium*, and *Miletus*. To this Place he sent for the Elders of *Ephesus*, and in a most pathetick Discourse foretold the Disorders that would happen among them after his Departure. Thence he went to *Coos*, and *Rhodes*, and *Patara*, where he took Ship for *Phœnicia*, and landed at *Tyre*. Here he met with Disciples, who foresaw the Danger he would be exposed to, by going up to *Jerusalem*, and dissuaded him from it. He sailed thence to *Ptolemais*, and went to *Cæsarea*, where continuing in the House of *Philip* the Deacon and Evangelist many Days, there came *Agabus* the Prophet down from *Judæa*, and foretold that *Paul* should be bound at *Jerusalem*, and delivered into the Hands of the *Gentiles*. Notwithstanding, being willing to lay down his Life for the Name of *Jesus*, he went up to *Jerusalem*; and certain *Asiatick Jews*, finding him

him

him in the Temple, raised a Tumult, and would have put him to Death, had he not been rescued out of their Hands by *Claudius Lysias*, the chief Captain, with his *Roman Soldiers*, who imprisoned him, and would have put him to the Question by Scourging; but that he found he was a Citizen of *Rome*. The chief Captain, willing to know his Crime, ordered him a Hearing before the *Jewish Sanhedrim*; and being informed, that if he brought him a second time before them, he would be murdered by certain *Jews*, who had bound themselves under a great Curse to that Purpose, he sent him with a strong Guard to *Felix* the *Roman Governor*, residing at *Cæsarea*. *St. Paul* had a Hearing before *Felix*; and although the *Roman Governor* was convinced of his Innocence, yet through Covetousness and Fear of the *Jews*, he would not release him, but left him in Prison, when he was recalled from the Province. *Porcius Festus* succeeded him, and soon after his Arrival gave a Hearing to *Paul*; who, finding that the *Jews* had prevailed with the Governor to carry him to *Jerusalem*, in order to be tried there, and knowing of their lying in wait to kill him by the Way, appealed unto *Cæsar*. He is again heard by *Festus* in the Presence of King *Agrippa*, and his Sister *Bernice*, and his Innocence acknowledged by all. Being committed to *Julius* the Centurion, and sent to *Rome*, in Consequence of his Appeal, the Ship which carries them, touches at *Sidon*, and thence goes to *Myra* in

Lycia, where the Centurion, taking Passage in another Ship bound for *Italy*, they sail to the *Fair Havens*, in the Island of *Crete*. Here *St. Paul* foretold the great Damage and Risque that would befall them, if they continued their Voyage, which they notwithstanding did, in order to obtain a more commodious Port to winter in; and when in the utmost Danger, and they had given over all Hope of Life, he encouraged them, by foretelling that they should all escape safe to Land, which accordingly happened in the Island of *Malta*. Here *St. Paul* was bitten by a Serpent, and not hurt, healed the Father of *Publius*, the chief Man of the Island, of a Fever and bloody Flux, and others also who had Diseases; and after a Stay of three Months was put on board a Ship of *Alexandria*, which went first to *Syracuse*, thence to *Rhegium*, thence to *Puteoli*, from which Place he went by Land to *Appii Forum*, the *three Taverns*, and so to *Rome*, and lived there two Years, preaching the Kingdom of God, and teaching the Things which concern the Lord Jesus Christ.

This is a Relation of Things which happened for the Space of about thirty Years after our Saviour's Death: Very many and very wonderful, you see, are the Events here recorded; not said to have fallen out in an obscure Corner of the Earth, where few could have Opportunity to inquire into, and fully know the Truth; but in a great Variety of Countries and Cities, not only the most populous, but the most polite.

Had

Had this History been forged, it was the most impolitick Thing imaginable to lay the Scene so wide, to include so long a Space of Time, and mention so many Persons by Name. This was the certain way to lay open the Forgery to the Conviction of all Mankind, and prevent its deceiving of any one Person. If it were written with an Intention to impose on the World, is it possible to conceive how the Author could have taken a more effectual Method to frustrate his own End? None sure, but a Fool or a Madman, could have formed such a Scheme; and it is utterly impossible, in the Nature of the Thing, that it could have met with Success. To render himself accountable for the Truth of so great a Variety of Facts, in such distant Parts of the World, and to make the whole Credit of Christianity, the Advancement of which is the only End he has in View, to depend upon the Certainty of every one of these Facts, does by no means bespeak the Cunning of an artful Impostor. If we read the *Koran*, we see little History in it; that little is of ancient Times long passed, and therefore not easy to be contradicted; none at all, I think, of the Times in or near which the Book itself was written: And undoubtedly the fewer Facts are mentioned, and the less explicit the Narration as to the Circumstances of Time and Place, and the Names of the Persons concerned, so much the less liable must it necessarily be to Contradiction. But to write a History of the Time then immediately passed, in which

are named many Persons of the highest Rank and Distinction, in which many large Countries of a vast Extent are travelled over, and about fifty different Cities are visited, among them, some of the greatest Note the World ever had, such as *Jerusalem, Ephesus, Corinth, Athens, Rome*, and in which History are recorded the most surprizing Events that ever came to pass, could never be the way to impose on and deceive Mankind, because the Things asserted lay fairly open to Examination; and it was the easiest Matter in the World to have confuted them, had they not been notorious Truths. Besides, it's well known, that the Time, when these Facts are said to have happened, and when this History was written, was not in any of the darkest and most ignorant Ages; but in an inquisitive and knowing Age, an Age of great Discernment and Letters, when Learning was now arrived at its highest Pitch, and there was a free Communication between most Countries, a great Part of the World being subject to the *Roman Empire*, so that Intelligence was easy to be had from all the Cities and Places herein mentioned, and the Truth of Things could not be concealed.

Had we all the Records and Histories of that Time now extant, I am persuaded we should see an abundant Confirmation of every Particular contained in the Book of *Acts*. But as they are well nigh all lost, through the Length and Accidents of Time, nothing further is left, after having deplored this our Unhappiness,
than

than that we be the more diligent in examining the very few which remain. I proceed therefore now to the second Thing proposed, which is to shew you how far the Facts contained in *The Acts of the Apostles* are confirmed to us by other Writers: And that I may reduce what I have to say under this Head into some Method, I shall first take notice of the ordinary Occurrences of that Time, which are herein hinted or related, and the great Personages named; secondly, the several Distinctions among the *Jews*, that are here mentioned; thirdly, the Customs and Manners of that Time, whether *Jewish, Grecian, or Roman*, that are here referred to; fourthly, the Places here spoken of; and, fifthly, the extraordinary and miraculous Events recorded.

C H A P. II.

What is written in the History of the Acts of the ordinary Occurrences of that Time, and of the great Persons therein named, confirmed from other Authors.

FIRST, I shall compare what is here said of the ordinary Occurrences of the Time, and of the great Personages named, with what is reported in other Authors. The Time we are speaking of is from the Nineteenth of the

Reign of *Tiberius*, to the Ninth of the Reign of *Nero*, from the 3982d Year of the World to the 4012th, from the 785th of the Building of *Rome* to the 815th, from the 33d of the vulgar Christian *Æra* to the 63d.

In this Time were four *Roman* Emperors, who reigned successively, *Tiberius*, *Caius*, *Claudius*, and *Nero*. There's no Mention made of any of these by Name in the Acts of the Apostles, excepting *Claudius Cæsar* (a). The *Cæsar*, to whom *St. Paul* appealed (b), was *Nero*. During the first seven Years of this Period *Judæa* was a *Roman* Province (c), and had a Governor among them sent by the *Romans*: Then it was made a Kingdom again, and subject to *Herod Agrippa* (d): Three Years after, upon the Death of *Agrippa*, it was turned into a Province again (e), and of the Number of Governors sent thither were both *Felix* and *Festus*: That our Saviour was crucified under the Government of *Pontius Pilate*, *Tacitus* is Witness (f). And although he continued Governor some Years after, there was no Occasion to make mention of him in the History of *The Acts*. The first Person who is there spoken of as invested with supreme Authority over the *Jewish* Nation, is *Herod* the King, that is, *Agrippa*, Grandson of *Herod the Great* by his

(a) Acts xi. 28. (b) Acts xxv. 11. (c) Jos. Antiq. l. 18. c. 5. § 2. & c. 7. § 10. & l. 19. c. 2. § 5. pr. & c. 5. § 1. (d) Antiq. l. 19. c. 5. § 1. & de Bel. l. 2. c. 11. § 5. (e) Ant. l. 19. c. 8. § 2. & c. 9. § 2. et de Bell. l. 2. c. 11. § 6. Tacit. Hist. 5. 9. (f) Annal. l. 15. 44.

Son *Aristobulus*, who was made King of *Judæa*, *Samaria*, and *Cæsarea*, by *Claudius Cæsar* (g). It is said of him in the Book of *Acts*, that being at *Cæsarea*, upon a set Day, he, arrayed in Royal Apparel, sat upon his Throne, and made an Oration to them; and the People gave a Shout, saying, *It is the Voice of a God, and not of a Man; and immediately the Angel of the Lord smote him, because he gave not God the Glory, and he was eaten of Worms, and gave up the Ghost* (h). The Account which *Josephus* gives us of this King's Death, agrees most remarkably herewith. He relates of him, "That he went to *Cæsarea*, and
 " that there, upon a Feast Day, (which had
 " been instituted in Honour of *Cæsar*, and to
 " which Feast came a great Concourse of his
 " Nobles and principal Officers) he went to
 " the Theatre, arrayed with a most splendid
 " Vestment made all of Silver; that his Flat-
 " terers gave a Shout from several Parts of the
 " surrounding Croud, calling him God, and
 " praying him to be propitious to them: That
 " he was so far from rebuking, that he indeed
 " received this impious Flattery: And that im-
 " mediately before he left the Assembly, he
 " was smitten with most exquisite Pain in his
 " Bowels, which continuing five Days, finished
 " his Life (i)." It's a Thing, I doubt not,

(g) *Antiq.* l. 19. c. 8. § 2. prope fin. (h) *Acts* xii. 19, 21, 22, 23. (i) *Antiq.* l. 19. c. 8. § 2. 'Ο δὲ δῆμος ἐπεφώνει, Θεὸν φωνή, *Acts* xii. 22. Εὐθύς δ'ε οἱ κόλακες τὰς ——— ἄλλος ἄλλοθεν φωνὰς ἀνεβόων, Θεὸν προσαγορεύοντες. *Jos.* loco citato.

must occur to most Readers, and therefore scarce deserves the remarking, that it's usual for those, who are *eaten of Worms*, to be attacked with a most exquisite Pain in their Bowels: Thus was it with *Antiochus Epiphanes*, *A Pain of the Bowels, that was remediless, came upon him, and sore Torments of the inner Parts* (k); and soon after it is related of him, *That Worms rose up out of his Body* (l). Thus also was it with *Herod the Great*, who was this King's Grandfather. *Josephus*, in describing his Distemper, says, "That he had Ulcers and severe Pains in his Bowels." And a little after, "That he bred Worms (m)." The same was the Case of the Emperor *Maximianus Galerius*. For though *Eusebius* expresses not the Pain, yet such is his Description of the Disease, as evidently shews he must have been full of Torture in his Bowels (n). It has been made a Question, (and what is there so plain, that some learned Men will not dispute?) Whether the *Herod* mentioned in the twelfth Chapter of the *Acts*, and the *Agrippa* of *Josephus*, were the same Person, because of the Difference of Names (o)? But certainly, when the Time and Place of reigning, and Circumstances of Death, so exactly agree, the Difference of Name is of small Im-

(k) 2 Maccab. ix. 5. (l) v. 9. (m) Antiq. l. 17. c. 6. § 5. pr. & de Bell. l. 1. c. 33. § 5. (n) Ἀθρόα μὲν γὰρ περὶ τὰ μέσα τῶν ἀπορρήτων τῆς σώματος, ἀπόσασις γίνεσθαι αὐτῷ εἶδ' ἕλκας ἐν βάθει συριγγῶδες, καὶ τέτων ἀνίατος νομῆ κατὰ τῶν ἐνδοτάτρ' σπλάγχχνων ἀφ' ὧν ἀλεκτίν τι πλῆθος σκολήκων βρῦειν. Hist. l. 8. c. 16. & vit. Con. l. 1. c. 57. (o) Particularly by Father *Harleuin*.

portance, especially when it was no uncommon Thing among the *Jews* to have two Names: And it's no unreasonable Thing to suppose, that *Agrippa*, if he had not the Name of *Herod* before, should take it upon him, when he was put in Possession of all the Dominions of his Grandfather *Herod the Great* (p), whose Grandeur and Munificence he very much affected. *Archelaus*, who succeeded his Father *Herod* in Part only of his Dominions, seems to have taken upon himself the same Name: For he is expressly called *Herod* by *Dio* (q). The *Syriac* Translation of the *New Testament*, which is very ancient, and approaches near to the Times of the Apostles themselves (r), puts this Matter out of all Doubt. For there the reading of *Acts* xii. 1. is thus: *Herod the King, who is surnamed Agrippa*: And in this Reading all the MSS. Copies of that Translation agree. I may add, that in the Opinion of several learned Men well skilled in Affairs of this Nature, there are Coins of this King now extant bearing the Name of *Herod* (s). *Josephus*, who wrote his History for the Use of Foreigners, very properly mentions him always by his *Roman* Name, the Name by which he was so long and well known in the City of *Rome*. *St. Luke*, who has Occa-

(p) *Jos. de Bell.* l. 2. c. 11. § 5.

(q) *L.* 55. p. 567.

And it is the Opinion of *Noldius*, that *Agrippa* Junior, the Son of this King, was also called *Herod*, from a Passage in the *Talmud Sanhed. cap. Chelech. Vid. Hist. Idum.* p. 390. (r) *Vid. Father Simon's Crit. To. 2. c. 13.* (s) Such as *Spanheim, Cellarius* and *Rasnage. Vid. Celi. Dissert. Acad.* p. 219. & *Bain. Ann.* p. 540.

sion to speak only of a few Actions of his while reigning in *Judæa*, as properly calls him by his *Syriack* Name, the Name which in all Probability he most affected in his own Country and Dominions.

§ 2. When this King died, *Judæa* being again made a Province, after some others, *Felix* was sent thither as Governor by the Emperor *Claudius* (t). *St. Paul*, in his Defence before this Governor, says, *Forasmuch as I know, that thou hast been of many Years a Judge unto this Nation* (u). The learned Bishop *Pearson* thinks, that he had been now Governor five Years and a half only: And this, when compared with the Time of his three immediate Predecessors, *Cuspius Fadus*, *Tiberius Alexander*, and *Cumanus*, might be well said to be *many Years*, it being near as long again as the Time allotted to each of them; for the Government of all these three together could not last much above eight Years and a half at the farthest. But, for any Reasons that I have yet seen advanced by learned Men to the contrary, *Felix* might have been at this time Procurator of *Judæa* between seven and eight Years. *Josephus* does not so precisely fix the Time of his being appointed Governor, as that there should remain no Doubt. It is true, after he has said, “And *Claudius* sends *Felix* the Brother of
“*Pallas* to preside over the Affairs of *Ju-*
“*dæa*;” he immediately adds, “And having

(t) *Jos. Antiq.* l. 20. c. 6. *Tacit. Ann.* l. 12. 54. *Hist.* 5. 9. *Suet. Clau.* c. 28. 2. 9. (u) *Acts* xxiv. 10.

“ now completed the twelfth Year of his
 “ Reign, he gives to *Agrippa* the Tetrarchy
 “ of *Philip*, and *Batanea* (u).” The Thing in
 question is, whether we must understand the
 first Part of this last Sentence, to look back to
 what he had before related, as if he should have
 said, “ While these Affairs were transacting,
 “ *Claudius* finished the twelfth Year of his
 “ Reign, and then gave *Agrippa* the Tetrar-
 “ chy :” Or whether we must understand it
 as the Beginning of a new Relation, “ And
 “ when *Claudius* had now completed his twelfth
 “ Year, he gives *Agrippa* the Tetrarchy.” It is
 plain, *Eusebius* interpreted it in this latter Sense;
 for he places the Beginning of *Felix*’s Govern-
 ment in the eleventh Year of the Reign of
Claudius (x). The same Reasons also, which
 the learned Bishop *Pearson* gives, why *Felix*
 might be acquitted at the Intercession of his
 Brother *Pallas*, in the sixth Year of *Nero*,
 equally extend to the seventh, if not to the
 eighth of that Emperor’s Reign (y).

It’s

(u) Antiq. l. 20. c. 6. § 1. (x) In Chron. (y) Vid.
 Annal. Paulin. p. 17. The learned Archbishop *Usher* says, in his
 Annals, that *Felix* was at this Time in the tenth Year of his Go-
 vernment. He takes it for granted, that the Province was di-
 vided between *Cumanus* and *Felix*, as reported by *Tacitus*, Annal.
 l. 12. 54. But as *Josephus* says not one Word of this Division,
 and plainly relates, that the whole Province was under each of
 these successively, there’s no great Stress to be laid on the Words
 of *Tacitus*. *Josephus* tells us, that *Claudius* reigned thirteen Years,
 eight Months, and twenty Days. Let us suppose, that *Felix* came
 into his Government in the Beginning of his twelfth Year, in
 the second or third Month of that Year, and that *St. Paul* ap-
 peared before *Felix* in the fifth of *Nero*, that is, after he had
 reigned

It is related of this *Felix* in the Book of *Acts*, that he had a Wife, whose Name was *Drusilla*, which was a Jewess (z). *Josephus* gives us a particular Account of this Matter: He says, that *Drusilla*, Daughter of *Herod Agrippa*, King of *Judæa*, and Sister of *Agrippa Junior*, was by her Brother placed in Marriage to *Azizus*, King of the *Emesenes*, who consented to be circumcised, that he might obtain her: That *Felix*, when Procurator of *Judæa*, having seen her, was greatly taken with her Beauty: And sending a Friend of his, named *Simon*, who was a Jew, and took upon him to be a Magician, persuaded her to leave her Husband, and be married to him, promising to make her a happy Woman, if she did not reject him: And that she, in order to avoid the Envy of her Sister *Bernice*, who had done her no little Injury upon the Account of her Beauty, was prevailed with to break through the Jewish Laws, and be married to *Felix* (a). 'Tis true, *Tacitus* the Roman Historian tells us, that this *Felix* was married to *Drusilla* the Grand-daughter of *Cleopatra* and *Antony* (b).

reigned four Years and nine Months; this makes seven Years and four Months. Two Years after this *Felix* went to *Rome*, and found *Burrhus* and *Pallas* both living. *Jos. Antiq.* l. 20. c. 6. § 9. And this he might well do, it being now but the seventh of *Nero*, and they were not put to Death till the ninth of *Nero*, *C. Marius Celsus* and *L. Asinius Gallus* being Consuls. *Tac. Ann.* l. 14. 51. 65. Even *St. Paul* himself might in this Case arrive at *Rome*, in the fourth Month of *Nero's* eighth Year. The Emperor *Claudius* dying the thirteenth Day of *October*. *Seneca ἀποκολ.* *Dio.* p. 688. The Firing of *Rome*, and the Persecution following, did not happen till *Nero's* eleventh Year was well advanced. *Vid. Tac.* (z) *Ch.* xxiv. ver. 24. (a) *Antiq.* l. 20. c. 6. § 1, 2. (b) *Hist.* l. 5. 9. fin.

But this is no-ways inconsistent with what *Josephus* relates. For *Suetonius* informs us, that he was the Husband of three Queens (c), meaning, I suppose, three Kings Daughters: Two of these were named *Drusilla*. She that was Grand-daughter to *Cleopatra* and *Antony* was Daughter to *Juba* King of *Mauritania*, by their Daughter *Cleopatra* (d).

It is further said of this Governor in the History of *The Acts*, that he hoped also that Money should have been given him of Paul, that he might loose him; wherefore he sent for him the oftener, and communed with him (e). This well agrees with the Character given him both by *Josephus* and *Tacitus*. The former relates, that “*Jonathan* the High-Priest, who had petitioned “*Cæsar* to send him Procurator of *Judæa*, “lest he himself should incur the Blame of his “Mal-administration, oftentimes admonished “him to amend his Conduct in the Government “of *Judæa*, insomuch that he became not “seldom troublesome to him. For, adds *Josephus*, frequent Admonition is grievous to “those who are determined to be unjust.” To get rid of the tiresome Importunity of this High-Priest, who would have had him act a more just and upright Part, he, by promising large Sums of Money, corrupted *Doras*, a most intimate Friend of *Jonathan*, to employ Ruffians to murder him, which he accordingly did (f).

(c) In Claud. 28. 2. trium reginarum maritum. (d) Vid. Suet. in Calig. 26. 1. D.o. 49. 411. b. & 51. 454. a. & 459. b, c. Plut. Anton. p. 955. d. (e) Acts xxiv. 26. (f) Antiq. l. 20. c. 7. § 5.

A little after *Josephus* adds, “When *Porcius Festus* was sent by *Nero* to succeed him in the Government, the chief of the *Jews* inhabiting *Cæsarea* went up to *Rome* to accuse *Felix*; and he had surely been punished for his vile Practices, and wicked Acts of Injustice towards the *Jews*, had not *Nero* been very indulgent to the Intreaties of his Brother *Pallas*, who was then in high Favour (g).” *Tacitus*, in exact Agreement herewith, says, “That *Felix*, depending on the Power his Brother *Pallas* had at Court, thought he might do all manner of Wickedness with Impunity (h).” And in another Place, “That he exercised a despotick and absolute Power in a base and servile manner, practising all Sorts of Cruelty and Lust (i).” How very proper was it to preach to such a Person, of *Righteousness, Temperance, and Judgment to come* (k)? How deeply must his Conscience smite him? What just Reason had he *to tremble*?

It is said in the *Acts*, that *Porcius Festus* came into *Felix’s* Room (l). It is also expressly affirmed in the Place I have but just quoted from *Josephus*, “That *Porcius Festus* was sent by *Nero* to succeed *Felix* (m).” The sacred Historian adds, that then *Felix*, willing to shew the *Jews*

(g) § 9. (h) At non frater ejus cognomento Felix pari moderatione agebat, jam pridem Judææ impositus, & cuncta malefacta sibi impune ratus, tanta potentia subnixo. *Annal.* l. 12. c. 54. (i) Per omnem sævitiam ac libidinem, jus regium fervili ingenio exercuit. *Hist.* l. 5. 9. (k) Vid. *Acts* xxiv. 25. (l) *Acts* xxiv. 27. (m) *Antiq.* l. xx. c. 7. § 9. vid. & de *Bell.* l. 2. c. 14. § 1. pr.

a Pleasure, left Paul bound (n), i. e. a Prisoner: And doubtless, such a Governor, at the Time he was obliged to deliver up his Power, would gladly catch at any popular Act; and readily do any thing that he thought might contribute to allay the Heats raised against him, in order to prevent, if possible, the People's following him to Court with their Accusations: Thus *Albinus*, as *Josephus* relates, another most corrupt Governor of *Judæa* (o), having learnt that *Gessius Florus* was coming to succeed him, willing to make a Shew of doing some great Favour to the People of *Jerusalem*, made a general Gaol-delivery (p).

§ 3. We read in the History of the *Acts*, that King *Agrippa* and *Bernice* came into *Cæsarea* to salute *Festus* (q), that is, to congratulate him upon his Arrival into his new Government. We learn from *Josephus*, who these Persons were. He informs us, that *Agrippa* King of *Judæa* (of whom we have before spoken) left a Son named *Agrippa*, and three Daughters (r): The eldest of which, named *Bernice*; he in his Life-time married to his own Brother *Herod* King of *Chalcis* (s): That the Emperor *Claudius* did not give to young *Agrippa* the Kingdom of *Judæa* upon his Father's Demise, because of his Youth, he being then no more than seventeen Years of Age, but made it a *Roman*

(n) Acts. xxiv. 27. (o) See his Character, de Bell. l. 2. c. 14. § 1. Antiq. l. 20. c. 8. § 2. & c. 10. § 1. (p) Antiq. l. 20. c. 8. § 5. (q) Ch. xxv. 13. (r) Antiq. l. 19. c. 9. § 1. (s) Ibid. c. 5. § 1. fin.

Province (*t*): That his Uncle *Herod* dying four Years after, the Emperor made him a Grant of the Kingdom of *Chalcis* (*u*), and four Years after that, bestowed on him a much larger Kingdom in the lieu of *Chalcis* (*x*), to which Additions were made by *Nero* in the first Year of his Reign (*y*): “ That *Bernice*, becoming
 “ a Widow by the Death of *Herod* King of
 “ *Chalcis*, who was both her Uncle and her
 “ Husband, lived a long time in Widowhood:
 “ That the Report of an undue Familiarity be-
 “ tween her and her Brother prevailing, she per-
 “ suaded *Polemon* King of *Cilicia* to be cir-
 “ cumcised, and to marry her, thinking thereby
 “ to convince the World, that the Accusations
 “ spread of her were false and slanderous: That
 “ *Polemon* was the more easily prevailed with,
 “ because of her Riches: That the Marriage
 “ however did not continue long; but that
 “ *Bernice*, through Incontinence, as the Fame
 “ was, left *Polemon*, who, together with his
 “ Marriage, bid adieu also to the Jewish Re-
 “ ligion (*z*).” Whether this Visit to *Festus* was
 made before she became *Polemon*’s Wife, can-
 not easily be determined. It’s clear however,
 that some Years after this, she was with her
 Brother at *Jerusalem* (*a*); and after that, in the
 Reign of the Emperor *Vespasian*, she went with
 him to *Rome* (*b*); and that her Character was

(*t*) Ibid. c. 9. § 2. & de Bell. l. 2. c. 11. § 6. (u) L. 20.
 c. 4. § 2. fin. (x) Ibid. c. 6. § 1. & de Bell. l. 2. c. 12.
 § 8. (y) Antiq. l. 20. c. 7. § 4. & de Bell. l. 2. c. 13.
 § 2. (z) Antiq. l. 20. c. 6. § 3. (a) de Bell. l. 2.
 c. 16. § 3. (b) Xiphilin. ex Dione, l. 66. p. 752. b.

well known in that City, is fully evident from the sixth Satire of *Juvenal* (c).

That Kings, who were dependent on *Rome*; made by the Emperor, and unmade again at his Pleasure, should pay great Respect to all the *Roman* Governors, that were near them, is but natural to suppose. We have a remarkable Instance of it in this King's Father; who being at *Tiberias*, five neighbouring Kings made him a Visit. While they were with him, came *Marsus* President of *Syria*. *Josephus* adds, "That the King, preserving the Respect due to the Romans; went out of the City seven Furlongs to meet him, and that the other Kings were in the Coach with him: That the Concourse of so many Kings giving Umbrage to the *Roman* Governor, he sent some of his Retinue to each, injoining them to go home immediately (d)."

King *Agrippa*; being informed of *Paul's* Case by *Festus*, was desirous to hear him. *Bernice* seems also to have had the same Curiosity; for she accompanied her Brother to the Place of Hearing (e). *St. Paul* there; addressing himself to the King, says, *I think myself happy, King Agrippa; because I shall answer for myself this*

(c) v. 155. — Adamas notissimus, & Berenices
In digito factus pretiosior. Hunc dedit olim
Barbarus incestæ, dedit hunc Agrippa forori,
Observant ubi festa mero pede sabbatha reges,
Et vetus indulget senibus clementia porcis.

Vid. & Tac. Hist. l. 2. n. 2. & 81. Suet. Tit. c. 7. 2. 7. & Aurel. Vict. Epit. c. 10. 7. Vid. & Dio. l. 66. p. 753, d. (d) Antiq. l. 19. c. 8. § 1. (e) Acts xxv. 22, 23.

Day before thee, touching all the Things whereof I am accused of the Jews, especially because I know thee to be expert in all Customs and Questions which are among the Jews (f). That this King should be brought up in the Knowledge of all the Jewish Rites and Customs, and therefore should well understand the Disputes that were amongst them, is nothing more than might well be expected from the Character of his Father. Such was his Concern for the Jewish Religion, that when the Emperor Caius told him he had ordered his Statue to be erected in the Temple at Jerusalem, he fainted away at the hearing it (g); and, as Philo says, wrote him a long and pathetick Letter, wherein among other things he offered him back the Kingdom he had bestowed on him, and all his Favours, so as that his Country Rites might not be altered (h). Josephus relates the Affair thus; That after having by a rich Banquet so pleased the Emperor, that he gave him repeated Encouragement to ask of him whatever he further needed towards his Happiness, he only requested of him, that he would think no more of placing his Statue in the Temple: And this he did, although at the same time he judged it to be with the manifest Hazard of his Life (i). He afterwards obtained a Decree from the Emperor Claudius, that the Jews might enjoy the free Use of their own religious Rites through-

(f) Ch. xxvi. 2, 3.

(g) Philo de Legat. p. 1030, a, b.

(h) Ibid. p. 1037, d. Πάντα ὑπαλλάττομα' ἐνὲς τῆς μὴ κινηθῆναι τὰ πάντα.

(i) Antiq. l. 18. c. 9. § 7, 8.

out the whole *Roman Empire* (k). When he came first to *Jerusalem*, after being made King of *Judæa*, he offered Sacrifices of Thanksgiving in Plenty, leaving nothing undone which the Law required. Wherefore also he ordered a great Number of *Nazarites* to be shaved (l). When some bold and daring Youths of *Dora*, a City in *Phœnicia*, had placed a Statue of *Cæsar* in the Synagogue of the *Jews*, he was very highly provoked, (because it was in effect the Destruction of the Laws of his Country) and immediately went to *Publius Petronius*, the Governor of *Syria*, and obtained from him a Decree, that the Criminals should be brought before the Governor by *Proclus Vitellius* the Centurion; and that the Magistrates of the City, unless they were willing to be esteemed Parties, should inform the Centurion who they were (m). *Josephus* further informs us, that his constant Residence was at *Jerusalem*, and that he took Delight in living there, and punctually observed the Laws of his Country: That he kept himself free from Pollution, conducting his Life with all Purity; nor was there a Day passed, in which he did not offer the Sacrifice required by the Law (n). Can we make the least Doubt, that a Person, who took such Pains, and ran such Hazards, to preserve the *Jewish* Rites, and was so exact in the Practice of them himself, would be careful to educate his Children in the Knowledge and Observance of the same;

(k) Ibid. l. 19. c. 5. § 3. (l) Ibid. c. 6. § 1. (m) Ibid. c. 6. § 3. (n) Ibid. c. 7. § 3.

more especially when he spent so much of his Time at *Jerusalem*, the great School for that sort of Learning? That accordingly, both *Agrippa* his Son, and *Bernice* his Daughter, notwithstanding their other Faults, were not a little zealous for the *Jewish* Customs, is apparent from divers Parts of their Conduct. *Agrippa* would not permit his youngest Sister *Drusilla* to be joined in Wedlock to *Epiphanes* the Son of King *Antiochus*, because he refused to forsake his own Religion, and embrace the *Jewish*, although he had promised her Father, that he would; and obliged *Azizus* King of the *Emenes* to be circumcised in order to marry her (o). *Bernice* also persuaded *Polemon* King of *Cilicia* to submit to Circumcision, before he became her Husband (p); and under the Government of *Florus*, when Things were in the utmost Disorder, and the War was rushing on, she tarried at *Jerusalem* thirty Days, to perform the various Ceremonies requisite in the Accomplishment of a Vow she had made, although most rudely and barbarously treated by *Florus*; and more than once ran the Hazard of her Life, because she interceded with him to restrain his Soldiers from murdering the People (q).

(o) L. 20. c. 6. § 1. (p) Antiq. l. 20. c. 6. § 3. (q) De Bell. l. 2. c. 15. § 1.

C H A P. III.

A further Account of the Occurrences of the Times, and of the Persons named.

§ 1. **I** Have already observed, that there are but very few Histories of the Transactions of this Period, which have escaped the Injury of Time, and are come down safe to us. Those few are very short, and give us but an imperfect View of Affairs even of the greatest Consequence, and are often intirely silent with regard to what passed in several distant Provinces. No wonder therefore, if we learn not from them, that *Sergius Paulus* was some Part of this Time Proconsul of *Cyprus*. If I mistake not, there's no Mention made in any History now extant, excepting the Book of *Acts* (r), of any one thing that happened in this Province, or of any Governor of it, during this whole Period. However, it's worth observing, that *St. Luke* has given the true Title to the Governor of this Province: For although it was a *Prætorian Province* (s), yet the Government of it being in the Disposal of the People, *Dio* assures (t) us, and we have abundant Instances in other Authors (u), to confirm us in the Truth of

(r) Ch. xiii. (s) Vid. *Strab.* l. 14. fin. p. 685. & l. 17. fin. (t) *L.* 54. p. 523. Vid. & *Suet.* *Aug.* c. 47. & *Dio.* l. 53. p. 503, 504, 505. (u) *Crete, Achaia, and Gallia Narbonensis*, were, all three, *Prætorian Provinces*; and yet are, in exact

of what he says, that the Governor was called Proconsul. It's true, *Augustus Cæsar*, in dividing the Provinces between himself and the People, at first retained *Cyprus* to himself, and it was governed by an Officer sent by him, called the Lieutenant of *Cæsar* and Proprætor; but afterwards he gave it to the People in lieu of a Province of theirs, and then the Governor sent thither was named Proconsul (x), in exact Agreement with *St. Luke*. For the Word we have translated *Deputy* (y), is that made use of by the *Greek Writers*, to signify *Proconsul*.

§ 2. And although the Province of *Greece* or *Achaia* was at the Division made by *Augustus* granted to the People (z), yet afterwards under *Tiberius*, at the Intreaty of the Province itself, was it taken into the Emperor's Care, and governed by his Lieutenant, who was Proprætor (a). But in the fourth Year of the Emperor *Claudius*, it was restored to the People, and the Title of the *Roman* Governor was again that of Proconsul (b). The Emperor *Nero*, who succeeded him, took it from the People a second time, and made the *Grecians* a free People (c). If we enquire into the Time when *St. Paul* was brought before *Gallio* at

Conformity to the Words of *Dio* and *Suotinius*, said to be under Proconsuls. Vid. *Strab.* l. 17. fin. *Tacit. Annal.* l. 3. c. 38. l. 1. c. 76. & *Hist.* l. 1. c. 48. (x) *Dio*, l. 53. p. 504, a. & l. 54. p. 523, b. (y) *Acts* xiii. 7. (z) *Dio*, l. 53. p. 503, D. *Strab.* l. 17. fin. (a) *Tacit. Ann.* l. 1. c. 76. (b) *Sueton. Claud.* c. 25, 10. & 42, 3. *Dio.* l. 60. p. 680, e. *Pausan. Achaic.* p. 222. (*Han.* 428.) (c) *Plin. nat. hist.* l. 4. c. 6. (*Vol. I.* p. 196. 4, 5. ult. ed.) *Pausan. loco citato.* *Philostrat. Apoll.* v. 14. *Suet. Vespas.* c. 8. n. 21.

Corinth,

Corinth, we shall find it to be the latter End of the Reign of *Claudius*, probably in his thirteenth or fourteenth Year (*d*), when, according to *Suetonius*, *Dio*, and *Pausanias*, it was a Roman Province belonging to the People. It is with the greatest Accuracy therefore, you see, that the Roman Governor at this Time is said by *St. Luke* to be Proconsul of *Achaia*; for so the Word we render *Deputy* properly signifies (*e*): And this is the more remarkable, because several of the Classick Authors, when writing of Events that happened not long before this Time, have been mistaken in the Titles they have given to Governors of Provinces, as is abundantly proved by *Pitiscus* in his Notes on *Suetonius* (*f*), and Cardinal *Norisius* in his *Cenotaphium Pisanum* (*g*), and many other learned Writers.

The Historians of this Time say little or nothing of the Affairs of *Achaia*, nor do they tell us who was Governor of this Province under the Emperor *Claudius*. But there's very great Probability, that *Gallio*, mentioned by *St. Luke* as Proconsul, was no other than the Brother of *Seneca* the moral Philosopher, whose Writings are so well known amongst us. Learned Men are generally of this Opinion: And as there is no one thing, that I know of, which renders it unlikely, so there are many Things concurring, which may induce us to believe it. That

(*d*) Vid. *Annal. Paul.* p. 13. (*e*) *Acts xviii.* 12. (*f*) Vid. in *Aug.* c. 3. n. 16. and the Persons cited there. (*g*) *Dissert.* 2. c. 11. in the last Edition, Tom. 3. p. 327, 328.

Marcus Annæus Seneca the Rhetorician had three Sons, named *Novatus*, *Seneca*, and *Mela*, appears from the Dedication of his Book of Controversies to them: That *Novatus* the eldest changed his Name for *Gallio* (*b*), (probably as having been adopted by *Junius Gallio*, so frequently mentioned in *Seneca* the Father's Works, and often called by him *our* (*i*) *Gallio*) sufficiently appears from the Writings of the two *Seneca's*, *Tacitus*, *Dio*, and *Eusebius*: That he attained to the Honours of the *Roman* State, is fully evident from what *Seneca* the Philosopher writes to his Mother *Helvia* (*k*), in order to comfort her in his own Absence, being at that time under Sentence of Banishment in the Isle of *Corfica*: That he had been in *Achaia* also, seems no less evident from one of *Seneca's* Epistles (*l*): That his Temper and Manners were every way agreeable to what is said of him in the History of the *Acts* (*m*), we learn from the Character given him by his Brother *Seneca* (*n*).

(*b*) Compare the Dedication of *Marcus Seneca* with *Eusebius's* Chron. Tacit. Annal. l. 16, 17. Dio, l. 61. p. 689. & l. 62. p. 713. Compare what *Seneca* says to his Mother *Helvia*, de Consol. c. 16. Respice Fratres meos—Alter honores industria consecutus est, alter sapienter contempsit; with what *Tacitus* relates, Ann. l. 16, 17. *Mela*, quibus *Gallio* & *Seneca* parentibus natus petitione honorum abstinerat, &c. Vid. & Ann. l. 15. 73. & *Senec. de Vita beata*, pr. & *Nat. Quæst.* l. 4. Præf. (i) *M. Annæi Senec. Controv.* 13. & frequenter alibi. (k) Loco citato. (l) Ep. 104. pr. Vid. *Lipf. ad Tac. Ann.* l. 2. 87. Excur. p. where he proves, that the Title *Dominus* was given to Fathers, Brothers, and others. (m) *Acts* xviii. 12, &c. (n) *Nat. Quæst.* l. 4. Præf. Vid. *Selden's Letter to Bishop Usher*, Vol. IV. p. 1712.

That

That he took not Cognizance of the Cause, which was brought before him, proceeded not from his Stupidity, Indolence, or Negligence; but from his strict Adherence to the *Roman* Laws. Some indeed of late have represented him as entertaining an Opinion, that the civil Magistrate had nothing to do in Matters of Religion. But this is a Thought that never entered a *Roman* Heart: And such must be entire Strangers to the History of that great and flourishing People, who can impute this their novel Invention to any wise and good *Roman*. It's well known, that the Affairs of Religion were always a principal Part of the Care of the *Roman* Magistrates and Senate; and as they had many Laws on that Subject, so we frequently read of their Execution. The true Reason, why *Gallio* did not interpose in the Affair brought before him, was because the Senate and Emperors had by various Decrees (*o*), and particularly the then reigning Emperor *Claudius*, allowed the *Jews* every-where under their Dominion to govern themselves according to their own Laws in all Matters of Religion (*p*). This being such, he esteemed it not of his Cognizance: Therefore he says, I will be no Judge of such Matters (*q*). Had you accused this Man of Injustice, Violence, or Crimes against the State, I would willingly have heard you; but I am not sent here as a Judge of your

(*o*) Vid. Joseph. Antiq. l. 14. c. 10. § 2. & 23. l. 16. c. 2: § 3. c. 6. § 2.

(*p*) Joseph. Antiq. l. 19. c. 5. § 2, 3.

(*q*) Acts xviii. 15.

religious Differences; these are to be rectified amongst yourselves. The Accusation brought against *St. Paul* by the *Jews* was, that he persuaded Men to worship God contrary to their Law (r). Of this themselves were to determine, not the *Roman* Governor. The Speech which *Porcius Festus* makes to King *Agrippa* in the like Case, may help to clear this: *They brought no Accusations of such Things as I supposed, but had certain Questions against him of their own Superstition: And because I doubted of such manner of Questions, that is, did not think them to appertain to my Jurisdiction, I asked him, whether he would go to Jerusalem, and there be judged of these Matters (s) before the Sanhedrim, as esteeming them to be the proper Judges of such Causes.*

§ 3. *Agabus* the Prophet foretold, that there should be a great Famine throughout all the World. It is added by *St. Luke*, *Which came to pass in the Days of Claudius Caesar (t)*. It is very certain, that the Word *οἰκουμένη*, which we render *World*, is often taken in a more restrained Sense (u), and signifies one Country, and particularly that of *Judæa*. It is also evident from *Josephus*, that there was a sore Famine in *Judæa* during the fifth, sixth, and not improbably the seventh Year also of *Claudius (x)*, infomuch that not a few perished

(r) V. 13. (s) Acts xxv. 18, 19, 20. (t) Acts xi. 28.
 (u) It signifies an inhabited Land of any Dimensions, II. xiii. 9.
 That it is restrained to a particular Country, Vid. Ps. lxxi. 8.
 That it is put for *Judæa*, Vid. Is. x. 23. & xiii. 5. & xxiv. 1,
 4. Luke xxi. 26. (x) Antiq. l. xx. c. 2. § 6. & c. 4. § 2.

at *Jerusalem* for Want, and many more must have done so, had it not been for the charitable Care of *Helena*, *Izates*, and others. If therefore we take the Prophecy in this Sense, that there should be a great Dearth throughout the whole Land of *Judæa*, (and the Words will well bear that Sense) nothing is more plain, than that it was exactly fulfilled. But *Eusebius*, who lived in the latter End of the third, and the Beginning of the fourth Centuries, understands it in a more extensive Sense, and tells us, that the Event was accordingly (y); and expressly says, that this Event was delivered down by Authors, who were no Friends to the Christian Religion (z). There were many such extant in his Time, that are now irrecoverably lost. Why then may we not believe, that the Famine spread much further than the Limits of *Judæa*, especially when it is acknowledged, that this is agreeable to the more usual Sense of the Word *οἰκισμένη*?

A universal Famine indeed at one and the same time, if great and pressing, must bid fair to destroy the whole human Race: But may it not have been a progressive Famine, which passed from one Country to another, not oppressing too great a Part of the World at once, but proceeding from one Part to another, till it had visited the Whole? It is not improbable, that *St. Luke* in this Place, as is usual with all Historians, lays together in few Words

(y) Hist. l. 2. c. 12. & Chron.

(z) Hist. l. 2. c. 8.

what happened in a Course of some Years. There cannot be the least Doubt, but that the Prophecy preceded the Event some Space of Time: Nor is it reasonable to suppose, that *Barnabas* and *Saul* were sent to *Jerusalem* with a Supply, till it began to be wanted. It is true, at the Beginning of the Relation, it is said, *And in those Days*: But is there any Necessity of confining the Words *those Days* to the last-mentioned Year, which was, that *Barnabas* and *Saul* spent at *Antioch*? May they not very reasonably be extended, so as to include the whole Time, from the Day that the Conversion of *Cornelius* and his Friends was made known to the Preachers, who went to *Antioch*, hinted at in the twentieth Verse (a), which probably happened in the last Year of *Caius Caligula*? That the Prophecy was delivered in his Reign, seems confirmed by the Account given of the Fulfillment in these Words, *which came to pass in the Days of Claudius Cæsar* (b): A manner of Expression, which, I think, would hardly have been used, if the Prophecy had been delivered in the same Reign, in which it was fulfilled. True indeed, there are some Copies, wherein it is read, *Which also came to pass in the Days of Claudius Cæsar*. But the best Copies (c) read it as our *English* Translators have rendered it: And indeed, were the other the true Reading, I should be apt to think, that those Words, *αἵτις καὶ ἐγένετο, which also came to pass*, were

(a) Acts xi. 20.
Vulg. Æthiop.

(b) V. 28.

(c) Alex. Cantab. Lincoln.

a Parenthesis, and then the Prophecy would be more determinate, as fixing the Time when the Famine was to happen, *That there should be a great Dearth throughout all the World in the Days of Claudius Cæsar.* I make no Doubt, but the Prophecy was understood by those that heard it, as what was to come to pass in the Space of a few Years; and so it certainly did, if delivered at the End of the Reign of *Caius*. For a Famine began in some Parts in the second, if not in the first Year of *Claudius* (d); and that in *Judæa* began the latter End of his fourth.

I have not yet seen a sufficient Reason given, why we may not conclude, that the Scarcity we read of, as having affected any Country during the Reign of *Claudius*, was part of this great Famine foretold. It is indeed said, “That the Persons, who heard this Prophecy delivered, understood it to relate to *Judæa* only, because there’s not the least Hint of any Thought of sending Relief to any other Place; nor yet of any Hesitation in taking the Resolution to send Relief thither, for fear their own Circumstances might be necessary through the approaching Famine (e).” But, is it certain, that the Disciples formed this Resolution at the Time when the Prophecy was delivered? Might it not, for any thing appears to the contrary, be a Determination made by them, when they heard, that their Brethren in

(d) Vid. Pagi Crit. in Baron. Anno Dom. 42. n. 7.
Bar’s Cred. Vol. I. p. 522, 523.

(e) *Lerd-*

Judæa began to be in Streights? And supposing it to be formed when the Prophecy was first given, if they understood it not of a Famine that should oppress the whole World in one and the same Year, but of a Famine that should proceed gradually from one Country to another, till every Part had felt it; might they not very reasonably determine to send Relief to their Neighbours, when under this Calamity, according to their Ability? Would not this be a ready way to engage their Neighbours to return the Obligation, and to relieve them when under the like Distress? It is highly probable, that the Design of this Prophecy was to put them upon saving and laying up all they could possibly spare from their necessary Uses, till the Famine should reach themselves or Neighbours, that they might be the better able to supply their own or others Wants: And the plain Reason why *Judæa* was first in their Thoughts, and they determined to send Relief to that Country, rather than to any other, was because of the exceeding great Distress that Country must necessarily be in, at such a Time, from the very great Number of Poor that were always in it. The *Jews* from all Parts of the World sent Alms to *Judæa* even in Times of the greatest Plenty. If so universal a Collection of Alms were necessary in Times of Plenty, how much more necessary must it have been in a Time of Famine? The Crouds of People that flocked to *Jerusalem* upon account of divine
Worship,

Worship, caused a Scarcity to be felt there immediately in the most sensible manner. *Josephus* tells us, that when *Cestius Gallus* came to *Jerusalem* at the Feast of unleavened Bread, not less than three Millions of People came about him, intreating him to have Compassion on the miserable State of their Nation, and crying out, that *Florus* was the Pest of the Country (*f*). I may also add, that we have no room to doubt, but that those, who converted the *Christians* at *Antioch*, put them in mind of the Wants of their Brethren in *Judæa*.

I see no Reason as yet therefore, why we may not conclude, that not only the Famine, which was in *Judæa*, in the fifth, sixth, and seventh of *Claudius* mentioned by *Josephus* (*g*), but that the Famine, which happened in *Rome* the second of *Claudius*, mentioned by *Dio* (*h*), that in *Syria*, mentioned by *Orosius*, in the fourth of *Claudius* (*i*), that which afflicted *Greece* about the ninth of *Claudius*, when a Bushel of Wheat was sold for one Pound eleven Shillings Sterling (*k*), and that which prevailed in *Italy* and *Rome* the tenth and eleventh of *Claudius* men-

(*f*) De Bell. l. 2. c. 14. § 4. (g) Antiq. l. 20. c. 2. § 6. & c. 4. § 2. He mentions a great Famine under *Claudius*, when *Ishmael* was High-Priest, Antiq. l. 3. c. 15. prope fin. but he herein plainly contradicts himself. For *Ishmael* the Son of *Phabi* was twice High-Priest, once made so by *Valerius Gratus*, afterwards by *Agrippa* under *Nero*. Vid. Antiq. l. 18. c. 2. § 2. & l. 20. c. 7. § 8. He says, in this Famine an Assaron of Meal was sold for four Drachmas. (*h*) L. 60. p. 671. (*i*) L. 7. c. 6. compared with what he says of *Syria*, l. 1. c. 2. (*k*) Euseb. Chron.

tioned by *Tacitus* (*l*), *Suetonius* (*m*), *Eusebius* (*n*), and *Orosius* (*o*), were in part the Fulfilment of this Prophecy.

§ 4. It is said in the *Acts*, that the Emperor *Claudius* had commanded all Jews to depart from Rome (*p*). Of this Fact *Suetonius* is witness, who expressly tells us, that *Claudius* expelled the Jews from Rome (*q*). *Dio* indeed says, that he did not expell them, but forbad all their religious Assemblies (*r*). This was in Effect an Expulsion: If he would not permit them to assemble on their Sabbaths, and the other Days, which their Law enjoined, they could live there no longer as Jews. However, *Suetonius*, who flourished in the Times of the Emperors *Trajan* and *Hadrian*, may be supposed to know the true State of the Fact better than one who lived under the Emperors *Severus*, *Caracalla*, and *Alexander*, near a hundred Years after (*s*). *Orosius* also says, that the Jews were expelled by *Claudius*, and alledges *Josephus* as an Author who relates it (*t*). There is no such Relation in the Copies of *Josephus*, which are come down to us; but whether there might not be in those of his Time, which was the Beginning of the

(*l*) Ann. l. 12. 43. (*m*) Claud. c. 18. 3. Arctiore annona ob assiduas sterilitates. This Expression not a little confirms my Notion. Crops had failed for many Years past, some Years probably in one Country, and some Years in another of those Countries, from whence they used to import Corn to Rome. (*n*) Chron. (*o*) L. 7. c. 6. prop. fin. The learned *Basnage* is of my Opinion. Oraculum annos etiam omnes qui regnante Claudio fame pallidi complexum fuerit. Annal. p. 521. Vid. & p. 553. n. 4. (*p*) Ch. 28. 2. (*q*) Claud. c. 25. 12. (*r*) L. 60. p. 669. (*s*) Vid. Fabric. Biblioth. (*t*) L. 7. c. 6.

fifth Century, is not, I think, so very improbable a Thing (*u*) as some have represented it.

§ 5. That the Island of *Melita*, now called *Malta*, was at the Time of *St. Paul's* Voyage in the Hands of the *Romans*, I suppose no one can doubt: That it was taken from the *Carthaginians* by *Atilius Regulus* the Consul, *Orosius* is witness (*x*): That in *Tully's* Time it was under the Prætor of *Sicily*, is evident from his Accusation of *Verres* (*y*): That after this, it could not be taken from the *Romans* before *St. Paul* made his Voyage, cannot, I think, admit of a Suspicion: That before the *Romans* had it, the *Phœnicians* and *Carthaginians* inhabited it, appears from *Scylax*, and *Diodorus Siculus* (*z*). We may very reasonably suppose, that at the Time of *St. Paul's* being there, the Generality of the People were their Descendants. Hence it is said in the Book of *Acts*, *The barbarous People shewed us, no little Kindness* (*a*). For all that did not use the *Greek* Language were by the *Greeks* named barbarous (*b*). That the Governor, who resided in this Island on Behalf of the *Romans*, was called $\pi\rho\omega\tau\omicron\varsigma$, or, as we have rendered it, *The chief Man* (*c*), is evident from an Inscription that was found there by *Quintinus Hedius*, in which the Person named is called $\pi\rho\omega\tau\omicron\varsigma$ *Mελιταιίων* (*d*).

(*u*) Vid. Hudson. Joseph. p. 1060. n. g. & 1065. n. b. (*x*) L. 4. c. 8. (*y*) L. 4. 18. & 46. (*z*) L. 5. (*a*) Ch. xxviii. 2. (*b*) Strabo, l. 14. p. 455. (*c*) Acts xxviii. 7. (*d*) Johan. Quint. Hedius ad Soph. Epist. an. 1533. Vid. Bochart. Phaleg. p. 2. l. 1. p. 552, 547. Grot. in loc. Cellarium, Vol. I. p. 655.

§ 6. *Claudius Lysias* the Roman Officer, *Præfectus Cohortis*, or Chief Captain of the Band, says to *St. Paul*, when he had taken him out of the Hands of the *Jews*, who would have put him to Death, *Art thou that Egyptian, which before these Days madest an Uproar, and leddest out into the Wilderness four thousand Men that were Murderers (e)?* The Word, which we translate here, Murderers, is the *Latin* Word *Sicarii*, so called from a little Sword or Dagger which they wore concealed under their Cloaths, and resembled the *Roman Sica*. The *Jewish* Historian, *Josephus*, immediately after he has given us an Account of the Rise of these *Sicarii* or Murderers, (for with this concealed Weapon they daily committed many Murders) adds the Story of the *Egyptian* Impostor (*f*), who persuaded a Multitude of the common People to go with him from *Jerusalem*. This Multitude probably were the four thousand *Sicarii* mentioned by *Lysias*. Having led them round through the Wilderness, and brought them to the Mount of Olives, and in his Way having increased his Number to thirty thousand Men, *Felix* the Roman Governor met and attacked him. The *Egyptian*, perceiving at the same time, that the Generality of the *Jewish* Nation were so far from joining with him, as he had flattered himself they would, that they made Head against and opposed him, immediately fled with a few of his chief Adherents, the

(e) Acts xxi. 38.
Antiq. l. 20. c. 7. § 6, 10.

(f) De Bell. Jul. l. 2. c. 13. § 5.

most of which were either taken or slain (g); but as for himself, he made his Escape. This happening but a few Months before *St. Paul* came to *Jerusalem*, the chief Captain *Lysias* seeing the Uproar that was made upon his Account, it entered his Mind, that the *Egyptian* was taken, and that *St. Paul* might be the Man. This occasioned the Question he asked him.

§ 7. We read, in the *Acts*, of the Conversion of the Eunuch, who was of great Authority under *Candace* Queen of the *Ethiopians* (h). It is evident both from *Strabo* (i) and *Dio* (k), that there was a Queen of that Name in *Ethiopia*, who fought against the *Romans* about the twenty-second or twenty-third Year of the Reign of *Augustus Cæsar*, reckoning it from the Death of his Uncle *Julius*. It is clear also from *Pliny* (l), who flourished in the Reign of the Emperor *Vespasian*, that there was a Queen of *Ethiopia* named *Candace* in his Time; and he adds, that this had been the Name of their Queens now for many Years. It is beyond all Doubt therefore, that there was a Queen of *Ethiopia* of this Name at the Time when *Philip* is said to have converted the Eunuch.

(g) It is very difficult to reconcile the two Accounts given of this Matter by *Josephus*. Mr. *Ward* the learned Professor of *Gresham-College* seems to have conquered this Difficulty. Vid. Additions to *Lardner's Cred.* Vol. I. II. I have told the Story as briefly as I could in his manner, whereby he reconciles *Josephus* both to himself and to *St. Luke*. (h) Ch. viii. 27. (i) L. 17. p. 820. (k) L. 54. p. 524. (l) N. H. l. 6. c. 29.

Eusebius tells us, that this Country continued to be governed by Women even to his Time (*m*).

§ 8. Two Years before *Felix* left the Government of *Judæa*, we are told in the History of the *Acts*, that *Ananias* was High-Priest (*n*): And this is confirmed by *Josephus*, who relates, that *Ananias*, the Son of *Nebadæus*, was made High-Priest of the *Jewish* Nation in the room of *Joseph* the Son of *Camydus*, by *Herod* King of *Chalcis* (*o*). This he places just before the Death of *Herod*, which he tells us happened in the eighth Year of the Emperor *Claudius*. He says not one Word of any other Person's being made High-Priest, till *Felix* is quitting the Government of *Judæa*. Immediately before the Account of his Departure, he relates, that King *Agrippa* (who had succeeded his Uncle *Herod*, and after that, in lieu of *Chalcis*, had received the Tetrarchy of *Philip*) gave the High-Priesthood to *Ishmael* the Son of *Phabi* (*p*), and at the same time is not obscurely hinted the Reason why he removed *Ananias*. For there's added the vile Insult committed by the High-Priests on the inferior Priests and People, the High-Priests by Force seizing on the Tithes which were due to the inferior Priests, so that the Priests, who before this subsisted on their Tithes, perished for Want. We are informed afterwards, not only that *Ananias* was guilty of this Wickedness, but it is

(*m*) Hist. l. 2. c. 1. Vid. Alex. ab Alex. l. 1. c. 2. (n) Ch. xxiii. 2. & xxiv. 1. (o) Antiq. l. 20. c. 4. § 2. (p) Ibid. c. 7. § 8, 9.

strongly

strongly insinuated, that the other High-Priests followed his Example herein; that he was therefore the Author and Ringleader of this Violence, and complicated Injustice (q). It appears highly probable to me, that King *Agrippa*, not being able by his Authority to suppress this Evil, (for he had no other Authority over *Judæa* than that of making and removing their High-Priest) took the only Step he had in his Power towards the discouraging it, and that was by displacing *Ananias*, who first began this villainous Practice.

The Fact lies so very clear in *Josephus*, that it has been Matter of Surprise to me, that learned Men should ever have made the least Doubt, whether *Ananias* were at this Time the High-Priest of the *Jews*. Some have hinted as a Reason, his being sent Prisoner to *Rome*. There happening a Quarrel between the *Samaritans* and *Jews*, in which was Rapine and Bloodshed, the *Samaritans* so far obtained the Ear of *Quadratus* the President of *Syria*, that he sent *Ananias* and his Son *Ananus* Prisoners to *Rome*, as esteeming them the guilty Persons, and ordered the chief of the *Samaritan* Nation to follow as their Accusers (r). If there be any Strength in this Objection, it must, I suppose, lie in one of these three Things; either that *Quadratus* at this time deprived *Ananias* of the Priesthood, or that his being a Prisoner disqualified him for that high Office, or that his being absent at *Rome* was inconsistent herewith. It is no-where said

(q) Ibid. c. 8. § 2, 4.

(r) Ibid. c. 5. § 2, 3.

nor intimated, that *Quadratus* deprived him ; And indeed the Presidents of *Syria* had no such Power at the Time we are speaking of, it having been vested by *Claudius* in the Family of *Herod* (s) : And could we suppose, that *Quadratus* invaded another's Province, and deprived him as thinking him guilty ; can it be imagined, that *Claudius* did not fully restore him, when he not only pronounced him innocent, but thought him so much wronged by the Accusation brought against him, that he put to Death his Accusers ? And *Jonathan*, one of those *Jews*, who were sent to *Rome* with him by *Quadratus*, was in so high Estimation at Court, that he had Interest sufficient to procure for *Felix* the Government of *Judæa* in the room of *Cumanus*, who favoured the *Samaritans*, and was for that Reason deprived and banished (t).

Nor can I understand, that his having been made a Prisoner was a Disqualification. I don't perceive, that the learned *Selden* found any such thing mentioned either in the *Talmudists* or other *Jewish* Writers (u) : And we are told by *Josephus*, That when *Hyrchanus* the High-Priest was taken captive by the *Parthians*, and by them delivered up to *Antigonus* his Competitor, *Antigonus* bit off part of his Ears, in order to disqualify him for the Priesthood for the future (x). He knew certainly, that his having

(s) *Ibid* c. 1 § 3. (t) *Ibid*. c. 5. § 3 & c. 7. § 5.
 (u) *Vid.* de Success. in Pontif. l. 2. c. 1, 2, 3, 4, 5, 6. (x) *Antiq.* l. 14 c. 13. § 10. & l. 15. c. 2. § 2. & de Bell. l. 1. c. 13. § 9. *Vid.* & *Antiq.* l. 20. c. 9. p. 900. l. 12.

been a Captive, was no Disqualification; for if it had, it would have been entirely needless to have used the other cruel Method. Now if Captivity was no Disqualification, how much less the being made a Prisoner upon Suspicion of Guilt in order to take a Tryal? It is true indeed, we read, that the being born of a Woman, that had been a Captive, was a Disqualification for the High-Priesthood. But the Reason of that is given both by *Josephus* (y) and the *Talmudists* (z). It was not from the Indignity suffered by being taken captive, but from the Suspicion, that she might have been defiled by those who took her captive.

Nor was the going to *Rome* inconsistent with the Office of High-Priest. It is true, when *Ismael* the High-Priest, who succeeded *Ananias*, was sent to *Rome*, a Successor was appointed him; but the Reason is at the same time added, and that was, because he was detained by the Empress *Poppæa* as an Hostage. *Josephus* says, when King *Agrippa* heard this, he gave the High-Priesthood to *Joseph* surnamed *Cabi* (a); but not till he heard, that he was detained, and could not return to perform his Office. This was not the Case of *Ananias*. We read not of any the least Delay in the hearing of his Cause, and the dismissing him.

Another Occasion of Doubt hinted at by learned Men is, that in the History of *Josephus*,

(y) *Contra Apion.* l. 1. § 7. p. 1333. l. 13. (z) *Vid. Selden. de Success. in Pontif.* l. 2. c. 2, 3. (a) *Antiq.* l. 20. c. 7. § 11. fin.

between the Time in which the High-Priesthood was conferred on *Ananias*, and the Time when it was given to *Ishmael*, there is mention made of *Jonathan* the High-Priest (*b*). But it is not said nor hinted, that he had the High-Priesthood at this Time bestowed on him. The only Reason of his being named in this Place is to shew the Ingratitude, Baseness and Wickedness of *Felix* the Roman Governor. For although *Jonathan*, as we have observed before, procured for him the Government of *Judæa*, *Felix* corrupted one of *Jonathan*'s familiar Friends, who hired Villains, that murdered him. As it is for this Reason only that he is here mentioned, so is he called High-Priest, because he formerly had executed that high Office in the Reign of *Tiberius*, being placed in it by *Vitellius*, President of *Syria* (*c*): And it must be well known to any one who is conversant in *Josephus*, that it is customary with him to call all those High-Priests, who have once enjoyed that Dignity, although they had been deprived of it many Years (*d*). Thus he does *Jonathan*, not only in the Place before us, but where he mentions his being sent with *Ananias* to *Rome* (*e*), at which time, that *Ananias* was truly the High-Priest, no one ever moved the least Doubt. *Jonathan* was indeed offered the High-Priesthood in the Reign of *Claudius* by King *Agrippa*, but he refused it,

(*b*) Ibid. c. 7. § 5.

(*c*) Antiq. l. 18. c. 5. § 3. fin.

(*d*) Vid. Antiq. l. 20. c. 8. § 2. de Bell. l. 2. c. 17. § 2, 6, 9. l. 5. c. 5. § 2. Vita, § 38.

(*e*) De Bell. l. 2. c. 12. § 6.

desiring

desiring rather that it should be conferred on his Brother *Matthias*, which accordingly it was (f). This renders it the less probable, that he should so soon after be offered it again, or that, if offered, he should accept it. Besides, it is very likely, he was killed before St. *Paul* was tried by *Ananias* (g).

It may have occasioned a Doubt to some, that *Josephus*, in the third Book of his Antiquities, towards the End, mentions *Ishmael* as High-Priest in the Reign of the Emperor *Claudius*. But the *Ishmael* there spoken of can

(f) Antiq. l. 19. c. 6. § 4. (g) *Jonathan's* Murder was not long after the Beginning of *Nero's* Reign, Antiq. l. 20. c. 7. § 4, 5. St. *Paul* was not brought before *Ananias* till about the fifth Year of that Reign.

Josephus relates, that from the Time of *Herod* to the Destruction of *Jerusalem* were twenty-eight High-Priests, Antiq. l. 20. c. 10. prop. fin. The learned *Reland* thinks, that this Number cannot be made out from the foregoing Account of *Josephus* without taking in this *Jonathan*. But if the twenty-eight must necessarily be distinct Persons, and not the same Person reckoned twice, (for *Ananias*, we are sure, was twice in that high Office) why may there not be two *Foazarus's* rather than two *Jonathans*? We read, that *Foazarus* was made High-Priest in the room of *Matthias* by *Herod the Great*, l. 17. c. 6. § 4. and that he was removed by *Archelaus*, l. 17. c. 13. § 1. that he was succeeded by *Eleazar*, and *Eleazar* by *Jesus* the Son of *Sie*, *ibid.* Notwithstanding we read afterwards of a *Foazarus*, who was High-Priest when *Quirinus* confiscated the Estate of *Archelaus*, and that he was helpful to him in appeasing the People, l. 18. c. 1. § 1. and it is expressly said, that *Quirinus* took away the Dignity of the High-Priesthood from *Foazarus*, and made *Ananus* the Son of *Seth* High-Priest, *ibid.* c. 2. § 1. If *Jonathan* be a different Person from him that was made High-Priest by *Vitellius*, it is no-where said, that he was made High-Priest, or that he was deprived of that Dignity; nor is there any Probability, that he ever enjoyed that high Office. But as for the second *Foazarus*, it appears evidently, that he was in that Office, and was deprived of it by *Vitellius*.

no-ways interfere with *Ananias*, because he specifies the particular Time when that *Ishmael* was High-Priest, by the Severity of the Famine which then prevailed at *Jerusalem*: And it is very evident, that the Height of the Famine was in the fifth and sixth Years of the Emperor *Claudius*, which was two Years before *Ananias* was made High-Priest. Unless *Ishmael* be another Name for *Joseph* the Son of *Camydus*, either this Part of *Josephus's* History must have been corrupted by the Transcriber, or he must have forgotten himself. For in those Books, wherein he gives a particular Account of the High-Priests, which were made in the Reign of *Claudius*, he makes no Mention of *Ishmael*: And *Ishmael* the Son of *Phabi*, who succeeded *Ananias*, he tells us, was made High-Priest in the Reign of *Nero* (b).

St. *Paul* says to *Ananias*, *God shall smite thee, thou whited Wall* (i). The Character given of this Man in *Josephus* very well answers to this Description of him by St. *Paul*. For at the same time that he carried it in the most plausible manner towards the Citizens, so as to be in the highest Favour and Reputation with them (k), he was guilty of the highest Injustice. He by his Servants and other Dependents plundered the Priests of their Tythes to that Degree, that many of them perished for Want, as we have before observed. What the Apostle said to him was doubtless spoken under a prophetick

(b) Antiq. l. 20. c. 7. § 3.
l. 20. c. 8. § 2, 4.

(i) Acts xviii. 3.

(k) Antiq.

Impulse. For *Josephus*, in the Account he gives us of his Death, tells us, that his House was burnt, and himself besieged in the Royal Palace, which being taken, he was drawn out from a Cistern, wherein he had hid himself, and was slain; and this in a Sedition began most unreasonably and wickedly by his own Son (1). Thus did God smite him according to the Prediction of the Apostle.

§ 9. We read, *Acts* v. 34. That a Pharisee, named *Gamaliel*, a Doctor of the Law, had in great Reputation among all the People, was one of the Jewish Council, or Sanhedrim. This agrees exactly with what is delivered in the Jewish Talmuds. We are informed by them, that *Gamaliel* the Son of *Simeon*, and Grandson of *Hillel*, was President of the Council; that he was a Pharisee; that he was so well skilled in the Law, that he was the second who obtained the Name of *Rabban*, a Title of the highest Eminency and Note of any among their Doctors: And concerning him is this Saying, “From the Time that *Rabban Gamaliel* the Old died, the Honour of the Law failed, and Purity and Pharisaism died.” He is called *Rabban Gamaliel* the Old, to distinguish him from his Grandson, who was also called *Rabban Gamaliel*, and the Great-grandson of this Grandson, who was also called by the same Name, and had the same Title, and were both of them, as the *Talmudists* say, Presidents also of the Council.

(1) De Bell. l. 2. c. 17. § 2, 6, 9.

They tell us, that *Rabban Gamaliel* the Old died eighteen Years before the Destruction of *Jerusalem* (m), that is, in the Year of our Lord 52, about eighteen Years after the Convention of this Council, before whom the Apostles were brought, as related in the *Acts*. We read also in *Josephus* of *Simeon*, the Son of this *Gamaliel*, as being one of the principal Persons of the *Jewish* Nation about three Years before the Destruction of *Jerusalem* (n). The *Talmudists* say, he succeeded his Father, and was President of the Council.

§ 10. *John* and *Alexander* are spoken of, *Acts* iv. 6. as Persons of principal Account in the *Jewish* Nation. *John* probably is no other than *Rabban Johanan* the Son of *Zaccai*, frequently mentioned in the *Talmuds*. It is said of him, that he had been the Scholar of *Hillel*, and was President of the Council after *Symeon* the Son of *Gamaliel*, who perished in the Destruction of the City, and that he lived to be a hundred and twenty Years of Age. A remarkable Saying of his, spoken by him not long before his assembling with the Rulers and Elders mentioned *Acts* iv. is related in the *Jerusalem Talmud* thus: Forty Years before the Destruction of the City, when the Gates of the Temple flew open of their own Accord, *Rabban Johanan* the Son of *Zaccai* said, O Temple, Temple,

(m) Vid. *Lightfoot*, Vol. I. p. 271, 765, 2009. Vol. II. p. 15, 657. (n) *De Bell.* l. 4. c. 3. § 9. and commends him as a Man of great Understanding, and capable by his Prudence to have restored the Affairs of the Nation, *Vit.* § 38. p. 923. pr.

why dost thou disturb thyself? I know thy End, that thou shalt be destroyed; for so the Prophet *Zechariah* hath spoken concerning thee, Open thy Doors, O *Lebanon*, that the Fire may devour thy Cedars. He lived to see the Truth of what he had foretold (o). By the *Alexander* mentioned, some learned Men (p) understand *Alexander* the Alabarch or Governor of the *Jews*, who dwelt in *Egypt*: And were he at *Jerusalem* at the Time spoken of, as it is very possible he might, for any thing we can learn to the contrary, nothing would be more probable. For the Assembly here spoken of, does not seem to be the ordinary Council of the Seventy-one, but an extraordinary Council composed of all the chief Men of the *Jewish* Nation from every Part of the World, who happened then to be at *Jerusalem*; and several such, it is likely, there might be upon the Account of some Feast. *Josephus* says of this *Alexander*, that he was the noblest and richest of all the *Jews* in *Alexandria* of his Time, and that he adorned the nine Gates of the Temple at *Jerusalem* with Plates of Gold and Silver (q).

§ 11. *Acts* xiii. 1. there is mention made of certain Prophets and Teachers, and among them is named *Manaen*, who, it is said, *had been bred up with Herod the Tetrarch*. There

(o) Vid. *Light*. Vol. I. p. 2009, & p. 277, 282. Vo'. II. p. 652.

(p) *Baron*. *Annal*. 34. p. 224. e. *Light*. Vol. I. p. 277. & 760.

(q) *Antiq*. l. 18. c. 7. § 3. fin. l. 19. c. 5. § 1. fin. l. 20. c. 4. § 2. & de *Bell*. l. 5. c. 5. § 3.

is an Account in *Josephus* of one *Manaen*, an *Essene*, who foretold concerning *Herod* the Great, that he should be a King, whilst he was yet a Boy at School : And when it actually came to pass, that he was King, being sent for by *Herod*, and asked how long he should reign ? Whether ten Years ? He answered, Yes. Twenty Years ? Yes, thirty Years. Upon which *Herod* gave him his Right-hand, and from that Time held in great Esteem such who were of the Sect of the *Essenes* (r). *Abr. Zachutus*, a Jewish Writer, says, that this *Manaen* was Vice-President of the Sanhedrim under *Hillel*, and that *Shammai* succeeded him ; that he went off into *Herod's* Family and Service with fourscore eminent Men ; that he uttered many Prophecies, foretold to *Herod*, when he was yet very young, that he should come to reign ; and when he did reign, being sent for, foretold that he should reign above thirty Years (s). The *Talmudists* also say, “ That
 “ *Manaen* went out, and *Shammai* succeeded
 “ him. But whither went *Manaen* ? *Abai*
 “ says, he went into the Service of the King,
 “ and with him went fourscore Pair of Di-
 “ sciples cloathed all in Silk (t).” It's very probable, that a Son of this *Manaen* (u), or

(r) *Antiq.* L. 15. c. 10. § 5. (s) *Juchasin.* p. 19, r. (t) *Vid. Light.* Vol. II. p. 685. Vol. I. p. 288, 2008. (u) It is, indeed, made a Doubt by *Dr. Lightfoot*, whether the *Essenes* married ; but *Josephus* says expressly, that one Sort of them did marry, *de Bell.* l. 2. c. 8. § 13. p. 1064. It's not improbable also, that *Manaen* might quit the Customs of the *Essenes*, when he went to Court.

or some Nephew, or other Kinsman to whom he gave his Name, was educated in the Family of *Herod* the Great. The young *Manaen* might be of the same Age, and have the same Preceptors and Tutors as had *Herod Antipas*, one of the Sons of *Herod* the Great, and for that Reason be said to be bred up with him in particular. This *Herod Antipas* was after his Father's Death Tetrarch of *Galilee*, and is the Person who put *John* the Baptist to Death. *Josephus* says of the first named *Manaen*, that he was reputed a Man of an excellent Life. The *Talmudists* tell us; that when he left the Vice-presidentship of the Sanhedrim to go into *Herod's* Service, he went into all manner of Wickedness. May they not have fixed this Infamy upon him from his having shewn some Mark of Esteem for Christ and his Followers? Or from the younger *Manaen's* becoming a Christian?

§ 12. *Josephus*, as we have had Occasion before to observe, tells us, that *Felix*, the Governor of *Judæa*, made use of one *Simon*, who pretended to be a Magician, to solicit *Drusilla* to forsake her Husband, and marry him (x). Some learned Men (y) have conjectured this to be the same *Simon* who is spoken of in the Acts, as having bewitched the People of *Samaritania* with his Sorceries. But this is very uncertain, if not wholly improbable (z).

C H A P.

(x) *Antiq. L. 20. c. 6. § 2.*
and *Stephen le Moine.*

(y) *Basnage Annal. 37. c. 35.*

(z) *Josephus* lays this *Simon* was a
G Jew

C H A P. IV.

Shewing how far the various Distinctions of the Jews, which happen to be spoken of in The Acts, are confirmed by other Authors.

§ 1. **I** Proceed now to the second Thing proposed, which is to shew you how far the various Distinctions among the *Jews*, mentioned in the History of *The Acts*, are confirmed by other Authors. The first is, that of *Jews* and *Profelytes*. This is a Distinction so well known, that it's almost needless to tell you, that by *Profelytes* are understood those of other Nations, who embrace the *Jewish* Religion either in Whole or in Part. Those who embraced it wholly, were in most things esteemed *Jews*, as much as if they had descended from the Sons of *Jacob*. In some few things, they, their Offspring, and all their Descendants, unless they sprang from Marriages with Women who were of the Race of *Israel*, had different Laws and Customs; whereby there was always a Distinction kept up between the Posterity of *Profelytes* and the na-

Jew of Cyprus. All the Fathers agree, that *Simon* in the *Acts* was a *Samaritan* by Birth. *Iust. Martyr*, p. 69. C. *Epiph. Har.* 20. n. 1. *Tertull. de Anima*, c. 34. *Orig. in Celsum*, l. 6 p. 73. *Clem. Constit.* 337. *Recogn.* 495. c. 2. 512. c. 2. 626. 633. 760. *Philastrius in Sim.* notwithstanding, says *Citrens*, as though he were of *Cyprus*.

tive *Jews* (a). The Children of *Profelytes*, their Grandchildren, Great-grandchildren, and so down to all Generations, were under the same Laws as were the first converted, and therefore were deemed *Profelytes*. If, indeed, any of them married with Women of the *Jewish* Race, the Children sprung from that Marriage, were *Jews* in the strictest Sense of the Word, as being Descendants from *Jacob*.

Those who embraced the *Jewish* Religion in Part only, were such who, from among other Nations, forsook the Idolatry they had been educated in, and worshipp'd the one only living and true God, the God of the *Jews*, and observed what are called the seven Precepts of *Noah*. When the *Jews* were under their own Government, they permitted no Foreigners to live in the Holy Land, tho' it were for never so short a Time, if they did not thus far conform to the *Jewish* Religion (b). Of the first Sort of *Profelytes* was *Nicolas* the Deacon, said, in the History of *The Acts*, to be a *Profelyte* of *Antioch* (c). Of the second Sort was *Cornelius* the Centurion (d); and of this latter Sort is frequent Mention made, by the Names of religious (e), or devout Persons (f), of Persons that fear God (g), or

(a) *Maim. Issure. Biah*, c. 14. Vid. *Seld. de jur. nat.* L. 2. c. 4. p. 194-5-6. L. 5. c. 20. p. 590-1-2. (b) *Maim. de Reg. & rebus eorum bellicis*, c. 8. § 9. 10. Vid. *Seld. de jur. nat.* l. 2. c. 3. p. 185, 186. (c) Chap. vi. 6. (d) Ch. x. (e) *Acts* xiii. 43. (f) *Acts* xiii. 50. and xvii. 4, 17. (g) Ch. x. 2. and xiii. 16, 26.

who worship God (*b*). That there were many who had embraced the *Jewish* Religion about that Period of Time, which is the Subject of the History of *The Acts*, is fully evident from almost all the Authors who have wrote of that Time, and are now extant; such as *Tacitus* (*i*), *Suetonius* (*k*), *Dio* (*l*), *Josephus* (*m*), and several of the *Roman* Poets, as *Horace*, *Juvenal*, *Persius*.

We read in several Parts of the *Acts*, of Women Profelytes (*n*), more especially of the chief and honourable Women (*o*). That the *Jews* were not a little diligent in gaining over the fair Sex to their Religion, and particularly such who were of Figure and Eminence, we learn from the Account *Josephus* has given us of the Conversions of *Helena* (*p*) and *Fulvia* (*q*), the former a Queen, the latter a *Roman* Matron, Wife of *Saturn Nius*, a Favourite of the Emperor *Tiberius*. And that very many Women were prevailed with to become Profelytes, appears from what he tells us of the Citizens of *Damascus*, who having formed a Design to kill all the *Jews* in that City, were obliged, with great Sollicitude, to conceal it from their Wives, because they were

(*b*) Ch. xvi. 14. and xviii. 7. called by the *Talmudists*, *basilei omoth haolam*. *Maim. de reg. c. 8. § 11. Light. V. 2. p. 689.*
 (*i*) Hist. l. 5. n. 5. (*k*) In *Tib.* 36. 2. (*l*) L. 36. p. 37, B.
 (*m*) *De Bell.* l. 7. c. 3. § 3. at *Antioch* in particular; *contra Apicn.* l. 2. § 10. p. 1372. l. 28. (*n*) Ch. xvi. 13, 14. (*o*) Ch. xiii. 50. and xvii. 4, 12. (*p*) *Antiq.* l. 20. c. 2. § 4. and the Women of King *Abennerigus* as well as *Helena*. (*q*) *Antiq.* l. 18. c. 4. § 5.

well nigh all addicted to the *Jewish Religion* (r).

It is said, *Acts* ii. 10. that *there were at that Time in JERUSALEM, Strangers from ROME, both Jews and Profelytes*; that is, *Jews and Profelytes, who were by Birth or Habitation Romans, but now sojourned at Jerusalem.* That there were great Multitudes of *Jews* who dwelt at *Rome*, is evident, not only from *Josephus* (s), but from *Dio* (t), *Suetonius* (u), *Tacitus* (x), and I think I may say all the *Roman Authors* of that Time, not excepting even the *Poets* (y); and that there were not a few in that great City profelyted to the *Jewish Religion*, sufficiently appears from the *Satires* of *Horace* (z), *Juvenal* (a), and *Persius* (b).

§ 2. Another Distinction we meet with in the History of *The Acts*, is that of *Hellenists* and *Hebrews* (c). Our Translators have rendered the Word *Grecians*; but that Rendering is far from conveying the true Idea of it to the Readers. By the *Hellenists* are to be understood the Dispersion among the *Greeks*, as they are called, *John* vii. 35. or all those *Jews* dispersed in the West, who not understanding the Language spoken in *Judæa*, were

(r) *De Bell.* l. 2. c. 20. § 2. (s) *Antiq.* l. 18. c. 4. § 5.
 (t) L. 36. p. 37, B. (u) *In Tib.* 36. 2. (x) *Annal.* l. 2.
 § 5. prop. fin. (y) *Vid. Juv. Sat.* 3. 13, &c. 6. 541;
 &c. (z) L. 1. *Sat.* 4. ver. ult. (a) *Sat.* 14. v. 96, &c.
 (b) *Sat.* 5. 179, &c. (c) Ch. vi. 1. and ix. 29. and xi.
 20. But the best Copies in this last Place read "ΕΛΛΗΝΕΣ V. Grot;
 in loc.

obliged to recite their Sentences and Prayers, and to have the Bible interpreted to them in the *Greek* Language. The Language which was at this Time usually spoken in the Land of *Judæa*, though not the ancient *Hebrew*, but, in Truth, a Dialect of the *Chaldee*, yet went under the Name of the *Hebrew* Language. Such, therefore, who understood this, and to whom the Law and the Prophets, when read in their Synagogues, were interpreted in this *Chaldaic* Dialect, went under the Name of *Hebrews*, in Contradistinction to those who were named *Hellenists*. It's true, we meet not with this Distinction in express Words, either in *Josephus*, or any other *Jewish* Writer. But we find in them those Things which were the Foundation of it, and which evidently lead to the Sense I have now given hereof (*d*).

That the Law and the Prophets, tho' read in their Synagogues in the ancient *Hebrew*, were, by an Interpreter, rendered into the Language then commonly spoken in *Judæa*,

(*d*) There are several learned Men, who understand by *Hellenists*, *Profelytes*, such as *Beza*, *Selden*, *Basnage*; but I cannot see the least Shadow of a Reason to support their Opinion. The Word *Hellenists* comes from ἐλληνίζω *Græco more me gero*, or *Græcè loquor*; ἐλληνιστὴς *qui Græcisat, vel Græcè loquitur*, and thus is it translated in the *Syriack* Version, *Acts ix. 29. The Jews speaking the Greek Tongue*. Had *St Luke* meant *Profelytes*, it's much he shou'd not use the Name *Profelytes* here as well as elsewhere; or he might have called them Ἕλληνας Ἰουδαίζοντες, or Ἑβραϊσάι, that is, *Greeks* who imitated the *Hebrew* Manners; but there can be no Reason in Nature assign'd, why they should be called Ἑλληνισάι.

is fully evident from the *Talmudists* (e). They tell us, that in the Prophets, three Verses were read by the Reader, and then those three translated by the Interpreter, and then three more read, and translated, and so on ; but that in the Law no more than a single Verse was read, and then interpreted, for fear of a Mistake (f). The Reason they gave, why the Law and the Prophets were thus interpreted, was, because the ancient *Hebrew* being no longer the Language in common Use, this Method was necessary to their understanding them (g). Is not this Reason of full as much Force, when applied to the *Jews*, who understood no other Language than the *Greek*, that they ought to have both interpreted to them in that Language? There's no Doubt, therefore, but that the Law and the Prophets were interpreted to them in *Greek*; nor am I sensible, that this is a Fact disputed by any (h).

(e) Vid. *Vitrin. de Synag. vet.* l. 3. p. 2. c. 12. p. 1015, &c. *Buxtorf. Lex. Chald. in voc. Targem*, p. 2642. fin. & in *voc. Turgeman*, 2643. fin. (f) *Vitr. ibid.* p. 1019. (g) *Vitr. ibid.* p. 1020, fin. & 1021.

(h) Learned Men differ much in their Opinion, whether the Targum and LXX. Translation were read in the *Jewish* Synagogues during that Period of Time we are treating of. *Buxtorf. Lex. Chald. voce Elinistin. Grotius in Act. vi. 1.* and *Prideaux Conn. V. 2.* p. 414, 425. (who quotes *Elias Levita*, as saying, in his *Methurgeman*, Pref. p. 246. that the Targum was read, in his Time, in the Synagogues in *Germany*) think they were; *Vitringa* and *Lightfoot*, that they were not. And it's very certain, if the *Talmudists* are to be credited, that they were not read. The Arguments I have made use of, no-ways interest me in this Dispute. For both Sides agree, that the Law and the Prophets were interpreted in the Synagogue into a known Tongue; whether it was done by reading a written Interpretation, or without reading, is of no Importance to my Argument.

Rabbi *Levi ben Chaiatha*, going down to *Cæsarea*, heard them reciting the *Shema*, that is, certain Portions of the Law so called (l), אֱלֹהֵינוּ אֶחָד a Word very near to that we are treating of, heard them reciting their Sentences in *Greek*, and would have forbidden them; which when Rabbi *Jose* heard, he was very angry, and said, If a Man does not know how to recite in the holy Tongue, must he not recite them at all? Let him perform his Duty in what Language he can. This is related in the *Jerusalem Talmud*, *Sotah*, Fol. xxi. 2. (m). This sufficiently shews, that the *Hellenists*, or Persons who recited their Sentences in the *Greek* Language, were esteemed an inferior Class of *Jews*. It's remarkable also, from several Parts of the *Talmud*, that as they set a high Value on the *Babylonian Jews*, so they placed the *Jews*, who were dispersed among the *Greeks*, in the lowest Form. It's a Saying of theirs, "All Lands are a mixed Lump, compared with the Land of *Israel*; and the Land of *Israel* is a mixed Lump, compared with *Babylon* (n). And another: "The *Jewish* Offspring in *Babylon* is more valuable than that among the *Greeks*, even purer than that in *Judea* itself (o)."

Josephus tells us, that the Knowledge of foreign Languages, and of *Greek* in particu-

(l) Vid. *Vite. Syn. vet.* l. 3. p. 2. c. 15. p. 1051. &c.
 (m) Vid. *Lightfoot*, V. 2. p. 661. *Grot. in Act.* vi. 1. *Buxtorf*. l. *Talmud.* in voce *Elinistin*. (n) Vid. *Light.* V. 2. p. 799.
 (o) Vid. *Light.* V. 2. p. 558.

lar, was held in no Esteem with his Countrymen, was looked upon as a common Attainment, and such as their Slaves might be Masters of ; but that Skill in their Law, and an Ability to interpret the sacred Books, was greatly admir'd (p). In the Talmud is this Ex-ecration said to be made at the Time when *Aristobulus* besieged his Brother *Hyrchanus* ;
 “ Curfed be the Man that cherifheth Swine,
 “ and curfed be the Man that teacheth his
 “ Son the Wisdom of the *Greeks* (q).” And in the War with *Titus* they decreed, That no Man fhould teach his Son *Greek* (r). This Decree, as appears by the Glofs upon the former Passage, was made firft in the Days of the *Asmonæans* ; but having been neglected, was reviv'd in the War with *Titus*. And Rabban *Simeon*, the Son of *Gamaliel*, is made to fay, “ There were a thoufand in my Fa-
 “ ther’s School, of whom 500 learnt the
 “ Law, and 500 the Wisdom of the *Greeks* ;
 “ and there is not one of the laft now alive,
 “ excepting myfelf and my Uncle’s Son.” This is related as the Effect of the forego-
 ing Curfe, to fhew that the Judgments of God followed thofe, who, in Oppofition to the Decree of the Sanhedrim, ftudied the *Greek* Learning. And the Reafon is immedi-

(p) Antiq. l. 20. c. ult. § ult. to which *Origen* alfo may be added, *contra Celf.* l. 2. p. 80, *fin.* (q) *Bava kama*, fol. 82. 2. Vid. not. *L’Empereur ad Bava kama*, c. 7. §. 7. n. 5. *Light.* V. 2. p. 660. *Seld. de Syned.* l. 2. c. 9. § 2. p. 1417. *fin.* 1418. (r) *Mifhnas Epta*, c. 9. § 14. Vid. not. *Wagen.*

ately added, why he and his Cousin-german escaped the dreadful Effects of this Curse. “ They allowed the Family of Rabban Gamaliel the Greek Learning, because they were allied to the Royal Blood (s).” They permitted, it seems, those who were of the Lineage of *David*, to be brought up in all kind of Learning. Now if the *Greek* Language and Learning were in so low an Estimation among those *Jews* who understood *Hebrew*, how mean, in their Opinion, must be the *Jews* who understood no other Language than the *Greek*? This Contempt it is which is mentioned in the History of *The Acts* (t): *There arose a Murmuring of the Hellenists against the Hebrews.* Why? Because the Widows of the *Hellenists* were overlooked and despised by the *Hebrews*, as not worthy of Relief. And the Remains of this Difference between the *Jews* who understood *Hebrew*, and those who understood it not, seems to have extended as low down as the Time of the Emperor *Justinian*; at least there is a

(s) *Gemara. Bav. kam. f. Sz. 2.* And *Sotah*, fol. 40. 1. V. *Light.* V. 2. p. 660. The *Talmudists*, in enumerating the Qualifications of the Members of the greater and lesser Sanhedrims, tell us, that they ought to understand all manner of Arts, Sciences, and Languages; that they ought to be tall, wise, handsome, aged, skillful in Magick, and to understand 70 Languages. (Was it possible to find a sufficient Number of Persons with these Qualifications?) If we are bound to reconcile the *Talmudists*, we must take it for granted, that not only the Royal Lineage, but that all those who studied the Law, in order to qualify themselves for Members of their Sanhedrims, were exempted from the Curse and Law before mentioned. V. *Seld. de Syn.* l. 2. c. 9. § 1. p. 1413. (t) Ch. vi. 1.

Law of his extant, which fully proves, that they quarrell'd in his Time, whether they should read the Scriptures in their Synagogues in the *Hebrew* Language alone, or whether they should read them also in a *Greek* Translation (u).

§ 3. Another Distinction among the *Jews*, mentioned in the History of *The Acts*, is that noted one of *Pharisees* and *Sadducees*. These were distinguished, the one from the other, not, as in the former Cases, by their Birth, or by their Language, but by the Opinions they held; were the two chief Sects of the *Jewish* Religion (x), and directly opposite to each other (y). It's not my Business to give a Description of all the Tenets of these two Sects, but only to observe how far, what is said or intimated concerning either of them in the Book of *Acts*, is confirmed by other Writers. There's frequent Mention made of these Sects in the *Talmudists*, and other *Jewish* Writers (z), and particularly in *Josephus*.

St Paul says of himself, *After the most straitest Sect of our Religion, I lived a Pharisee* (a). And speaking in another Place of his having been bred at the Feet of *Gama-liel*, a Pharisee, says, that *he was taught ac-*

(u) Novel. 146. V. Light, V. 1. p. 777. V. 2. p. 659, &c. 798, &c.

(x) *Jos. Antiq.* l. 13. c. 5. § 9. *De Bel.* l. 2. c. 8. § ult. pr. Vid. et Vit. § 2.

(y) *Antiq.* l. 13. c. 10. § 6. pr. (z) *Vid. Light.* V. 1. p. 373. and 457. &c. and 655, &c. V. 2. p. 571, &c. 701, &c.

(a) Κατὰ τὴν ἀκριβεστάτην αἵρεσιν τῆς ἡμετέρας θρησκείας ἕξισα φαρισαῖος. *Act.* xxvi. 5.

ording

according to the perfect Manner of the Law of the Fathers (b). Josephus conveys to us exactly the same Notion of the Sect of the Pharisees in his Writings, telling us, that they were thought to expound the Law in a more perfect Manner than others, and to excel others in the accurate Knowledge they had of the Law of their Country. He says also, that the Pharisees deliver many Laws to the People, which they have received by a successive Tradition from the Fathers, which are not written in the Laws of Moses. And the Observation of these having been forbid and punished by Hyrcanus, Alexandra, his Daughter-in-Law, restor'd the Laws which the Pharisees had introduced, according to the Tradition of their Fathers. Here are not only the same Ideas, but a great Similitude of Expression, as any one may see, who will be at the Pains to compare the Passages together in the original Language (c).

We read, *Acts* xxiii. 8. that the Pharisees believed a Resurrection, and the Existence of

(b) Πεπαιδευμένος κατὰ ἀκρίβειαν τὸ πατρῶν νόμο. *Act.* xxii. 3. (c) Οἱ δοκῶντες μετὰ ἀκριβείας ἐξηγεῖσθαι τὰ νόμιμα. *De Bell.* l. 2. c. 8. § 14. pr. Μόριόν τι Ἰουδαϊκῶν ἐπ' ἀκριβώσει μέγα φρονῶν τὸ πατρῶν νόμο. *Antiq.* l. 17. c. 2. § 6. prop. fin. Σύνταγμα τι Ἰουδαίων δοκῶν ὡσεβέστερον εἶναι τῶν ἄλλων, καὶ τὸς νόμους ἀκριβέστερον ἀρηγεῖσθαι. *De Bel.* l. 1. c. 5. § 2. Οἱ περὶ τὰ πάτρια νόμιμα δοκῶσι τῶν ἄλλων ἀκριβέστερα διαρῆρην. *Vit.* § 38. p. 923 pr. Νόμιμα πολλά τινα παρέδοσαν τῷ δήμῳ οἱ σαρσαῖοι ἐκ πατέρων διαφοχῆς ———— τὰ δ' ἐκ παραδόσεως τῶν πατέρων. *Antiq.* l. 13. c. 10. § 6. prop. fin. Καὶ εἴ τ' ἐκεί τῶν νόμων Ἰρμανὸς κατέλυσεν, ὧν ἐσήνη γὰρ οἱ σαρσαῖοι κατὰ τὴν πατρῶν παράδοσιν, τὸτο πάλιν ἀποκατέστη. *Antiq.* l. 13. c. 10. § 2.

Angels and Spirits. In Agreement herewith *Josephus* tells us, the *Pharisees* believe, “that
 “Souls have an immortal Force, and that
 “Persons will be rewarded or punished under
 “the Earth, according as they have made
 “it their Business in this Life to follow either
 “Virtue or Vice; that the Souls of the one will
 “be confin’d in an eternal Prison, the Souls
 “of the other have Liberty to live again (*d*);”
 that is, in another Body here upon Earth. For so I think he explains himself in his Book of the *Jewish Wars*, where he says, the *Pharisees* hold that every Soul is immortal, that the Soul of the Good only passes into another Body, but that the Soul of the Wicked is punished with everlasting Punishment (*e*).

There was a Variety of Opinions concerning the Resurrection among the *Pharisees*, or traditional *Jews*. *Josephus*, as I apprehend, has here given us that which comes nearest his own, or which he was most inclin’d to have the *Greek* Philosophers understand to be his own. For he is accused by learned Men, and certainly not without Reason, of sometimes accommodating the *Jewish* Revelation to the Sentiments of the Heathen, or bringing it as near to what was taught by them, as might be. The *Pharisees*, according to him, believed the separate Existence of humane Spirits, Rewards and Punishments in a future State, and that the Good should return to Life here on Earth, or

() Antiq. l. 18. c. 1. § 3. (e) L. 2, c. 8, § 14.

obtain a Resurrection, but not in the same Body. This falls in with what he delivers as his own Sentiments, saying, in his Book against *Apion*, “ That to those who observe the Law of
 “ *Moses*, or die for it, if need be, God hath
 “ granted, that after a Revolution of Years
 “ they shall be born again, and receive a bet-
 “ ter Life (*f*).” And much to the same Pur-
 pose in his Book of Wars, “ That pure and
 “ obedient Souls continue possessing a most
 “ holy Place in Heaven, whence, after a Re-
 “ volution of Ages, they shall again be placed
 “ in pure Bodies, as in Houses (*g*).”

The *Talmudists* also frequently speak of the Transmigration of the Souls of good Men. According to some of them, the Soul of *Abel* went into *Seth*, and the Soul of *Seth* into *Moses* (*b*). Others of them say, that the Soul of *Phinehas* and *Elias* was the same (*i*). Others, that the Soul of *Adam* went into *David* (*k*), and that of *Jeremiah* was in *Zechariah* (*l*). It was manifestly owing to this Opinion, that some Persons in our Saviour’s Time said of him, *that he was JEREMIAH, or one of the ancient Prophets* (*m*). Others among the *Jews* held the Transmigration of the Souls of the Wicked, and that by way of Punishment. It is

(*f*) L. 2. § 30. *prop. fin.* p. 1383. (g) L. 3. c. 7. p. 1144, 1145. Vid. et l. 1. c. ult. § 2. *ad fin.* The Curious may also see how separate Souls are, in his Opinion, employed, by what he says of the Ghosts of *Alexander* and *Aristobulus*, *de Bel.* l. 1. c. 30. § 7. *prop. fin.* and c. 31. § 2. *pr. fin.* (b) *Baba mezia.* Vid. *Sixt. Sin. Bib. sac.* l. 2. tit. T. *fin.* (i) Vid. *Grot. in Matt.* xxiv. 2. (k) *Ibid.* (l) *Grot. in Matt.* xvi. 14. (m) *Matt.* xvi. 14. *Luke ix.* 8.

said in the *Talmud*, that the Souls of Men pass from Body to Body upon these Terms, that if a Soul sin in the first Body, it be sent into a second, in which, if it again sins, it be sent into a third Body, in which, if it leaves not off sinning, it be at length thrown into Hell (*n*). To some such Opinion, there seems to lean evident Allusion, when the Disciples say to our Lord, concerning the blind Man, *Who sinned, this Man, or his Parents, that he was born blind* (*o*)?

St Paul says, *Acts xxiv. 15. I have good Hope towards God, which they themselves also allow, that there shall be a Resurrection of the Dead, both of the Just and of the Unjust.* And without doubt the prevailing Opinion among the *Jews* was, that there should be a general Resurrection (*p*). Some few possibly might think, that all will not receive their own Bodies. To this Purpose is that Saying in the *Talmud*, The Souls of unlearned Men shall not receive their own Bodies at the Resurrection (*q*). But far the greater Number held a Resurrection of the Bodies both of the Just and of the Unjust, in order to Judgment. Rabbi *Eliezer, Kapernaita*, says, those that are born shall die, those that are dead shall be raised, and those

(*n*) *Baba mezia, & multis aliis locis. Vid. Sixt. Sen. Bib. san. l. 2. tit. T. fin.*

(*o*) *John ix. 2. That the Jews held the Pythagorean Transmigration of Souls, vid. Seld. de jur. nat. l. 7. c. ix. fin. p. 745. and l. 2. c. iv. p. 193, 194. and Prid. Conn. V. 2. p. 265, 266.*

(*p*) *Vid. Light. V. 2. p. 541, 542, 701, 787. V. 1 p. 676. and 759. Mede's Works. p. 797, 801, 880. Buxt. Chal. Lex. in voc. Techija, p. 745. in voc. Tekuma, p.*

2001. (q) Chetuboth, fol. 3. Vid. Sixt. Sen. Bib. san. l. 2. tit. T. fin.

that

that are raised to Life again shall be judged (r). And that famous Argument made use of by *Gabika Ben Cosem*, to prove the Resurrection of the Dead, fully shews, that they expected the same Body; "That which was not, came into Being; and shall not that much more, which has been already (s)?" The *Talmudists* also make use of that Text, *Dan. xii. 2; 3.* to prove the Resurrection (t): *And many of them that sleep in the Dust of the Earth shall awake, some to everlasting Life, and some to Shame, and everlasting Contempt.* What can be said to sleep in the Dust of the Earth but the Body? This Text therefore is alledged by them to prove, that there shall be a Resurrection of the Bodies both of the Just and the Unjust.

And that the Resurrection of the same Body was a Doctrine wherewith the ancient *Jews*, long before our Saviour's Time, comforted, supported, and encouraged themselves under the Hardships of Persecution, is fully evident from *2 Maccab. vii. 9, 11, 14, 23, 29, 36.* and *xiii. 43, 44.* In the Account there given of the Sufferings of the seven Sons, the second says, *The King of the World shall raise us up, who have died for his Laws, unto everlasting Life.* The third Son, holding forth his Hands, says, *These Members I had from Heaven, and for his Laws I despise them, and from him I hope to receive*

(r) *Pirke aboth*, cap. 4. Vid. *Seld. de jur. nat.* l. 7. c. 9. fin. p. 745.

(s) *Juchasin*, f. 13. Vid. *Light.* Vol. I. p. 655.

(t) *Sanhed.* Vid. *Poli Synop.* in loc. & *Hontingii Not.* in *Surenhusii Mishna Rosh hashana*, p. 314.

them again. The fourth Son, *It is good, being put to Death by Men, to look for Hope from God, to be raised up again by him.* As for thee, speaking to *Antiochus*, *Thou shalt have no Resurrection to Life*, that is, to an everlasting happy Life. The Mother says to the seventh Son, *Take thy Death, that I may receive thee again in Mercy with thy Brethren.*

This Doctrine of the same Body's being raised, is evidently implied in the Question which is asked by the *Sadducees* concerning the Resurrection, *Whose Wife shall she be of the seven? for the seven had her to Wife* (u). There cannot be the least Doubt made, but that the Case they put, was formed upon the common Hypothesis or Doctrine of the *Pharisees*. If that Doctrine had been the Transmigration of Souls only, the Case put, and the Question raised upon it, would have been so far from puzzling the *Pharisees*, that it would not have carried the least Appearance of Difficulty with it. The Case plainly supposes, that the seven Husbands and the Wife were all to arise from the Dead together, and to arise in the same Bodies, so as to be known one to the other: And the Difficulty lay in determining to which of these Husbands she should belong in the Life of Pleasure they were to lead together after the Resurrection. For it is very evident from the *Talmudists*, who are the true Successors of the *Pharisees*, that they expected to enjoy the same

(u) Matt. xxii. 28.

sensual Delights after the Resurrection, as Men do now upon this Earth, though in a larger Degree (x). Having such Notions, the Question asked contained an insuperable Difficulty, no ways to be resolved by them: Which probably was the true Reason why some among them explained away the Doctrine of the Resurrection, and placed the *Pythagorean* Transmigration of Souls in its room.

The *Sadducees* on the other hand admitted not of a Resurrection or Reviviscence of the Dead taken in any Sense, nor allowed so much as the Existence of Angels, or unembodied Spirits. *Josiphus* expressly says, “The *Sadducees* reject the Permanence or Existence of the Soul after Death, and the Rewards and Punishments of an invisible World (y):” And in another Place, “The *Sadducees* hold, that Souls perish with the Bodies (z):” And it is evident from the Opposition he all along puts between the Opinions of the *Pharisees* and those of the *Sadducees*, that they meant, the Soul so perished, as not to be capable of any Resurrection or Reviviscence; not that it fell into a State of Inactivity, out of which it might be awaked, but that it totally and irrecoverably perished. The *Talmudists* and other *Jewish* Writers, in exact Agreement herewith, tell us, that the *Sadducees* denied Rewards and Punishments after Death, denied the Age or World to come, and

(x) Light. Vol. II. p. 552. Grot. in Matt. xxii. 28. (y) De Bell. l. 2. c. 8. § 14. (z) Antiq. l. 18. c. 1. § 4.

the Resurrection of the Dead (*a*). The *Saducees*, writes one of them, cavil and say, The Cloud faileth, and passeth away; so he that goeth down to the Grave doth not return (*b*).

It has been admired by some learned Men, that they should deny the Existence of Angels, when on all hands it is agreed, that they acknowledged the five Books of *Moses*, wherein is such frequent and exprefs Mention made of the Appearance and Ministry of Angels. To this it is answered, that they believed not the Angels spoken of in the Books of *Moses* to be of any Duration, but looked on them as Beings created only for the Service they performed, and existing no longer (*c*). There seem to have been Hereticks in *Justin Martyr's* Time of an Opinion near akin to this (*d*): And it is plain, that some among the *Jews* retained this Notion as low down as the Emperor *Justinian's* Time. For there is a Law of his extant, published against those *Jews*, who should presume, *Aut Resurrectionem & Judicium negare, aut facturam Dei & creaturam Angelos subsistere*, either to deny the Resurrection and Judgment, or that Angels, the Workmanship and Creatures of God, did subsist (*e*).

Since these two Sects differed so widely in Matters of such great Concernment, as the separate Existence of the Soul, Rewards and Pu-

(*a*) Vid. *Light*. Vol. II. p. 125, 126, 699, 700. (*b*) Vid. *Light*. Vol. II. p. 230. Tanchum. f. 3. 1. (*c*) Grot. in Matt. xxi. xxiii. &c. *Light*. Vol. II. p. 702. *Whitby* on Acts xxiii. 8. and Matt. xxv. 23. *Balnape* in *Eccle. Pol. Ann.* 78. 5. (*d*) *Dial. cum Tryp.* p. 358, b. (*e*) *Nov.* 146. cap. 2.

nishments in a future State, and a Resurrection or Return to Life, it is but reasonable to suppose, that there should be frequent Jars and Contentions between them. Accordingly, when *Josephus* tells us, that the *Sadducees* rejected what the *Pharisees* introduced from Tradition, he adds, “Concerning these Things have happened great Disputes and Differences between them (f).” *St. Paul*, who well knew this, *Seeing that one Part of the Council were Pharisees, and the other Sadducees*, improved the Opportunity to set them at Variance, that he might the more easily escape their Censure (g).

Although it was so well known by the Apostle, that the whole Sect of the *Sadducees* denied the Resurrection of the Dead, yet he scruples not to say, *To which Promise, that is, the Promise made of God to our Fathers of a Resurrection to eternal Life, Our twelve Tribes, instantly serving God Day and Night, hope to come (h).* For the *Sadducees* were so few in Number, that they were not worthy his Notice by way of Exception. *Josephus* expressly tells us, “That they were a few Men only of the Chief of their Nation (i); that they prevailed only with the Rich to embrace their Sentiments; that the common People were all on the Side of the *Pharisees* (k).” That the ancient *Jews* believed the Resurrection to Life to be part of the Covenant God had made with

(f) *Antiq.* l. 13. c. 10. § 6. (g) *Acts* xxiii. 6. (h) *Acts* xxvi. 7. (i) *Antiq.* l. 13. c. 1. § 4. (k) *Antiq.* l. xii. c. 10. § 6. & c. 15. § ult.

their Fathers, is evident from the Place we have before referred to in the second Book of *Maccabees*. The *Jewish* Martyrs not only die in the Hope of a Resurrection to everlasting Life, but they plainly found this Hope upon God's Covenant. For the youngest of the seven Sons says, *Our Brethren, who now have suffered a short Pain, are dead under God's Covenant of everlasting Life* (l).

Josephus says of the *Pharisees*, that they were more pious than the other *Jews*; by which he means, that they were more tenacious of the *Jewish* Laws and Customs: And they are represented in the History of the *Acts* as continuing to be such even after they had received and professed the Gospel: *There arose up certain of the Sect of the Pharisees which believed, saying, that it was needful to circumcise the believing Gentiles, and to command them to keep the Law of Moses* (m).

It is remarkable, that as we find the *Pharisees* to be the most forward and zealous against our Lord, during his Ministry, in the four Gospels, so the *Sadducees*, we find, are the most active against his Disciples in the History of the *Acts*. The Reason is plain: It was the *Pharisees* chiefly whom our Lord reproved. He condemned their impious Traditions, detected their Hypocrisy, and laid open their vile and wicked Practices: This made them so warm against him. On the other hand, the Disciples preached

(l) 2 Maccab. vii. 36.

(m) Acts xv. 5.

through Jesus the Resurrection of the Dead. This enraged the *Sadducees*; and for this they would have contrived Means to put them to Death, had it not been for the milder Counsel of *Gamaliel* the *Pharisee* (n) They would have done the same afterwards by *St. Paul*, had he not been favoured by the *Pharisees* (o). *Josephus* represents the *Sadducees* as of a rude, savage, inconverfable Temper, and fays, they are, above all the *Jews*, cruel in the Sentences they pafs. On the other hand, he fays, the *Pharisees* are by Nature mild in their Punishments (p).

§ 4. When it is faid, *Acts* vi. 9. *There arofe certain of the Synagogue, which is called the Synagogue of the Libertines, and Cyrenians, and Alexandrians, and them of Cilicia and Asia, difputing with Stephen*; this, as I apprehend it, is diftinguifhing the *Jews* according to the Places they ufually inhabited. The *Talmudifts* tell us, there were four hundred and fixty; fome of them fay, four hundred and eighty Synagogues in *Jerufalem* (q). It is very probable, that many of thefe were built by the *Jews* of particular Countries for their own Ufe. There is mention made in the *Talmud* of the Synagogue of *Alexandria*, and it is there faid, that the *Alexandrians* built it at their own Expence (r). In like manner, it is probable, there was a Synagogue for the Ufe of the *Jews* that

(n) *Acts* iv. 1, 2. & v. 17, 33. (o) *Acts* xxiii. 9. (p) *De Beil.* l. 2. c. 8. § 14. *Antiq.* l. 20. c. 8. § 1. l. 13. c. 10. § 6. p. 587. (q) *Vid. Light.* Vol. I. p. 363. fin. Vol. II. 664. *Grot.* in *Act.* vi. 9. (r) *Vid. Light.* Vol. II. p. 665.

ordinarily inhabited *Cyrene*, one also for those that dwelt in *Cilicia*, and another for those whose Abode was in *Asia Minor*: That the *Jews* were numerous in those Countries, is abundantly evident from *Philo* (s), *Dio* (t), *Josephus* (u). The *Libertines*, I take it, were no other than the *Roman Jews*, or *Jews* who ordinarily had their Residence at *Rome*, and were free of that City: That very great Numbers of the *Jews*, who had been taken Captives by the *Romans*, and were carried into *Italy*, had obtained their Liberty, is clear from *Philo* (x) and *Tacitus* (y).

C H A P. V.

Shewing how far the Jewish Customs referred to are confirmed by other Authors.

I Proceed now to the third Thing, which is to shew how far the Customs and Manners referred to in the Book of *Acts* are confirmed by other Writers, and this, whether they be

(s) Leg. ad Caium, p. 1031, e. & in Flaccum, p. 971, e. (t) L. 68. p. 786. (u) Antiq. l. 16. c. 6. § 1, 5. l. 12. c. 3. § 1, 2. l. 14. c. 10. § 12, &c. l. 16. c. 2. § 3. Tully pro Flacco, n. 28. Vol. I. p. 493. (x) Legat. ad Caium, p. 1014, D. (y) Annal. l. 2. 85. fin. Quatuor millia Libertini generis ea superstitione infecta, quibus idonea ætas, in Sardiniam veherentur. Let this be compared with what *Suetonius* says in *Tib.* 36. 2. and *Joseph.* Antiq. l. 18. c. 4. § ult. fin.

Jewish, Grecian, or Roman. I shall begin with the *Jewish*, and consider the other two in their Order.

§ 1. Although it is certain, that by the divine Appointment, and the Custom of the *Jewish* Nation, there was properly but one High-Priest at a time in that Nation, yet is there frequent Mention made in the *Acts* of the Holy Apostles, of High-Priests, as being many, at one and the same Time (z). We meet with the same way of Speaking very often in the History of *Josephus*. He tells us how very much the High-Priests oppressed the Priests in taking away their Tythes (a). He names one, whom he calls the oldest of the High-Priests (b); another, whom he terms the youngest of the High-Priests (c); and blames *Herod*, for that he had given the High-Priesthood to certain obscure Persons, who were of the Priests only, meaning that he ought to have taken them from among the High-Priests (d).

From the Time that *Herod the Great* obtained the Kingdom, the High-Priests were not permitted to enjoy their Office for Life according to the *Mosaick* Institution, but were

(z) *Acts* iv. 23 and v. 24. and ix. 14. 21. and xxii. 30. and xxiii. 14. and xxv. 15. and xxvi. 10, 13. (a) *Antiq.* l. 20. c. 7 § 8. and c. 8. § 2. (b) *De Bell.* l. 4. c. 3. § 7. and c. 4. § 3. (c) *Vit.* § 39. p. 923. l. 35. (d) *Antiq.* l. 20. c. 9. p. 901. l. 25. *Vid.* *de Bell.* l. 1. c. 1 § 1. & l. 2. c. 14. § 8. & c. 15. § 2, 3, 4, 6. & c. 16. § 2, 3. & c. 17. § 2, 3, 5, 6. & c. 20. § 4. & l. 4. c. 3. § 9. & c. 4. § 3, 4. & c. 5. § 2. p. 1183. l. 11. & § 5. p. 1185. l. 22. & c. 9. § 11. p. 1201. l. 42. & l. 5. c. 13. § 1. & l. 6. c. 2. § 2. & c. 9. § 3. *Vit.* § 2. p. 905. pr. & § 5. p. 906. l. 11. & p. 923. l. 16. 35.

turned out, and others put in their room, generally after a few Years, sometimes after having held the Dignity a few Months only, according to the Interest or Caprice of those who governed. All who had been once High-Priests, retained the Name ever after. Hence it came to pass, that, during the Period we are treating of, many were living together, who had executed this high Office.

This however is thought by learned Men not to be a sufficient Ground for the Use of the Expressions before us (*e*). It is observed by some of them, that the *Talmudists* speak much of a *Sagan* or Vice-High-Priest, and say, that there were under him two *Kathilekin*, or Principal Overseers of the Treasures; and under them seven *Inmerkalin*, who kept the Keys of the seven Gates of the Court of the Temple; and under these three *Gisbarin*, or Under-treasurers. Besides these were the Heads or Chiefs of the twenty-four Courses of Priests appointed by *David*. All these are supposed to go under the Name of ἀρχιερεῖς (*f*), or High-Priests, both in the *New Testament*, and the History of *Josephus*. The learned *Dr. Lightfoot* seems to think, that not only the twenty-four Chiefs of the Courses, but that all the Heads of the Families in each Course, and that all the Priests, who were at any time chosen into the Sanhedrim,

(*e*) Vid. Grot. in Matt. ii. 4. & Hudson. Not. in Joseph. de Bell. l. 4. c. 5. § 2. & Antiq. l. 20. c. 6. § 8. (f) Vid. Seld. de Syned. l. 3. c. 8. § 6. & de Succell. in Pontif. c. 12. p. 139, 140. Light. Vol. I. p. 911—918.

or Great Council, went under the Name of ἀρχιερεῖς, or Chief Priests (g). Even in the *Old Testament* we read of *Zephaniah* the second Priest (h), which is understood by learned Men of the *Sagan* or Vice-High-Priest (i), spoken of in the *Jewish* Writers; and is so interpreted by the *Chaldee* Paraphrast on the Place. We also read of Priests of the second Order (k), which is understood of the *Sagan*, and those Priests who were next to him in Office and Dignity. And in another Part of the *Old Testament*, it is said, *Col sarei cohanim* (l), “All the Princes or Chiefs of the Priests have transgressed.” And long before this, in the Time of *David*, when they were first divided into Courses, there is mention made of the Chiefs of the Fathers of the Priests (m), translated by the Septuagint ἀρχοντες τῶν πατριῶν τῶν ἱερέων, the Princes or Governors of the Families of the Priests. The Manner of Expression before us seems therefore to be much more ancient than the Reign of *Herod*, and to be derived down from the Times of the *Old Testament*.

§ 2. There is no one who reads the History of the *Acts*, but must immediately see, that the High-Priests were at the Head of Affairs in the *Jewish* Nation. The same thing is equally evident to every one who peruses *Josephus's*

(g) Vol. I. p. 439. Vol. II. p. 109, 110. (h) 2 Kings xxv. 18. Jer. lii. 24. (i) Vid. Grot. & Patrick, on 2 Kings xxv. 18. (k) 2 Kings xxiii. 4. Vid. Grot. & Patrick in loc. (l) 2 Chron. xxxvi. 14. in the LXX. indeed there is another Reading. (m) 1 Chron. xxiv. 6. 31. Raschei haaboth laccohanim.

History of the Jewish Wars (*n*). He seldom mentions ἀρχιερεῖς, or the Chief Priests, but he joins them with οἱ δυνατοὶ (*o*), το γνωριμώτατον (*p*), ἄλλοι εὐγενεῖς, οἱ πρῶτοι (*q*), οἱ προεστῶτες τῆ πλῆθους (*r*) or ἡ βουλὴ (*s*), that is; those who had the greatest Authority in the Nation. It fully appears also from the *Talmud*, that the Priests made up a great Part of the Sanhedrim or supreme Council of the Jewish Nation (*t*).

The Members of this Council, according to the *Acts*, and the four Gospels, were the Chief Priests, the Elders, and the Scribes (*u*). The Talmudical Writers tell us, that all the Members of the Council were ordained Elders (*x*): And from various Sayings of the same Writers, it appears, that they esteemed them all to be

(*n*) Vid. & contr. Apion. l. 2. § 21. fin. & Antiq. l. 4. c. 18. § 14. fin. (o) De Bell. l. 2. c. 14. § 8. & c. 15. § 2. & c. 17. § 3, 5. (p) De Bell. l. 2. c. 14. § 8. & c. 15. § 3, 4. & c. 17. § 2. (q) Vit. § 2. p. 905, pr. & c. 5. p. 906. l. 11. (r) Vit. p. 923. l. 16. (s) De Bell. l. 2. c. 15. § 6. & c. 16. § 2. (t) Vid. *Light*. Vol. I. p. 282. Vol. II. p. 469. Grot. in Matt. v. 22. p. 43, f. & 45. Seld. de Syned. l. 2. c. 8. § 3. p. 1403. Herod, it is true, slew all the Members of the Sanhedrim, who sat in Judgment upon him under Hyrcanus, excepting Sameas. Antiq. l. 14. c. 9. § 4. & l. 15. c. 1. § 1. But it no-ways follows from thence, that he discontinued that Court. Had he made so great an Alteration in the Government, doubtless *Josephus* would have informed us of it. That it continued under the Romans, is evident from various Places in *Josephus*. The Letter of the Emperor *Claudius* is directed to them, Antiq. l. 20. c. 1. § 2. *Florus* the Governor sent for them, de Bell. l. 2. c. 15 § 6. and they are mentioned again, c. 16. § 2. (u) Acts iv. 5, 6, 15. & v. 21, 24. & vi. 12. & xxii. 5. Luke xxii. 66. Mark xv. 1. Matt. xxvi. 59. (x) Vid. Seld. de Syn. l. 1. c. 14. p. 1088. l. 2. c. 7. p. 1331. de Uxor. Heb. l. 1. c. 15. Eutyech. Orig. p. 436. *Light*. Vol. I. p. 612. Vol. II. p. 755.

Scribes (y). The general Signification of the Word *Scribes*, among them, is Men learned in their Law (z). Now forasmuch as this Learning was a necessary Qualification in order to the being admitted Members of the Sanhedrim (a), What must be meant by the Word *Scribes*, as distinguished from that of *Elders*? The learned *Grotius*, to avoid the Difficulty of this Question, will not allow them to be properly Members of the Sanhedrim, but only Assessors (b), Men of approved Learning, who were present in the Sanhedrim, to give their Opinion, when Matters of a more nice and intricate Nature lay before them; but had no Voice in the determining or judicial Part. Our Countryman Dr. *Lightfoot* understands by *Scribes*, sometimes those Members of the Sanhedrim who kept Divinity-Schools, and were publick Teachers of their Law (c); at other times, those Members, who although not High-Priests, yet were of the Tribe of *Levi* (d). The last Opinion seems to me the most probable. This exactly agrees with the Description of the Sanhedrim,

(y) Vid. Seld. de jur. nat. l. 4. c. 8. p. 476. *Light.* Vol. II. p. 110. & 422. Vol. I. p. 654. (z) Vid. *Light.* Vol. II. p. 421, 422. (a) Vid. Seld. de Syn. l. 2. c. 6. § 3. p. 1324, 1325. & c. 7. § 2. p. 1336, 1337. & c. 9. § 1, pr. and were called Rabbi or Teachers, vid. p. 1333, 1335, 1347, 1373. (b) In Matt. ii. 4. p. 17, b. 12. & 16, 21. p. 164, a. 25. & in Acts iv. 5. p. 588, b. 3. Of such Assessors see *Light.* Vol. II. p. 422. who seems to give into this Opinion, p. 652. And of the Assessors to the Courts of 23. see Seld. de Syn. l. 2. c. 6. § 2. p. 1321, 1322. (c) Vol. I. p. 654. (d) Vol. I. p. 439. fin. & p. 760. & Vol. II. p. 469.

as restored by good King *Jehosaphat*, 2 Chron. xix. 8. *Moreover in Jerusalem did Jehosaphat set of the Levites, and of the Priests, and of the Chief of the Fathers of Israel, for the Judgment of the Lord, and for Controversies.* The Chief of the Fathers of *Israel* answer to the *Elders*, and the *Levites* to the *Scribes*. The *Levites*, having a tenth Part of the Product of the Land given them for their Subsistence, were more at Leisure to study the Law than the other Tribes. That very great Numbers of them made Proficiency herein, we have no Reason to doubt, since we read, that in *David's* Time no less than six thousand of this Tribe were Officers and Judges (e). The most learned therefore being usually of this Tribe, and there being few in Comparison who attained to any considerable Knowledge of the Law in the other Tribes, it is probable, the Word *Scribes*, when mentioned alone, was understood of them: And when it was intended to speak of the learned Men of the other Tribes, it was used with the Addition of the Word *People*, as *Matt. ii. 4. The Scribes of the People.* The Prophet *Moses*, foreseeing that the Priests and Levites would be the most skilful in the Law he had delivered, directs the People to them for the final Determination of their more difficult Causes, *Deut. xvii. 9.* From which Text *Maimonides* collects, that the Priests and Levites were by the divine Order principally in-

(e) 1 Chron. xxiii. 4.

tended to be Members of the great Council; but if such are not to be found, although they were all *Israelites*, it is allowed (g).

§ 3. We read in the History of the *Acts*, that the Members of the *Jewish* Sanhedrim, or Great Council, were of different Sects; that there were both *Pharisees* and *Sadducees*, who composed this Council (h): That there should be of the Pharisaick Sect, is but natural to suppose, when *Josephus* informs us, that the Multitude of the *Jewish* Nation were their Followers, and under their Influence (i). And when he tells us, that the *Sadducees* were of the wealthiest (k) and chief Men for Dignity (l), and that whenever they were in the Government, they were forced to yield to the Dictates of the *Pharisees* through Fear of the Multitude (m); this evidently proves, that there might also be, and probably were, many *Sadducees* sitting in this Council. And the *Talmudists* expressly tell us, that there was once a Sanhedrim made up chiefly, if not wholly, of *Sadducees* (n).

§ 4. It is said, *Acts* v. 17. *That the High-Priest rose up, and all they that were with him, which is the Sect of the Sadducees.* From hence, together with what is said in the foregoing Chapter, the learned *Grotius* concludes, that the High-Priest and his Kindred were at this

(g) In Sanhed. c. 2. Vid. *Light.* Vol. II. p. 469. Seld. de Syned. l. 2. c. 8. § 2. p. 1397, &c. (h) Ch. xxiii. 6. See also Ch. iv. 5. 6. & v. 17. (i) Antiq. l. 13. c. 10. § 5, 6. (k) Ibid. (l) Antiq. l. 18. c. 1. § 4. (m) Ibid. (n) Sanhed. f. 52. 1. Vid. *Light.* Vol. II. p. 571. Vitring. de Syn. vet. l. 1. c. 7. p. 160.

Time of the Sect of the *Sadducees*. This follows not by any necessary Consequence from the Expressions here used ; but it is not a little probable, that it was so in Fact : That there were High-Priests of this Sect, is evident both from *Josephus* and the *Talmud*. In the latter is related the great Caution used, lest the High-Priest on the great Day of Expiation should administer after the manner of the *Sadducees* (o). According to the former, *Hyrchanus*, and his Sons *Aristobulus* and *Alexander*, were High-Priests of the Sect of the *Sadducees* (p). He also tells us, That *Ananus* the High-Priest was of this Sect (q). He was the Son of *Annas* the High-Priest, mentioned both in the Gospels, and the Book of *Acts* ; which *Annas* had five Sons, who were all raised to the High-Priesthood (r), as was also his Son-in-law *Caiaphas*. It was during the High-Priesthood of this *Caiaphas* that passed the Transactions we have referred to, as mentioned in the fourth and fifth Chapters of the *Acts* : And it is very probable, that *Annas* himself, and each of his Sons, together with his Son-in-law *Caiaphas*, were Favourers of the *Sadducees*, if not professedly of that Sect. It is true, *Josephus* does not assert of any of them, that they were *Sadducees*, excepting *Ananus* ; but he had not the same

(o) Joma. c. 1. § 5. Vid. notas in Surenhusii Mishna. Seld. de Syn. l. 3. c. 11. § 2. p. 1687, 1688. Light. Vol. I. p. 655. & Megil. f. 24. quoted by him. (p) Antiq. l. 13. c. 10. § 6. & c. 15. § 5. (q) Ibid. l. 20. c. 8. § 1. (r) Id. ibid. & John xviii. 13.

Occasion given him, when speaking of them, to say of what Sect they were, as he had when speaking of *Ananus*.

§ 5. We learn from the *Talmudists*, that *Gamaliel* succeeded his Father *Simeon* as President of the Sanhedrim, and continued in that Office till within eighteen Years of the Destruction of *Jerusalem* (s): And by what is related of him in the fifth Chapter of the *Acts*, it evidently appears, that he was a Person of no small Weight and Influence in the *Jewish* Council. *St. Paul*, speaking of himself, says, that he was educated at *Jerusalem* under *Gamaliel* (t): And it is very certain, if the *Talmud* may be at all believed, that the President and Vice-President of the Sanhedrim were the most eminent Teachers of the Law (u). *St. Paul's* Words are, *That he was brought up at the Feet of Gamaliel*. There has been a Dispute among learned Men concerning the Meaning of this Phrase (x). Far the greater Part, I think, look upon it as an Allusion to the Posture or Situation of the Scholar while he was learning, which they describe as sitting at the Feet of his Master. There lies but one Objection to this, as far as I have been able to find; and that is, a Tra-

(s) Vid. *Light*. Vol. I. p. 278, 765, 2009. Vol. II. p. 15.
 (t) *Acts* xxii. 3. (u) See what *Light*. says of *Antigonus* of *Socho*, Vol. I. p. 457. Vol. II. p. 699. & 700. Of *Shemaiah* and *Abtalion*, p. 2008. Of *Hillel* and *Shammai*, Vol. I. p. 207, 514, 2008. Vol. II. 206, 207. *Vitrin. de Synag. vet.* l. 1. p. 1. c. 7. p. 158, &c. *Seld. de Syn.* l. 2. c. 4. § 10. & c. 16. § 10. *De Uxor. Heb.* c. 20. p. 769, &c. (x) Vid. *Vitrin. de Synag. vet.* l. 1. p. 1. c. 7. p. 168.

dition of the *Talmud*, “That from the Days of
 “ *Moses* to *Rabban Gamaliel* they learned the
 “ Law standing ; but when *Rabban Gamaliel*
 “ died, the World languished, so that they learnt
 “ the Law sitting (*y*).” To avoid the Force
 of this Objection, the learned *Grotius* under-
 stands the Tradition in this limited Sense, that
 whilst the Words of the Law itself were read,
 they all stood ; but whilst the Masters discoursed
 from those Words, or gave them Lessons, they
 all sat (*z*). While the Words of the Law were
 read, both Masters and Scholars all stood. Thus
Ezra and all the People stood, while the Book
 of the Law was open (*a*). Thus our Saviour,
 when in the Synagogue of *Nazareth*, while he
 read, was standing ; but when he had delivered
 back the Book to the Minister, he sat down,
 and preached or instructed the People (*b*): And
Josephus tells us, that the High-Priest at the
 End of every seven Years stood and read the
 Law to the People (*c*).

Maimonides, it is true, understands this Tra-
 dition in a more extensive Sense ; that Learners
 stood not only while the Words of the Law
 were read, but during the whole Time that
 they were under Instruction (*d*). But is it not
 possible he might be misled by the modern
 Practice of the *Jews*, which is, to sit as well

(*y*) *Megil.* f. 21, 1. Vid. *Light.* Vol. I. p. 619. Vol. II. p.
 395—6. & *Vitrin. de Synag. vet.* l. 1. p. 1. c. 7. p. 166, 167.

(*z*) In *Acts* xxii. 3. (a) *Neh.* viii. 5. (b) *Luke* iv. 17.

Vid. *Light.* Vol. II. p. 405. fin. 406. & Vol. I. p. 614. (c) *An-*

tiq. l. 4. c. 8. § 12, prin. p. 162. (d) Vid. *Vitr. de Syn.*

vet. l. 1. p. 1. c. 7. p. 166.

when the Words of the Law are read, as when they have any instructive Discourses made to them? Might he not hence too hastily conclude, that they stood during both before the Alteration was made?

There are several Phrases in the *Old Testament*, which seem plainly to refer to this Custom of Scholars sitting at the Feet of their Teachers (*e*). There is a Saying also in the *Talmud* itself, ascribed to *Joses* the Son of *Joczer*, who was President of the Sanhedrim three hundred Years before *Gamaliel's* Death (*f*), which many of the *Jewish* Masters expound to this Sense; and indeed it will not easily bear any other. The Saying is, "Let thy House be an House
" of Assembly for wise Men, and dust thyself
" in the Dust of their Feet, and drink their
" Words with Thirst (*g*)."

Maimonides tells us, it was not the Custom in their Schools for the Master to sit in a Chair, and the Scholars to sit on the Ground, but that either all sat on the Ground, or all in Chairs (*b*): That it was not always thus, is fully evident from the *Talmud*. For *Rabbi Eleazer ben Shamma* being asked, How he came to that great Age? answered, I never walked upon the Heads of the holy People (*i*). The Gloss is, upon the Heads of his Disciples sitting upon

(*e*) Gen. xlix. 10. Deut. xxxiii. 3. 2 Kings ii. 3. See *Patrick* on that Text, and on 2 Kings iv. 38. (f) Vid. *Light*. Vol. I. p. 2008. Prid. Conn. Vol. II. p. 53. (g) Vid. *Vitr. de Synag. vet.* l. 1. p. 1. c. 7. p. 168, 169. (h) Vid. *Vitr. ibid.* p. 166. (i) See this explained from the *Babylonian Talmud*, Sanhed. f. 7. 2. by *Light*. Vol. II. p. 135, fin.

the Ground: And it is said of *Rabbi Rabb*, that he would not sit upon his Bed, and read to his Scholar, while he sat upon the Ground. The Gloss is, either both should be on the Bed, or both on the Ground (*k*). These Sayings fully intimate, that other Masters, if not the Generality of Masters, had done otherwise: Whence else arises the Praise and Commendation given to the Persons here spoken of? But that which, I think, fully confirms the Matter to us, is what *Maimonides* himself relates concerning their judicial Courts of Twenty-three. In all which, he says, were three Orders of Disciples sitting one beneath the other (*l*). Now, if they sat thus beneath each other, and consequently beneath their Masters in their Courts of Judicature, wherein they were properly Assessors, and upon difficult Causes were ordained and removed to the Bench itself, I say, if they sat beneath their Masters in the Courts of Judicature, can it be doubted, that they sat beneath them also in their Schools? *Philo* also, giving an Account of the *Essenes*, says, “When they come into the
“ holy Places, that are called Synagogues, they
“ sit in Ranks according to their different Ages,
“ the younger under the elder (*m*).” Upon the Whole therefore I cannot but conclude, that what is delivered to us by *Pseudo-Ambrosius*, in his Commentary upon the first Epistle to the *Corinthians*, as a *Jewish* Tradition, was the real

(*k*) Vid. *Light.* Vol. II. p. 396.
l. 2. 6. § 2. p. 1322.
p. 877, D.

(*l*) Vid. *Seld. de Syned.*
(*m*) Quod omnis probus liber,

Fact; “ That in their Schools the Seniors in
 “ Dignity sat in Chairs, the next to them on
 “ inferior Benches, and the last of all upon
 “ Mats laid on the Ground (n).”

§ 6. There is an Officer named in the History of the *Acts*, *εργατηγὸς τῶ ἱερῶ*, we translate it, *Captain of the Temple* (o). He is spoken of as forward and busy in apprehending the Disciples. Dr. *Lightfoot* in one Part of his Works (p) takes this to be a *Roman* Officer, who had the Command of the Guard in the Tower of *Antonia*, which, as *Josephus* informs us, were upon all Feast-days placed in the Porch of the Temple to prevent Tumults, and preserve Peace; and several learned Men went before him in this Opinion. But there is one thing in the Text, which in my Mind is wholly inconsistent herewith. The Persons under the Command of this Captain are not called Soldiers, but Ministers, *ὕπηρέται*. We indeed have translated it Officers, *Then went the Captain with the Officers, and brought them without Violence*. The Word never signifies Military Officers, but Civil, the Officers of Justice. Besides, what should make the *Romans* so zealous in apprehending the Apostles? In another Part of his Works therefore the Doctor rejects this Opinion as improbable, and tells us (q) from the *Talmud*, that in three Places the Priests kept Watch and Ward in the Temple, the Levites in one-and-

(n) Vid. Vitruv. de Synag. vet. p. 169, fin. & Grot. in Acts
 xxii. 3. (o) Ch. iv. 1. & v. 24, 26. (p) Vol. I.
 p. 759, 1060. (q) Vol. II. p. 471, 651.

twenty Places more. Each of these Watches had a Captain or Head over them, and he that had the Command of all these Watches, called in the *Talmud* the Ruler of the Mountain of the House or Temple, is probably the Person styled here the Captain of the Temple; and στρατηγοὶ τῶν ἱερῶν, or the Captains of the Temple, mentioned in St. *Luke's* Gospel (r), might be the chief Captain, together with those who were next him in Command.

Nor is *Josephus* wholly silent concerning this Officer. He does not indeed name him στρατηγὸς τῶν ἱερῶν, but he mentions two Persons, *Ananus* and *Eliezer*, both Sons of *Ananias*, who was one of the wealthiest and most powerful of all those who had executed the Office of High-Priest: Each of these he terms στρατηγὸς (s), and it is fully evident from what he says of the one of them, that his Command lay wholly in the Temple. The Words of *Josephus* are, “ *Eliezer* the Son of *Ananias* the High-Priest, “ κατὰ τὸ ἱερόν στρατηγῶν τότε, performing at “ that Time in the Temple the Office of “ ὁ στρατηγός, being at that Time the chief “ commanding Officer in the Temple, prevailed with those, who performed the divine “ Service, not to receive the Offering or Sacrifice of any Foreigner. This was the Foundation of the War with the *Romans*; for they “ rejected the Sacrifice of *Cæsar* for them; “ And although the Chief Priests and great

(r) Ch. xxii. 4, 52. (s) Antiq. l. 10. c. 5. § 2. & c. 8. § 3. de Beil. l. 2. c. 12. § 6. & c. 17. § 2.

“ Men interceded much with them, not to
 “ omit the Custom of sacrificing for their Go-
 “ vernors, they would not yield, trusting much
 “ to their Numbers ; but especially, because
 “ of the Regard they had to *Eliezer* ὁ ἐργατη-
 “ γός, the chief commanding Officer.” As the
 Temple is the Place where he is expressly said
 to have executed his Office, so it is plain, that
 his Sway and Influence lay among the People
 there (*t*).

§ 7. It appears to any one, who reads the
 History of the *Acts*, that the *Jews* had Syna-
 gogues or Places of Worship in almost every
 City which they inhabited, whether in the Land
 of *Judæa*, or out of it : And that in large Cities,
 where there were many *Jews*, they had more
 than one, as particularly in *Jerusalem* (*u*), *Da-*
mascus (*x*), and *Salamis* (*y*). The Practice of
 the *Jews* at this Time in all Nations, where
 they are tolerated, together with the Reason
 and Nature of the Thing, might here suffice,
 although there were nothing left to confirm
 this in any ancient Authors extant. But we
 have abundant Proof of the Truth of this Re-
 presentation, not only from *Josephus*, who men-
 tions various Synagogues of the *Jews* as well
 in foreign Cities as in their own, but from
Philo, who, as in one Part of his Works he
 tells us, that there were *Jews* inhabiting most
 of the Cities in the Provinces of *Europe* and

(*t*) Vid. Grot. in Matt. xxvi. 45. & Basnage Annal. Pol.
 Eccles. p. 439. § 9. (u) Ch. vi. 9. (x) Chap. ix. 2.
 20. (y) Ch. xiii. 5.

Asia, and that they had Synagogues in every Place (a), so in another says, there were many Synagogues in every Division of the City of *Alexandria* (b); and from the Poet *Juvenal*, who in those Words, *In quâ te quæro Proseuchâ* (c), plainly intimates, that there were several *Jewish* Synagogues in the City of *Rome*. The *Talmudists* tell us, that there were four hundred and eighty in *Jerusalem* (d), four hundred at *Bitber* (e), thirteen at *Tiberias* (f), eighteen at *Zippor* (g). And *Maimonides* lays it down as an ancient Tradition, that in every Place where there were ten *Israelites*, who were of Age, and were free, they were constrained to build a Synagogue (h).

§ 8. Of these Synagogues were certain Rulers in chief, called in the History of the *Acts*, and in the Gospels, ἀρχισυναγωγοί. There were often several of these to one Synagogue: For when

(a) In Flaccum, p. 971. D. & 972. (b) In Leg. ad Caium, p. 1011, a. Τῶν προσευχῶν πολλαὶ δὲ εἰσὶ κατ' ἕκαστον τμήμα τῆς πόλεως. (c) Sat. 3. v. 296. (d) Gemara Megill. Hierosol. ad cap. 3. fol. 73. col. 4. Vid. Vit. de Syn. vet. Prol. cap. 4. p. 28. & Lightfoot, Vol. II. p. 35. & 664. (e) Bab Gemara ad tit. Gittin, c. 6. fol. 58. 1. Vid. Seld. de Syned. l. 2. c. 7. § 6. p. 1351, fin. & Buxtorf. Lex. Chald. in voc. Cœnese. h, p. 1056, pr. (f) Bab Berach, fol. 30. 2. Vid. Light. Vol. II. p. 72, fin. (g) Vid. Light. Vol. II. p. 75, pr. (h) Hilcoth Tephilla, c. 11. § 1. Vid. Vit. de Synag. vet. l. 1. p. 2. c. 12. p. 232. & Seld. de Syned. l. 3. c. 16. § 1. p. 1883, fin. where are many other Masters quoted to the same Purpose. Dr. Lightfoot understands this of ten *Batlanin*, Men of Leisure or Learning, three of which, he says, were always ordained Elders or Judges, and were properly οἱ ἀρχισυναγωγοί, Vol. II. p. 132, 133, 179, 755. and Vol. I. p. 610. Compare what he says, Vol. II. p. 638. with Seld. de Syn. l. 2. c. 5. § 4. p. 1313, 1314.

Paul and *Barnabas* were in the Synagogue at *Antioch* in *Pisidia*, it is said, οἱ ἀρχισυναγωγοί, the chief Rulers of the Synagogue, sent unto them (a): And *St. Mark* says of *Fairus*, who dwelt at *Capernaum*, where in all Probability there was but one Synagogue, that he was εἰς τῶν ἀρχισυναγωγῶν (b): And both *Crispus* and *Sosthenes* are named in the *Acts* of the Apostles as being each ἀρχισυναγωγος at *Corinth* (c); but that being a large and populous City, it is very possible there might be more Synagogues than one in it: Whether they belonged therefore to one and the same Synagogue, is altogether uncertain. That there were Officers among the *Jews*, who went under this Name, is evident from the Emperor *Adrian's* Letter to *Servianus* the Consul, preserved by *Vopiscus* (d); from the Reproach thrown upon the Emperor *Alexander Severus*, reported by *Lampridius*, who says, he was called *Archisynagogus*, being a *Syrian* by Nation, and being thought to favour the *Jewish* and *Christian* Religions (e); and from several Rescripts in the *Theodosian Code*, which make express mention of these Officers among the *Jews* (f).

(a) Acts xiii. 15. (b) Ch. v. 22. for John vi. 59. it is said, Τάῦτα εἶπεν ἐν συναγωγῇ διδάσκων ἐν Καπερναοῦμ, not ἐν μιᾷ τῶν συναγωγῶν, as Luke xiii. 10. Vid. Vit. de Synag. vet. l. 2. c. 11. p. 583, 584. & Grot. in Matt. ix. 18. (c) Acts xviii. 8. 17. Vid. Grot. in loc. & Vit. ubi supra. (d) In Saturnino, c. 8. Vid. Seld. de Syn. l. 2. c. 7. § 6. p. 1353. Vit. de Synag. vet. l. 2. c. 5. p. 518. (e) In Alex. Severo, c. 28. Vid. Vit. de Syn. vet. l. 2. c. 5. p. 527. & c. 11. p. 587, 588. (f) L. 4. de Judæis & Cœlicolis, & l. 2, 13, 14, 15. ejusdem tit. Vid. Vitrin. de Syn. vet. p. 524, 525, 586, 589, 590.

Some of these Laws explain to us, who these *Archisynagogi* were: *Archisynagogi sive Presbyteri Judæorum* (a). They were the Elders of the *Jews*; and this exactly agrees with what the Talmudical and other *Jewish* Writers tell us; That their ordained Elders, as they were the Judges in their Courts of Judicature, so they were the Masters in their Schools, and the chief Rulers in their Synagogues (b). Which lets us into the Reason, why Persons were scourged in their Synagogues.

§. 9. The chief Rulers of the Synagogues, being also the Judges of the People in many Cases, especially those which regarded Religion, chose to give Sentence against Offenders, and see their Sentence executed in the Synagogue (c). For Punishment being designed *in terrorem*, what more likely way to strike an Awe, and deter Men from falling into the like Errors, than to have it executed in their religious Assemblies, and in the Face of the Congregation? And this accounts for that Confusion there is in the *Jewish* Writers, when they speak of *beth din* and *beth cheneseth*; their Courts of Law, and their Synagogues, being often put one for the other (d). Our Lord foretold, that his

(a) L. 2. & 15. Cod. Theod. de Judæis & Cœlicolis. Vid. Seld. de Syned. l. 2. c. 7. p. 1353. (b) Maimon. Hilcoth Taanioth, c. 1. § 17. Vid. Vitruv. de Synag. vet. p. 554, 562---3. & 777. Seld. de Syned. l. 1. c. 7. p. 863. (c) Persons were always scourged in the Presence of the Judges. Vid. Vitruv. p. 777. & Seld. de Syned. l. 2. c. 13. § 6. p. 1502, fin. (d) As also their *beth midrash*. Vid. Vitruv. de Syn. vet. Prol. p. 28. & p. 134--5. 525, 554, 578, 744, 749. *Light*, Vol. II. p. 135, 136.

Disciples should be scourged in the Synagogues (a); and St. *Pauli* informs us, that he was an Instrument in fulfilling this, having beaten them that believed in every Synagogue (b). This of scourging Persons in their Synagogues is a Custom that has prevailed among the *Jews* from that Time down to our own. *Uriel Acoſta* declares, that after he had been excommunicated, this among other Conditions of publick Penance was prescribed him by the chief of the *Jews* at *Amsterdam*, that he should receive forty Stripes save one, in the Synagogue (c): And *Rabbi Jacob ben Aſher* reports it to have been the Custom in *Germany*, that the whole Congregation after Evening Prayer, on the Day of Expiation, should receive forty Stripes in the Synagogue by way of Penance (d). *Karo* says the same; but speaks of it as a more universal Practice. And *Epiphanius*, in the History he gives of *Joſeph* the Apostle, expressly says, that he was forced away by the *Jews* into their Synagogue, and there scourged (e).

(a) Matt. x. 17. & xxiii. 34. (b) Acts xxii. 19. & xxvi. 11.
 (c) Vid. Vitruv. de Syn. vet. l. 3. p. 1. c. 11. p. 776. fin.
 (d) Vid. Seld. de Syned. l. 1. c. 7. p. 878. (e) Contra. Hæref. Tom. 2. l. 1. p. 135. Vid. Vitruv. l. 3. c. 11. p. 776.

C H A P. VI. in Two Parts.

Part 1. *Shewing that the Jewish Magistrates, when under the Romans, had the Power of inflicting capital Punishments.*

Part 2. *That the Jurisdiction of the High-Priest and Council over the Jews in religious Matters extended even to Foreign Cities.*

Part 1. *The Introduction.*

ST. Paul was so eager in harassing the poor Christians, that he not only beat and imprisoned them in *Judæa* (a), but persecuted them even to strange Cities (b); and had Letters from the High-Priest, and Jewish Sanhedrim, to the Synagogues and Brethren at *Damascus*, that if he found any of that Profession there, he might bring them bound to *Jerusalem* for to be punished (c). It is said, that he *breathed out Threatenings and Slaughter* (d): *That he persecuted this Way unto the Death* (e): *And when the Saints were put to Death, he gave his Voice against them* (f). There are two

(a) Acts viii. 3. & xxii. 4, 19. & xxvi. 10, 11. (b) Ch. xxvi. 11. (c) Ch. ix. 2. & xxii. 5. (d) Acts ix. 1. (e) Ch. xxii. 4. (f) Ch. xxvi. 10.

Things here which offer themselves to our Enquiry: The first is, Whether the *Jews*, being at this Time under the *Roman* Yoke, had the Power of inflicting Death, or any corporal Punishments upon Criminals? And secondly, taking it for granted that they had, How the Authority of the High-Priest and *Jewish* Council could be extended to *Damascus*, or any foreign Cities?

Learned Men, I find, differ not a little in their Opinions concerning the Power left with the *Jewish* Magistrates, when their Country was made a *Roman* Province. I have met but with two Authors who have professedly wrote on this Subject. They both maintain the same Side of the Question. The one is a learned Foreigner, *X Zechariah Huber*, Advocate and Senator (a): The other our ingenious and learned Countryman Mr. *Lardner* (b). The Reasons urged by these Gentlemen are far from giving me Satisfaction, and I cannot but think there is much greater Probability on the other Side of the Question. Many Authors tell us their Opinion on this Subject; but add little or nothing to shew upon what Foundation they build. The great and learned *Grotius* says, that *with regard to Scourging, their Power remained safe, after Judæa was reduced to a Province* (c): In another Place, that *the Power of the Sanhedrim was restrained when Judæa was made a Province, it*

X (a) In a Book, intituled, *Dissertationum Libri tres, Dissert. 1. lib. 1.* (b) In his *Credibility of the Gospel History, Voi. 1. Chap. 2.* (c) In *Joann xviii. 31.*

*X No: the three Dissertations are before Huber as "Dissertationes" in "Disputationes." See Mr. Dill. being
A. J. J.*

being ordained, as in almost all other Provinces of the Roman Empire, that the Senate should put no one to Death without the Consent of the Roman Governor, all other judiciary Power belonging to the Sanhedrim being preserved to them (a). It is much to be regretted, that he has not given us his Authorities for what he here asserts. I am fully persuaded, that he was not always of this Mind. For in his Book *de Jure Belli & Pacis* he has these Words; *Sic apud Judæos mansit sceptrum in synedrio etiam post confiscationem Archelai* (b). So the Sceptre remained among the Jews in the Sanhedrim even after the Confiscation of Archelaus, i. e. after Judæa was made a Roman Province. He is speaking, in the Words both before and after this Sentence, of the Power granted to Kings by their Conquerors, in which all acknowledge was included *jus gladii*, or the Power of taking away the Lives of their Subjects. He has indeed quoted the *Talmudists*, as saying, that *Capital Judgments were taken away from the Sanhedrim forty Years* (c) before the Destruction of Jerusalem (d). But this by no means comes up to the Point: For had they meant, that the Power of inflicting Death was taken away from them by the Romans, when their Land was made a Province, they should have said, that Capital Judgments were taken from the Sanhedrim above sixty

(a) In Matt. v. 22. p. 45, a. l. 35. § 9. p. 851, pr. (b) L. 3. c. 15. (c) The learned *Wagenfeil* contends, that instead of forty it should be read four Years, *Carm. R. Lipmanni Confut.* p. 312, 318, pr. 326, & 327. (d) In Matt. v. 22. p. 45, a. l. 41.

Years before the Destruction of *Jerusalem*. For it was sixty-five Years, I think, before that dreadful Overthrow, that *Quirinus* was sent by *Augustus* to confiscate the Goods of *Arche-laus*, and reduce his Ethnarchy to a *Roman Province*. Let me add to this, that the indefatigable and most learned *Selden* fully proves from the Talmudical Writers, that the Meaning of this Saying is not, that capital Judgments *were wholly taken away*, but that they were *interrupted and much disused* to what they had formerly been (a) : And I doubt not, but this whole Dispute had been set by him in the clearest Light from the best Authorities, had it pleased God to grant him Life to have finished what he proposed (b). *Grotius* tells us from the *Jews*, that capital Judgments were exercised by the Sanhedrim after the *Babylonish Captivity* through the Grant of the Kings of *Persia* (c). He might also have informed us from Authors of the same Nation, that capital Judgments were exercised by the Sanhedrim under the *Romans*.

S E C T. I.

An Answer to the first Argument taken from the Civil Law.

THE learned Gentlemen above-named, who have professedly treated on this Sub-

(a) De Syned. l. 2. c. 15. § 11. p. 1560—1—2. (b) Vid. Seld. de Syned. l. 3. c. 6. § 4. p. 1654. (c) Imo & Judicia capitalia ab hoc Senatu (i. e. LXX. in exilio Babylonico) exercita concessu Regum Persarum tradunt Hebræi. In Matt. v. 22. p. 44, b. fin. ject,

ject, use two Sorts of Arguments to prove, that the *Jews* were deprived of the Power of inflicting capital Punishments by the *Romans*, when *Judæa* was made a Province; the one taken from the *Roman* Laws, or Nature of the *Roman* Government, the other from certain Passages of the *New Testament*. It is my Intention first to answer these Arguments, and then to offer the Reasons, which induce me to think, that the *Jews* had the Power of inflicting Death on Criminals continued to them by the *Roman* Emperors, even after *Judæa* was annexed to the Province of *Syria*.

That the Arguments taken from the *Roman* Law may be the better understood, it is necessary to premise, that the Judge, who had the Cognizance of criminal Affairs, was said to have *Imperium merum*, and he who had the Determination of civil Causes, such as concerned Matters of Property and Right, was said to have *Imperium mixtum*. Jurisdiction belonged properly to each of these Magistrates (*a*). The *Imperium* or Power (for *Imperium* and *Potestas* in this Case signify one and the same thing in the Civil Law (*b*), the Power, I say) that belonged to the latter, was no more than was necessary to enforce his Orders, or see his Sen-

(*a*) L. 7. § 2. l. 8. & 9. ff. de Officio Proc. l. 1. ff. de Officio ejus cui mand. est Jurisd. Vid. Voet. in Pand. tit. de Jurisd. § 5. Ut proinde errare videantur, qui merum Imperium dictum arbitrantur tanquam separatum ab omni Jurisdictione, cum nullum omnino sive in Republicâ sive sub Imperatoribus tempus fuerit, quo assertionis istius veritas obtinuit, § 40. (*b*) L. 215. ff. de V. S.

tence executed (*a*); and even that Power was in some Cases, at least in Part, separable from Jurisdiction (*b*). Proconsuls and Presidents of Provinces had the Whole of this Power lodged with them. They had both *Imperium merum* and *Imperium mixtum*, had the Cognizance of all criminal as well as civil Affairs, and were next in Power to the Emperor himself, in those Provinces over which they were placed (*c*).

The first Argument is taken from a Law which says, that the municipal Magistrate cannot do those Things which have more of *Imperium* than of Jurisdiction (*d*). This is one Instance wherein *Imperium*, or Power, was in great Part separated from Jurisdiction: For the municipal Magistrates had not the Power of compelling Persons by Punishments to obey their Orders (*e*). These Magistrates had so very little Power over their Subjects,

(*a*) L. 2. & 3. ff. de Jurisd. Vid. Voet. in Pand. tit. de Jurisd. § 42. (*b*) The *Civilians* will not allow, that *Imperium* and Jurisdiction are ever separated: That they are never wholly separated, may be a Truth; but that they are sometimes in Part separated, is fully evident from l. 26. ff. ad *Municip.* l. un. ff. Si quis jus dicenti non obtemp. l. 32. ff. de Injur. Vid. Voet. in Pand. tit. de Jurisd. § 43, 44. However, if they will not admit of the Word *separated*, the Phrases *magis Imperii* and *magis Jurisdictionis* (which, in my Mind, signify a partial Separation) will serve the Purpose as well. (*c*) L. 3. ff. de Jurisd. l. 1. pr. & § 4. ff. de Off. Præf. Urbi, l. 7. §. 2. and l. 8. & 9. ff. de Off. Proc. l. 10, 11, 12. de Off. Præsidis. (*d*) Huber. Diss. 1. l. 1. p. 11. Ea quæ magis Imperii sunt quam Jurisdictionis, facere non possunt Magistratus *Municipales*. L. 26. ff. ad *Municip.* Vid. not. Gothofr. ad locum. (*e*) Omnibus Magistratibus, non tamen *Duumviris*, secundum jus potestatis suæ concessum est Jurisdictionem suam defendere pœnali judicio. L. un. ff. Si quis jus dicenti non obtemp.

that they are described in the Law as being without Power (*a*). It was permitted them, indeed, to chastize Slaves, so they did it moderately; but this was the utmost Length they were allowed to go (*b*). And this was no more than was allowed to the Master of the Slave (*c*); and seems at least to have been conniv'd at in any other Person (*d*). That there may be any Consequence in the Reasoning founded upon this Law, two Things must be taken for granted: First, that this was Part of the *Roman Law*, when *Judæa* was made a Province; and secondly, that the municipal and provincial Magistrates were equally obliged by this Law. I have seen nothing offered to clear up these two Points, which certainly ought to be fully proved, before this Argument can have any Weight.

I very much doubt, whether there was any such Law as this in Being at the Time we are speaking of (*e*). And I believe every one who considers what is said of the *Roman Mu-*

(*a*) Si ex minoribus Magistratibus erit, id est, qui sine Imperio aut Potestates aut Magistratus. L. 32. ff. de Injuriis. Vid. not. Goth. ad locum.

(*b*) Magistratibus *Municipalibus* supplicium à servo sumere non licet; modica autem castigatio eis non est deneganda. L. 12. ff. de Jurisd. Vid. et l. 17. § 1. ff. Qui et à quibus manum. L. 15. § 39. ff. de Injuriis.

(*c*) L. un. C. de emend. serv.

(*d*) Si quis corrigendi animo, aut si quis emendandi servum (alienum verberaverit) non tenetur. L. 15. § 38. ff. de Injuriis.

(*e*) Voet seems to express the same Doubt, when he says, the *Municipal Magistrates* are said to be without Power, l. 32. ff. de Injuriis, non aliâ, ut opinor, de causâ, quàm quia *Ulpiani* & *Pauli* tempore ipsis denegabantur ea quæ magis imperii sunt quàm Jurisdictionis. In Pand. tit. de Jurisd. dict. § 43. p. 104. b.

nicipia, by *Aulus Gellius* and *Festus*, will be of my Mind. *Festus* informs us, That there were three Sorts of *Municipia*, which differed not a little the one from the other. Some of them had not the Freedom of the City of *Rome*, so far as to vote for, or be chosen Magistrates of that City. Others had, and were also governed by the *Roman* Laws. Others, who had the same Right, were wholly governed by their own Laws, and had a Republick of their own, distinct from that of the *Roman* People (a). It's very plain, I think, that this was not the Case at the time the Law we are speaking of was made ; for that Law includes all municipal Magistrates, without any Distinction. *Aulus Gellius* not only tells us, That the *Municipia* were governed by their own Laws, but adds further, That they were obliged by no Law of the *Roman* People, unless it were adopted by their own voluntary Consent (b). And *Alexander ab Alexandro*, representing the Sense of the antient Authors upon this Head, says, that the *Municipia* followed their own Customs and Laws *sine imperio populi Romani* (c). They had a Power, therefore, of their own to enforce their Laws, and had no need to apply to the *Roman* Magistrate to assist them herein. And, indeed,

(a) In voc. *Municipium* & *Municeps*. Vid. etiam Spanhem. *Orbis Rom.* Exerc. 1. cap. xiii. p. 99, &c. (b) Neq; ulli populi *Romani* lege adstricti, ni *populus eorum fundus factus est*. Noct. Att. l. 16. cap. xiii. For the Meaning of this Phrase, consult Cic. pro Balbo, & Spanh. *Orb. Rom* p. 97, 98. (c) *Genial. Dies*, l. 4. c. 10. p. 974.

had it not been so, how could it be said, with any tolerable Propriety, as it is by *Festus*, That they had Republicks separate or distinct from the *Roman People* (a) ? *Livy* tells us of several People conquer'd by the *Romans*, that chose rather to be governed by their own Laws, than to have the Freedom of the City of *Rome* (b). And *Aulus Gellius* relates from *Adrian*, that the Inhabitants of *Prænestæ* besought the Emperor *Tiberius* with great Earnestness, that of a Colony they might be made a *Municipium*, and obtain'd it (c). The Reason was, that they might be governed by their own Laws, whereas, while a Colony, they were under the *Roman Laws*. Is it possible to imagine, that a People should be so very desirous of being governed by their own Laws, if, at the same time, their Magistrates had not the Power of putting those Laws in Execution ? Of what Advantage could their Laws be to them, if they were not able to enforce the Observation of them by proper Punishments ? It's evident to me, therefore, that the Law we are speaking of, was made after the Reign of *Tiberius*. The same Thing appears also from the *Admiration* express'd by the Emperor *Adrian*, that any ancient *Municipia*, more particularly *Italica* and *Utica*, when they

(a) At Serfilius aiebat initio fuisse, qui eâ conditione cives *Romani* fuissent, ut semper Rempublicam separatim à populo *Romano* haberent. In voc. *Municeps*. Vid. etiam Spanh. Or. R. Ex. 1. cap. 13. p. 105. (b) L. 9. c. 43, 45. (c) Maximo opere à *Tiberio* Imperatore petisse orasseq; ut ex coloniâ in *Municipii* statum redigerentur. L. 16. c. 13.

might use their own Customs and Laws, should gladly be made Colonies (a). Most certainly it could be no manner of *Wonder*, that the *Municipia* should be greatly pleased with such a Change, if their own Laws were but a dead Letter, and their Magistrates had not the Power to see them put in Execution. *Italica* and *Utica* were *Municipia* during the Reign of *Tiberius*, as is evident from his Coin yet extant (b). We may therefore firmly conclude, that this Law had no Being in his Time. It's not improbable it was the Invention of some succeeding Emperor, who was for spreading the Observation of the *Roman* Laws every-where through his Dominions, at least among those who had the Freedom of the *City of Rome*. In order to make those Cities of *Romans*, which had the Privilege of living according to their own Laws, weary of that Government, and the more easy and ready to receive the *Roman* Laws, he, by this Law, depriv'd their Magistrates of the Power of enforcing their Decrees, and putting their Laws in Execution. This, it's likely, had in a great measure attain'd the End design'd, by the Time *Aulus Gellius* flourish'd, which was, I think, in the Reign of *Antoninus Pius*; for he says, That the Colonies, though less free,

(a) *Mirariq; se ostendit, quod & ipsi Italicenses, & quædam item alia Municipia antiqua, in quibus Uticenses nominat, cum suis moribus legibusq; uti possent, in jus coloniarum mutare gestiverint.* L. 16. c. 13.

(b) *Vid. Cellarium, N. O. R. V. 1. p. 53. & V. 2. Afr. p. 102. & Spanh. Orb. Rom. Ex. 1. c. 16. p. 130, 131.*

had the Preference given them of the *Municipia*, because of the Majesty of the *Roman* People, of which those Colonies were, as it were, small Images and Representations; and also, because the Laws of the *Municipia* were obscure and obliterated, and not capable of being used through the want of knowing them (*a*). The *Municipia* lying under the Disadvantage of such a Law as this, it seems, their Laws, as it is natural to suppose they would soon, fell into Disuse for want of a Power to enforce them, and through Neglect and Disuse were obliterated, *i. e.* the Knowledge of them was wholly lost, and the *Roman* Law obtain'd in their Stead; insomuch that *Gellius* complains, that the Difference between the Colonies and *Municipia* was unknown in his Time, and had occasion'd no small Confusion in their Language (*b*). But that which gave the finishing Stroke to this Work, and brought the Provinces, as well as *Municipia*, into the same State with the Colonies, was the Law of *Antoninus Caracalla*, which gave the Freedom of the City of *Rome* to all the

(*a*) *Coloniarum alia necessitudo est — jura institutaq; omnia populi Romani, non sui arbitrii habent; quæ tamen conditio quum sit magis obnoxia & minus libera, potior tamen & præstabilior existimatur propter amplitudinem majestatemq; populi Romani, cujus istæ coloniarum quasi effigies parvæ simulacraq; esse quædam videntur; et simul quia obscura obliteratedq; sunt municipiorum jura, quibus uti jam per innotitiam non queunt. L. 16. c. 13.*

(*b*) *Quotus enim ferè nostrum est, qui quum ex Colonia ex populo Romano sit, non & se Municipem esse, & populares suos Municipes esse dicat? — Sic adeo & Municipia quid et quo jure fiat, quantumq; à Colonia differant, ignoramus. Ibid. pr.*

free-born Subjects of the *Roman* Empire (a). From this Time all Cities subject to *Rome* were called *Municipia* (b), which, as it has occasioned a Confusion in the Expression, has added to the Difficulty of understanding some Parts of the Civil Law (c).

Having given the Reasons why I can't prevail with myself to think, that the Law we are speaking of had a Being at the Time *Judæa* was made a Province, I further proceed to shew, that although it were never so clear, that this Law is as antient as the Argument supposes it, yet the other Thing here taken for granted is by no means supportable; and that is, that the *Municipes* and Provincials were, at the Time we are speaking of, upon the same Footing, and equally obliged by this Law. That they were so, after the Freedom of the City of *Rome* was communicated to all the Members of the *Roman* Empire by *Antoninus Caracalla*, is easily granted: But to assert, that they were so 200 Years before this, is to contradict all that has

(a) In orbe Romano qui sunt, ex constitutione Imperatoris Antonini cives Romani effecti sunt. L. 17. ff. de statu hom. Nov. 78, pr. & cap. 1. Dio tells us, That *Macenas* advised *Augustus* to do this, l. 51. p. 370. But *Suetonius* says, That *Augustus* was very sparing in granting to any the Freedom of the City, and set his Heart much upon keeping the *Roman* People pure from corrupt and servile Mixtures, in Aug. c. 40. And *Dionys. Hal.* says, he gave it in his last Commands to *Tiberius*, not to confer the Freedom of the City on many, l. 56. p. 541. (b) Nunc abusivè *Municipes* dicimus suæ cujusq; civitatis cives; utputa Campanos, Puteolanos. L. 1. § 1. ff. ad Municipalem. Vid. *Schulting.* Jurisprud. ver. p. 402. n. 12, b. (c) Vid. *Spanheim.* Orb. Rom. Ex. 1. cap. 13. p. 106, 107. & Ex. 2. c. ult. p. 575, 576.

been said upon this Subject by antient Writers, and to confound Things which are most distinct. . The *Municipes* were *Roman* Citizens, the *Provincials* were not. Supposing therefore, that this Law had a Being at the Time we have mentioned, which I am persuaded it had not, is there no Reason to be assign'd why it should be confin'd to the *Municipes*, why not extended to the *Provincials*? Might not the Senate and People of *Rome*, or the Emperor *Augustus*, judge it beneath the Dignity of *Roman* Citizens to be tried and punished by any but Magistrates of the first Rank? Or to have even the *Municipal* Laws of *Roman* Citizens enforced by Persons of a lower Degree than those who enforced the *Roman* Laws? Might they not also be desirous, that all such who were made Partakers of the *Roman* Citizenship, should be governed by the *Roman* Laws, and hope, by this Method, the more easily to bring them to it? But as the *Provincials* did not stand in the same Relation to them, it's natural to suppose they might not have the same Concern for them, and therefore might leave them more under the Power of their own Magistrates.

S E C T. II.

An Answer to the second and third Arguments taken from the Civil Law.

ANother Argument taken from the *Roman* Law is, that *Merum Imperium* (or the Power of judging and punishing Criminals) belonged to no Magistrate, unless it were given him by some special Law or Constitution (*a*); infomuch that this Power could by no means be transferred to those Magistrates who had a delegated Jurisdiction. Now if this Power was not lodged in the *Roman* Magistrates themselves, without an exprefs Law, it's not reasonable to judge, that the *Jews* should have it, forasmuch as it is no-where mentioned, that such a Law was made in their Favour (*b*).

I readily acknowledge, that the Cognizance of criminal Causes belonged to none among the *Romans*, unless granted them by some special Law, or by the Constitution of the Prince. And I hope to make it fully appear, when I come to lay down the Reasons why I believe the *Jews* did retain among them the Power of trying and executing in capital Causes, that it is highly probable at least, that

(*a*) L. 1. ff. de Offic. ejus cui mandata est Jurisd. (*b*) Huber. Diff. l. 1. p. 11, 12.

this Power was granted them by the express Constitution of the *Roman Emperors*.

A third Argument taken from the Civil Law is, that *Merum Imperium* (or the Power of sitting in Judgment on, and executing Criminals) was with the Presidents *alone* in those Provinces over which they were placed (*a*).

That the Cognizance of criminal, as well as Civil Causes, was with the President of every Province, I have already acknowledged; but to assert, that it was with him *alone*, is taking the Thing in Dispute for granted. I am very sure the Laws referred to (*b*) say no such Thing; and if they did, what would be the Consequence? This Argument would prove far more, than the Persons who make use of it intend. They acknowledge, that the Power of inflicting lesser Punishments, such as Scourging and the like, was lodged in *Jewish Magistrates* (*c*): But how could this be, if the Cognizance of all criminal Causes was solely in the President? *Merum Imperium* includes the hearing and determining all Sorts of Crimes, and inflicting lesser as well as greater Punishments (*d*), and particularly that of Scourging (*e*). But not the least Part of

(*a*) Huber. *ibid.* p. 13. (*b*) L. 6. § 8. ff. de Offic. Præsitis; l. 4. ff. eodem; l. 3. V. 13. ff. eod. (*c*) Huber. *Diss.* l. 1. p. 13, 35, - 38. *Lardner's Cred.* Vol. 1. p. 65, 66, 151.
 (*d*) L. 3. ff. de Jurisd. l. 1. pr. § 1, 2, 3, 4, 13. ff. de Offic. præf. urbi, l. 7. § 2. l. 8. & 9. ff. de Off. Proc. l. 10, 11. ff. de Off. Præf. l. 6. § 2, l. 7. & 8. pr. ff. de Pœnis. (*e*) L. 1. ff. de Pœnis.

this Power could be delegated (a). How then came the *Jewish* Magistrates by this Power? It must be by some special Law. If by the Constitution of the Prince, where *is it mentioned, that any such Law was made in their Favour?* If we have no Account of any Law, whereby Power was given them to execute these lesser Punishments, why may it not as well be supposed, that the Power granted them was to put their own Laws in Execution? which, I think, I shall make appear was the real State of the Case. This Argument therefore, if it proves any thing, proves too much. If it be a Proof, that the *Jews* were depriv'd of the Power of inflicting Death on Criminals, because the Presidents were sent into the Province with this Power, and could delegate it to no other; the same Reason must also prove, that they were deprived of the Exercise of all Punishments whatsoever upon Criminals, even that of Scourging. For nothing is more certain, than that the Presidents were invested with the Power of punishing every Crime, small as well as great, and that they could impart no Share of this Power to any other. Although, therefore, the *Jewish* Magistrates should have been possessed of all Civil Jurisdiction in as full an Extent

(a) Merum Imperium, quod lege datur, non posse transire. L. 1. § 1. ff. de Off. ejus cui mandat. est Jurisd. Nec enim potest quis gladii Potestatem sibi datam, vel cujus alterius coercionis ad alium transferre. L. 6. pr. ff. de Off. Proc. l. 70. ff. de Reg. Juris.

as was delegated to the *Legatus Proconsulis*, or was lodged with the *Prætor* at Rome, they could punish no criminal Matters whatever, nor order a Person a Whipping upon any Occasion, unless a Slave, or an infamous and needy Wretch, in the particular Case where an Action lay for an Injury (a). But if there be any Truth in the first Argument we have considered, the *Jewish* Magistrates had not even *Imperium mixtum*, or the Power of judging civil Affairs in its full Extent. For there it's suppos'd they were in the same Condition with the *Municipal* Magistrates, who had not that *Imperium*, which is usually joined with Jurisdiction (b), that moderate Coercion, without which there is no effectual Jurisdiction (c); and so could not compel Persons, by Punishments, to comply with their Decrees (d). 'Tis true, the *Municipal* Magistrate had the Power of correcting a Slave moderately (e); but how it can be from hence proved, that the *Jewish* Magistrates had the Power of scourging those who were free, is very difficult to be seen. I have already shewn, that the *Municipia* and Provinces were so unlike, so distinct, that there is no arguing from the one

(a) Vid. § 10, 11. Instit. de susp. tutor. l. 17. § 4, 5, 6. & l. 35. ff. de Injuriis, & fam. lib. (b) L. 1. fin. ff. de Off. ejus cui mand. est Jurisd. (c) L. 5. § 1. ff. eod. (d) L. un. pr. ff. Si quis jus dicenti non obtemp. l. 26. ff. ad Municip. l. 32. ff. de Injuriis. How far the *Municipal* Magistrates were enabled to support their Jurisdiction, may be seen in Voct. in Pand. tit. de Jurisd. § 43. & Vinnius de Jurisd. c. 7. (e) L. 12. ff. de Jurisd.

to the other: But had they been never so near a-kin, nay, were we sure, that the same Laws reached both, the utmost Power that was granted to the *Municipal* Magistrate, was to correct a Slave, and that only in a moderate Degree. Now if the same Law obliged the *Jews*, it's most certain they could exercise the Scourge upon none but Slaves. This therefore demonstrates the very contrary to that which it's brought to prove. But, adds the Author of this Argument, the Punishment of Scourging was, by the Custom of the *Jews*, inflicted on Freemen, and was esteemed a moderate Punishment, designed for the Amendment of the Transgressor. Therefore, without all Doubt, this Power of chastizing Persons of their own Nation with Scourges and Clubs, was left to them (a); that is, in other Words, without all Doubt, the *Jews* were governed by their own Laws, and not by the *Roman* Law. Thus is this Gentleman insensibly led, by his own way of Reasoning, to given up his Cause.

I am fully persuaded, that the Law referred to, *i. e.* L. 12. *ff. de Jurisd.* was not extant at the Time *Judæa* was made a Province. It's well known, that at that Time the Life of a Slave was had in small Account among the *Romans*; so that every Master might kill his Slave as he pleased, with Impunity (b); and

(a) Huber. Differt. l. 1. p. 38. (b) § 1. Instit. de his qui sui vel alieni juris, l. 1. § 1. ff. eod. Seneca de Benefic. l. 3. c.

and Slaves were put upon a Level with Cattle (a). The *Præfectus Vigilum*, an Officer appointed by *Augustus* to command the Night-guard, had not the Power to inflict Death on a Freeman (b); yet we read, that he put a Slave to Death (c). By the *Petronian Law*, which was made in the Time of the Emperor *Nero* (d), Masters were forbid to deliver up their Servants to fight with the Beasts, unless the Cause was first heard, and the Servant^t condemn'd thereto by the Judge (e). *Adrian* is the first Emperor we read of in the *Roman Law* (f), who was touch'd with Humanity towards Servants. He banished *Umbricia*, a *Roman Matron*, for five Years, because she treated her Maids most cruelly for the slightest Faults (g). And *Spartian* says, he forbid that Slaves should be killed by their Masters, and commanded that they should be condemned by the Judges, if they had done any thing wor-

23. Nec indignata est ab his se vitam accepisse, in quos vitæ necisq; potestatem habuisset. Vid. de Clementiâ, l. 1. c. 18. Ter. And. Act. 1. Scen. 2. Plaut. Asinar. Act. 3. Scen. 2. (a) Ut igitur apparet, servis exæquat quadrupedes, quæ pecudum numero sunt. L. 2. § 2. ff. ad Leg. Aquil. l. 38. § 2, 3. ff. ad Ædilit. Edict. (b) L. 1, 2, 3. ff. de Off. Præf. Vigil. & Voet. Com. eod. (c) L. 15. ff. de conditione causâ datâ, &c. (d) Anno urb. cond. 813. Anno Christi 61. Vid. Gothof. in loc. (e) L. 11. ff. ad Leg. Cornel. de Sicariis. (f) We read, indeed, in *Suetonius*, that the Emperor *Claudius* decreed, that those Servants who were expos'd on the Island of *Æsculapius* for Cure (for it seems many sick Servants were sent thither by their Masters, with an Intention to take no further Care of them) should be free; and if they recovered, should not return into the Dominion of their Masters. And if any Master chose rather to kill his Servants than expose him, he should be deemed guilty of Murder. In vit. *Claud.* c. xxv. n. 5. p. 686. (g) L. 2. fin. ff. de his quia lieni vel sui juris.

thy of Death (a). Afterwards *Antoninus Pius* subjected those who killed their Slaves, to the Penalties of the Law against Murder (b); and if, upon Complaint, it was at any Time found, that Servants were inhumanly and barbarously dealt by, ordered that they should be sold to other Masters (c). From the Consideration of these several Facts, I think it is not at all likely, that a Law, which is so gentle towards Slaves, as not to permit any more than a moderate Correction of them by the *Municipal Magistrates*, should be of so high a Date as the Reign of *Augustus*. Most probably it was made in or after the Time of *Adrian*.

S E C T. III.

An Answer to the principal Argument taken from the New Testament.

I Proceed now to the second Sort of Arguments used to prove, that the *Jews* were deprived of the Power of inflicting Death on Criminals (d); and they are taken from certain Passages of the *New Testament*. The first, and most plausible of all, is, that Saying of the *Jews* to *Pilate*, *It is not lawful for us to*

(a) *Servos à Dominis occidi vetuit, eosq; jussit damnari per Judices, si digni essent. Vid. Schulting. Jurisprud. Vet. p. 29. n. 8.*
 (b) § 2. *Instit. de his qui alien. vel sui juris, l. 1. § 2. ff. eod.*
 (c) *L. 2. ff. eod.*
 (d) *Anno Urb. cond: 813. An. Christi 61. Vid. Gothofr. in loc.*

put any Man to Death (a). This is represented as an ample Acknowledgment of the *Jews* themselves, that they had not at this Time the Power of inflicting Death on Criminals (b).

Should I to this oppose the Saying of *Tertullus* the Orator concerning *Paul*, *Whom we took and would have judged according to our Law; but the chief Captain, Lyfias, came upon us, and with great Violence took him out of our Hands (c)*; or should I reply to it in the same Manner as some have done to this Saying of *Tertullus*, *It's not easy to say what we are to understand by these Words (d)* — *Indeed I think there is but little Regard to be had to what Tertullus says (e)*; though at the same Time it's very observable, that the High-Priest, and Elders of the *Jewish* Nation assented to the Truth of what *Tertullus* said, and affirmed, that Things were as he had represented them (f); or should I express myself, as a learned Gentleman has done concerning those Words of the *Jews* to our Saviour, *We never were in Bondage to any Man (g)*, “There's no relying upon the Words of such Men as these (h);” I think these Gentlemen could have nothing to object. If the *Jews* are inconsistent with themselves, or not the strictest Adherers to Truth in their Assertions, have

(a) John xviii. 31. (b) Huber. Dissert. l. 1. c. 3. p. 14, 15. Lardner's Credib. Vol. 1. c. 2. p. 83. (c) Acts xxiv. 6, 7. (d) Lardner's Cred. Vol. 1. p. 129. (e) Ibid. p. 131. Vid. Huber. Diss. l. 1. c. 5. p. 24, 25. (f) Acts xxiv. 1, — 9. (g) John viii. 33. (h) Lard. Cred. Vol. 1. p. 93.

not I the same Liberty to suppose them guilty of varying from the Truth in the Saying now before us, as others have in such Sayings of theirs as they apprehend contradictory to this?

However; there's not the least Occasion for such Answers as these. It sufficiently appears from the Context itself; that the Meaning of this Saying of the *Jews* could not be, that they were by the *Romans* deprived of the Liberty of judging Men by their Law; and putting them to Death. It's remarkable; that as *Pilate* says to the *Jews* in the Words immediately before; *Take ye him, and judge him according to your Law*; so the Evangelist adds; in the Words immediately following, *That the Saying of Jesus might be fulfilled; which he spake, signifying what Death he should die*. Our blessed Lord had not only prophesied, that he should die a violent Death (a); but had named the Manner of his Death; which was Crucifixion; and that in order hereunto; he should be betrayed into the Hands of the Chief Priests and Scribes, who should pronounce him worthy of Death, and then deliver him to the Gentiles (b). The Evangelist *John* expressly observes, that by the Phrase of his being *lifted up*, our Lord signified what Death he should

(a) Matt. xvii. 22, 23. Mark ix. 31. (b) Matt. xx. 18, 19. *The Son of Man shall be betrayed unto the Chief Priests, and unto the Scribes; and they shall condemn him to Death, and shall deliver him to the Gentiles, to mock, and to scourge, and to crucify him.* Ch. xxvi. 2. Luke xxiv. 6, 7.

die (a). He in this Place remarks the Fulfilment hereof, and rests it upon the *Jews* refusing to judge and punish our Saviour according to their Law, as *Pilate* directed them. *Pilate* said, *Take ye him, and judge him according to your Law.* This Offer the *Jews* reject, in saying, *It is not lawful for us to put any Man to Death.* Then the Evangelist remarks, *That the Saying of Jesus might be fulfilled, which he spake, signifying what Death he should die.* It so fell out, through the over-ruling Providence of God, that the *Jews* thought proper to refuse the Tryal of our Saviour and persisted herein, although *Pilate* expressly referred it to them; and this was the true Occasion of the Fulfilment of our Lord's Prophecy. For had he been judicially tried and condemned by the *Jews*, he had not been *crucified*. The Law of *Moses* knew no such Punishment. He might have been stoned, or strangled, or burnt; or put to Death by the Sword (*b*), according as the Crime was, for which he was condemned; but he could not have been *crucified*.

Taking these Words, therefore, as they stand connected with the Context, they are so far from proving, that the *Romans* had deprived the *Jews* of the Power of inflicting Death on Criminals, that they shew the contrary, and plainly imply, that it was in their Option whether they would try *Jesus* themselves, or deliver him to be tried by the Go-

(a) John xii. 32, 33.

(b) Vid. Mishna Sanhed. c. 7.

vernor. For their Answer is most evidently a Refusal of the Governor's Offer, referring *Jesus* to be tried by themselves; and by this Refusal of theirs, came to pass the Fulfilment of our Saviour's Prophecy. If we interpret the Words in any other way, we destroy the Connection, and make little or no Sense of what goes before, or else of what follows after. Would *Pilate* say to the *Jews*, *Take ye him, and judge him according to your Law*, if they had not the Power to inflict the Penalty their Law prescribed? This would be mere Mockery. And indeed so it's understood by some (a); as though *Pilate* in these Words, by a severe Sarcasm, put the *Jews* in mind of the Power they had lost. But how then will the latter Sentence cohere, *that the Saying of Jesus might be fulfilled, &c.*?

Let us take it for granted, that *Pilate* makes himself merry with the Impotence of the *Jewish* Nation, when he bids them *Take Jesus, and judge him according to their Law*. The Answer of the *Jews* then, we must suppose, is a serious Reply hereto: "Why do you taunt us with our Want of Power? You well know, that you *Romans* have by Force deprived us of our Judicatories in all capital Causes, and made it unlawful for us to put any Man to Death." In this Case how will follow what is added by the Evangelist, *That the Saying of Jesus might be ful-*

(a) Scaliger. Vid. Huber. Dissert. l. 1. c. 3. p. 15.

filled,

filled, signifying what Death he should die? Does the Fulfilment depend upon this Answer of the *Jews*? Not in the least. Do they hereby refuse any thing, which it was in their Power not to have refused? No. Do they hereby voluntarily give up *Jesus* into the Hands of the *Gentiles* to be judged by them, when they might have judged him themselves? On the contrary, they declare, that it was not in their Power to inflict Death on him or on any Man; and therefore that they were constrained and forced to deliver him to the *Gentiles*, in order to his being judged and punished. The Fulfilment of the Prophecy, therefore, does not all depend upon the Reply made by the *Jews* to *Pilate*, but upon the hard Condition the *Romans* had laid upon them in taking from them the Use of their own Laws. The Evangelist *John* plainly rests the Fulfilment of the Prophecy upon the Answer which the *Jews* make to *Pilate*; but this Interpretation rests it upon a Circumstance as well known before the Answer was made, as after. So that in Truth it bears no manner of relation to the Answer, nor has any Connection with it.

Let us, however, proceed one Step further, and take it for granted, that the Apostle does not mean, that the Fulfilment of the Prophecy had any relation to the Answer made by the *Jews*, but only to the well-known Circumstance of that Time, referred to, or signified by this Answer, *viz.* that the *Romans*

had deprived the *Jews* of the Power of inflicting Death upon Criminals. What will be the Consequence? In Truth, that the Prediction, which relates the Manner of our Lord's Death, was no Prophecy: For if it was the stated Course of Things at that Time, that the *Jews* could put no Man to Death, but were obliged to deliver up every one, whom they esteemed a Malefactor deserving of Death, to the *Roman* Governor to be punished by him, wherein lay the Difficulty of foreseeing this? It must be observed, that we are speaking now of the Prophecy only, so far as it related the *Manner* of our Lord's Death. For it is the Fulfilment of this in particular, that the Apostle *John* remarks. After our Lord had foretold, that he should be delivered into the Hands of the Chief Priests and *Scribes*, and they should condemn him to Death (*a*), if it was the known fixed Method for them to deliver up Malefactors to the Governor, and it was the constant Practice of the *Romans* to *crucify* all Criminals of a low and mean Condition, as it is acknowledged to have been (*b*), what could there be remarkable in the *Manner* of his Death? Was it any other than such, which those who were of the Condition he was pleased to appear in, when taken and condemned by the *Jewish* Rulers, had Reason to expect?

What then is the Meaning of the *Jews*, when they say, *It is not lawful for us to put any Man to Death?* I have already shewn from the Con-

(*a*) Mark x. 33.
p. 16.

(*b*) Huber. Dissert. l. 1. c. 3. § 3.

text, that these Words contain a Refusal of the Offer made them by *Pilate*, that they should take and judge Jesus according to their own Law. Something more therefore must be understood than what is expressed; and nothing, I think, can so reasonably be supplied to make the Sense full, as that which regards the Time when the Words were spoken, being the first Day of the Passover Week, and the Preparation for the Sabbath: *It is not lawful for us to put any Man to Death this holy Festival (a).* This is the
 Con-

(a) Σάββατον ἐστὶν ἢ ἐξέσι σοι ἀφαιτὸν κρᾶλλον, Joan. v. 10. I would ask any, whether, if the first Words, Σάββατον ἐστὶν, were left out, they could possibly misunderstand the Place, and whether these Words might not most easily be understood from the Context. The Words Πάσχα ἐστὶν, or ἑορτή ἐστὶν, are here left out, but are most easily supplied from the Context; for in the eighteenth Verse, it is said, that they themselves entered not into the Judgment-hall, lest they should be defiled; but that they might eat the Passover. *Pilate*, who had been now some Years Governor, could not but be acquainted with their Customs, and no doubt understood them as fully as if they had said, Σάββατον ἐστὶν ἢ μὴ ἢ ἐξέσι ἀποκρίσει αὐτὸν ὁ δέσποτα. The first Day of the Passover Week is called a Sabbath, *Lev. xxiii. 11.* (Vid. *Lightfoot*, Vol. I. p. 222. and Vol. II. p. 184.) When they were forbid to do any servile Work on this Day, was it lawful for them to execute a Criminal? or would they, who esteemed it a Breach of the Sabbath to heal a Person on that Day, allow the taking away of Life on it? If there be any Truth in the Rule laid down by the Jewish Doctors, that those who accused or were Witnesses against a Man for any capital Crime, were obliged first to warn him, that what he was committing laid him open to the Punishment of Death, (vid. *Selden. de Syned. l. 2. c. 13. §. 2.*) possibly this might be the Reason why the Jews added those Words, Σάββατον ἐστὶν, when they spake to the Man, who carried his Bed, as being a necessary Part of the Form of Premonition required to his Conviction. But when the Jews spake to *Pilate*, there was no Need of their being thus explicit. It is observable, that *Herod* kept *Peter* in Prison till the Passover was past, *Acts xii. 4.* And that it was esteemed an Honour due to great Festivals to omit the Pu-

Construction put on the Words by St. *Augustine* (a), *Cyril* (b), and others of the Ancients (c). And this agrees exactly with the Rule laid down in the *Talmud*. The *Mishna* says expressly, that capital Causes, in which the Criminal was condemned, were always to be finished on the Day after the Tryal began : For which Reason these Tryals were never to begin the Day before the Sabbath, or the Day before a Festival (d). The *Gloss* says, For otherwise the Decision of the Judgment would be on the Sabbath ; but it is not lawful to prolong the Day of one that is condemned to die, (*i. e.* it is not lawful to defer his Execution to another Day) nor can capital Punishments be inflicted on him the same Day, because of the Sabbath (e) : And *Maimonides* says, if a Person was accused of a capital Crime on the Day before the Sabbath, they kept him in Custody to the first Day of the Week, and then tried him (f).

In Answer to this, it is said, that some Malefactors were reserved to the Time of their great Feasts, that the Execution might be the more

nishment of Criminals on such Days, is evident from Philo in *Flac.* p. 976--7. Ἐὼ λέγει, ὅτι εἰ καὶ μυρία ἦσαν ἡμαρτηκότες, ὄφειλε ἔ καιρὸν αἰδεῖσθαι τὰς τιμωρίας ὑπερθεῖσθαι, &c. " If they had been never so guilty, he ought in Reverence to the Season to have delayed their Punishment " Doubtless it was in Honour of the Passover that the *Roman* Governor was wont to release unto the *Jews* a Prisoner, whomsoever they desired. (a) *Traſat.* 114. in *Joan.* (b) L. 12. in *Joan.* c. vi. (c) *Chrylost.* hom. 82. in *Joan.* *Beda* in cap. xviii. *Joan.* (d) In *Sanhed.* c. 4. § 1, fin. (e) *Cocceii duo tituli Talmud.* p. 31. (f) *Halc Sindh.* c. 11. *Vid. Seld. de Syned.* l. 2. c. 10. § 2. p. 1433, &c. 13. § 1. p. 1496.

publick :

publick (a): And it is true, the *Mishna* does say, That the stubborn Elder, who refused to obey the Decrees of the great Sanhedrim, was to be kept in Custody till one of the three great Feasts, and during the Feast to be put to Death, that all the People might hear and fear, and do no more presumptuously (b). I might possibly have said, that this was a singular Case, and an Exception to a general Rule, were it not that the *Jewish* Masters from a Parity of Reason conclude the same thing of three other Cases, which are those of the rebellious Son, the Enticer to Idolatry, and the false Witness. And these are the only Malefactors, mentioned by *Jewish* Writers, who were to be reserved to one of the three great Feasts to be then punished (c). However, it seems not probable to me, that even these Criminals were to be executed on the principal Feast-days, which were well nigh as strictly observed as their Sabbaths; but on *Moedkaton* (d), some lesser Holy-days, such as in their Festival Weeks came between the first and the last Days of the Solemnity (e). For the first and the last Days were by Divine Appointment to be kept like their Sabbaths, and no servile

(a) Huber. Dissert. l. 1. c. 3. § 2. p. 15. pr. (b) In Sanhed. c. 10. § 4. Vid. *Lightfoot*, Vol. I. p. 908, fin. (c) Selder. de Syned. l. 3. c. 3. § 7, 8. p. 1636-7. (d) Vid. *Lightfoot*, Vol. I. p. 968, 969. the Word למנוחה made use of here by the *Mishna* signifies the whole Time of the Solemnity, and so does the Word εορτη both in the Gospels and in *Josephus*. Vid. Grot. in Matt. xxvi. 5. & xxvii. 15. (e) In this Particular *Grotius* concurs with me, in Matt. xxvi. 5. p. 242, b. 25, ad fin. usque.

Work was to be done therein (a). But be that as it will, it is certain our Saviour was not accused of any of those four Crimes.

The Day on which our Lord was put to Death was the first Day of the Passover Week, and the fifteenth Day of the Month. It was unlawful therefore for them to try him on the fourteenth, or to put him to Death on the fifteenth, and the next Day was the Sabbath. So that they must have reserved him in Custody to the seventeenth, which was the first Day of the Week, before they could have tried him, and to the eighteenth, before they could have executed him, had they proceeded according to their own Rules. But such Delays no doubt they esteemed dangerous, and therefore pushed for his immediate Execution in another way. What we read of their hearing Witnesses, and pronouncing him guilty (b), I take to have been extrajudicial. It was not done with a View to put him to Death by their own Laws, and therefore they wholly neglected the Rules usually observed by them in all capital Causes. Had they followed those Rules, they must not have sat at the High-Priest's House (c), but in the Temple, in the Room *Gazith* (d): Nor must they have heard his Cause by Night (e): Nor must they have tried him on the Day before so great a Festival. But, designing this as a mere ex-

(a) Lev. xxiii. 7, 8, 35, 36. (b) Matt. xxvi. 59, 60, 61, 66.
 (c) Matt. xxvi. 57. John xviii. 24. (d) Seld. de Syned. l. 2. c. 15. § 10. p. 1558. (e) Mishna Sanhed. c. 4. § 1, prop. fin. Seld. de Syn. l. 2. c. 10. § 2. p. 1423.

trajudicial

trajudicial Affair, they had no regard to Rules ; and having determined to take away his Life as soon as possible, they would not keep him in Custody to the first Day of the Week, when they might have sat in Judgment on him ; but were fully bent upon delivering him up to the *Roman* Governor, and trying their Interest with him to have him immediately executed. The manifest Reason of this was their Fear of the People; lest they should arise, and attempt a Rescue (*a*). For this Reason they had once resolved not to apprehend him at the Feast (*b*); but having so fair an Opportunity put into their Hands by *Judas*, they departed from that Resolution. However, the same Reason prevailed with them to push on his Execution with all possible Speed: And to this End, I am persuaded, they placed their own Creatures and Dependents in great Numbers near the *Prætorium*, who were instant with loud Voices, requiring that he might be crucified (*c*).

It is pretended, that it was the Duty of the Municipal Magistrates to apprehend and imprison Malefactors, to give them a Hearing, and take Cognizance of their Crimes, to examine Witnesses, and other legal Proofs; and if they found them guilty, to condemn them as worthy of Punishment, with this View, that they should send them to the President of the Province loaded with this previous Judgment and Condemnation of theirs: And although the

(*a*) Luke xxii. 2. (*b*) Matt. xxvi. 5, Mark xiv. 2. (*c*) Matt. xxvii. 20. Mark xv. 11.

President was obliged to hear the whole Cause over again, yet it is supposed he paid a favourable Regard to the Representation of these Magistrates, and generally concurred with them in his Sentence. Now because it is said in the Gospels, that our Saviour was first examined and condemned in the *Jewish* Council, then delivered by them to the *Roman* Governor, who again tried and condemned him, it is taken for granted, that this is a Case parallel with the former, and founded upon the same Part of the *Roman* Law (a). But the Whole of this is without any Foundation. What is said of the Municipal Magistrates is not proved by the Law alledged (b): And if it were, how does it thence follow, that in our Saviour's Time the Magistrates of Provinces were bound to do the same with them? Why is it not first shewn, that the *Municipia* and Provinces were in those early Days governed by the same Laws? This I take to be beyond the Power of Man. Notwithstanding, in the present Dispute, this is always taken for a Thing certain, and Arguments are founded upon it (c). But were we to allow this

(a) Huber. Dissert. l. i. c. 4. § 2, 3, 4: p. 19, 20, 21. *Lard. Cred.* Vol. I. p. 97, 144. (b) L. 6. ff. de custod. & exhib. reorum. This Law makes not out the Thing for which it is brought, unless it be first shewn, that the *Irarchs* there mentioned were *Duumviri* or Municipal Magistrates, which I am persuaded will be a difficult Task. (c) *Huber* through his whole Dissertation takes it for granted, that the State of the *Roman* Government, with regard to the Provinces, was the same in the Reigns of *Augustus* and *Tiberius*, as it was after the Law of *Antoninus Caracalla*. p. 18, 19. He quotes the Poet *Ausonius* as describing the Magistrates of *Municipia* without the Power of in-
acting

this also, it will appear evident to any one, who examines the History of our Saviour's Tryal, that there's little Similitude between the two Cafes.

The previous Tryal and Condemnation before the supposed Municipal Magistrates were for the same Crimes contained in the Eulogium or Accusation sent to the *Roman* Governor, for which very Crimes the Malefactor was tried over again by the Governor. But in our Saviour's Cafe the Crimes were quite different (a). Whilst our Lord is before the *Jewish* Council, he is accused of having said, that *he would destroy the Temple, and build it again in three Days* (b): And at length, being questioned upon Oath by the High-Priest, is, from the Answer he made condemned for Blasphemy. But not a Word is said before them of his Seditious or Treason. On the other hand, when he is brought before *Pilate*, the *Jewish* Magistrates accuse him of Seditious and Treason (c). Indeed, when they found that *Pilate* cleared him of those Crimes, they added, *We have a Law, and by our Law he ought to die, because he made himself the Son of God*. But this was so far from moving *Pilate* to condemn him, that it rather inclined him to release him (d): And it is certain, that

fictitious Death. This Poet lived at the latter End of the fourth Century, above a hundred and fifty Years after the whole *Roman* Empire was taken into the Citizenship of *Rome*, and there was no longer any Distinction between *Municipia* and other Cities. (a) V. d. Grot. in Matt. xxvii. 11. (b) Mark xiv. 58. Matt. xxvi. 61. (c) Luke xxiv. 1--5. particularly, that it was unlawful to pay Tribute to *Cæsar*. (d) John xix. 7--12.

what

what the *Jews* called Blasphemy was esteemed no Crime among the *Romans*, and an Accusation of this Kind at a *Roman* Tribunal must have been without Effect. What prevailed with *Pilate* at length to give him up to their importunate Solicitations, was that Saying of theirs ; *If thou let this Man go, thou art not Cæsar's Friend* ; which plainly implied a Threatening, that they would accuse him to *Cæsar* of Remissness in his Duty. The Argument they use with *Pilate* is in Brief this : “ Though you, “ Sir, judge not this Man guilty of the Sedi- “ tion and Treason laid to his Charge, yet we “ know him to be deserving of Death by our “ Law ; and if you will not gratify our Desire “ in punishing him with Death, we shall ac- “ cuse you to *Tiberius Cæsar* as greatly negli- “ gent in suppressing Seditious :” And it is well known, that *Tiberius* was of a suspicious jealous Nature (*a*), and very ready to hearken to such Complaints. This was an Argument *Pilate* could not withstand ; therefore yielded to their Importunity, and condemned him as guilty of the Seditious and Treason they had accused him of (*b*), which appeared by the Title he put over his Head.

(*a*) Vid. Grot. in Joan. xix. 13.
l. 1. c. 3. § 3. p. 16.

(*b*) Vid. Huber. Diss.

S E C T. IV.

An Answer to two other Arguments taken from the New Testament.

A Second Argument is taken from those Words of *Pilate* to our Saviour, *Knowest thou not, that I have Power to crucify thee, and Power to release thee (a)?* Which Words are said clearly and expressly to declare, that *Pilate* was the *only* and supreme Judge, and that there was no other Magistrate to whom it was granted by Law to determine this capital Cause, by pronouncing Sentence of Absolution or Condemnation (b).

That *Pilate* was supreme Judge under the Emperor, and under the Governor of *Syria*, not in this Case only, but in every other Case, which happened within the Province of *Judæa*, I readily grant; but I can't perceive the least Intimation, that he was the *only* Judge. If the *Jewish* Magistrates had tried our Saviour with an Intention to execute him themselves, there is not the least Doubt but *Pilate* could have sent a Prohibition, stopped their Proceedings, called the Cause before himself, and released him. But it cannot follow from hence, that they had no Power to condemn and execute Malefactors,

(a) John xix. 10.

(b) Huber. Dissert. l. 1. c. 3. § 4.

p. 16. Vid. Lardner's Cred. Vol. I. p. 83.

when

when the Governor did not think fit to interpose. Inferior Courts may certainly be said to have a Power, though they are under the Controul of superior ones. It is well known, that the *Romans* punished Offenders in federate Cities (*a*), and that the Presidents of Provinces exercised Authority over Kings themselves (*b*): Does it hence follow, that these had not *jus gladii*, the Power of trying and executing Criminals?

There is another Passage in the *New Testament*, which I find interpreted this way; and that is, in the Case of the Woman taken in Adultery. The *Jews* say to our Lord, *Moses in the Law commanded, that such should be stoned; but what sayest thou?* It is added, *This they said, tempting him, that they might have to accuse him* (*c*): To accuse him before the *Roman Governor*, if he determined, that she ought to be stoned; because, if the *Jews* were prohibited the Execution of their own Laws in capital Cases, this might be interpreted an exciting them to Rebellion: And if he determined, that she ought not to be stoned, to accuse him of derogating from the Law of *Moses*, and thereby lessen his Credit among the People (*d*).

This, it must be owned, when Persons are prepossessed with the Notion, that the *Romans* had deprived the *Jews* of the Power of inflicting capital Punishments, seems an Interpretation natural enough. But here is not one Word

(*a*) (*c*) L. 7. ff. de Captiv. (*b*) Jos. Antiq. l. 19. c. 8. (*c*) John viii. 5, 6. (*d*) Grot. in Joan. viii. 6. *Lard. Cred.* Vol. I. p. 68, 69, 70. said

said upon which to ground this Notion: And it is probable, the only Snare here laid for our Saviour was, to get from him something in Derogation of the Law of *Moses*. He had often preached the Doctrine of Forgiveness in the strongest Terms, even in such Cases, wherein the Law of *Moses* allowed the same Evils to be inflicted by the Judge on the injurious Person, as had been done to the injured (*a*). The *Pharisees* might hence possibly suspect, that our Lord would determine absolutely against the Execution of the Penalties enjoined in the Law of *Moses*, and hope to accuse him hereof before the Magistrates, as well as raise a Spirit in the People against him.

S E C T. V.

The Romans frequently indulged the Nations they conquered in the Use of their own Laws even in Capital Causes.

I Proceed now to give the Reasons, which induce me to think, that the *Jews* had the Power of inflicting Death on Criminals continued to them under the *Roman* Government. First, Nothing is more evident, than that many Cities, and some whole Countries, had granted them by the People and Emperors of *Rome* the Privilege of being governed by their own

(*a*) Matt. v. 38, &c.

Laws, and their own Magistrates, some in a more ample and full, and some in a more restrained manner. Several of the Cities, and little Nations in *Italy*, under the ancient Republick, chose rather to be governed by their own Laws, than to be made Citizens of *Rome*, and be under the *Roman* Laws; and it was granted them, as we are informed by *Livy* (a) and *Tully* (b). After the Conquest made in the second *Punick* War, the *Romans* permitted the *Carthaginians* to live according to their own Laws (c). The Islands of *Sicily* (d) and *Sardinia* (e), when *Roman* Provinces, used their own Laws. The *Grecian* Cities both in *Europe*

(a) Hernicorum tribus populis, Alatrinati, Verulano, Terentinati, quia maluerunt, quam civitatem, suæ leges reddita—Anagninis, quique arma Romanis intulerant, civitas sine suffragii latione data: concilia connubiaque adempta: & magistratibus, præterquam sacrorum curatione, interdictum. Lib. 9. c. 43, prop. fin. Prænestinis militibus senatus Romanus duplex stipendium & quinquennii militiæ vacationem decrevit. Civitate quum donarentur ob virtutem, non mutaverunt. L. 23. c. 20, pr. Alios in ea fortuna haberent, ut socii esse quam cives mallent. L. 26. c. 24. prop. pr.

(b) In quo magna contentione Heracliensium & Neapolitanorum fuit, cum magna pars in iis civitatibus foederis sui libertatem civitati anteferet. Pro Balbo, c. 8. (21) p. 597, pr.

(c) Ut liberi legibus suis viverent; quas urbes, quosque agros, quibusque finibus ante bellum tenuissent, tenerent. Livii l. 30. c. 37. Ἐθεσι καὶ νόμοις χρῆσθαι τοῖς ἰδίοις. Polyb. l. 15. p. 705, B. Δίδωσιν αὐτοῖς ἢ σύγκλητος τὴν τ' ἐλευθερίαν, καὶ τὰς νόμους; ἔτι δὲ τὴν χῶραν ἅπασαν. Excerpt. Legat. 142. p. 973, fin.

(d) Siculi hoc jure sunt, ut, quod civis cum cive agat, domicilet suis legibus. Cic. in Ver. l. 2. c. 13, pr.

(e) Diodor. Sicul. l. 5. p. 296, a. Μέχρι τῆς νῦν αὐτονομίαν τοῖς ἐγγχωρίαις ἀσάλευτον φυλάξαι, & p. 297, pr. Διεφύλαξε τὴν ἐλευθερίαν μέχρι τῶν καθ' ἡμᾶς χρόνων. The Historian indeed tells us, that neither *Carthaginians* nor *Romans* were able to take it from them; but I think it more probable, that it was the voluntary Grant of the latter.

and

and *Asia* had their Liberty and Laws preserved to them, when the *Romans* vanquished *Philip* King of *Macedonia* (a), which were restored again to the *Phocæenses*, when their City was taken by *Æmylius Scaurus*, in the War with *Antiochus* (b): For they had fallen off from the *Romans* to that King. To the *Macedonians*, after the *Romans* had taken *Perseus* their King, it was granted, that they should use their own Laws, choosing their Magistrates every Year (c). The *Illyrians* (d), *Galatians* (e), and *Phrygians* (f), had the same Liberty. In *Syria*, *Antioch* (g), *Gaza*, *Joppa*, *Dora*, *Cæsarea* (h), *Seleucia* (i), *Tyre*, and *Sidon* (k), were free

(a) Omnes Græcorum civitates, quæ in Europa, quæque in Asia essent, libertatem ac suas leges haberent. Livii l. 33. c. 32, pr. Vid. & l. 34. c. 22, prop. fin. Ἐλευθέρας ὑπάρχειν, καὶ νόμοις χρῆσθαι τοῖς ἰδίοις. Polyb. Excerpt. Leg. 9. p. 795. (b) Urbem agrosque, & suas leges restituit. Liv. l. 37, 9. & 32. Phocæensibus & ager quam ante bellum habuerunt, redditus; & ut legibus antiquis uterentur, permissum. L. 38. c. 39. Ἀπέδωκαν δὲ καὶ Φωκαιοῦσι τὸ πάτριον πολίτευμα, καὶ τὴν χώραν ἣν καὶ πρότερον εἶχον. Polyb. Excerpt. Legat. 36. p. 844, fin. (c) Omnium primum liberos esse placebat Macedonas atque Illyrios. Liv. l. 45. c. 18. & 22. Habentes urbes easdem agrosque, utentes legibus suis, annuos creantes magistratus, c. 29. Τῶν δὲ δέκα πρεσβέων ἐκ Ῥώμης ἀφικομένων, Μακεδόσι μὲν ἀπέδωκε τὴν χώραν καὶ τὰς πόλεις ἐλευθέρας οἰκεῖν καὶ αὐτονόμους. Plut. in Æmil. p. 270, B. (d) Liv. l. 45. c. 26. Senatium populumque Romanum Illyrios esse liberos jubere. (e) Τοῖς παρὰ τῶν ἐκ τῆς Ἀσίας Γαλατῶν πρεσβυταῖς συνεχώρησαν τὴν αὐτονομίαν μένουσιν ἐν ταῖς ἰδίαις κατοικίαις, καὶ μὴ στρατευμένοις ἐκτὸς τῶν ἰδίων ὄρων. Polyb. Excerpt. Leg. 102. (f) Φρυγίαν αὐτόνομον μεθῆκεν, scil. ἡ Ἑλλάς, Appian. de Bell. Mithr. p. 208, D. (g) Joan. Malala Chron. l. 9. p. 278, pr. (h) Jos. Antiq. l. 14. c. 4. §. 4, fin. (i) Strabo, l. 16. p. 751, D. Eutrop. l. 6. c. 14. p. 249. (k) Jos. Antiq. l. 15. c. 4. §. 1, fin. Vid. & Noris. Epoch. Syr. Mac. Diff. 5. c. 3. Spanh. Orb. Rom. p. 330—1.

Cities, with many other Places. In a word, there were some Provinces, the greatest Part of which, if not the whole, were allowed to live according to their own Laws (a). And there was scarce any one Province, in which there were not large Districts, and many Cities, which had the same Liberty. Now, if it was so common a thing with the *Romans* to grant a conquered People the Choice of their own Magistrates, and the Use of their own Laws, Why may it not be thought, that this was allowed by them in *Judæa*? Why must we suppose, that they were placed in a worse Condition than so great a Number of other Countries (b)? That the *Carthaginians*, after the second *Punick* War, had the Power of executing their own Laws, even where the Punishments were capital, I believe no learned Man ever yet doubted; or that the *Grecians* had that Power after the War with *Philip*. What hinders then from concluding the same with regard to all those Places to which the *Romans* granted their own Magistrates, and their own Laws? When the very same Phrases are used by *Classick* Writers in speaking of the one, as are made use of by them when speaking of the other, what should prevent our understanding them in the same Sense? Or let it be shewn when these

(a) Such as *Sicily*, *Sardinia*, and some time possibly *Achaia*, *Asia*, *Cyprus*. (b) The *Jews* were in hopes, that an Argument of this Kind would prevail even with *Caligula* himself not to violate their Laws, ἢ περὶ τῆ μὴ πάντων, καὶ τῶν ἐν ἑκαταῖς ἐθῶν, οἷς τετήρηται τὰ πάτρια, ἔλαττον ἐνέγκασθαι. *Philo de Legat. ad Caium*, p. 1026, E.

Words began to vary their Signification. I would also know, if the *Macedonian* Magistrates had not the Power of inflicting corporal Punishments and Death upon Malefactors, how it was possible to preserve the Peace of that Country, when the *Roman* Governor, who was among them, was without that Power. *Cicero*, if I mistake him not, expressly says, that such Governors were sent thither in his Time, and that the Peace of the Province was kept by the Power it had within itself, *i. e.* by the Vigilance of the Magistrates in executing their own Laws (*a*).

Some Countries seem to have been almost wholly exempted from the Rods and the Axes, *i. e.* from the Power of the Governor, who was sent into the Province. Thus, for Instance, of *Massilia*, (now called *Marseilles*) and of all the Places subject to it, *Strabo* says, *That they were not obliged to obey the Governors sent into the Province* (*b*). He says the same thing of *Nemausus* (now called *Nismes*) together with

(*a*) *Atque hanc Macedoniam, domitis jam gentibus finitimis, barbarique compressa, pacatam ipsam per se, & quietam, tenui præsidio, atque exigua manu, etiam sine imperio, per legatos nomine ipso populi Romani tuebatur: Quæ nunc consulari imperio, atque exercitu ita vexata est, &c. De Prov. consular. c. 3, prop. p. 589, fin.*

(*b*) *Καὶ ὁ Καίσαρ δὲ καὶ οἱ μετ' ἐκεῖνον ἡγεμόνες, πρὸς τὰς ἐν τῷ πολέμῳ γεννηθείσας ἀμαρτίας, ἐμετρίασαν, μεμνημένοι τῆς φιλίας, καὶ τὴν αὐτονομίαν ἐφύλαξαν, ἣν ἐξ ἀρχῆς εἶχεν ἡ πόλις, ὥστε μὴ ὑπακίβειν τῶν εἰς τὴν ὑπαρχίαν περιπομένων στρατηγῶν. l. 4. p. 181, B. Vid. & Cic. pro Flacco, c. 26. (63) p. 492. Neque vero te, Massilia, prætereo, — cuius ego civitatis disciplinam atque gravitatem non solum Græciæ, sed haud scio an cunctis gentibus anteponendam jure dicam: quæ — sic optimatum consilio gubernatur, ut omnes ejus instituta laudare facilius possint, quam æmulari.*

the twenty-four Towns under it (a). Both these Places were in the Province of *Gallia Narbonensis* (b). What *Strabo* asserts of these Parts of *Gaul* was, no doubt, true also of the *Lacedæmonians*; of whom *Tully* affirms, that they had lived to his Time more than seven hundred Years without having changed their Laws (c). *Polybius* also says, that *Lycurgus*, by the Laws he gave them, preserved Liberty to the *Lacedæmonians* longer than it had been secured to any other People, of whom he had the Knowledge (d): And *Apollonius* calls them the freest of the *Grecians* (e). The *Rhodians*, I am persuaded, were favoured with a like Exemption (f): And likewise the *Lycians*, whose Council was composed of Members sent from twenty-three Cities; in which Council their Magistrates were chosen, and their Judicatories appointed. Here also they had been used to consult of Peace and War; but this Privilege the *Romans* took from them, so that for the future they were not to treat of Peace and War, unless by

(a) Διὰ δὲ τῆτο ἔδ' ὑπὸ τοῖς προσάγμασι (for so undoubtedly it ought to be read, and not πράγμασι) τῶν ἐκ τῆς Ῥώμης στρατηγῶν ἐστὶ τὸ ἔθνος τῆτο, l. 4. p. 187, A. (b) Vid. *Strabo*, l. 4. p. 178, B. & p. 189, C. Ταῦτα μὲν ὑπὲρ τῶν νεμομένων τὴν Ναβωνίτιν ἐπικράτειαν λέγομεν. (c) *Lacedæmonii* soli toto orbe terrarum septingentos jam annos amplius unis moribus & nunquam mutatis legibus vivunt. *Pro Flacco*, c. 26. (63, pr.) p. 492. (d) L. 6. c. 1. p. 459. Vid. & *Strab.* l. 8. p. 376, fin. Καὶ διετέλεσαν τὴν αὐτονομίαν φυλάττοντες. (e) Ἐλευθερώτατοι μὲν γὰρ τῶν Ἑλλήνων εἰσὶ, μόνοι δ' ὑπήκοοι τῷ εὐὲ συμβουλευόντος. In *Vit. Apollon.* l. 6. c. 10. p. 292. C. Τοῖς τὴν ἐλευθερίαν ἀσκήσιν, D. (f) Vid. *Liv.* l. 38. c. 39. l. 45. c. 20—25. & *Epit.* 46. *Cic. ad Quint. frat.* l. 1. ep. 1. c. 11. p. 1021, fin. *ad famil.* l. 12. c. 14. p. 815, pr.

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their Permission, or for their Advantage. *Strabo* adds, that they managed this Government of theirs so well, that they remained always free under the *Romans* to his Time (a). To these I might add the Cities of *Tarsus* (b), and *Byzantium*, of which last *Tully* speaks, when he accuses *Piso* of exercising Jurisdiction in a free City contrary to the *Roman* Laws (c). There is no one, I think, can doubt whether these People had the Power of putting Persons subject to them to Death in the Execution of their own Laws. How otherwise could it be said with any Propriety, *That they were not bound to obey the Governors sent into the Province?* For if they themselves had not the Power of inflicting corporal Punishments and Death, but the Governor of the Province had, most certainly they were bound to obey him, and that under the severest Penalties: Or with what Truth could *Strabo* relate, that the *Lycians* were left free by the *Romans*, excepting only in the making Peace and War, if at the same time the *Romans* took from them the Execution of the Punishments which their Laws prescribed? Most certainly that ought also to have been excepted. For what greater Infringement of their

(a) L. 14. p. 664, fin. 665, pr. "Ουτως δ' εὐνομουμένοις αὐτοῖς, συνέβη παρὰ Ῥωμαίοις ἐλευθέροις διατελέσαι. (b) *Julius Caesar* gave to the Citizens of *Tarsus* χώραν, νόμους, τίμην, ἐξουσίαν τῶ ποταμῷ, &c. *Dio Chryf. Orat.* 34. p. 415, D. Vid. & *Dio. Cassii* l. 47. p. 342, A. (c) *Omitto jurisdictionem in libera civitate contra leges senatusque consulta. De Prov. consu!* c. 3, fin. p. 590, a. *Oppidum Byzantium liberæ conditionis. Plin.* l. 4. c. 11. p. 442, pr.

Liberty could they have suffered? On the contrary, though he tells us, that in their Convention or Council they elected their Magistrates, and appointed their Judicatories, he adds no Limitation, no Restriction whatever to their Power, in condemning and punishing of Criminals (a). We read, that both *Lycians* and
Rhodians

(a) To the Places already mentioned, I might have added the Island of *Cyprus*, which, after it was reduced to a Province by *Cato*, was still governed by its own Laws and Magistrates, as is most evident from those Words of *Tully*: *Q. Volusium, tui Tiberii generum, certum hominem, sed mirifice etiam abstinentem, misi in Cyprum, ut ibi pauculos dies esset; ne cives Romani pauci, qui illic negotiantur, jus sibi dictum negarent. Nam evocari ex insula Cyprios non licet.* Ad *Attic.* l. 5. ep. ult. p. 906, pr. *Volusius* was sent to *Cyprus* to administer Justice to the few *Romans* that trafficked there; for the *Cyprians*, being wholly under their own Laws, and their own Administration, had no need of a *Roman* Magistrate among them. They had also this further Privilege, that they could not be compelled upon any Pretence to go out of their own Island. Upon any Differences therefore between *Cyprians* and *Romans*, forasmuch as the *Romans* could be judged only by their own Magistrates, it was absolutely necessary a *Roman* Judge should be sent to the Island. Reflecting upon this Passage, a Doubt arises in my Mind concerning the Antiquity of that Maxim of the Civil Law, *Merum Imperium non posse transire*; for certainly in the Case before us *Tully* delegated *Merum Imperium* to *Volusius*; otherwise the *Romans* might still complain, that Justice was denied them: Unless it be taken for granted, that no Criminal Causes could happen between the *Cyprians* and *Romans* in that happy Island. *Tully* says in the Words immediately before those I have cited, *Quintum fratrem hybernis & Cilicia praefeci.* Can it be doubted, whether he delegated criminal Jurisdiction to his Brother? I well know it is allowed by *Civilians*, that in case of Absence it might be done. I also know, that it is a Part of the Civil Law, that the Governor of a Province should continue in his Province, and administer Justice there till the Arrival of his Successor; that he is not permitted to be absent from his Province, but in the single Case of paying a Vow, and even in that Case not to lie one Night out of the Province under the severest Penalty. Vid. l. 10. ff. de Off. Proc. & l. 15. ff. de Off. Praef. Nov. 8. c. 9. Nov. 95. c. 1. It seems not improbable to me,
that

Rhodians were afterwards deprived of their Liberty, and the Reasons given will serve farther to explain this Matter. Although to *Strabo's* Time the *Lycians* were highly to be commended for the prudent Administration of their Republick, it was quite otherwise in the Reign of the Emperor *Claudius*, when they fell into Dissensions and Tumults, and put to Death *Roman* Citizens (a). The *Rhodians* also crucified some *Roman* Citizens (b). For these Reasons were they deprived of the ancient Freedom of living according to their own Laws, as *Dion* expressly informs us. They greatly abused the Liberty

that these two Rules of Law, that *Merum Imperium* should not be delegated, and that a Governor should wait the Arrival of his Successor, grew up like Twins together: That the latter was not necessary in the Time of *Tully*, is evident from his Practice; for he left his Province to the Care of his Quæstor, and affirms, that the Course of Precedents was with him, *Omniū fere exemplo*, ad Famil. l. 2. ep. 15. & *huius res plura exempla*, ad Attic. l. 6. ep. 6. And the very Laws quoted by *Civilians* to prove, that criminal Jurisdiction might be delegated in case of Absence, only shew that anciently the Presidents were wont to leave their Provinces before the Arrival of their Successors, l. 1. ff. de Off. ejus cui mand. est Jurisd. l. 1. § 8. Ad Senat. consult. Turpill. (a) *Lyciis ob exitiabiles inter se discordias libertatem ademit*, Suet. Claud. c. 25. n. 11. Τέσσε Λυκίης σασιάσαντας ὄψε καὶ Ῥωμαίους τινὰς ἀποκτεῖναι ἐδύλωσατο, Dio, l. 60. p. 676, C. (b) Τῶν τε Ῥοδίων τὴν ἐλευθερίαν ἀφείλετο, ὅτι Ῥωμαίους τινὰς ἀνεσκολόπισαν, Dio, l. 60. p. 681, B. It was twice taken from the *Cyziceni* for Violence offered to the *Romans*, first by *Augustus*, because they scourged some *Romans* to Death, Dio, l. 54. p. 525. E. He a few Years after restored them to their Liberty again, Dio, l. 54. p. 537, D. It was taken away again by *Tiberius*, because they imprisoned some *Romans*, and finished not the Temple, which they had begun to erect for *Augustus*, Dio, l. 57. p. 619, D. because they attempted some Violence on *Roman* Citizens, Suet. Tib. 37. 7. 17. Vid. & Aug. 47. 2. 6. for their Want of Care in the Ceremonies of *Augustus*, to which was added the Crime of Violence against *Roman* Citizens, Tac. Ann. l. 4. 36. 2.

granted them, and exercised their Power on those over whom they had no Authority. For their Power extended not to *Roman* Citizens, as we shall see more fully hereafter. The *Lycians*, split into Parties, probably in the Choice of Persons to sit in their Council, became seditious, and their Quarrels ended in the Deaths of many, particularly of several *Roman* Citizens. The *Rhodians* acted outrageously against Law; for they not only put to Death those whom they had no Right to judge, but they put them to such a Death, which, had they been *Roman* Magistrates of the highest Dignity, they had no Authority to inflict. For it was contrary to Law to crucify *Roman* Citizens (a).

Other Places under the *Romans* had Liberty of living according to their own Laws allowed them, but in a more restrained Manner, *i. e.* with more Exceptions and Limitations. Thus *Macedonia* was divided by them into four Parts, and the *Macedonians* were forbidden to contract Marriage with any Persons who did not inhabit in their own Division. In like manner the Sale of Land and Houses was not permitted to be made to Persons inhabiting any other Division, and confined to those of their own. They

(a) Quos (scil. cives Romanos)—implorantes jura libertatis & civitatis in crucem sustulit, Cic. in Ver. l. 1. c. 3, pr. p. 268. Cum videant jus civitatis illo supplicio esse maculatum, in Ver. l. 4. c. 11, fin. p. 345, fin. The *Rhodians* notwithstanding, upon their Repentance, and the Oration which *Nero* made for them, were soon after restored to their Liberty by *Claudius*. Suet. in Claud. c. 25. n. 11. & in Ner. c. 7. n. 8. & Tacit. Annal. l. 12. c. 58. n. 4.

were

were not suffered to work in Gold and Silver, with several other Particulars (a). In *Sicily*, if a Cause was depending between two Persons, who were *Sicilians*, and of the same City, it was to be tried by their own Laws and Judges in their own City. But if two *Sicilians*, who were of different Cities, had a Controversy, a Judge was to be appointed by the *Rupilian* Law. If a private Person commenced a Suit with a City or Body Corporate, or a Body Corporate with a private Person, in case they could not agree, that the Senate, either of that City to which the private Person belonged, or that to which the Body Corporate belonged, should judge the Affair, the Senate of some other City was to be appointed. If a Law-suit arose between a *Roman* Citizen and a *Sicilian*, if the *Roman* Citizen was Plaintiff, a *Sicilian* Judge was to determine the Cause; if the *Sicilian* was Plaintiff, a *Roman* Judge (b).

(a) In quatuor Regiones dividi Macedoniam—neque connubium neque commercium agrorum ædificiorumque inter se placere cuiquam extra fines regionis suæ esse, metalla quoque auri atque argenti non exerceri. Liv. l. 45. c. 29. (b) Siculi hoc jure sunt, ut, quod civis cum cive agat, domi certet suis legibus: Quod Sicius cum Siculo non ejusdem civitatis, ut de eo Prætor judices ex P. Rupilii decreto, quod is de decem legatorum sententia statuit, quam legem illi Rupiliam vocant, sortiatur. Quod privatus a populo petit, aut populus a privato: senatus ex aliqua civitate, qui judicet, datur, cum alternæ civitates rejectæ sunt. Quod civis Romanus a Siculo petit, Siculus judex datur: Quod Siculus a cive Romano, civis Romanus datur, &c. Cic. in Ver. l. 2. c. 13, pr. p. 297. Suis legibus, i. e. Siculis. Etenim apud veteres non Romano tantum jure, sed & suæ cujusque civitatis legibus agebatur. Vid. Asconii notas in loc. & l. 2. C. de Jurisd. omnium.

It was usual with the *Romans* to send Persons into the Nations they had conquered, to determine what Alterations should be made in their ancient Form of Government, how far they should be under their own Laws and Judges, and how far under the *Roman Law*. In *Sicily* this Affair was settled by the Decree of *P. Rupilius* the Consul, formed by the Advice of ten Persons, who were sent to him from *Rome* on purpose to assist him herein (a) ; in *Macedonia* by *P. Æmylius*, assisted also by ten *Legati* (b). *Pompey*, when he had finished the *Mithridatick War*, did the same Thing in *Asia*, as we are informed by *Dio*, there having been a great Revolt of many of the *Asiatick Cities* or States during that War (c). And *Hirtius*

(a) Cic. in Ver. l. 2. c. 13. Legem esse Rupilianam, quam P. Rupilius consul de decem legatorum sententia dedisset, c. 16. p. 298.

(b) Liv. l. 45. c. 17, 29. Leges Macedoniæ dedit cum tanta cura, ut non hostibus victis, sed sociis bene meritis dare videretur: & quas ne usus quidem longo tempore (qui unus est legum corrector) experiendo argueret, c. 32. med. It was the constant Practice of the *Romans*, in settling the Laws, by which their new Conquests were to be governed, to send ten Persons to assist the General herein. These were usually Persons of the greatest Dignity, who had served the highest Offices: Decem legati more majorum, quorum ex consilio, T. Quintius Imperator leges pacis Philippo daret, decreti; adjectumque, ut in eo numero legatorum P. Sulpicius & P. Villius essent, qui consules provinciam Macedoniam obtinuissent. Liv. l. 33. c. 25. Vid. l. 37. c. 55. l. 38. c. 38, 47. Neque permissum est nobis ab hoc ordine, ut, bellis confectis, decem legatis permitti solet more majorum. Cic. Phil. 12. c. 12. p. 699, fin. Vid. de prov. consul. c. 11. (28) p. 592. Ad fam. l. 1. ep. 7. p. 721, fin. Ad Attic. l. 13. ep. 6. p. 981, fin. & ep. 30. Polyb. Excerpt. Leg. ubique. To *L. Anicius*, General in *Illyrium*, there were but five sent, Liv. l. 45. c. 17. & 26. The only Instance that I remember to have met with.

(c) Τα τε πλείω ἔθνη τῶν ἐν τῇ Ἀσίᾳ τῇ ἡπείρῳ τότε αὐτοῖς ὄντων, νόμοις τε ἰδίοις καὶ πολιτείαις κατέστησαν καὶ διεκόσμησεν. L. 37. p. 38, D. l. 5.

relates

relates of *Julius Cæsar*, that when he had finished the Civil War at *Alexandria*, he passed through *Galatia* and *Bithynia* into *Asia*; that he heard and determined the Controversies of all those Provinces, and gave Laws to the Tetrarchs, Kings, and Cities (a). It was upon a like Message, as I take it, that *Quirinus* was sent by *Augustus* into *Judæa*. Possibly for this Reason *Josephus* styles him $\delta\iota\kappa\alpha\iota\omicron\delta\omicron\tau\eta\varsigma\ \tau\tilde{\epsilon}\ \epsilon\delta\upsilon\tau\epsilon\varsigma$ (b), the Person who was to give Law to that Nation, or to settle how far they should be governed by their own Laws, how far by the *Roman* Law.

It is very certain, that Governors sent by the *Romans* into their Provinces, if ill Men, usually broke through these Settlements, and exercised their Authority where they ought not; so that, under such lawless Presidents, the free Districts and Cities had little or no Benefit of the Privileges granted them. This was the Case in *Sicily*, when *Verres* was Prætor. *Tully* tells us, that neither *Sicilian* nor *Roman* had any Benefit from the Laws under his Government (c). *Julius Cæsar*, sensible how much these

(a) Ita per Gallogræciam Bithyniamque in Asiam iter facit, omniumque earum Provinciarum de controversiis cognoscit & statuit; jura in tetrarchas, reges, civitates distribuit. De Bell. Alex. c. 78, pr. (b) Antiq. l. 18. c. 1. § 1, pr. (c) Hæc omnia isto Prætoře non modo perturbata, sed plane & Siculis & civibus Romanis erepta sunt: Primum suæ leges; quod civis cum cive ageret, aut cum judicem, quem commodum erat, præconem, haruspicem, medicum suum dabat: aut si legibus erat judicium constitutum, & ad civem suum judicem venerant, libere civi judicare non licebat. Edictum enim hominis cognoscite, &c. If *Verres* at any time so far complied with the Settlement as to give the proper Judge appointed by Law, he did not suffer him to pronounce

these Places, which had the Freedom of their own Laws, suffered by such Governors, passed a Law in his first Consulship, that the free People should be truly free (a). Notwithstanding his Father-in-law *Piso*, soon after, being Governor of *Macedonia*, made the whole Country his Property; in direct Contradiction to the *Julian* Law, deprived Cities of their Freedom, and not only plundered them, but the *Roman* Citizens also who were among them (b). This was so frequently the Case of Countries, which had the Liberty of their own Magistrates and Laws granted them by the *Roman* People, that if a Governor was sent among them, who had a Regard to the Settlement that had been made, and permitted them the Use of their own Laws, it was like Life from the Dead to them.

pronounce freely according to his Judgment; for he had reduced all under his own Power by an Edict he had made, that he would put to Death those who gave a wrong Judgment, *i. e.* such a one as he did not approve: And even the Senates of Cities had by this Terror been compelled to pass Sentence contrary to their own Judgment of Things. In Ver. l. 2. c. 13. Vid. & c. 14, 15, 16, &c. (a) *Lege Cæsaris justissima atque optima populi liberi plane & vere erant liberi. Cic. in Pison. c. 16. p. 608.* (b) *Lege autem ea, quam nemo legem, præter te & collegam tuam, putavit, omnis erat tibi Achaia, Thessalia, Athenæ, cuncta Græcia addicta. Ibid. Vexatio Macedoniæ? An sociorum direptio? An agrorum depopulatio? c. 17. (40.) Vid. & c. 36. (87.) Mitto ereptam libertatem populis, ac singulis, qui erant affecti præmiis nominatim, quorum nihil est, quod non sit lege Julia, ne fieri liceat, sancitum diligenter, c. 37. (90, fin.) Achaia exhausta: Thessalia vexata: laceratæ Athenæ: Dyrrhachium & Apollonia exinanita:—cives Romani, qui in iis locis negotiantur, te unum, solum, suum depeculatorem, vexatorem, prædonem, hostem, venisse senserunt. Ibid. c. 40. (96) Omitto jurisdictionem in libera civitate contra leges senatusque consulta. De Prov. consul. c. 3. (6, pr.)*

Thus

Thus *Tully* says of some *Asiatick* Cities, when he was Proconsul of *Cilicia*, and had Part of *Asia* joined to it, *Omnes suis legibus & judiciis usæ, αὐτονομίαν adeptæ, revixerunt* (a). Restoring to them their ancient Judicatories and Form of Government was restoring Life itself.

It may be thought by some possibly, that if the greatest Part of a Province were free, and had their own Magistrates and Laws, there could be but little Business for a Governor, unless he broke in upon their Privileges; that if he was observant of the Settlements made, and discharged his Duty as he ought, he must sit still the most of his Time as an idle Spectator of the Government of others, *i. e.* of those Magistrates, who presided in the several little States or Republicks, which filled his Province. In Answer to this, it is certain, the Provinces were, at the Time we are speaking of, very large; that a great Part of the free Districts and Cities had a more restrained Liberty only, which the Governor of the Province was to see punctually observed according to the Limitations made in their first and subsequent Settlements. In all these Places, there was some Use of the *Roman* Law more or less, and not a little Business for the Governor: And in those Countries, which were most free, as we have observed *Nemausus* and *Massilia* to have been, all Matters of State (b), all Affairs of Peace and War,

(a) *Ad Attic.* l. 6. ep. 2. p. 911, a, med. (b) In Matters of State Kings themselves were to be obedient to the Governors who

War (a), and all Cases of Treason against the Roman People or Emperors (b), belonged wholly

who were sent into the neighbouring Provinces. Of this we have an Example in *Jos. Antiq.* l. 19. c. 8. § 1. where he tells us, that five Kings being entertained by *Agrippa* at *Tiberias*, *Marsus*, President of *Syria*, taking Umbrage at the Meeting of so many Kings, and suspecting it might not be for the Interest of the *Roman* Empire, ordered them immediately to separate, which accordingly they did. There is little or no Reason to doubt, but all Kings subject to the *Roman* People promised Obedience in such Cases. *Petere Regem, (scil. Antiochum)——imperaret sibi Populus Romanus, quæ bono fidelique socio regi essent imperanda: se nullo usquam cessaturum officio.* *Liv.* l. 42. c. 6. Again, we are told of three Kings, that promised Obedience in an Affair of this Nature: *Eumenem, Antiochum, Ptolemæum pollicitos omnia, quæ Populus Romanus imperâisset, præstaturus.* *Liv.* l. 42. c. 26, pr. fin. And at another time, *Antiochus* says to the *Roman* Embassadors, *Faciam quod censet Senatus*; and his Embassadors tell the *Roman* Senate, *Eum haud secus, quam Deorum imperio, legatorum Romanorum jussis paruisse*; and the Senate answers, *Antiochum recte atque ordine fecisse, quod legatis parisset.* *L.* 45. c. 12, 13. & *Polyb. Excerpt. Leg.* 92. p. 916. (a) A Condition imposed upon all conquered Countries, as upon the *Carthaginians*, *Bellum neque in Africa, neve extra Africam injussu Populi Romani gererent.* *Liv.* l. 30. c. 37. & *Polyb.* l. 15. p. 705, D. Upon Kings themselves, as for Instance, *Philip*: *Bellum extra Macedoniæ fines ne injussu Senatus gereret.* *Liv.* l. 33. c. 32. And *Antiochus*: *Bellum gerendi jus Antiocho ne esto cum iis qui insulas colunt, neve in Europam transeundi.* *Liv.* l. 38. c. 38. *Polyb. Excerpt. Leg.* 35. p. 840, fin. & 843, C. And, no doubt, on all free States, as we have before observed concerning the Republick of the *Lycians*. *Titus Quintius* commanded *Diophanes*, Prætor of the *Acheans*, to march his Army from *Messene*, to which he had laid Siege, and come to him; Which being complied with, he chid him, *Quod tantam rem sine auctoritate sua conatus esset*; and enjoined him to dismiss his Army. *Liv.* l. 36. c. 31. Vid. & l. 35. c. 46, fin. & c. 50, pr. (b) *Imperium majestatemque Populi Romani gens Ætolorum conservato sine dolo malo.* *Liv.* l. 38. c. 11. *Polyb. Excerpt. Leg.* 28. p. 832. This seems to have been a Condition imposed upon most of those who entered into Alliance with the *Romans*; for *Proculus*, in describing a free People, says, *Liber autem populus est is, qui nullius alterius populi potestati est subjectus, sive is foederatus est; item sive æquo foedere in amicitiam venit, sive foedere comprehensum est,*

wholly to the Governor. Let me add, that all Places, even the most free, unless expressly exempted by some Law made in their Favour, paid Tribute to the *Romans* (a); and that all Causes, which concerned the Revenue, were under the Cognizance of the President of the Province (b); and I think also the Inspection and

est, ut is populus alterius populi majestatem comiter conservaret: Hoc enim adjicitur, ut intelligatur alterum populum superiorem esse; non ut intelligatur alterum non esse liberum: Quemadmodum clientes nostros intelligimus liberos esse, etiamsi neque auctoritate, neque dignitate, neque viribus nobis pares sunt: Sic eos, qui majestatem nostram comiter conservare debent, liberos esse intelligendum est. L. 7. ff. de Captiv. It is certain, that in the latter Part of the Commonwealth, and the Times following, far the most of those who entered into Alliance with the *Romans* were joined, Non æquo fœdere; and therefore, it is probable, were held to this Condition. Hence it came to pass, that they might be guilty, Læsæ Majestatis, of Treason against the *Roman* State, if they made War, or raised an Army, without the Leave of the *Roman* People, or if they supplied the Enemies of the *Romans* with Arms or Provisions, or were the Occasion that any foreign Prince did not obey the *Romans*. L. 3, 4, ff. ad leg. Jul. Maj. In this Sense, I take the last Words of *Proculus* in the Law before recited, At fiunt apud nos rei ex civitatibus fœderatis, & in eos damnatos animadvertimus. *Proculus* flourished at the End of the Reign of *Tiberius*. Vid. Grot. in Vit. Juriscon. (a) Thus the *Macedonians* were obliged, Tributum dimidium ejus, quod pependissent Regibus, pendere populo Romano, Liv. l. 45. c. 29. And many of the *Greek* Cities in *Asia* were tributary. Cic. ad Quint. frat. l. 1. ep. 1. c. 11. p. 1021, fin. & 1022, pr. Tacit. Annal. l. 2. c. 47. In a word, every Place, to which an Immunity was not granted, as it was to the *Corinthians*, *Phoenices*, &c. Liv. l. 33. c. 34. Val. Max. l. 4. c. 8. n. 5. to the *Issenses*, &c. Liv. l. 45. c. 26, fin. the *Rhodians*, Senec. de Benef. l. 5. c. 16, fin. the *Apameans*, Plin. Ep. l. 10. c. 56. the *Batavi*, Tacit. de mor. Germ. c. 29. Even some Kings were tributary, such as *Darius* King of *Pontus*, *Herod* King of the *Idumeans* and *Samaritans*, *Amyntas* King of *Pisidia*, *Polemo* King of Part of *Cilicia*, Appian. Bell. Civ. l. 5. p. 715, D. (b) Quantum vero illud est beneficium tuum, quod iniquo & gravi vectigali ædilitiorum, magnis nostris simultatibus, *Asiam* liberasti? &c. Hic ita te versari, ut & publicanis satisfacias, (præsertim publicis male redemptis)

and Examination of the Accounts (a) : That in all Places whatsoever *Roman* Citizens were to be judged by the *Roman* Laws, and were under the Jurisdiction of the *Roman* Governor (b) ; and probably there was not a Town of Consideration in any Province, in which there were not many *Roman* Citizens. The military Forces also in every Province were

redemptis) & socios perire non sinas, divinæ cujusdam virtutis esse videtur, i. e. tuæ, &c. &c. Cic. ad Quint. frat. l. 1. ep. 1. c. 9, pr. c. 11, med. Duobus generibus edicendum putavi. Quorum unum est provinciale, in quo est de rationibus civitatum, de ære alieno, de usura, de syngraphis ; in eodem omnia de publicanis. Ad Attic. l. 6. ep. 1. p. 909, pr. Mira erant in civitatibus ipsorum furta Græcorum, quæ Magistratus sui fecerant. Quæsi vi ipse de iis, qui annis decem proximis magistratum gesserant: apertè fatebantur, &c. Ad Att. l. 6. ep. 2. p. 911, a, med. Leg. 1. C. de Off. Præf. August. Vid. Voet. in Pand. tit. de Off. Proc. Cæs. l. 11. ff. de Off. Præf. l. 6. § 3, fin. eod. l. 9, pr. ff. de Off. Proc. & l. 2. C. Ubi causæ fiscales. (a) At least *Philo* tells us this was the Business of the Governors of Egypt, Ἐλλὰ καὶ λογισμὸς τῶν προσόδων καὶ δασμῶν λαμβάνοντα, ὡν ἡ ἐξέτασις τὸν πλείονα τῆ ἐνιαυτῆ χρόνον ἀνίλισκεν. In Flac. p. 984, C. (b) Thus in *Sicily*, Cic. in Ver. l. 2. c. 13. and in *Cyprus*, Ad Attic. l. 5. ep. ult. p. 906, pr. and the Cities of *Asia*, Quid tibi tandem, Deciane, injuriæ factum est? Negotiaris in libera civitate.—Verum esto: Negotiari libet: Cur non Pergamis? Smyrnæ? Tralibus? Ubi & multi cives Romani sunt & jus a nostro magistratu dicitur. Pro Flacco, c. 29. p. 493, pr. That *Smyrna* was a free City, governed by their own Laws, vid. Polyb. Excerpt. Leg. 25. p. 821, fin. Liv. l. 38. c. 39. And *Tully* makes mention of them as fidelissimorum antiquissimorumque sociorum, Phil. 11. c. 2. p. 963, a. The Inhabitants of *Pergamus* and *Tralles* were guilty of the basest Treachery in the *Mithridatic* War; concerning which see Cic. pro Flacco, c. 24. p. 492, pr. & Appian. Bell. Mithrid. p. 185, C. & E. Yet it is the Opinion of the great *Spanheim* from several Passages of *Tully*, *Dio*, and *Plutarch*, that they had their Liberty restored either by *Lucullus* or *Pompey*. Vid. Orb. Rom. p. 292. Add to this what has been already said in the Notes concerning the *Lycians*, *Rhodians*, and *Cyziceni*.

under

under the Command of the President (a). When these things are laid together, and considered, there is no one but must see, that a *Roman* Governor had full Business upon his Hands without interfering with the free States under him, and breaking in upon their Liberty. *Philo* says, that the Governors of *Egypt* were so overwhelmed with Multiplicity of Business, that Suitors in their Court were no small Sufferers (b).

It must be acknowledged, that the Liberty of all Places was a precarious thing, depending wholly on the Pleasure of the *Roman* People (c), or Emperors, who granted it, and took it away, as they saw fitting; so that we often read of many Changes made in the Condition of one and the same District or City, which was this while free, using their own Laws, another while not so; then free again, and afterwards again reduced under Obedience to the *Roman* Laws (d).

And

(a) *Veteres Romani*—majoribus in Provinciis Magistratibus missis armorum juxta & legum potestatem fecissent—permissa scilicet Prætoribus tam rei bellicæ administratione quam legum præscriptione, Nov. 24. præf. Ut idem & militaribus copiis, quæ per provinciam sunt, secundum cognomentum antiquitus illis impositum præeat, & præficiatur legibus. Ibid. c. 1.

(b) Ἀμύχανον μὲν γὰρ ἦν τὸς ἡγεμόνας τοσαύτης χώρας ἐπιτροπεύοντας, διὰ καινοτέρων ἐπεισερόντων ἰδιωτικῶν τε καὶ δημοσίων πραγμάτων ἀπάντων μεμνήσθαι, &c. Vid. & præcedentia. In Flac. p. 984, C.

(c) De jure enim libertatis & civitatis suum putat esse judicium, (i. e. populus Romanus) & recte putat. Cic. in Ver. l. 1. c. 5. (13, pr.)

(d) Thus the *Greek* Cities in *Europe*, we have observed, were proclaimed free after the War with *Philip* King of *Macedonia*, Liv. l. 33. c. 32. This Freedom, after the Battle of *Actium*, was taken away from all the Cities of *Achaia*, excepting *Patra*, by *Augustus*. Pausan. Achai. p. 224. l. 18. Καὶ ἔδωκε

And as the greatest Part of these free States paid Tribute, they were generally so harassed and oppressed by the Publicans or Farmers of the publick Taxes, that their Liberty was of small Advantage (a). The Governors also, who were sent among them, as we have already observed, allowed them no more Liberty than they saw

μὲν ἐλευθέροις Ἀχαιῶν μόνοις τοῖς Πατρεῦσιν εἶναι. Dio. l. 51. p. 443. B. 9. Καὶ ὅς τὰς μὲν πόλεις χρημάτων τε εἰσπραξεί, καὶ τὴν λοιπὴν ἐς τὸς πολίτας σφῶν ἐν ταῖς ἐκκλησίαις ἐξουσίας παραιρέσει, μετήλθε. *Achaia* was proclaimed free again by *Nero* at the *Isthmian* Games. Suet. in *Ner.* c. 24. n. 6. Decedens, Provinciam universam libertate donavit.—Quæ beneficia e medio stadio Isthmiorum die sua ipse voce pronuntiavit. Vid. Plut. *Flamin.* p. 376, C. Their Liberty was soon after taken away again by *Vespasian*, *Achaia*—libertate adempta. Suet. in *Vesp.* c. 8. n. 9. Pausan. *Achai.* p. 222. l. 25. Many of their Cities or States were free again under *Trajan*. Plin. l. 8. ep. 24. Cogita te missum in Provinciam *Achaia*—ad ordinandum statum liberarum civitatum.—Te vero meminisse oportet—quale quantumque sit ordinare statum liberarum civitatum. Nam quid ordinatione civilius? Quid libertate pretiosius? Porro quam turpe, si ordinatio eversione, libertas servitute mutetur? The *Rhodians* were great Favourites in the War with *Antiochus*, Liv. l. 38. c. 39. were quite out of Favour in the War with *Perseus*, Liv. l. 44. c. 14, 15. & l. 45. c. 25. afterwards upon great Intreaties restored to Friendship, Epit. 46. Their Liberty was taken away by *Claudius*, and restored again at the Intercession of *Nero* by the same Emperor, Dio, l. 60. p. 681, B. Tacit. *Ann.* l. 12. c. 58. n. 3. taken away again by *Vespasian*, Sex. Rufus in *Breviario*, c. 10, fin. Suet. in *Vesp.* c. 8. n. 9. They were free again under *Trajan*, Dio Chryf. *Orat.* 32. p. 377, C. (a) Illa causa publicanorum quantam acerbiter afferat sociis, intelleximus ex civibus, qui nuper in portoriis Italiae tollendis, non tam de portorio, quam de nonnullis injuriis portitorum querebantur. Quare non ignoro, quid sociis accidat in ultimis terris, cum audierim in Italia querelas civium. Hic te ita versari, ut & publicanis satisfacias—& socios perire non finas, divinæ cujusdam virtutis esse videtur. Cic. ad *Quint. frat.* l. 1. ep. 1. c. 11. The Senate of *Rome* themselves say, Et ubi publicanus est, ibi aut jus publicum vanum, aut libertatem sociis nullam esse. Liv. l. 45. c. 18, med.

fit, and often treated them more like Slaves than Freemen (a). These things however make it not at all the less true, that there were very many Places under the *Romans*, to whom the supreme ruling Powers, whether it were the Senate, the People, or the Emperor, granted the Privilege of being governed by their own Laws, and their own Magistrates.

S E C T. VI.

The Romans were peculiarly favourable to the Jews, and allowed them singular Privileges in all Parts of the Empire.

SECONDLY, it is also certain, that the *Jews* were indulged the peculiar Favour of being in a great measure under their own Laws, even out of *Judæa*, in all Parts of the *Roman Empire*, wheresoever they dwelt (b). They were permitted to build Synagogues, assemble together on *Saturdays* and Holy-days to hear their Law explained, keep their Festivals, and perform whatever Rites were prescribed

(a) Some of these Considerations probably made *Tully* smile, when he wrote to his Friend *Atticus* concerning the Liberty of the *Greek Cities*: *Sibi libertatem censent Græci datam, ut Græci inter se disceptent suis legibus—Græci vero exubant, quod peregrinis iudiciis utuntur, nugatoribus quidem, inquit. Quid refert? tamen se αὐτονομίαι adeptos putant. Vestri enim, credo, graves habent, Turpionem sutorium, & Vettium mancipem. Ad Att. l. 6. ep. 1. p. 909, a, fin.* (b) Nullo adeo in ævo fere non erat hoc nationi huic singulare suis fere legibus alieno in regno seu republica uti. *Seld. de Success. in bon. Prol. p. 10.*

them (a). They were allowed to meet to pay their First-fruits, and to send them together with

(a) The *Halicarnasseans*, in Imitation of the *Romans*, and in Obedience to what they had wrote to them, decree, that the *Jews*, both Men and Women, keep their Sabbaths, and perform their holy Rites, according to their own Laws, *Καὶ τὰς προσευχὰς ποιεῖν*, and build *Proseucha*, or say their Prayers near the Sea, according to their own Country Manner, and that whoever should hinder them, whether Magistrate or private Person, should be fined. *Jos. Antiq.* l. 14. c. 10. § 23. The Senate and People of *Sardis* agree to the Petition of the *Jews*, that they may have a Place given them, in which they may assemble with their Wives and Children, to perform their Prayers, and other holy Rites to God, and decree, that it may be lawful for them to meet together upon the appointed Days, to do according to their own Laws. *Ibid.* § 24. There is a Decree of the *Ephesians* to the same Purpose, § 25. and both these Decrees were made in Obedience to the *Romans*. *Publius Servilius Galba* the Proconsul is displeas'd with the *Milesians* for prohibiting the *Jews* to observe their Sabbaths, and other holy Rites, and decrees, that the *Jews* should not be hindered in the Use of their own Customs. *Ibid.* § 21. There is a Decree of a *Roman* Prætor directed to the Magistrates of *Parium*, (a City of *Mysia* near the *Propontis*. The Prætor being now at *Delos*, probably mis'd the learned *Hudson* to translate it, *Pariorum*, which signifies the Inhabitants of the Island of *Parus*, whenas *Παριάνων* are the Inhabitants of *Parium*, *Vid.* *Strab.*) wherein the Prætor shews his Displeasure, that they had by their Decree forbid the *Jews* to live according to their own Customs, and to contribute Money for their Feasts, and other holy Rites, when they were not prohibited the doing this even at *Rome*. For (adds the Prætor) *Caius Cesar*, our Prætor and Consul, when by an Edict he forbid, *Θιάσους συναγέσθαι κατὰ πόλιν, μόνους τέτους ἐκ ἐκώλυσεν, ἕτε χρήματα συνεισφέρειν, ἕτε σὺνδειπνα ποιεῖν*, all other merry and festival Meetings, he forbid not the *Jews* to collect Money, and feast together. In like manner I also forbidding all other festival Assemblies, permit to this People only to meet together, and feast according to their Country Customs and Laws, (*ἵσαθαι* undoubtedly ought to be read *ἑσιθῆθαι*.) *ibid.* § 8. *Philo* says, That *Augustus* knew, that the *Jews* at *Rome* had Synagogues, and that they met together in them, especially on the holy seventh Days, when they publickly taught their own Country Philosophy— He did not innovate in their Synagogues, nor forbid them to meet together for the Exposition of their Laws. *Leg. ad Caium*, p. 1014,

with whatever Money they pleased to *Jerusalem* for Offerings (a), and to appoint proper Officers to

p. 1014, D, E. And they enjoyed the same Privileges under *Tiberius*. Ibid. p. 1015, B. This is also in great measure evident from the *Roman* Authors. *Jejunia sabbatariorum*. Mart. l. 4, 4. In qua te quæro proleucha. Juv. Hodie tricesima sabbatha; vin' tu Curtis Judæis oppedere? Hor. Sat. l. 1. 9. Ne Judæus quidem, mi Tiberi, tam diligenter sabbathis jejunium servat, quam ego hodie servavi. Aug. in Suet. c. 76. n. 3. (a) Philo in Leg. ad Caium, p. 1014, D, E. p. 1033, A. *Augustus* hearing that the First-fruits were neglected, wrote to the Governors of the Provinces in *Asia*, to permit the *Jews* only to assemble for Banqueting. For that these were not Assemblies of Drunkenness and Debauchery, (alluding plainly to the *Σίαινοι* forbidden in the Decree of *Cæsar* before recited) to cause Riots and Disturbance, but were Schools of Sobriety and Righteousness, of Men studying Virtue, and bringing in their yearly First-fruits, of which they offer Sacrifices, sending holy Messengers to the Temple at *Jerusalem*. Then he commanded, that none should hinder the *Jews* from assembling, contributing their Money, or sending to *Jerusalem* after their Country Manner. Then follows a Letter of *Norbanus*, containing an Epistle of *Augustus* to him: "That the *Jews*, where-ever they are should, according to their ancient Custom, meet together, bring in their Money, and send it to *Jerusalem*." Ibid. p. 1035, D, E. 1036, A, B. We have the Letter of *Augustus* *Cæsar* to *Norbanus* in *Jos. Antiq.* l. 16. c. 6. § 3. "The *Jews*, where-ever they are, by an ancient Custom, are wont to bring their Money together, and to send it to *Jerusalem*: Let them do this without Hindrance." In Consequence hereof, *Norbanus* wrote to the *Sardians*, *Jos. Ibid.* § 6. and *Ephesians*, *Philo Leg. ad Caium*, p. 1036, A. and probably to all the other Cities and States under his Government. *Agrippa* wrote to the *Ephesians*, that whoever should steal the sacred Money of the *Jews*, and fly to an Asylum, should be taken from thence, and delivered to the *Jews*, (in order to be prosecuted and punished) in the same manner as sacrilegious Persons were to be dragged from all Asylums. *Jos. Antiq.* l. 16. c. 6. § 4. He sent also to the Magistrates of *Cyrene*, putting them in mind, that *Augustus* had wrote to *Flavius* the Prætor of *Libya*, and to others, who had the Care of that Province, that the *Jews* might send their sacred Money to *Jerusalem* without Let or Hindrance, commanding the *Cyrenians* to restore what had been stopped, or taken away from the *Jews* under Pretence of Tribute, and to prevent the like Hindrance for the future. Ibid. § 5. *Augustus* decreed,

to carry it (a). They were suffered also to determine all Disputes and Controversies among themselves in a judicial way (b). They were not only thus indulged in the Use of their own Customs and Laws, but, what is much more, if any Laws of the Country, where they inhabited, interfered with their Customs, they were dispensed with, and not obliged to comply with those Laws. Thus, for Instance, they were dispensed with in not attending Courts of Judicature, or giving Bail on their Sabbaths or Feast-days (c). They were exempted from serving

in

that the stealing of their sacred Books, or their sacred Money, out of the Places in which they were wont to be repositied in their Synagogues, should be *Sacrilege*, and the Punishment, Confiscation of Goods. Ibis. § 2 Vid. & de Bell. Jud. l. 6. c. 6. § 2. p. 1284, fin.

(a) Στέλλοντες ἱεροπομπὰς εἰς τὸ ἐν Ἱεροσολύμοις ἱερόν. Phil. Leg. ad C. cum, p. 1035, fin. Τὸς εἰς ταῦτα ἀποκεκριμένους. Jos. Ant. q. 1. 16. c. 6. § 5, fin.

(b) It is a most remarkable Letter sent by *Lucius Antonius*, Proquæstor and Proprætor, to the Magistrates, Senate and People of *Sardis*: The *Jews*, our Citizens, (*i. e.* Citizens of *Rome*) came to me, and made Proof, that they have had of ancient Time a Synod of their own, according to their own Country Laws, and a Place of their own, in which they judicially determine Causes and Disputes between each other. Having petitioned me, that it may be lawful for them to do this. I have decreed to permit them. Jos. Antiq. l. 14. c. 10. § 17. Ἰουδαῖοι πολῖται ἡμέτεροι προσελθόντες μοι ἐπέδειξαν εαυτοῖς σύνοδον ἔχειν ἰδίαν κατὰ τὰς πατρίας νόμους ἀπ' ἀρχῆς, καὶ τόπον ἴδιον, ἐν ᾧ τὰ τε πράγματα καὶ τὰς πρὸς ἀλλήλους ἀντιλογίας κρίνεσι. Τῆτο τε αἰτησαμένοις, ἢ ἐξῆ αὐτοῖς ποιεῖν, τρυφῆσαι καὶ ἐπιτρέψαι ἔκρινα. Though this was a free City, yet the Persons who applied themselves to the Proprætor, being *Roman* Citizens, were under his Jurisdiction; notwithstanding, being *Jews* as well as *Romans*, he allows them to determine their own Controversies among themselves by their own Laws.

(c) The *Jews* of *Ionía* complain to *Agrippa*, that by the Injustice of the Magistrates they were forced into their judicial Courts on their Feast-days, and made to serve both in the Army, and in civil Employments, contrary to the Privileges

leges

in the *Roman Army* (a), and from all those civil Offices, which were inconsistent with their Religion; as appears by the Decrees of *Augustus*, *Agrippa*, and several *Roman* Governors to this Purpose (b). So that *Seneca* affirms of them, that

leges granted them by the *Romans*, and *Agrippa* relieved them. *Jos. Antiq.* l. 16. c. 2. § 3, 4, 5. And upon Complaint made by the *Jews* of *Asia* and *Libya*, *Augustus* decreed, that they should not be obliged to give in Bail on the Sabbath-days, or on the Preparation before the Sabbath from the ninth Hour, *i. e.* on Friday, after Three of the Clock in the Afternoon. *Ibid.* c. 6. § 1, 2. And *Agrippa* wrote to *Silanus* Prætor of *Asia* to the same Purpose, § 4, fin. Ἐγραψα δὲ καὶ Σιλανῶ τῷ στρατηγῶ, ἵνα σώσῃσιν μηδεὶς ἀναγκάζῃ Ἰουδαῖον ἐγγύας ὁμολογεῖν.

(a) *Dolabella*, President of *Asia*, having received an Embassy from *Hircanus*, informing him, that the *Jews* were incapable of being Soldiers in the *Roman Army*, because they could not bear Arms, nor march, nor provide their own Victuals on the Sabbath-days, writes to the *Ephesians*, and by them to all the Cities of *Asia*, granting to the *Jews* (as he says the Governors before him had done) a Freedom from serving in the Army, and the Use of their own Customs, to assemble for the Performance of their sacred Rites, and to make Contributions for their Sacrifices. *Jos. Antiq.* l. 14. c. 10. § 12. *Lucius Lentulus* the Consul pronounces a Decree, whereby he dismisses the *Jews* at *Ephesus*, who were *Roman* Citizens, from the military Service, upon the Account of Religion. *Ibid.* § 13. Being *Roman* Citizens, they were liable by the *Roman* Law to have been inlisted, had it not been for this Immunity or Exemption. *Vid.* & § 16, 18, 19. Therefore *Marcus Piso*, when he came to *Delos* to inlist Soldiers, commanded the Prætor and People of that City, that if there were any *Jews* among them, who were *Roman* Citizens, they should not trouble them by inlisting them, because the Consul *Cornelius Lentulus* had freed the *Jews* from serving in the Army upon the Account of their Religion. And the *Delians* made a Decree, that this Order should be observed. The *Sardians* made a Decree to the same Effect. *Ibid.* § 14.

(b) Λειτουργῶν ἀναγκάζομενοι κοινωνεῖν, *Jos. Antiq.* l. 16. c. 2. § 3, med. Καὶ ταῖς ἑορταῖς ἀγοντες ἐπὶ δικαστήρια, καὶ πραγματείας ἄλλας, *ibid.* § 4. p. 711, pr. Though these Laws were broke in upon by *Caligula*, they were confirmed by *Claudius*, *Jos. Antiq.* l. 19. c. 5, § 2, 3. who commanded the Ma-

that they gave Law to their Conquerors (a).

And it is not a little remarkable how very condescending and kind the Emperor *Augustus* was to this People. For in his monthly Distributions of Money and Corn to the People of *Rome*, as he gave to the *Jews* equal to what he did to the rest, so if it happened, that the Distribution was made on their Sabbath-day, when they think it unlawful to receive Money, he, knowing their Scruple, ordered it to be laid up in safe Custody for them till the next Day (b). Is it reasonable to think, that a People so peculiarly favoured in all Parts of the *Roman* Empire out of their own Country, should not in their Country be governed by their own Laws, and their own Magistrates, a Privilege so commonly granted by the *Romans*, as we have seen, to other Countries ?

gistrates of all Cities, Colonies, and *Municipia*, both within *Italy* and without, as also all Kings and Potentates, to procure a Copy of his Decree, made in favour of the *Jews*, and to expose it where it might be read by all. Vid. & c. 6. § 3. And were preserved by the succeeding Emperors, as is evident from the Speech made by *Titus*, De Bell. Jud. l. 6. c. 6. § 2. p. 1284, fin.

(a) Cum interim usque eo sceleratissimæ gentis consuetudo convaluit, ut per omnes jam terras recepta sit: Victi victoribus leges dederunt. Apud Aug. de Civ. Dei l. 6. c. 11. And *Dio* says, they prevailed, Ὡς καὶ παρρησίαν (Vel εἰς παρρησίαν) τῆς νομίσεως ἐκνικῆσαι. L. 36. p. 37, B. Vid. Seld. de Success. in bon. Prol. p. 9, 10.

(b) Οὐ μὴν ἀλλὰ καὶ ταῖς μηνιαίοις τῆς πατείδος διανομαῖς, ἀργύριον ἢ σῖτον ἐν μέρει παντὸς τῆς δῆμῃ λαμβάνοντος, ἐδέποτε τὰς Ἰουδαίους ἠλάττωσε τῆς χάριτος, ἀλλ' εἰ καὶ συνέβη τῆς ἑρᾶς ἐβδόμης ἐνεσώσης γενέσθαι τὴν διανομήν, ὅτε ἔτε λαμβάνειν ἔτε δίδοναι, ἢ συνόλως τὶ πράττειν τῶν κατὰ εἶον, καὶ μάλιστα ἢ πορισὴν ἐφεῖται, προσετέτακτο τοῖς διανεμοσιταμιεύειν τοῖς Ἰουδαίοις εἰς τὴν ὑσεραίαν τὴν κοινὴν φιλανθρωπίαν. Phil. Leg. ad Caium, p. 1015, A.

SECT.

S E C T. VII.

The Jews petitioned the Emperor Augustus, that their Country might be made a Roman Province, with this View, that they might have the free Use of their own Laws.

THIRDLY, it is also fully evident from *Josephus*, that it was the earnest Desire of the *Jews*, that they might be no longer under a King of their own, but under a *Roman Governor*; and that the true Reason why they so earnestly sought to have their Country annexed to the Province of *Syria* was, that they might have the free Use of their own Laws. When *Archelaus* went to *Rome* to obtain of *Augustus* the Confirmation of his Father's Will, even his Relations and Friends joined themselves to his Brother and Competitor *Antipas*, (who had been named by his Father *Herod* in a former Will, as the Person he designed should succeed him in his Kingdom) not out of good Will to *Antipas*, but out of Hatred to *Archelaus*, chiefly nevertheless, because they desired *Freedom*, and to be under a *Roman Governor* (a). And this was the general Desire of the whole Nation (b),

(a) Μάλιστα μὲν ἐπιθυμῶντες ἐλευθερίας, καὶ ὑπὸ Ῥωμαίων στρατηγῶν τετάχθαι. Antiq. l. 17. c. 9. § 4. prop. fin.

(b) Διὰ τὸ πολλὰς εἶναι τὰς αὐτονομίας γλιχομένους. Ibid. c. 13. § 1, fin.

who,

who, with the Consent of *Varus* the President of *Syria*, dispatched an Embassy to *Rome* to ask for the Freedom of being governed by their own Laws (a): And that this Petition might come with the more Weight, no fewer than fifty Persons are by the Decree of the Nation sent on this Embassy (b), to whom, when they arrive at *Rome*, above eight thousand *Jews* of that City join themselves (c), and appear with them before *Cæsar* (d). He gives them a Hearing, and the Sum of their Petition is, that they may no longer be governed by a King, but be made Part of the Province of *Syria*, and be subject to the Presidents, which are sent thither (e). *Josephus* relates exactly the same thing in the Book of the *Jewish Wars*; says, that all the Relations of the Family, who hated *Archelaus*, did what in them lay to assist *Antipas* at *Rome*; and the principal Reason was, because every one of them desired that the Nation might live in the Use of their own Laws under the Administration of a *Roman* Governor; but if they failed of this, they had rather *Antipas* should

(a) Ἐφίκετο εἰς τὴν Ῥώμην πρεσβεία Ἰουδαίων. Οὐδάρη τὸν ἀπόστολον αὐτῶν τῷ ἔθνει ἐπικεχωρηκόςτος ὙΠΕΡ Αἴτησεως αὐτονομίας. Ibid. prop. pr.

(b) Καὶ ἦσαν οἱ μὲν πρέσβεις οἱ ἀποσαλέντες ἸΝΩΜΗ ΤΟΥ ἔθνοϋς πεντήκοντα.

(c) Συνίσταντο δὲ αὐτοῖς τῶν ἐπὶ Ῥώμης Ἰουδαίων ὑπὲρ ὀκτακωχίλις. Ibid. l. 9, 10, 11.

(d) Οἱ μὲν πρέσβεις μετὰ τῷ πλήθει τῶν αὐτόθι Ἰουδαίων ἀφικνεῖνται, i. e. into the Court held upon this Occasion by *Augustus Caesar*. Ibid. l. 14.

(e) Ἦν δὲ κεφάλαιον αὐτοῖς τῆ ἀξιώσεως, βασιλείας μὲν καὶ τοιῶνδε ἀρχῶν ἀπηλλάχθαι, προδήκην δὲ Συρίας γεγονότας ὑποτάσσεσθαι τοῖς ἐκεῖσε πεμπομένοις στρατηγοῖς. Ibid. § 2, fin.

be King than *Archelaus* (a). He adds also, that by the Permission of *Varus* fifty Embassadors were sent to *Rome*, and that their Instructions were to obtain for the Nation a Freedom of living after their own Laws (b); that above eight thousand *Jews* stood with them before *Cæsar* (c); and that their Petition was, that being joined to *Syria*, the Government of their Country might be administred by *Roman* Presidents (d).

He that will compare these Passages together, must be convinced, that the *Jews* did not understand by having their Country annexed to *Syria*, and under the Power of a *Roman* Governor, that they were to be deprived of their own Laws and Magistrates; but on the contrary, that they should hereby obtain a more free and regular Administration of their Laws, than they had enjoyed under their late King *Herod*, and that their Magistrates would be less obstructed in the Execution of them than they were under him. For although you see nothing appears in their Petition to *Augustus*, but that they might be joined to the Province of *Syria*, yet the

(a) Καὶ προηγουμένως μὲν ἕκαστος αὐτονομίας ἐπεθύμει, στρατηγῶν Ῥωμαίων διοικημένης· εἰ δὲ τέτα διαμαρτάνοιεν, βασιλεύειν Ἀντίπαν ἠθέλον. De Bell. Jud. l. 2. c. 2. § 3, fin.

(b) Ἐπιτρέψαντος Ὀυάρου, πρεσβεις ἐξεληλύθησαν ΠΕΡΙ ΤΟΥ ΤΟΥ ΕΘΝΟΥΣ ΑΥΤΟΝΟΜΙΑΣ. Ἦσαν δὲ πεντήκοντα μὲν οἱ παρόντες.

(c) Συμπαρίσαντο δὲ αὐτοῖς τῶν ἐπὶ Ῥώμης Ἰουδαίων ὑπὲρ ἑκτακχιλίας.—μετὰ μὲν τῶν πρεσβυτῶν τὸ Ἰουδαϊκὸν πλῆθος ἔση. Ibid. c. 6. § 1, pr.

(d) Δεῖσθαι δὲ Ῥωμαίων ἐλεῆσαι τε τὰ τῆς Ἰουδαίας λείψανα—συνάψαντας δὲ τῇ Συρίᾳ τὴν χώραν αὐτῶν διοικεῖν ὑπὸ ἰδίῳις ἡγεμόσιν. Ibid. § 2. p. 1057. l. 5, &c.

Reason of this Request, we are expressly told by *Josephus*, was their Desire of Liberty, that they might have a more free Use of their Laws than they were lately permitted. It was *this Desire* made the Family of *Herod* take part with *Antipas*, (who had the weaker Claim) against *Archelaus*, hoping hereby to prevail, that both might at length be set aside. It was *this Desire* made the Nation of the *Jews* apply to *Varus* for his Consent to their dispatching an Embassy to *Rome*. It was *this Desire* made them send so great a Number of Embassadors. To use their Endeavours to obtain *this desired Liberty* were the Instructions given to this numerous Body. It was *this Desire* also made the *Jews* at *Rome* join with them, and fill up their Train. Nothing therefore can be more plain, than that they expected to have a more free Exercise of their own Laws under a *Roman* Governor, than they had under *Herod*: And had not their Magistrates in the Reign of *Herod* the Power of inflicting corporal Punishments and Death in the Execution of the *Mosaick* Laws? I am persuaded no one ever doubted it. Most certainly then, the *Jews* did not in the least suspect, that they should be deprived of this Power under a *Roman* Governor; but on the contrary believed, that they should enjoy the Exercise of it in a more full and ample manner than they had done under *Herod*. Had they known, that they were to have intirely lost it by receiving a *Roman* Governor, they would have chosen rather to have suffered any Hardships under a
King

King of their own. Every one knows how fond Persons usually are of ancient Customs and Laws. It is certain, that no People upon the Face of the Earth ever were more so than the *Jews*, who have always shewn a steady, constant, and I may add, most obstinate Adherence to their own Customs (a), from which no Sufferings could ever make them swerve. Besides, with what Propriety or Truth could it be said, that it was the Desire of living after their own Laws, which induced them to petition for a *Roman* Governor, if they knew at the same time, that by obtaining what they asked, they should have less the Exercise of their own Laws than they had before ?

S E C T. VIII.

The Reasons we have to believe, that the Emperor Augustus granted to the Jews what they had in View in this Petition.

FOURTHLY, there are many Reasons to persuade us, that the Emperor *Augustus* did comply with the Intent of the Petition we have mentioned, after he banished *Archelaus* : And

(a) Ἦδει γὰρ ἀνδ' ἐνὸς θανάτου μυρίκις ἀν, εἴπερ δυνατὸν ἦν, ἐθελήσοντασ ὑπομεῖναι μᾶλλον, ἢ περιιδεῖν τι τῶν ἀπειρημένων δρώμενον. Ἄπαντες γὰρ ἀνδρωποὶ φυλακτικοὶ τῶν ἰδίων ἐδῶν εἰσι, διαφερόντως δὲ τὸ Ἰσραῖλον ἔθνος. Θεόχριστα γὰρ λόγια τὸς νόμοσ εἶναι ὑπολαμβάνοντες, καὶ τῆτο ἐκ πρώτης ἡλικίας τὸ μάθημα παιδευθέντες, ἐν ταῖσ ψυχαῖσ, &c. Philo Leg. ad Caium, p. 1099, C. l. 9.

although

although he appointed a Governor, and gave him Power over all (a), yet at the same time allowed the Jews the Liberty of their own Laws, in the Execution of which their Magistrates might inflict corporal Punishments, and Death itself. For,

First, It is evident, the Emperor *Augustus* was ready enough to grant People the Liberty of living under their own Magistrates, and their own Laws. He continued this Privilege to most of those Places, which enjoyed it before his Time (b); and he gave it to many, who before were without it (c), particularly in *Gaul* (d), *Spain* (e), *Crete* (f), if not also in *Germany* (g).

(a) Κωπώνιος τε αὐτῷ συγκαταπέμπεται — ἡγησόμενος Ἰουδαίων τῆ ἐπὶ πᾶσιν ἐξουσία. *Jos. Antiq.* l. 18. c. 1. § 1.

(b) Ἦδρῖσαν αὐτῷ τὴν ἐπιμέλειαν, καὶ ὅτι τοσαύτην ποιεῖται τῆς βεβαιώσεως τῶν παρ' ἐκάστοις πατρίων, ὅσων καὶ τῶν Ῥωμαϊκῶν. *Philo Leg. ad Caium*, p. 1014, B. l. 5. Τὰ δὲ, εἰ καὶ τότε ἤδη ἐκεχεῖρατο, ἀλλ' ἔτοιγε καὶ ὑπὸ τῶν Ῥωμαίων ἤρχητο, ἀλλ' ἢ αὐτόνομα ἀζειίτο, ἢ καὶ βασιλείαις τισὶν ἐπιτέτραπτο. *Dio* l. 53. p. 504, B. l. 3. Ὁ δὲ δὴ Ἀυγυστος τὸ μὲν ὑπήκουον κατὰ τὰ τῶν Ῥωμαίων ἔδη διώκει, τὸ δὲ ἐνσπουδον τῷ πατρίῳ σφίσι τρόπῳ ἀεὶ ἀρχεσθαι. L. 54. p. 526, C.

(c) Οὐσίος ὁ τὰς πόλεις ἀπάσας εἰς ἐλευθερίαν ἐξελόμενος, *Philo Leg. ad Caium*, p. 1013, C.

(d) Ὁ γὰρ Ἀυγυστος ἐπειδήπερ πάντα τὰ τε ἐν ταῖς Γαλατίαις, καὶ τὰ ἐν ταῖς Γερμανίαις, ταῖς τ' Ἰβηρίαις, πολλὰ μὲν ἀναλώσας ὡς ἐκάστοις, πολλὰ δὲ καὶ παρ' ἐτέρων λαβῶν, τὴν τ' ἐλευθερίαν καὶ τὴν πολιτείαν τοῖς μὲν δὸς, τοῖς δ' ἀφελόμενος, διωκίσατο. *Dio*, l. 54. p. 538, fin. The great *Spanheim* conjectures, that the *Nervii*, *Suessiones*, *Ulmancetes*, *Leuci*, *Treveri*, mentioned by *Pliny* as free, L. 4. § 31. and *Secusiani*, § 32. had their Liberty given them by *Augustus*, *Vid. Orb. Rom.* p. 351.

(e) *Oppida libertate donata sex.* *Plin.* l. 3. § 3. This, *Spanheim* conjectures, was done by *Augustus*. *Vid. ibid.*

(f) Κυδωνεάτας τε καὶ Λαππαίους ἐλευθέρως ἀφῆκεν. *Dio*, l. 51. p. 443, D.

(g) *Dio*, l. 54. p. 538, fin.

2dly, The

2dly; The great Kindness, which upon all other Occasions he discovered to the Jewish Nation, renders it highly probable, that he would not deny them this Request. I have already shewn from several Decrees of his, and of his favourite Minister *Agrippa*, how willing he was to confirm their Immunities and Privileges; what Care he took their sacred Money should be secure, and conveyed to *Jerusalem* without Let or Hindrance. *Philo* also tells us, that he appointed a Bullock and two Lambs to be sacrificed daily as whole Burnt-offerings to the Most High God at the Temple of *Jerusalem*, and the Expences to be defrayed out of his own Revenue (a): And both he and his Empréss *Livia* adorned the Temple with many rich Presents (b).

3dly, It is also, I think, sufficiently evident from the History of *Josephus*, that he actually did grant what they desired. He annexed their Country to the Province of *Syria*, and placed over them a *Roman* Governor, who was under the President of *Syria* (c). This is all that appears

(a) Leg. ad Caium, p. 1014, fin. & p. 1036, C.

(b) Καὶ ἡ προμάμμη σε Ἰαλία Σεβασὴ κατεκόσμησε τὸν νεὸν χρυσαῖς φιάλαις καὶ σπονδεῖοις, καὶ ἄλλων ἀναθεμάτων πολυτελεσάτων πλήθει. Agrippa in Phil. Leg. ad Caium, p. 1036, D. Ἀπέχετο δ' ἑδὲ τῶν ὑπὸ τῷ Σεβαστῷ καὶ τῆς γυναικὸς αὐτῆς πεμφθέντων ἀκρατοφύρων. Ὅι μὲν γὰρ Ῥωμαίων βασιλεῖς ἐτίμησαν τε καὶ προσεκόσμησαν τὸ ἱερόν αἰεὶ. Jos. Bell. Jud. l. 5. c. ult. § 6. p. 1256, pr.

(c) Jos. Antiq. l. 17, fin. & l. 18, pr. Παρῆν δὲ καὶ Κυρήνιος εἰς τὴν Ἰουδαίαν προδήκην τῆς Συρίας γενομένην. Vitellius, President of *Syria*, sent *Pilate* to *Rome* to give an Account of his Conduct, and placed *Marcellus* his Friend in his room. Antiq. l. 18.

appears upon the Face of their Petition ; and thus much, it is certain, was granted. And why may we not suppose, that they obtained the Spirit as well as Letter of their Petition, and were gratified in the End for which they so earnestly sought this Alteration ? Is there any thing related by *Josephus*, which shews the contrary ? Is there any one Word throughout his whole History, which will prove, that the *Jewish* Nation were not governed by their own Laws, or that their Magistrates had not the Power of inflicting corporal Punishments and Death in the Execution of their Laws ? Is it not natural to suppose, that had they been deprived of these Rights, *Josephus* would have taken particular and express Notice of it ? Nay, was it not incumbent on him as an Historian so to do ? When he had before told us of the Petition offered by the *Jewish* Nation, of the great Solemnity of the Embassy sent therewith, of the numerous Body of *Jews*, which attended when it was presented to *Augustus*, and of the *End* for which they so eagerly desired his Compliance, and favourable Answer ; if, after this Petition was granted, they found themselves disappointed in the *End* they proposed to themselves by offering it, and were not allowed the free Use of their own Laws, at least not the Execution of them in all capital Causes, was it it not, I say, incumbent on him as an Histo-

l. 18. c. 5. § 2. Thus also *Ummidius Quadratus*, President of *Syria*, sent *Cumanus*, Governor of *Judea*, to *Italy*, to give an Account of his Behaviour. *Antiq.* l. 20. c. 5. § 2. p. 889, fin.

rian to have related this? Most certainly it was, and the Neglect hereof is too gross an Error to charge on such a Writer. It is true, the Petition was not granted till eight or nine Years (a) after it was presented. But this is no manner of Excuse for *Josephus*, because the Facts mentioned by him as happening during this Interval of Time are so very few, and the Relation of them is in so narrow a Compass, that they could never make him forget so material a Part of his History as this.

It seems, such was the Friendship which *Augustus* had for *Herod the Great*, that, willing first to try how his Children would behave, he postponed the Petition of the *Jewish Nation*, and divided the Kingdom among three of them. The One-half of it he bestowed on *Archelaus* with an express Charge, that he should be gentle to his Subjects (b). He gave him the Title of *Ethnarch*, with a Promise, that if he behaved worthily, he should have that of King conferred on him (c). But he, neglecting the Charge given him, was cruel, and after a Reign of nine Years being accused, was banished to *Vienne*, a City of *Gaul* (d). Then *Augustus* lite-

(a) *Josephus* herein differs from himself. In his *Antiquities*, he says, *Archelaus* was banished in the tenth Year of his Reign; in the *Jewish Wars*, in the ninth. *Antiq.* l. 17. c. ult. § 2, 3. *De Bell. Jud.* l. 2. c. 7. § 3. Is it not possible to reconcile him thus? May he not in his *Antiquities* reckon his Reign from the Time of his Father's Death? In his *Jewish Wars* from the Time *Augustus* confirmed his Father's Will, and made him *Ethnarch*?

(b) ἵνα ἐπιεικῶς ἀνασπέσονται πρὸς αὐτὸς. *Antiq.* l. 17. c. ult. § 2. p. 788. l. 12.

(c) *Ibid.* c. 13. § 4, pr. & *de Bell. Jud.* l. 2. c. 6. § 3, or.

(d) *De Bell. Jud.* l. 2. c. 7. § 3. *Antiq.* l. 17. c. ult. § 2.

rally answered the Petition, which the *Jews* offered to him nine Years before. He did not prefer any other of *Herod's* Children to the vacant Ethnarchy, but joined it to the Province of *Syria*. He nominated *Quirinus*, a Person of the highest Dignity, President of *Syria*, and sent him into *Judæa*, not only to confiscate the Goods of *Archelaus*, and make a *Roman Census* (a), *i. e.* a Survey and Enrollment of the Estate and Goods belonging to each Person; but, as I take it, to settle the new Government, and give Laws to the *Jews* (b), *i. e.* to prescribe what should be the Authority of their Magistrates, how far they should use their own Laws, what should be the Power of the *Roman* Governor among them, and whatever other Particulars he should think might conduce to the publick Weal. *Coponius* is sent with him to be their Governor, and because he was one of the first Instances (it may be, the very first Instance) of a *Procurator Cæsaris*, to whom was committed *merum Imperium* (c), *Josephus* expressly tells us, that the Power he received from *Cæsar* reached even to the taking away of Life (d).

(a) Antiq. l. 17, fin. & l. 18, pr.

(b) As *Pompey* and *Gabinus* had done before him, and as the General with the Advice of the *decem legati* were wont to do under the ancient Republick.

(c) Probably also the first Instance of a Governor, under another that was Governor of the Province, who had the Power of the Sword. For *Judæa* was annexed to the Province of *Syria*, and the Procurator of *Judæa* was under the Command of the Governor of *Syria*.

(d) Μέχρι τῆς κλείνειν λαβών παρὰ τοῦ Καίσαρος ἐξουσίαν. De Bell. Jud. l. 2. c. 8. § 1, pr.

I have already observed to you, that the Governors of Provinces were Judges in all Cases of Sedition and Treason against the Roman State, and in this respect had Power over the freest Countries, even such as *Massilia* and *Nemausus*. This Power therefore we may be sure was in the Procurator of *Judæa*; and it is very probable his Power extended to the Punishment of all publick Crimes. It is possible also there might lie an Appeal to him from the *Jewish* Courts, or he might have an Authority given him to call whatever Causes he pleased before himself (a). These Things are uncertain to us now, because we have no Account left of the Settlement made by *Quirinus*. I have fully proved to you, that the *Romans* did not every-where make the same Settlements; that in some Places the Laws of the Country were more fully observed, in other Places there was a greater Mixture of the *Roman* Laws; in some Countries the *Roman* Governor had a greater, in some a less Power. What the precise Bounds were in *Judæa*, we are altogether ignorant. But that *Augustus* did grant to the *Jews* the Use of their own Laws, and that this was continued to them by the succeeding Emperors, is fully evident from many Passages in *Josephus*.

(a) Thus much seems implied in that Expression of *Josephus* before quoted, Ἡγησόμενος Ἰουδαίων τῇ ἐπὶ πᾶσιν ἐξουσία. *Antiq.* l. 18. c. 1. § 1.

S E C T. IX.

Passages from Josephus and Philo, proving that the Romans did grant to the Jews the Execution of their own Laws even in capital Cases.

THE High-Priest *Ananus*, in the Speech he makes to the People to stir them up against the Zealots, has this Expression: "For if we must suit Words to Things, one shall perchance find, that the *Romans* have been the *Establishers* and *Confirmers* of our Laws, and that our Enemies are those within (a). With what Propriety could the *Romans* be called the *Establishers* or the *Confirmers* of the *Jewish* Laws, if they took from them the Execution? Every one knows, that unless Penalties are executed, Laws are useless. Could those, who rendered them useless, who indeed destroyed them, be fitly and properly called *Βεβαιωτάς*, the *Confirmers* or *Establishers* of them? And it is well worth the remarking, that *Ananus* was at this Time afraid of speaking in Commendation of the *Romans*; that what he says is uttered with the utmost Caution; and that he durst not have said it, had it not been an acknowledged Truth.

(a) Καὶ γὰρ ἂν εἰ ἐτοίμης δεῖ τοῖς πράγμασι τὰς κλήσεις ἐφαρμόζειν, τάχα ἂν ἕνθ' οἱ τις Ῥωμαῖος μὲν ἡμῖν βεβαιωτάς τῶν νόμων, πολεμῖος δὲ τὰς ἑνθ' οἱ. Bell. Jud. l. 6. c. 6. § 2, p. 1173, l. 32.

Titus, in the Speech he makes to the two Tyrants, *Simon* and *John*, after the Temple was burnt, and great Part of the City taken, laying before them the great Kindness of the *Romans* to the *Jewish* Nation, says (a), “First, “we gave you the Country to possess, and set “over you Kings of your own People. After- “wards” (plainly referring to the Time we are speaking of, when *Augustus* sent a *Roman* Governor among them, Afterwards) “We preserved “to you your own Country Laws, and per- “mitted you to live, not only with regard to “yourselves, but with regard to others also, as “you would (b).”

This

(a) Τοιγαρῶν ὑμᾶς ἐπήγειρε κατὰ Ῥωμαίων ἢ Ῥωμαίων φιλαν-
δρωπία, οἱ πρῶτον μὲν ὑμῖν τὴν τε χώραν ἔδομεν νέμεσθαι, καὶ
βασιλεῖς ὁμοφύλους ἐπεσήσαμεν, ἐπεὶ τὰ τῶν παλίων νόμους ἐτη-
ρίσαμεν, καὶ ζῆν ἔμνον καθ' ἑαυτῶν, ἀλλὰ καὶ τῶν ἄλλων
ἐπέτρεψαμεν ὡς ἐβέλεθε· τὸ δὲ μέγιστον, δασμολογεῖν τε ὑμῖν
ἐπὶ τῷ Θεῷ, καὶ ἀναθήματα συλλέγειν ἐπέτρεψαμεν, καὶ τῶν
ταῦτα φέρουσας ἔβη ἐνεθέρισσαμεν, ἔβη ἐκωλεύσαμεν, ἵν' ἡμῶν
γέννηθε πλεσιώτεροι πολέμιοι, καὶ παρασκευάσηθε τοῖς ἡμέτεροις
χρήμασι καθ' ἡμῶν. De Bell. Jud. l. 6. c. 6. § 2. p. 1284, fin.

(b) The *Jews*, by the Distinction of Meats and Drinks, and other Rites, were a People wholly differing from the rest of the World; and no doubt this Clause has a Reference to all the Condescensions and Compliances, which the *Romans* made to them upon the Account of their singular Customs; such as *Pilate's* going out to them, because they were afraid of being defiled by entering into a Heathen's House, his sending away the military Ensigns with the Images of *Cesar* upon them from *Jerusalem* to *Cæsarea*, and all the Governors before him entering *Jerusalem* with Ensigns that had no Images on them. Antiq. l. 18. c. 4. § 1. And his removing the Bucklers without Images to *Cæsarea*, Phil. Leg. ad Caium, p. 1034, B. But doubtless it refers chiefly to the Power the *Romans* gave them to execute their Laws upon others. For it is observable, that this Part of *Titus's* Speech, in setting forth the Kindness of the *Romans* to the *Jewish* Nation, rises from the Beginning to the End. They did not take away the

This last Clause shews, that they suffered the *Jewish* Laws to take Effect, not upon *Jews* only, but also upon Foreigners; and is explained by *Titus* himself in another Speech: “Did not ye,” says he to the Tyrant *John*, and those that were with him, “Did not ye *Jews* set up these
 “Bars to fence off the holy Place? Have ye
 “not erected Pillars herein at certain Distances
 “engraven with *Grecian* and our Letters,
 “which injoin, that no Man should pass these
 “Bounds? And have not we permitted you to
 “put to Death those who go beyond, even
 “though it were a *Roman* (a)?” There were several Cases, in which the *Jewish* Laws reached the Lives of Foreigners who dwelt among them, which the *Romans* could not think merited Death; such as Idolatry, Blasphemy, passing beyond the Court of the *Gentiles* into that of the *Jews* in the Temple, and some others. Notwithstanding, even in these Cases, as it appears to me from the latter Clause of the first of these

the Country from them, as they might have done by Right of Conquest, but left them the free Possession of it, and placed Kings of their own Country over them. Afterwards, when they requested to be no longer under Kings, thinking they might have a more free Use of their own Laws under a *Roman* Governor, the *Romans* preserved to them the free Use of their own Laws, and permitted them to live not only among themselves, but with others also, as they would, *i. e.* that their Customs and Laws should take Place, not only with *Jews*, but with Foreigners also; that they should either yield to them, or be punished by them. Nay, what is yet more, suffered them to collect a holy Tribute and Offerings from all Parts of the Empire, and send it to *Jerusalem* without Molestation, which in the Event proved the enriching their Enemies, and arming them against themselves with their own Money.

(a) Οὐχ ἡμεῖς δὲ τὰς ὑπερβάλλας ὑμῶν ἀναιρεῖν ἐπέσπευσαμεν, καὶ Ῥωμαῖός τις ἦ. De Bell. Jud. l. 6. c. 2. § 4. p. 1269, pr.

Speeches

Speeches of *Titus*, the *Romans* indulged them in the Execution of their own Laws. In the last-mentioned Case, he expressly tells us they did, and that even though the Person who transgressed were a *Roman*. I have before observed to you, that the freest Countries had not Power given them over *Romans* : That the *Rhodians*, *Lycians*, and *Cyziceniens*, lost their Liberties by putting *Romans* to Death. Herein then was a peculiar Privilege granted to the *Jews* above all other free People, that they were permitted in some Cases to take away even the Lives of *Romans* themselves. How much more then had they this Power over other Foreigners ? And if they were allowed to execute their Laws upon Foreigners in capital Cases, can any one doubt, that they were suffered to execute them upon their own People ? *Philo* tells us certain Death was decreed against those *Jews* who went beyond the Bounds prescribed them in the Temple (a). And King *Agrippa*, in the Letter he writes to the Emperor *Caius*, informing him, that the High-Priest entered once a Year into the Holy of Holies, on the Day called the Fast only, adds, “ And if at any time any one, I say, “ not of the other *Jews*, but even of the “ Priests, not of the lowest of them, but of “ those who have obtained the Order imme-

(a) Περισσότερα δὲ καὶ ἐξαιρέτως ἐσιν αὐτοῖς ἅπαντι ἢ περὶ τὸ ἱερόν σπασθῆναι. Τεκμήριον δὲ μέγιστον, θάνατος ἀπαραίτητος ὄρεται κατὰ τῶν εἰς τὰς ἐνθὺς περιβόλους παρελθόντων. Δέχονται γὰρ εἰς τὰς ἐξώτερον τὰς πάλαιχόθεν πάντας τῶν ὁμοειδῶν. Leg. ad Caium, p. 1022, fin.

“ diately next to the High-Priest, should enter
 “ either by himself, or with the High-Priest ;
 “ and, what is more, if the High-Priest him-
 “ self should go in, two Days in the Year, or
 “ even thrice or four times on the Fast day,
 “ he suffers Death inevitable (a).

Titus, in the Place before quoted, affirms,
 “ We have preserved to you your own Country
 “ Laws.” Are not the Penalties injoin’d one
 necessary Part of the Laws ? Are they not,
 indeed, that which animates and gives Life to
 them ? If then the *Romans* allowed not the
Jews to execute the Punishments threatened,
 with what Truth could it be said, that they
preserved to them their Laws ? *Josephus* as-
 serts the same thing, in a Speech he makes
 to the Besieged, declaring, that even to that
 Time their Laws had been the Care of the
Romans (b). And in another Speech, which
 he makes to them by the Command of *Titus*,
 tells them, “ The *Romans* demand the accus-
 “ tomed Duty which our Fathers paid to
 “ their Fathers ; and obtaining this, they will
 “ neither waste the City, nor touch the sa-
 “ cred Things. They grant you, that your

(a) Καὶν ἄρα τίς πρὸς ἐ λέγω τῶν ἄλλων Ἰουδαίων, ἀλλὰ καὶ
 τῶν ἱερέων, ἐγὼ τῶν ὑσάτων, ἀλλὰ τῶν τὴν εὐθύς μετὰ τὸν
 πρῶτον τάξιν εἰληχόταν, ἢ καθ’ αὐτὸν ἢ μετ’ ἐκείνους
 συνεισέλθῃ, μᾶλλον δὲ καὶν αὐτὸς ὁ ἀρχιερεὺς δυσὶν ἡμέραις
 τῆς ἑταυς, ἢ καὶ τῆ αὐτῆς τρίς, ἢ καὶ τετρακίς εἰσφοιτήσῃ, θάνατον
 ἀπαραίτητον ὑπομένει. Leg. ad Caium, p. 1035. pr.

(b) Ὅτι μέχρι νῦν κηδεύονται τῶν ἡμετέρων νόμων. De Bell.
 Jud. l. 6. c. 2. § 1. p. 1267. l. 19.

“ Children,

Children, Wives, and Parents (a), should be free, and that you should possess your own Estates, and they preserve your sacred Laws (b).” And *Titus* himself professes before God, “That he had offered them Peace, and the Use of their own Laws (c).” To what Purpose is all this said, and what good Effect could it possibly be supposed to have upon the besieged *Jews*, if they knew at the same time, that the *Romans* did not allow them that which is the Spirit and Energy of all Laws, viz. the Execution of them? Would not this appear to them a downright Mockery? A putting them in mind of the Servitude they had hitherto been under to the *Romans*, who, although they openly professed to allow them the Use of their own Laws, deprived them of that which is absolutely necessary to their Execution, i. e. inflicting the Penalties annexed to them?

S E C T.

(a) Ῥωμαῖοι δὲ τὸν συνήθη δασμὸν αἰτῶσιν, ὃν οἱ πατέρες ἡμῶν τοῖς ἐκείνων πάσρασι παρέσχον, καὶ τέτρα τυχόντες, ἕτε πορθῶσι τὴν πόλιν, ἕτε ψεύσιν τῶν ἀγίων, διδῶσιν δ’ ὑμῖν τ’ ἄλλα γενεάς τε ἐλευθέραις, καὶ κτήσεις τὰς ἑαυτῶν νέμεσθαι, καὶ τὰς ἱερὰς νόμους σώζουσι. De Bell. Jud. l. 5. c. 9. § 4. p. 1243. l. 36.

(b) So I think *Josephus* himself explains the Word γενεάς in this very Speech, p. 1244. l. 33. Γενεάς γὰρ ὑμετέρας οἰκείρας, καὶ πρὸ ὀφθαλμῶν ἐκάσῳ γενέσθω τέκνα, καὶ γυναῖκα, καὶ γονεῖς, ἕς ἀναλώσει κατὰ μικρὸν ἢ λιμὸς, ἢ πόλεμος.

(c) Καῖσαρ δ’ ἀπελογεῖτο, καὶ περὶ τέτρα τῷ Θεῷ χάσκων, παρὰ μὲν αὐτῷ Ἰουδαίοις εἰρήνην καὶ αὐτονομίαν προσείνεσθαι, καὶ πάντων ἀμνησίαν τῶν τετραλημμένων. De Bell. Jud. l. 6. c. 3. § 5. This Passage alone is little short of a Demonstration, that the *Jews* did obtain of *Augustus* the αὐτονομία, or free Use of their own Laws.

S E C T. X.

Objections answered.

IT may possibly be objected, that *Judas* the *Galilæan* complain'd, that the *Jews* were deprived of their Liberty, when *Augustus* sent *Quirinus* to annex *Judæa* to the Province of *Syria*, and enroll their Estates (*a*). But what Liberty did *Judas* mean? The Liberty of executing their own Laws? No, but an enthusiastick Liberty of calling no Man Master, acknowledging no other Ruler than God, and paying no Taxes (*b*). *Josephus* expressly calls this Man's Opinion Madness (*c*), and a Change

Laws, which they petition'd for. *Titus*, in apologizing for himself to the God of the *Jews*, for having reduced them to so great an Extremity, that a Woman eat her own Son, declares that he offered them Peace, and *αὐτονομίαν* as well as an Amnesty of all that was past. Is it to be imagin'd, that when he had subdued their Country, and laid such close Siege to *Jerusalem*, he would grant them better Terms than they enjoy'd before their Revolt?

(*a*) Ἡ πείραξις ἐπὶ ἀποστάσει, τὴν τε ἀπόσιμῆσιν ἐδὲν ἄλλο ἢ ἀντικρυς δακρυίαν ἐπιφέρειν λέγοντες, καὶ τῆς ἐλευθερίας ἐπ' ἀντιλήψει παρακαλῶντες τὸ ἔθνος. *Antiq.* l. 18. c. 1. § 1. p. 792. l. 5.

(*b*) Μόνον ἠγεμόνα καὶ δεσπότην τὸν Θεὸν ὑπειληφόσι, θανάτων τε ἰδέας ὑπομένειν παρηλλαγμένας ἐν ὀλίγῳ τίθενται, καὶ συγγενῶν τιμωρίαν καὶ φίλων, ὑπὲρ τῶ μηδένα ἀνδρῶπων προσαγορεύειν δεσπότην. *Ibid.* § 6. p. 794. l. 6. Ἰδέας — εἰς ἀποστασιν ἐνήγε τὸς ἐπιχωρῆς, κακίζων, εἰ φόρον τε Ῥωμαίοις τελεῖν ὑπομένεσι, καὶ μετὰ τὸν Θεὸν οἴσει θνητὸς δεσπότης. *De Bell. Jud.* l. 2. c. 8. § 1.

(*c*) Ἀνοία τε τῆ ἐντεῦθεν ἤρξατο νοσεῖν τὸ ἔθνος. *Antiq.* l. 18. c. 1. § 6. p. 794. l. 14.

of their antient Laws and Institutions (a); and informs us, that it was the Beginning of a new Sect among the *Jews*, the Prevalency of which Sect at length ended in the Destruction of their City and Temple (b). Some of the *Jews*, who gave too much Ear to the Doctrine taught by this Man, and his Companion *Sadoc* the *Pharisee*, and others, who knew not what a *Roman* Census or Enrollment was, were at first uneasy; but being persuaded by *Joazar* the High-Priest, they came into it without further Hesitation (c).

It's further objected, that although the *Jews* were allowed the Liberty of their own Laws, yet the Execution of them was in the Hands

(a) "Ουτως ἄρα ἡ τῶν παλίων κίνησις καὶ μετὰβολὴ μεγάλας ἔχει ῥοπᾶς τῷ ἀπολεμένῳ τοῖς εἰσελθούσιν. Ibid. § 1. p. 792. l. 30.

(b) Ἦν δὲ ἕτος, σοφιστῆς ἰδίας αἰρέσεως, ἔδεν τις ἄλλοις περσοποικῶς. De Bell. Jud. l. 2. c. 8. § 1. Εἶγε καὶ Ἰέδας καὶ Σάδδουκος τελέστην φιλοσοφίαν ἠπειτακίον ἡμῖν ἐγείραντες, καὶ ταύτης ἐρασῶν εὐπορηθέντες, πρὸς τε τὸ παρὸν θορύβων τῆς πολιτείας ἐπέπλησαν, καὶ τῶν αὐθις κακῶν καὶ ἐπιβλασφῶν ῥίζας ἐρυτεύσαντο τῷ ἀσυνήθει πρότερον φιλοσοφίας τοιαύτης. Antiq. l. 18. c. 1. § p. 792. l. 32. Vid. et l. 15 — 30. Μέχρι δὲ καὶ τὸ ἱερὸν τῷ Θεῷ ἐνείματο πυρὶ τῶν πολεμίων ἠδὲ ἡ σάσις, l. 29. Δησιρίων δὲ μεγάλων ἐπιδέσει καὶ διαφθοραῖς ἀνδρῶν τῶν πρώτων, l. 20. The *Latrones* and *Sicarii* were of this Sect. Vid. de Bell. Jud. l. 7. c. 8. § 1, 2. & c. 10. § 1.

(c) *Judas* stirr'd up the *Jews* to Rebellion, telling them that the *Roman* Census would bring nothing less than plain Servitude upon them; and had he gone no further than this, his Sentiments were exactly the same with those of the Senate themselves, which we have before quoted from *Livy*. "Οἱ δὲ, καίπερ τὸ κατ' ἀρχὰς ἐν δεινῷ φέροντες τὴν ἐπὶ ταῖς ἀπογραφαῖς ἀκρόασιν ὑποκαλέσασαν ἕκ εἰς πλέον ἐναντιῶσθαι, πείσαντος αὐτῆς τῷ ἀρχιερέως Ἰωαζάρου. — καὶ οἱ μὲν ἠτήσαντες τῷ Ἰωαζάρου τῶν λόγων, ἀπέλιμων χρήματα, μηδὲν ἐνδοιάσαντες. Antiq. l. 18. c. 1. § 1. p. 791, fin.

of the *Romans*; that the *Roman* Governor sat as Judge, and by the Advice of Assessors skilled in the *Jewish* Laws, gave Sentence (a).

In Answer to this it's fully evident, from what has been already said, that where the *Romans* allowed a People the Liberty of their own Laws, they also allowed them their own Magistrates. Thus was it not only in the freest Places, such as *Nemausus* and *Massilia*, but where the Liberty granted was more restrained, as in *Asia* and *Sicily*, which appears from the express Words of *Tully*, that have been already quoted (b). That thus also it was
in

(a) Huber. Diff. l. 1. c. 5. § 7. p. 29, 30. *Lardn. Cred.* Vol. I. p. 152, fin.

(b) Quod civis *Romanus* a Siculo petit, Siculo iudex datur, &c. in *Ver.* l. 2. § 13. Sibi Libertatem *Græci* censent datam, ut *Græci* inter se disceptent suis legibus. Ad *Attic.* L. 6. ep. 1. p. 909. a fin. *Græci* exultant quod peregrinis iudicibus utuntur, p. 909. b. pr. Omnes suis legibus & iudiciis usæ αὐτονομίαν adeptæ revixerunt. *Ibid.* ep. 2. p. 911. a, med. I think it is evident from these last Words of *Tully*, that unless they had the Administration of the Laws in their own Hands, i. e. had their own Judges as well as their own Laws, the *Greeks* did not esteem it to be αὐτονομία. And I doubt not but the same may be made fully to appear from the Use of the Word in *Greek* Authors. Nothing is more certain, than that the possessing αὐτονομία is of the same Import as νόμοις χρῆσθαι τοῖς ἰδίοις. But how can a People be said to have the Use of their own Laws, that have not the Administration of them in their own Hands? If others administer them, it is possible, indeed, the People may have the Benefit of them, but they cannot be said to have the Use of them; it is others that use them in their Behalf. When *Polybius* says, Ἀπέδωκαν δὲ καὶ Φωκαιεῦσι τὸ πατριον πολίτευμα, *Livy* expresses it thus, Et ut legibus antiquis uterentur, permissum. No one will dispute, that the *Greek* of *Polybius* implies the Administration of their Laws. *Livy* judges it to be equivalent to say, the Use of their Laws. Vid. Excerpt. Leg. 36. p. 844. fin. & *Liv.* l. 38. c. 39. It is also certain, that the Words ἐλευθερία & αὐτονομία

in *Judæa*, even in capital Cases, *Pilate* himself is Witness. He says to the *Jewish* Magistrates in the Case of our Saviour, “Take ye him and judge him according to your Law (a).” And afterwards, the *Jews* not being able to prove the Sedition and Treason of which they had accused him, to the Satisfaction of *Pilate*, he says, “Take ye him and crucify him; for “I find no Fault in him (b).” I, having heard the Cause, cannot perceive that he has committed any Crime worthy of Death. If

αὐτονομία are promiscuously used by *Greek* Authors, as signifying one and the same thing. Thus *Diodorus Siculus*, what he calls *αὐτονομίαν*, p. 296, A, he calls *ἐλευθερίαν*, p. 297, pr. And it is certain, that he meant hereby, that the *Sardinians* had their own Magistrates as well as their own Laws. And *Josephus*, when he tells us, that the *Jews* petition'd, that their Country might be annex'd to the Province of *Syria*, because they earnestly desired *αὐτονομίαν*, expresses it in one Place by the Word *ἐλευθερία*, *μάλις μὲν ἐπιθυμῶντες ἐλευθερίας, καὶ ὑπὸ Ῥωμαίων στρατηγῶν τελέχθαι*. *Antiq. L. 17. c. 9. § 4, prop. fin.* One Article of the Peace after the second *Punic* War was, according to *Polybius*, that the *Carthaginians* *ἔδεσι καὶ νόμοις χρῆσθαι τοῖς ἰδίοις*. This in *Livy* is express'd thus: *Ut liberi legibus suis viverent*. *Vid. Polyb. L. 15. p. 705. Liv. l. 30. c. 37.* That the *Romans* granted the Privilege of having their own Magistrates to all those Places to which they granted *ἐλευθερία*, or to be free States, is fully evident from the Words of *Tully* before quoted: *Omitto Jurisdictionem in liberam civitatem, contra Leges Senatûsque consulta*. In *Pison*. And when it is said in the Places above-cited, that *Liberty* was taken away from the *Lycians*, *Rhodians*, and *Cyziceniens*, because they had imprisoned and put to Death *Roman* Citizens, did not this *Liberty* consist in having their own Magistrates as well as their own Laws? Why were the ancient *Municipia* said to be more free than the Colonies, (*vid. Arill. Gell. l. 16. c. 13.*) but because they had their own Magistrates, and their own Laws? How otherwise could they have been Republicks distinct and separate from the *Roman* People? *Vid. Fest. in voc. Municeps.*

(a) *John xviii. 31.*

(b) *John xix. 6.*

he be an Offender against your Law, take him and punish him yourselves, as you think he deserves.

There was so great a Difference between the *Roman* and *Jewish* Laws, that *Tacitus* avers they were just contrary the one to the other (a). And it is very certain, that many Things were by the *Jewish* Laws made capital Crimes, which were by the *Romans* esteem'd most innocent; such in particular as Sabbath-breaking, enticing to Idolatry, worshipping the Host of Heaven, the having a familiar Spirit, or being a Wizard, and Blasphemy (b). And there were other Things punish'd with Death by the *Jews*, which, although not reckon'd innocent, yet met with a more favourable Treatment among the *Romans*, such as Incest, Adultery, Sodomy, &c. (c) Is it in the least probable, that a *Roman* Governor would put such Laws as these in Execution, so directly contradictory to his own Sentiments of Things? When the *Jews* told *Pilate*, that by their Law *Jesus* ought to be put to

(a) *Moses*, quo sibi in posterum gentem firmaret, novos ritus contrariosq; cæteris mortalibus tradidit. Profana illic omnia, quæ apud nos sacra; rursus concessa apud illos, quæ nobis incesta. *Hist.* l. 5. n. 4.

(b) *Numb.* xv. 35. *Deut.* xiii. 5, - 9. *Deut.* xvii. 2, 3, 4, 5. *Levit.* xx. 27. *Levit.* xxiv. 16. *Misna*, tit. Sanhed. c. 7. *Vid. Seld.* de Syned. l. 2. c. 13. § 4. p. 1501.

(c) *Levit.* xx. 10, - 16. *Deut.* xxii. 13, - 21. *Seld.* de Syned. p. 1501. L. 38. § 2. 3. ff. ad leg. Jul. de Adult. Voet. in Pand. l. 48. tit. 5. n. 20. *Vinn.* in Instit. de pub. Judic. § 4. n. 2. *Pauli* sent. l. 2. tit. 26. §. 12, 13, 14, 15. cum notis; & l. 5. § 4 n. 10. in *Scult.* Jurisp. vetus.

Death,

Death, because he made himself the Son of God (a), we find that it made not the least Impression on him to the Disadvantage of our Saviour. He was far from thinking this a Crime deserving of Death. When therefore he was prevailed with, against his own Conscience, to execute him, it was not for any Offence against the *Jewish* Law, but for the pretended Crime of Sedition and Treason against the *Roman* State. In like manner, when a *Roman* Soldier had torn the sacred Books, adding Blasphemy and Scoffs to what he was doing *Cumanus* the Governor would fain have screen'd him from the Punishment denounc'd against such in the Law of *Moses*, not judging it a Crime that merited Death (b). These Instances sufficiently confirm the foregoing Reasoning, and make it fully evident, that had the Execution of the *Jewish* Laws been left to the *Roman* Governor, the Punishments denounc'd would in many, I think I may say, most Cases, have been wholly omitted, or very much lessened.

The Instance last-mentioned may possibly be thought by some (c) a Proof, that the *Jews* had not the Power of inflicting Death. It may be said, that even in the Case of Blasphemy itself, they were forced to apply to the *Roman* Governor for Justice against the Offender, and could not execute it themselves.

(a) *John* xix. 7.(b) *Jos. Antiq.* l. 20. c. 4. § 4.(c) *Vid. Lard. Cred.* Vol. I. p. 159.

We know the *Jews* were indulg'd the peculiar Privilege of putting even *Romans* to Death, if they went into the Temple beyond the Court of the *Gentiles* ; and should we suppose they were permitted to do the same in Case of Blasphemy (a), and all other Transgressions of the *Mosaic* Law, to which was annexed that severe Penalty (b), the Case before us does not in the least contradict that Supposition. For the Offender was a Soldier (c) upon Duty, sent on purpose to plunder the Town, where the sacred Books were taken by him. How was it possible for the *Jewish* Magistrates to apprehend him ? How was it possible to obtain Justice any otherwise than by the Permission of the *Roman* Governor, who was General of the Forces, and had employed him among the rest in this Expedition ? The Reasons that are given as prevailing with the Governor to comply with the Request of the *Jews* herein, and put the Soldier to Death, evince that it was not done out of Regard to their Laws, and in order to put them in Execution ; far

(a) *Levit.* xxiv. 16.

(b) Such as Idolatry, Incest, and the eating any Part of a Beast while it is yet living. *Gemarah Sanh.* c. 7. § 5. in excerptis Coccei. *Maimon. de Regibus, & rerum earum bellicis*, c. 10. publish'd by Dr. *Prideaux* under the Title of *De Jure Pauperis & Peregrini*, p. 144, &c.

(c) The Offender, being a Soldier, probably was a *Roman* Citizen. We know that other, even the freest Nations, were not permitted to punish *Roman* Citizens. Whether it were granted to the *Jews* to do it in all Cases wherein their Laws reached Foreigners, or whether they were allowed it in the single Case only mentioned by *Titus*, we are wholly uncertain.

from it. Had he not been afraid of a general Infurrection of the *Jewish* Nation, the Soldier had remain'd unhurt, and the Law against Blasphemy wholly neglected (*a*).

It's very remarkable, how earnest the *Jews* were to have this Man punished. *Josephus* says they were struck at the News of what the Soldier had done, as if the whole Country had been set on Fire; that they flocked together to *Cæsarea*, where *Cumanus* the Governor then was, as though called together by the Sound of an Instrument, or the Voice of the common Cryer (*b*); that they declared to him, they could not bear to live while their Country Laws were so basely treated (*c*). Can it be thought, that a People so zealous for the Honour of their Laws would have sat still, if the Execution of them in all capital Cases had been wholly taken from their own Magistrates, and placed in Foreigners, who, they could not but know, from their Education under Laws so contradictory to the *Jewish*, would

(*a*) Ὁ Κέμανος δείσας, μὴ πάλιν νεώτερίσειε τὸ πλῆθος, συμβουλευσάντων καὶ τῶν φίλων, τὸν ἐνυβρίσαντα τοῖς νόμοις σφαιρώτην πελεκίσας ἔπαυσε τὴν σᾶσιν ἐκ δευτέρου μέλλουσαν ἐξάπλωσθαι. *Antiq.* l. 20. c. 4. § 4, fin.

(*b*) Ἰσραῖλοι δὲ ὡς ὅλης αὐτοῖς τῆς χάρας καὶ ἀφρογείσης συνεχύθησαν, καὶ καθάπερ ὄργανῳ τινὶ τῇ δεισιδαιμονίᾳ συνεκτόμενοι, εἰς ἓν κήρυγμα πάντες εἰς Καισάρειαν ἐπὶ Κέμανον συνέδραμον. *De Bell. Jud.* l. 2. c. 12. § 2. l. 38. I suppose *Josephus* means by κήρυγμα nothing more than the News of what had happened, which, at the very first hearing, drew the People together to *Cæsarea*, as though it had been the Voice of a common Cryer.

(*c*) Ζῆν γὰρ ἐκ ὑπομένειν τῶν παλαιῶν αὐτοῖς ἔτω περιυβρισμένων. *Antiq.* l. 20. c. 4. § 4.

be very remiss and negligent in punishing such who transgressed them?

S E C T. XI.

Other Passages from Josephus, proving that the Jewish Magistrates had the Power of putting Persons to Death in the Execution of their own Laws.

THERE is, in the History of *Josephus*, a plain and undeniable Instance of the *Jewish* Magistrates convening Persons before them, sentencing them to Death, and putting that Sentence in Execution. But, because there are Exceptions made to it, from some of the Circumstances attending it, I'll lay the whole Passage before the Reader, that he may be the better able to form a Judgment on what is said.

“ The younger *Ananus*, who was made
 “ High-Priest, was exceeding bold and daring.
 “ He was of the Sect of the *Sadducees*, who
 “ are cruel above all the *Jews* in Matters of
 “ Judicature. *Ananus* being such a sort of a
 “ Person, and thinking he had a convenient
 “ Opportunity, because *Festus* was dead, and
 “ *Albinus* was yet on the Road, summons a
 “ Council, or Court of Judges, and bringing
 “ before them (the Brother of *Jesus* who is
 “ called *Christ*, his Name was) *James*, and
 “ some

“ some others, he accused them as Transgres-
 “ sors of the Law, and delivered them to
 “ be stoned. But such in the City who were
 “ esteemed the most moderate and equitable,
 “ who best understood the Laws, and were
 “ most punctual in observing them, were dis-
 “ pleased at this, and sent privately to King
 “ *Agrippa*, desiring him to write to *Ananus*,
 “ that he would no more do such Things as
 “ these ; for that he had not done this first
 “ Thing rightly. And some of them met
 “ *Albinus* in his Way from *Alexandria*, and
 “ inform him, that it was not lawful for *Ana-*
 “ *nus* to summon a Council without his Con-
 “ sent. For this Reason *Albinus* writes an-
 “ grily to *Ananus*, threatening to punish him :
 “ And King *Agrippa* took from him the High-
 “ Priesthood (a).” This was *Agrippa* jun.
 King of *Batanæa*, *Trachonitis*, and several
 adjacent Countries, who had no other Autho-
 rity in *Judæa* than that it was permitted him
 by the *Roman* Emperor to confer or take away
 the High-Priesthood as he pleased.

The Passage I have now produced is said to
 be a Proof, that the *Jewish* Magistrates had
 not the Power of putting Persons to Death
 under a *Roman* Governor ; because *Ananus*
 chose the Time of a Vacancy, when, the Go-
 vernor being dead, the new one was not yet
 arrived, as the fittest Opportunity to gratify
 his cruel Disposition. He was blamed for what

(a) Antiq. l. 20. c. 8. § 1. l. 34.

he did, by those who were most exact in their Knowledge and Observance of the Laws. It is expressly said he had no Authority to act as he did. He was threatened for-it by the new Governor *Albinus*, and was actually punished by King *Agrippa*, who deprived him of his high Office (a).

The Truth of these several Circumstances I readily acknowledge, but am so far from thinking they prove what they are brought for, that some of them appear plainly to me, to evince the contrary. It's said, "Those in *Jerusalem* who were most moderate, and who were accurate Observers of the Laws," (which Words, I take it, are a periphrastical Description of the (b) *Pharisees*) "were angry at what was done." Why? Because *Ananus* had not herein acted ὀρθῶς rightly, *i. e.* according to the *Mosaick* Law. For so they write to King *Agrippa*, who was a *Jew*, and well skilled in the *Jewish* Laws and Customs (c). The *Christian* Converts from among the *Jews*, and more especially those who resided in the Land of *Judæa*, were at this Time strict Observers of the *Mosaick* Laws (d).

(a) *Lard. Cred.* Vol. I. p. 156, 157.

(b) Ὅσοι δὲ ἐδόκουν ἐπιεικέστατοι τῶν κατὰ τὴν πόλιν εἶναι, καὶ τὰ περὶ τὰς νόμους ἀκριβεῖς, βαρέως ἠνεγκαν ἐπὶ τῷ ἔργῳ. *Antiq.* l. 20. c. 8. § 1. p. 897. l. 2. Ἄλλως τε καὶ φύσει πρὸς τὰς κολάσεις, ἐπιεικῶς ἔχουσιν οἱ φαρισαῖοι. *Antiq.* l. 13. c. 10. § 6. p. 587, prop. fin. Ὅτι περὶ τὰ πατρια νόμιμα δοκῶσι τῶν ἄλλων ἀκριβεῖα διαφέρειν. *Vita*, § 38. p. 923, pr. *Vid. et de Bell. Jud.* l. 1. c. 5. § 2. & l. 2. c. 8. § 14, pr.

(c) *Acts* xxvi. 3.

(d) *Acts* xxi. 21, 22, 23, 24.

And

And *James*, the Brother of our Lord, was called *the Just*, most probably because of his remarkable Adherence to, and punctual Observance of, those Laws (a). How was it possible to condemn him, and such as he was, to Death, without a manifest Violation of the Law of *Moses*? This no doubt was one Reason which inclin'd *Agrippa* to deprive *Ananus* of the High-Priesthood. *Ananus* chose the Opportunity when there was no *Roman* Governor in *Judæa*, as the fittest for his Purpose. And why did he esteem it such? Because he knew, that had he staid till the new Governor arriv'd, all those who were Friends of the Apostle, and of the others he put to Death, together with those who were of a milder and more moderate Disposition, would intercede with the Governor to stop his Proceedings. We read in the *Acts of the Apostles*, that the *Pharisees*, by their Moderation, more than once deliver'd the *Christians* from the more violent Counsels of the *Sadducees* (b).

It's very remarkable, that the Persons who went to meet *Albinus*, the new Governor, tell him, that *Ananus* had no Authority to summon a Council without his Leave, plainly intimating, that with his Consent he had this Power; which thing alone determines the whole Dispute. They don't say, as they must have said, had they spoken to the Purpose for which this is alledged, "The *Jewish* Magistrates are

(a) Euseb. E. H. l. 2. c. 1. & 23. Gal. ii. 12.

(b) *Acts* v. 33, 34, &c. & xxiii. 6, 7, &c.

“ not permitted to condemn and execute Criminals in capital Causes ;” but, “ The High-Priest is not permitted to call the *Jewish* Magistrates or Judges together without the Consent of the Governor.” This probably was one Part of the Settlement made by *Quirinus*, that the *Jewish* Sanhedrim should not meet without Leave of the *Roman* Governor ; and it’s not unlikely, that every *Roman* Governor, at his first coming into the Province, gave a general Licence to the High-Priest, and to the Prince of the Sanhedrim, to summon the Court whenever they saw Occasion, and this to continue the whole Time of his Administration, unless he at any time sent a special Prohibition.

If the *Jewish* Magistrates had not ordinarily the Power to execute capital Punishments under the *Romans*, would it not have been expressly mentioned as an Aggravation of the Guilt of which *Ananus* is accused ? How could it well have been omitted ? Can we think, that those Persons who were so zealous to meet the new Governor in his Way from *Alexandria*, on Purpose to inform him, how very much contrary to the Settlement made by the *Romans* *Ananus* had acted, would suppress that which in Truth was the greatest Breach hereof ? Would they have contented themselves with saying, that it was not lawful for him to call together the Council, or Court of Judges, without the Governor’s Consent, and not have added, that it was much more unlawful for them,

them, when met together, to condemn Persons to capital Punishments, and put their Sentence in Execution? That even the Governor himself could not grant them a Power to do this? Certainly they would have added something of this Kind, if the *Romans* had not permitted the *Jewish* Magistrates to execute their own Laws ordinarily in capital Cases. The Reason why *Albinus* sent an angry and threatening Letter to *Ananus* is, most evidently, because he did not wait for his Licence. Not that the executing capital Punishments was a thing in general forbidden them by the *Romans*, but that he ought not to have summoned the Sanhedrim without the Governor's previous Consent. This determin'd *Agrippa* to take from him the High-Priesthood. For had he kept in a Person who had made such an Encroachment on the Authority of the *Roman* Governor, and was thereby become obnoxious, he might himself have been in no small Danger of losing the Privilege he had of conferring the High-Priesthood.

Does not *Josephus* here affirm of the *Sadducees*, that they ARE cruel above all the Jews in Matters of Judicature (a)? They had been now, first and last, 50 Years under *Roman* Governors (b). Is it probable he would have used such an Expression as this, if they had

(a) "Οιπερ εἰσὶ περὶ τὰς κρίσεις ὄμοι παρὰ πάντας τὰς Ἰουδαίαις. p. 896. l. 37.

(b) With the Interruption of four Years only under the Reign of *Herod Agrippa*.

been all this Time depriv'd of judicial Proceedings in Causes of Life and Death? Would he not rather have said, that formerly, when the *Jewish* Magistrates had the Execution of their own Laws in capital Cases, the *Sadducees* were wont to be the most cruel of all the *Jews*? Is it not astonishing, that he should nowhere through his whole History, upon any Occasion, give us the least Hint, that the *Romans* had taken from the *Jews* the Power of inflicting Death? Had it been really so, one would think it was almost impossible he should have avoided it. At least it's very certain he would not have so written as to lead us to judge they had the actual Exercise of this Power, as he does in the Place before us.

Thus also, when he is giving an Account of the Sect of the *Essenes*, he says, “ They are
 “ most exact and just in their judicial Pro-
 “ ceedings. Not fewer than 100 of them
 “ met together *sit* in Judgment, and what is
 “ determined by them is unchangeable. The
 “ Name of the Legislator is, next to God, the
 “ most honoured by them; and if any one
 “ speaks evil of him, he is punished with
 “ Death (a).” Here is a plain and full Account, that one Sect of the *Jews* did judge

(a) Περὶ δὲ τὰς κρίσεις ἀκρίβεις αἰοὶ καὶ δίκαιοι καὶ δικάζουσι μὲν ἐκ ἐλάττης τῶν ἐκατὸν συνελθόντες· τὸ δὲ ὀρίσθαι ὑπ' αὐτῶν ἀκίνητον· σέβας δὲ μέγιστον παρ' αὐτοῖς μετὰ τὸν Θεόν, τὸ ὄνομα τῷ νομοθέτῃ· καὶ ἐλασφημίῃ τις εἰς τῷτον, κολάζεσθαι θανάτῳ. De Bell. Jud. l. 2. c. 8. § 9, pr.

in capital Causes, and inflict Death on Criminals. And although it's introduced after the Relation of *Judæa's* being made a Province, yet is it not said, Thus the *Essenes* were wont to do, before they were deprived of this Power by the *Romans*; but, Thus they do.

On the other hand it is urged, that in all *Josephus's* History of these Times, when Criminals abounded in *Judæa*, and many were put to Death by the *Roman* Governors, we find not the mention of any one put to Death by the *Jewish* Council or Magistracy, except those which were stoned in a Vacancy between the Death of *Festus* (which happened in the Province) and the Arrival of *Albinus* his Successor (*a*).

That we have not an Account of many Criminals being put to Death by the *Jewish* Magistrates in the History of *Josephus*, is not at all surprising; it being beneath the Dignity of an Historian to descend so low as the Execution of ordinary Criminals. He would, in all Probability, have omitted the relation of the Death of *James*, our Lord's Brother, had it not occasioned to *Ananus* the Loss of the High-Priesthood, and been esteemed by the Skilful a Proceeding contrary to the *Jewish* Laws. When, indeed, Crimes are of such a Nature as to create immediate Danger to the Safety of the State, it is incumbent on an Historian to take Notice of them; and I can venture to affirm,

(a) *Lard. Cred.* Vol. I. p. 154.

upon a strict Examination, that of this Sort are all those Crimes for which Persons are said to be put to Death by the *Roman* Governors in the History of *Josephus*. There's no one Instance in that History, of any Criminal's being put to Death under the four first *Roman* Governors, and of very few under their Successors, till the *Jews* became greatly seditious, and ripe for that Rebellion which issued in the Destruction of their Temple and City. The Persons said to be executed by the *Roman* Governors were generally such who had been in Arms, and committed great Disorders. Nor can I find, that any one was put to Death by them as a Criminal, who either had not appear'd in Arms, or been judg'd guilty of Sedition and Treason against the *Roman* State, unless it were the Soldier who tore the sacred Books, of which I have taken Notice before (a).

S E C T.

(a) Although the Objector asserts, that Criminals abounded in *Judaea* during the Time it was a *Roman* Province, and that *Josephus* mentions many who were put to Death by the *Roman* Governors; yet upon Examination I cannot find, that he gives an Account of the Execution of any one Person, excepting our Saviour, till very near the Close of *Pilate's* Government, *i. e.* till near thirty Years after *Judaea* was added to the Province of *Syria*. The *Samaritans* had many of them taken Arms, and assembled at a certain Place called *Tirathaba*. *Pilate* sent Forces against them, which slew some, and took others: The chief of those who were taken, *Pilate* put to Death. *Antiq.* l. 18. c. 5. § 1. About nine Years after this, (when *Judaea* was a second Time made a Province upon the Demise of King *Agrippa*) *Cuspius Fadus* the Governor put to Death *Annibas*, the Author of an Insurrection against the *Philadelphenses*, in which many Persons had lost their Lives. *Tholomæus*, the Captain of a Band of Robbers, who had done very great Mischief in *Idumæa*, and to the
Arabs,

S E C T. XII.

Passages from the Talmud, proving that the Jewish Magistrates had the Execution of their own Laws in capital Cases, under the Romans; and the Talmudical Account very consistent with the History of Josephus.

THERE is an Instance also, in the *Talmud*, of a Priest's Daughter, who was burnt for playing the Harlot; which, according to the best Calculation that can be made, must have

Arabs, was also punish'd with Death by him. L. 20. c. 1. § 1. The same Governor sent a Troop of Horse after *Theudas* and his Followers, which took *Theudas*, cut off his Head, and brought it to *Jerusalem*. Ibid. c. 4. § 1. *Tiberius Alexander*, who succeeded him, commanded *James* and *Simon*, the Sons of *Judas the Galilaean*, to be crucified. *Josephus* does not tell us for what Crimes, but making mention of their Father's Crime in the same Place, no one, I think, can doubt, that it was for exciting the People to Rebellion by preaching his peculiar Doctrines. Ibid. § 2. Some time after this, *Ummidius Quadratus*, President of *Syria*, crucified the *Jews* who had been in Arms against the *Samaritans*, and were defeated and taken by *Cumanus*. Ibid. c. 5. § 1, 2. Afterwards he sent for eighteen *Jews* who had been engag'd in the same Battle, and beheaded them. De Bel. Jud. l. 2. c. 12. § 6. He at the same time put to Death *Dortus*, and four others, for persuading the People to revolt from the *Romans*. Antiq. l. 20. c. 5. § 2. Sedition now spread itself through the whole Country. Ἐγράπηθη δὲ πολλοὶ πρὸς λησείαν διὰ τὴν ἀδειαν, καὶ κατὰ πᾶσαν τὴν χώραν ἀρπαγαί τε ἦσαν, καὶ τῶν θρασυτέρων ἀναστάσεις. De Bel. Jud. l. 2. c. 12. § 5. l. 35. *Felix* the Governor took daily many Impostors and Robbers, and put them to Death. Antiq. l. 20. c. 7. § 5. de Bel. Jud. l. 2. c. 13. § 2, fin.

have fallen out under the *Roman* Governors (a). And it's expressly said in the *Gemara*, that the

fin. & § 4, 5. The Impostors were such, who pretending to shew Signs and Wonders, drew Multitudes after them into the Wilderness in order to raise a Rebellion. *Antiq.* l. 20. c. 7. § 6, pr. Πλάνοι γὰρ ἄνθρωποι καὶ ἀπατεῶνες, προχίμασι θειασμῶ, νεωτερισμῶς καὶ μέγαβλας πραγμάτευόμενοι, δαιμονῶν τὸ πλῆθος ἀνέπειθον. *De Bell. Jud.* l. 2. c. 13. § 4. The Robbers were little Armies, which excited the People to rebel, threatening with Death those who submitted to the *Romans*, burning and plundering such Houses and Villages whose Inhabitants refused to come into their Measures. Πάλιν δὲ οἱ λησαὶ τὸν δῆμον εἰς τὸν πρὸς Ῥωμαίους πόλεμον ἠρέθιζον, μηδὲν ὑπακύναι αὐτοῖς λέγοντες, καὶ τὰς τῶν ἀπειθέων κώμας ἐμπιπράντες διήρπαζον. *Antiq.* l. 20. c. 7. § 6. fin. Μεριζόμενοι γὰρ εἰς τὴν χώραν κατὰ λόχους, διήρπαζόν τε τὰς τῶν δυνατῶν οἰκίας, καὶ αὐτὰς ἀνήρουν, καὶ τὰς κώμας ἐνεπίμπρασαν ὥστε τῆς ἀπονλοίας αὐτῶν πᾶσαν τὴν Ἰουδαίαν ἀναπίμπρασαι. *De Bell. Jud.* l. 2. c. 13. § 6. These Robbers were of the Sect of *Judas the Galilaean*. Compare the Places last quoted with *Antiq.* l. 18. c. 1. § 1. l. 16, &c. Λησιῶν δὲ μεγάλων ἐπιθέσει καὶ διαφθοραῖς ἀνδρῶν τῶν πρώτων. l. 20. Ἀνοία τε τῆ ἐντεῦθεν ἤρξατο νοσεῖν τὸ ἔθνος. *Ibid.* § 6, fin. The *Sicarii* were also of the same Sect. *De Bell. Jud.* l. 7. c. 8. § 1. & c. 10. § 1. Under *Festus* this People increased. He took many of them, and put them to Death. *Antiq.* l. 20. c. 7. § 10. & *de Bell. Jud.* l. 2. c. 14. § 1, pr. Under *Albinus* they increased yet more; for those of them who were taken and in Prison, he dismissed for Money. He also took Money of and encouraged the Seditious, and was himself ὡσπερ ἀρχιλησιῶς. *Ibid.* At his leaving the Province he made a general Gaol-delivery, putting to Death some who were most obnoxious, and taking Money for the Release of all the rest; so that the Country was filled with Robbers. *Antiq.* l. 20. c. 8. § 5. *Gessius Florus*, who succeeded him, gave Licence to all to commit Robberies as they pleased, so they brought him Part of the Plunder. *De Bell. Jud.* l. 2. c. 14. § 2. *Antiq.* l. 20. c. 10. § 1. He crucified *Jews* who were *Roman* Knights. *De Bell. Jud.* l. 2. c. 14. § ult. fin. It is not said what was their Crime, most probably the Pretence was Treason. So great was his Cruelty, that it was the immediate Occasion of the War which broke out in the second Year of his Government. *Antiq.* l. 20. c. ult. § 1, fin. *De Bell.* l. 2. c. 14. § 4, pr.

(a) *Lightfoot*, Vol. II. p. 249.

four capital Punishments inflicted by the *Jewish* Council or Magistracy, were in Use during the forty Years before the Destruction of *Jerusalem* (a). And I cannot but think, if we will allow of the Explication of the learned *Selden*, that the *Talmudical* Expression mentioned in the Beginning of this Chapter, when compared, will be found very exactly to agree with the History of *Josephus*. According to *Selden* the *Talmudists* say, “ That capital Judgments were ” (not wholly taken away from them, as some have understood the Expression, but) “ greatly interrupted for forty Years before the Destruction of the Temple.” Had they been taken away by *Judæa*’s being made a *Roman* Province, they must have fixed the Date much earlier, and said they had been taken away sixty Years before the Destruction mentioned. When they say forty Years, it’s evident the Time fixed falls under the Government of *Pontius Pilate* ; and agreeably hereto *Josephus* speaks of him as the first *Roman* Governor who broke through the *Jewish* Laws (b). And *Agrippa* in *Philo* expressly tells us, he was guilty of Corruption (c), the receiving of Bribes to pervert Justice being the

(a) Quod magis est idicendum de quadraginta illis qui excidium anteverterunt annis, quibus etiam quatuor poenae capitales in usu. Thosiph ad tit. Abodah zarah, c. 1. fol. 8, 2. quoted by *Selden* de Syned. l. 2. c. 15. § 11, p. 1563.

(b) Antiq. l. 18. c. 4. (Hud. 3. Hav.) § 1, 2.

(c) Τὰς δωροδοκίας, τὰς ὑβρεῖς, τὰς ἀρπαγὰς, τὰς αἰκίας, τὰς ἐπιηρείας, τὰς ἀκρίτους καὶ ἐπαλλήλους φόρους, τὴν ἀνίηυσιν καὶ ἀργαλεωτάτην αἰμότητα διεξελθόντες. Leg. ad Caium, p. 1034, C.

first laid to his Charge, among several other the greatest Crimes of which a Governor can be accused. Of *Cuspius Fadus*, and *Tiberius Alexander*, the two first Governors sent by the Emperor *Claudius*, *Josephus* says, that they acted nothing contrary to the *Jewish* Customs (a). *Cumanus*, who succeeded, took Money of the *Samaritans* to protect those who had murdered the *Galilæans* (b). *Felix*, being reprov'd by *Jonathan* the High-Priest, for his Injustice in the Administration of the *Jewish* Affairs, employ'd Robbers to murder him, who being countenanced and encouraged by this wicked Governor for the Service they had herein done him, numberless Murders were committed by them afterwards with Impunity (c). *Albinus* dismissed all Malefactors for Money, and *Gesius Florus* was Sharer with such in their unlawful Gains (d). From this Account of *Josephus*, I think, we may easily see the true Reason of the Interruption given to the Proceedings of the *Jewish* Magistrates in capital Causes for forty Years before the Destruction of the Temple. It was owing to the Corruption and Mal-administration of several of

(a) Ὅτι μηδὲν παρακινῶντες τῶν παλαιῶν ἔθων, ἐν εἰρήνῃ τὸ ἔθνος διεβύλαξαν. De Bell. Jud. l. 2. c. 11. § 6. l. 31.

(b) Ὅτι δὲ χρήμασι πειθεῖς ὑπὸ τῶν Σαμαρέων ὀλιγόρησεν. In cod. Vind. χρήμασι πολλοῖς ἀποτυφλωθεῖς ὑπὸ τῶν Σαμαρέων, καὶ κείνοις μᾶλλον πειθεῖς, τὴν ἐκδίκησιν ὀλιγόρησεν. Antiq. l. 20. c. 5. § 1. l. 24.

(c) Antiq. l. 20. c. 6. § 5. p. 893. The Corruption of this Governor is more than hinted Acts xxiv. 26.

(d) De Bell. Jud. l. 2. c. 14. § 1. & 2, fin.

the *Roman* Governors, who took Bribes, or shared the Plunder, in order to protect Criminals from Justice (*a*).

The *Talmudists*, and other *Jewish* Writers, tell us, that the great Council sat in a Room of the Temple called *Gazith* (*b*); that in the Tryal of capital Causes they were obliged to sit in this Room, and could condemn no one to Death in any other Place (*c*); that the lesser Councils, which had the Power of judging in Cases of Life and Death, could not proceed therein, unless the great Council sat in the Room *Gazith* (*d*). The Reason of this is suppos'd to be, because there lying an Appeal from the lesser Councils to the greater one, if that, by not sitting in its proper Place, was incapable of determining capital Causes, the Appeal was hereby prevented. And it was not permitted, that the lesser Councils should sit on capital Judgments, unless the great Council was in its proper Place, and so capable of receiving Appeals from them (*e*).

(*a*) It was not in *Judaea* alone that Governors sent from *Rome*, when corrupt and wicked, followed this Practice. *Verres* is accused of the same, *Cum praedonum disces accepta pecunia dimiserit*. *Cic. in Ver. l. 1. c. 4. (9, fin.) p. 269, a.*

(*b*) *Misna tit. Middoth, cap. 5. Maimon. Halach Sanhed. c. 14. in Seld. de Syned. l. 2. c. 15. § 4. Lightfoot, Vol. II. p. 611, 612.*

(*c*) *Gloss. ad tit. Aboda zara, c. 1. fol. 8, 1. ad Gemara, ibid. & ad tit. Sanhed. cap. 5. fol. 41. 1.*

(*d*) *Maimon. Halach Sanhed. c. 14. Cotzenzis Præcept. affirm. 102. in Seld. de Syned. l. 2. c. 15. § 6. Lightfoot, Vol. II. p. 248, fin.*

(*e*) *Seld. ibid. § 6, fin.*

It is said in the *Talmud*, that the great Council, or Sanhedrim, removed from the Room *Gazith* forty Years before the Destruction of the Temple (*a*); and this removing, all judicial Proceedings in Matters of Life and Death of course ceased throughout the whole Country, I mean among the *Jewish* Magistrates. This Removal of the great Council is represented by the *Talmudists*, and all the *Jewish* Writers, as a voluntary thing (*b*); not a Thing imposed upon them by the Authority of the *Roman* Emperors, or injoin'd them by the Governors; but a Matter of their own Choice, which for certain Reasons they judg'd expedient. Nor is there the least Intimation given, that they departed with an Intention not to return; on the contrary, it's expressly said, when Occasion serv'd, they did return (*c*). The Reason that is given for this their voluntary Removal, is the Frequency of Murders, which they were not able longer to restrain by their judicial Sentences (*d*). It is very certain, as Dr *Lightfoot* observes, that by their own Account

(*a*) Gemara Bab. a, tit. Sanhed. c. 5. fol. 41. a. & ad tit. Sabbath, c. 1. fol. 15. 1. & ad tit. Aboda zara, c. 1. fol. 8. 2. Cotzenzis Præcept. affirm. 102. in *Seld.* ibid. § 8.

(*b*) Gemara Bab. ad tit. aboda zara cap. 1. fol. 8. 2. Abrah. Zacut. Sepher Juchasin, fol. 21. 1. & fol. 26. 2. in *Selden*: Ibid. § 10.

(*c*) תוספתא ad tit. Chetuboth. c. 3. fol. 30. - 1. & ad tit. Aboda zara, c. 1. fol. 8. - 2. & ad Gemara Bab. tit. Sanhed. c. 4. fol. 37. 2. in *Seld.* Ibid. § 11. *Lightfoot*, Vol. II. p. 613.

(*d*) Gemara Bab. tit. Aboda zara, c. 1. fol. 8. 2. Abr. Zacut. Sepher Juchasin, fol. 21. 1. in *Seld.* Ibid. c. 10, pr. & fin.

they

they were far too favourable in their Proceedings on capital Judgments (a). And some of the Rules they have laid down must have made it not a little difficult to convict a Criminal (b). Notwithstanding, there is but too much Reason to think, that they were often prevented by the *Roman* Governors (c), who, for the sake of Money, took Offenders out of their Hands ; it being always in the Governor's Power to stop their Proceedings, and call the Cause before himself. And thus the learned *Selden* understands those Words of the *Chaldee* Paraphrast in *Pf. lxxix. A wicked King hath made me to remove.* For the Paraphrast interprets the Psalm of the Removal of the great Council, or Sanhedrim ; and making the Sanhedrim to speak the Words of the Psalm, adds at the End of the second Verse, *A wicked King or Tyrant.*

(a) Vol. II. p. 248. & 612.

(b) Particularly the Premonition required. Maimon. Halach. Sanhed. c. 11, 12. & 18. § 5, 6, 7. in *Seld. de Syned. l. 2. c. 13. § 2.* I must own it seems not a little incredible. Even *Selden* himself, in the Title of this Paragraph says, *Mirandum, de præmonitione actionibus capitalibus, eisq; in quibus verberum poenæ usus necessaria ; seu de juris aut facti ignorantia præsumpta. Vid. Cocceii Duo Tituli Talmudici, p. 41. pr. & 43, fin.*

(c) Jam vero scimus sub *Romanis* permissum esse *Judæis* Hierosolymis Synedryum magnum, eiq; ibi licuisse in loco consueto, seu *Liskath Hagazith*, judicia etiam capitalia exercere ; quod ex supra allatis manifestum est. Cum vero sub annum ante templi excidium quadragesimum, ob sicariorum frequentiam, qui sæpius præsidis favore aliterve tuti, etiam synedrii judicio proculdubio subinde eripiebantur, adeo ut nec homicidia comescere illud posset, nec cædis diutius reos morte plectere, quod quidam ex jure avito atq; hætenus sibi relicto (utcuq; sic violato) in ejusce munere & officio erat cum Synedriis cæteris ferme commune ; visum est è loco judiciis hujusmodi adeo proprio ut alibi rite exerceri

Tyrant hath made me to remove (a); i. e. Pilate, the Roman Governor, by his stopping the Course of Justice, and protecting of Murderers, hath so increas'd their Number, that it's utterly in vain to attempt to punish them. For which Reason the Sanhedrim chose rather to leave the Place of Judgment, than to sit there, and not be able to discharge their Duty: They often returned to their Place, under better Governors, or when they had Reason to think the Governors would not interfere. But from this Time Robbers and Murderers gain'd such a Head, and became so powerful, that they were no more able to do aught against them; and it's expressly said, that to sit in Judgment upon Murderers they never did return (b).

exerceri ab ipsis nequirent, migrare locum in alium, ibiq; sedes ponere, ubi ex ipsa leſione manifestum redderetur tum homicidas se in jus vocare noſſe, quia plane frustra fieret, tum pudere se in loco judiciis capitalibus ita proprio sedes habere, cum tot homines rei capitalis damnandi, ultimoq; afficiendi supplicio, potestatem suam ac sententiam quotidie eluderent. — Tametsi igitur dominantium libido, & victorum tyrannis in causa erat homicidia saepe nimis impune intra synedrii jurisdictionem ac imperium committerentur, unde evenit ut migraret illud e loco sibi consueto, alibiq; intra urbem diu judicia exerceret; id non accipiendum est perinde ac si decreto aliquo seu jussu principali ita pulsum esset, aut judiciorum capitalium potestas ei fuisset erepta, sed de migratione tantum spontanea, qualem memoravimus. *Seld. de Syned. l. 2. c. 15. § 10.*

(a) *Seld. de Syn. l. 2. c. 15. § 10, med. Vid. et § 8.*

(b) *Gloss. ad tit. Chethuboth, fol. 30. 1. in Lightfoot, Vol. II. p. 613.*

S E C T. XIII.

An Argument of another Nature, rendering it highly probable, that the Jewish Magistrates under the Romans, had the Execution of their own Laws in capital Cases.

A Nother Argument, which, I think, has no small Weight in it, is this: If all criminal Jurisdiction (*a*), or if the Cognizance only of all capital Causes (*b*), were in the Governor of every Province, so that no Person could be adjudged to Death but by him, what an insupportable Addition would this be to the other necessary Parts of Government? What Man could possibly sustain the Weight of Affairs in any one Province? Which way could *Vitellius*, in particular, have managed the Business of *Syria*, together with that of *Judæa* annex'd to it, when he sent *Pilate* to give an

(*a*) I have already observ'd, that according to the Arguments of those on the other Side of the Question taken from the Civil Law, all criminal Jurisdiction must have been in the Governor, and he could delegate no Part of it to any other. Vid. Sect. II.

(*b*) The Gentlemen on the other Side of the Question take it indeed for granted, that all but capital Causes might be determin'd by the Jewish Magistrates; but they give no Reason for this Division of *Imperium*, and according to their Principles it is impossible they should.

Account of his Conduct to *Tiberius* (a), the Countries of *Trachonitis*, *Gaulonitis*, and *Batanæa*, being at the same Time added to the Province by the Death of *Philip* the Tetrarch (b)? Would his whole Time have suffic'd for the Hearing of Causes only? It's true he placed his Friend *Marcellus* in the room of *Pilate* (c). But if the Maxim of the Civil Law *Merum Imperium non posse transire* (d), that the Power of judging and punishing Criminals could not be delegated, were of Force, and took Place at this Time, *Marcellus* could lend him no Assistance in this Part of his Office. *Vitellius* could not confer on him the Power of determining criminal Causes; yet we very well know, there were other pressing Affairs, in most Provinces not a few, which so engross'd the Time of the Governors, that they could afford but little, comparatively, for the hearing of ordinary Criminals. *Vitellius*, during the Time we have mentioned, march'd an Army against *Aretas* King of *Arabia* (e), went also to the *Euphrates*, had an Interview with *Artabanus*, King of *Parthia*, and concluded a Peace with him (f).

(a) *Jos. Antiq.* l. 18. c. 4. § 2.

(b) *Ibid.* c. 5. § ult.

(c) *Ibid.* c. 4. § 2.

(d) *L. 1. § 1. ff. de Offic. ejus cui mand. est Jurisd.*

(e) *Jos. Antiq.* l. 18. c. 6. § 3.

(f) *Ibid.* c. 5. § 5. *Sueton. in Calig.* c. 14. § 5. *Dio*, l. 59. p. 661. *Vid. et Suet. in Vitel.* c. 2. § 7. *Lard. Cred.* Vol. I. p. 171, #87, 188.

If it be said, that after the Time of *Antoninus Caracalla*, when the *Roman Law* was spread through the whole Empire, and not only the Tryal of capital Causes, but, what is much more, all criminal Jurisdiction, was certainly in the Governor of every Province, we find not, that the Business was so great, but many were well able to undergo it; the Answer is plain: The Provinces were then lessened in proportion to the Increase of Business, that which was one Province at the Time we are speaking of, having been divided into many after the Law pass'd by *Antoninus (a)*.

S E C T. XIV.

Arguments taken from the sacred Writings to prove the same Thing.

I Should not have given myself the Trouble to enter thus deeply into the Question before me, had I not been fully persuaded, that what I have been maintaining is the real Sense of the Writers of the *New Testament*, and that it cannot but appear to any impartial Man, who reads the Gospels and the Hi-

(a) Dio, l. 53, p. 504, A. l. 8. 9, 10. Notit. Imper. apud Panvincium & Fred. Spanheim. The Province of *Syria*, that was under *Vitellius*, of which we have been speaking, was in *Constantine's* Time divided into thirteen Provinces. Vid. *Panvin. Imper. Rom.* Vol. II. p. 254, 256.

story of the *Acts* without Prejudice, that the most obvious, easy, and natural Construction of the several Passages relating hereto, is, that the *Jewish* Magistrates had the Power of trying capital Causes, and inflicting Death.

It is well known, that the *Jewish* Courts which sat upon Life and Death, were their Councils, the great Council which sat in the Room *Gazith* at *Jerusalem*, compos'd of 71 Members; and the lesser Councils in other Cities, compos'd of 23 Members (a). These are often mentioned in the New Testament. The Question is, whether they are spoken of in such a manner as implies, that they still retained the Power of punishing Criminals with Death, or in such a manner as imports that they had now lost this Power?

It cannot be denied, that in *The Acts of the Apostles* there is one very plain Instance of the Council's sitting and hearing Witnesses, of the Prisoner's Defence, and of his Execution, and that the Execution was performed according to the Direction of the Law of *Moses* (b). The Prisoner was stoned, and the Hands of the Witnesses were first upon him to put him to Death (c). It is the Case of the Protomartyr *Stephen*.

To this it's objected, that there is no Relation of any Sentence pronounced, or of the High-Priest's collecting the Opinions of the

(a) Vid. *Seld.* de Syned.

(b) *Deut.* xvii. 7.

(c) *Acts* vii. 58.

Court (a); that after *Stephen* had utter'd these Words, "I see the Son of Man standing on the Right-hand of God," the Representation given us by *St. Luke* has more the Appearance of a tumultuous Proceeding of the People, than a regular Administration of Justice (b).

Were Historians to descend minutely to the Detail of every Particular (c), who would be at the Trouble to read their Works? And if it be incumbent on us, in order to prove, that a People had the Power of executing their own Laws in Cases which required the inflicting of Death, to bring an Instance from Historians of Credit, wherein is related the whole Process of the Court from Beginning to End, I am apt to think it will be difficult, if not impossible, to shew that any one Nation in the World, seven or eight hundred Years past, had the Power of trying capital Causes. In relating the Tryal of the Apostle *James*; and those others who suffered with him, *Josephus* tells us no more, than that *Ananus* summon'd the Council, accused them as Transgressors of the Law, and delivered them to be stoned. Must we from hence conclude, that there were:

(a) *Lard. Cred.* Vol. I. p. 107.

(b) *Ibid.* p. 108.

(c) All that is said of *Naboth's* Tryal, is, "The Men of *Belial* witnessed against him, even against *Naboth*, in the Presence of the People, saying, *Naboth* did blaspheme God and the King. Then they carried him forth out of the City, and stoned him with Stones, that he died." 1 *Kings*. xxi. 13. Should any one from hence conclude, that this was a tumultuous Proceeding of the People, he may be convinced of the contrary by turning to the History.

no Witnesſes heard, no Defence made by the Priſoners, no Debates among the Members of the Council, no collecting of Opinions, no Sentence paſt? This would be a very haſty Proceeding, and moſt unfair Treatment of the Hiſtorian. It is very ſeldom he relates even ſo much as this, when he gives an Account of the Execution of Criminals: Muſt we thence infer, that they had no Tryal, or were brought before no Court of Judicature? No, ſuch things are paſſed by, being ſuppoſed to be known to every one as things of Courſe. And Hiſtorians never dwell upon the Circumſtances of a Tryal, unleſs it be to relate ſomething remarkable, and worthy our Attention. We ſhould never have known thoſe few Circumſtances that are related in the Tryal of *St. Stephen*, had it not been to introduce that noble Speech he made in his Defence, and to ſhew us the Temper of the Apoſtle *Paul* at that Time. So the Circumſtances mentioned in the Tryal of the Apoſtles in *Acts v.* are evidently to ſhew us the Courage of the Apoſtles, and to give us the remarkable Opinion of *Gamaliel* in favour of the *Chriſtians*. But even in this Caſe there is no Relation of any Sentence paſſed, only of the Execution of the Sentence (g), as in the Caſe of *St. Stephen*. The Circumſtances related in the Tryal of the Apoſtles *Peter* and *John* in *Acts iv.* are to convince us how much they were chang'd in

(g) *Acts v. 40.*

their Temper and Behaviour since the Resurrection of Christ, and the pouring forth the Holy Spirit; particularly to set before us the bold and undaunted Spirit of the Apostle *Peter* since his Recovery after the base Denial which he made of his Master. The Relation of these Circumstances was also necessary to introduce the Account, which follows, of the second Effusion of the Holy Ghost on the Disciples (*a*). And both in this and the two former Cases they were highly fitting, in order to make us see the exact Fulfilment of several of our Lord's Prophecies (*b*).

For my own Part, I see no more Reason to question whether Sentence of Death was pronounced by the Council in the Case of *St. Stephen*, than there is to doubt whether Sentence of Scourging was pronounced in the Case of the Apostles related *Acts* v. or that of Stoning in the Case of *James*, the Brother of our Lord, related by *Josephus*; or that of Death in the Case of almost any one Person he speaks of as executed. Why might not

(*a*) Vid. *Acts* iv. 23, - 31.

(*b*) Such as those concerning *Peter* in particular, "Thou art *Peter*, and upon this Rock I will build my Church, and the Gates of Hell shall not prevail against it." *Matt.* xvi. 18. "I have prayed for thee, that thy Faith fail not; and when thou art converted, strengthen thy Brethren." *Luke* xxiii. 32. And the Apostles in general, "Beware of Men; for they will deliver you up to the Councils." *Matt.* x. 17. "Take heed to yourselves; for they shall deliver you up to the Councils." *Mark* xiii. 9. "Settle it therefore in your Hearts not to meditate before, what ye shall answer; for I will give you a Mouth and Wisdom, which all your Adversaries shall not be able to gainsay or resist." *Luke* xii. 14, 15.

Sentence pass while *St. Stephen* was beholding the heavenly Vision? Or is it at all improbable, that the Members of the Council should pronounce him guilty of Death, when they gnashed on him with their Teeth, expressing their Indignation against him at the same Time both by their Words and Actions (a)? After this there appears nothing irregular in the whole Proceeding; all is conducted in exact Agreement with the *Mosaick* Law. He is cast out of the City (b), and the Witnesses throw the first Stone.

But should we allow, that there was no Sentence passed, and that *St. Stephen* was executed in a tumultuary manner, through the too great Zeal and Forwardness of the People, yet is here a plain Instance of a Prisoner's being brought before the *Jewish* Council, and accused of Blasphemy, of their proceeding to hear Witnesses, and the Defence of the Prisoner: To what Purpose, if they had no Power to put this Man to Death, in case he should be found guilty? Did they meet together with an Intent to pass Sentence on him, and see that Sentence executed, if they found him guilty? Or did they not? If they did, the Thing contended for is granted; and it is of little Import, whether Sentence were actually passed or not. If they did not meet with this Intention, it is very strange it should not be

(a) *Acts* vii. 54, 55. Vid. *Grot.* in *Matt.* xxvi. 66.

(b) *Levit.* xxiv. 14. *Numb.* xv. 35, 36. 1 *Kings* xxi. 13.

hinted in a Case where the Person brought before them was actually executed; the more so, because in another Case, when the Persons brought before them were not executed, St. *Luke* tells us, that it was the Intention of the Council to have put them to Death. Thus is it expressly said, when the Apostles stood before them, *that they took Counsel to slay them (a)*, and without doubt would have executed their Design, had not *Gamaliel* diverted them from it. Is it an Argument of no Weight, that St. *Luke*, who gives us this Account of their Intention in the Case of the Apostles, and of their actual Proceeding in the Case of the Protomartyr, never once intimates, that they herein went beyond their Power, and practis'd that which the *Romans* did not allow of?

S E C T. XV.

Further Arguments from the History of the Acts.

WE have not only this plain and undeniable Fact in the one Case, and the Intention in the other related in the History of the *Acts*; but we have also a clear and strong Assertion, that the *Jewish* Magistrates had determin'd to proceed in the Tryal of a capital

(a) *Acts* v. 33. ἐβουλεύθησαν. They were cut to the Heart, and determin'd to put them to Death. Vid. Grot. in Joan. xii. 10. βουλεύεσθαι non est hic consultare, sed constituere, ut *Actor.* v. 33. & xv. 37. 2 *Cor.* i. 17.

Cause made in open Court in the Presence of the *Roman* Governor himself, who sat there as Judge, and this without any Check or Controul from the Bench. It is in the Speech of *Tertullus* made to the Governor *Felix* in the Case of *St. Paul*, whom, says he, *we took, and would have judged according to our Law (a)*. Is it possible to imagine, that any Advocate or Counsel, be his Assurance never so great, could have asserted such a thing as this to the *Roman* Governor himself, if at the same time the *Romans* had depriv'd the *Jews* of capital Judgments? That this was a capital Cause, appears most fully from the Accusation (*b*); and I dare say no one ever admitted the least Doubt of it.

But should we suppose, that the Orator could prevail with himself to make such an Assertion, can we think, that the High-Priest and Elders of the *Jewish* Nation could be so imprudent as to approve of what he said? For

(a) *Acts* xxiv. 6.

(b) The Accusation in the *Jewish* Court no doubt was Blasphemy, *That he taught Men every-where against the People, and the Law, and the Temple.* *Acts* xxi. 28. But, as it was also in our Saviour's Case, when they came before the *Roman* Governor, the Crime laid to his Charge is Sedition, "We have found this Man a pestilent Fellow, and a Mover of Sedition among all the *Jews* throughout the World." *Acts* xxiv. 5. That it was esteem'd a capital Cause by the *Jews*, is evident from the Outcry they made against him, when he had spoken to them from the Stairs of the Castle, "Away with such a Fellow from the Earth; for it is not fit that he should live." *Acts* xxii. 22, 23. And from what *Festus* says to King *Agrippa*, "Ye see this Man, about whom all the Multitude of the *Jews* have dealt with me both at *Jerusalem*, and also here, crying, that he ought not to live any longer." *Acts* xxv. 24.

it is expressly added, that *they also assented, saying, that these Things were so* (a). And if we can imagine, that the Judge was so favourable to the Counsel as to pass by his Impertinence without a Check, yet sure we cannot possibly believe, that he would suffer the High-Priest and Rulers of the Nation to confirm such a thing without a Rebuke. What? Would a *Roman* Governor, sitting in the Judgment-seat, hear the *Jewish* Magistrates declare, that they would have judg'd a Prisoner in a capital Cause, and not sharply reprehend them for it, if at the same time the *Romans* had absolutely prohibited their Proceeding in such Causes? What possible Construction could be put upon such a Declaration, but an open Profession of Rebellion against the *Roman* State? Could any Governor sit still and hear it with Patience? Certainly he could not. Besides, this was not a Governor that had his Business to learn, but one who had presided many Years over that Nation (b).

To this it is objected, that it is not easy to say what we ought to understand by these Words of *Tertullus*, that there is little Regard to be had to what he says, and that he endeavours to impose upon the Governor (c).

But does not the Apostle *Paul* himself assert the same thing, when, standing before the *Jewish* Council, he says to *Ananias* the

(a) *Acts* xxiv. 9.

(b) *Acts* xxiv. 10.

(c) *Lard. Cred.* Vol. I. p. 129, fin. & 131.

High-Priest, *Sittest thou to judge me after the Law, and commandest me to be smitten contrary to the Law (a)?* If St. Paul had any Notion of the End for which he was brought before that Court, it was to be tried by the Jewish Law. And what is it that *Tertullus* says more? *Whom we took, and would have judged according to our Law.* It is true he adds immediately after, *But the chief Captain Lysias came upon us, and with great Violence took him away out of our Hands (b).* And does not St. Luke tell us much the same, when he says, that while St. Paul stood before the Council, there arising a great Dissention, and the chief Captain fearing, lest he should be torn to Pieces by them, *commanded the Soldiers to go down, and to take him by Force from among them (c).* It is very certain, this was an imperfect Representation of the Case; but to what Purpose would it have been to have given a more ample Detail of the Particulars? The Jews took St. Paul. *Tertullus* passes over in Silence all that followed, till he was brought by *Lysias* before the Council. Then the Jews would have judged him according to their Law. He suppresses the Dissention that appeared in Court, and only mentions *Lysias's* taking him away by Force. Were the Circumstances omitted of any Importance to the Trying of the Cause? Had they been so, the Prisoner would, no doubt, have

(a) *Acts* xxiii. 3.

(b) *Acts* xxiv. 7.

(c) *Acts* xxiii. 10.

taken Notice of them in his Defence, and set them in a clear Light. But forasmuch as he has not, and as all these Things were plainly subsequent to the Facts of which he was accused, and therefore could no ways tend to make out either his Innocence or Guilt, I think we may firmly conclude, that *Tertullus* had no Intention to impose on the Governor in this Part of his Oration (a).

The learned *Grotius* confines the Meaning of *Tertullus* to one particular Crime, and descants upon his Words thus, *Whom we would have judged according to our Law, as having brought Strangers into the Temple, in which Crime the Execution of capital Punishments was permitted by the Romans* (b). For the Proof of this last Assertion he refers (c) to the Words of *Titus* related in *Josephus*, which I have already quoted. But those Words reach the Strangers themselves only (d), not the Person who should persuade or encourage them to

(a) It is true, the Words upon the first View of them seems as though they related to *Lysias's* rescuing *St. Paul*, when he was taken in the Temple, and like to have been beaten to Death by the Multitude. It must be acknowledg'd, the Words *came upon us*, might lead us so to think (tho' nothing is more usual than to ascribe that to a Person, which is done by his Order). But as he studied Conciseness and Brevity in this Oration, possibly he did not stand upon the greatest Accuracy any more than *Lysias* in his Letter to *Felix*, "This Man was taken of the *Jews*, and should have been killed of them; then came I with an Army, and rescued him, *having understood that he was a Roman.*" Vid. *Lard. Cred. Vol. I. p. 136.* (b) In loc.

(c) *Grot. in Act. xxi. 28.* and to *Moses de Corzi præc. jubent. 21.*

(d) Mr *Lardner* also seems to be of this Mind. *Cred. Vol. I. p. 130, fin.*

go beyond the Bounds prescribed ; which, I suppose, is all that can be understood by bringing them into the Temple ; for it is not to be imagin'd, that Force could be used by a single Person to make them enter against their Wills. The Accusation of *Tertullus* does not say, that he so much as prevailed with them to enter ; says only that he endeavour'd it, ἐπειράσε, we translate it, *hath gone about*, i. e. hath attempted to defile this holy Place : That such an Attempt, if proved, was Death by the *Jewish Law*, I make no doubt. But what Ground is there to believe, that the *Romans* indulg'd them in the Execution of this particular Law, unless what I am contending for be granted, that they allowed them the Use of all their Laws in general ? Nothing is more certain, than that our Saviour was not accus'd of the Crime of bringing Strangers into the Temple ; and yet *Pilate*, the *Roman Governor*, says to the *Jewish Magistrates* concerning him, *Take ye him and judge him according to your Law*. In this Place, therefore, *Grotius* is forced to give another Turn to the Words, and interpret them as if he had said, “ Take ye him and punish him with those lesser Punishments which it is permitted you to exercise (a) ;” as though *Pilate* had been wholly ignorant of what passed in the High-Priest's House, or in the Council the Night before (b),
or

(a) In Joan. xviii. 31.

(b) We cannot reasonably suppose, that either the Fame of *Jesus*, or the Attempts of the *Jewish* Leaders against him, much less

or did not know, that Blasphemy was punished with Death by the *Jewish* Law, notwithstanding that he had been now Governor of this Nation some Years. *Grotius* supposes, that before *Pilate* said these Words, the *Jews* had accused our Saviour to him of Sabbath-breaking, and such-like Crimes (a). But could he be now to learn, that Sabbath-breaking also was made Death by the *Jewish* Law? And does not the Answer that they immediately subjoin to *Pilate's* Saying, fully evince, that if they had accused him of any thing in particular, it was of a capital Crime? For they reply, *It is not lawful for us to put any Man to Death*, meaning, this holy Season. But whatever be the Meaning of those Words, they fully shew, that they had accus'd him as a Malefactor worthy of Death.

less their Proceedings the Night before, and early that Morning in the High-Priest's House, and in the Council, could be unknown to *Pilate*. He was watchful enough of all the Motions of the *Jewish* Rulers. Remissness, and want of Vigilance, is not among the Number of Crimes laid to his Charge. We cannot therefore, I think, much err in taking it for granted, that he was well informed what they accus'd our Saviour of: And it is fully evident from his own Words, that he rather chose they should have put him to Death in their own way.

(a) In Joan. xviii. 30. Si not esset hic malefactor, non tibi tradissemus eum; simul, ut credibile est, aliqua attulerunt de Sabbatho, & similia.

S E C T. XVI.

Arguments to the same Purpose, taken from the Gospels.

I Shall lay before the Reader some Things which relate hereto in the four Gospels, and conclude this Part of the Chapter. Our Lord says to his Disciples, *Beware of Men; for they will deliver you up to the Councils (a)*. Take heed to yourselves; for they shall deliver you up to the Councils (b). He that says to his Brother, *Raca, shall be in Danger of the Council (c)*. And to the Jews he says, *Behold, I send unto you Prophets, and wise Men, and Scribes, and some of them shall ye kill and crucify (d)*. And in another Place, *Therefore also said the Wisdom of God, I will send them Prophets and Apostles, and some of them they shall slay (e)*. I am far from thinking, that these Places determine the Question; but surely the most natural Construction of them is, that there remain'd in the Jewish Councils a Power of inflicting Death. The Answer which our Lord made to the Scribes and Pharisees, who brought to him a Woman taken in Adultery, is, *He that is without Sin, let him cast the first Stone at her (f)*. It was commanded in the Law of

(a) Matt. x. 17.

(b) Mark xiii. 9.

(c) Matt. v. 22.

(d) Matt. xxiii. 34.

(e) Luke xi. 49.

(f) John viii. 7.

Moses, that the Witnesses or Accusers should throw the first Stone; and the Meaning of our Lord's Answer is plainly this, *Let him among you who has not been guilty of the same Crime, or a Crime equally great, be a Witness against her, or become her Accuser and Prosecutor before the Council.* It is not to be supposed, that our Lord here takes upon him the Part of a Judge. This in another Case he utterly disclaims, saying to the Person that desired it of him, *Who made me a Judge over you (a)?* Much less can we suppose, that he would countenance a popular and tumultuary Execution (b), or en-

(a) Luke xii. 14.

(b) The Interpretation of the learned *Grotius* represents him, I think, as too much favouring this Sort of Execution. Upon those Words, "Let him that is without Sin cast the first Stone," he has this Note: *Quia lapidatio illis temporibus erat quasi iudicium populi, ideo quod de iudicibus dici solet, populo aptavit.* But with the Leave of so great a Man, it was not the Judges, but the Witnesses or Accusers that were to throw the first Stone. He speaks this to the People that brought the Woman therefore, not as Judges, but as Witnesses or Accusers. And upon those Words, "Hath no Man condemned thee?" His Note is, *Quasi dicat, Si lata est in te sententia, ego ei non contradico.* But that there is no Necessity of understanding this of a proper Condemnation by a Judge, appears from his own Remark on the fifteenth Verse: *Accusatores & testes condemnare Latine dicuntur.* And he interprets the Greek Word *καταγγελλειν*, here used, to the same Sense, in his Notes on Matt. xii. 41. Heb. xi. 7. We have no Reason therefore from the Use of this Word to make the People, who brought the Woman to our Saviour, *Judges*: It might very justly be said of them, although they were no more than Witnesses or Accusers. The learned *Dr. Lightfoot* supposes, that the *Scribes* and *Pharisees*, who brought this Woman before our Lord, might be Members of the great Sanhedrim; and that those Words, "Hath no Man condemned thee?" intimate, that those who accused her had also Power to judge and condemn her. Thus, *the Scribes and Pharisees*, he thinks, signify the Sanhedrim, Matt. xxiii. 2. Vol. II. p. 1080.

courage any Persons to lay violent Hands on a Criminal before Sentence was passed by those who were in Authority. Our Lord's Answer therefore, by a very common Figure of Speech, and in an equitable Construction, amounts to no more than this: "Let him among you, that is not guilty of a like Sin, accuse and prosecute her before the Council." Which Answer plainly supposes, that the *Mosaick* Law, in all its Forms, was at this Time executed. And who can we think would put it thus in Execution, if the *Jewish* Magistrates were not permitted?

The four Evangelists are unanimous, that the *Jews* attempted to prosecute our Saviour for the capital Crime of Sabbath-breaking, and to cause him to suffer the Pains of Death for it. *St. Matthew* says, *They asked him, Is it lawful to heal on the Sabbath-day? that they might accuse him* (a). And because in his Answer he determined, that it was lawful, and actually healed a Person, who had a withered Hand, before them, it is added, *The Pharisees held a Council against him, how they might destroy him* (b). *St. Mark* says, *They watched him, whether he would heal on the Sabbath-day, that they might accuse him* (c). *St. Luke* says the same (d). To whom would they accuse him? Is it at all likely, that a *Roman* Governor would put a Man to Death for doing so beneficent an Action on the Sabbath-day? As it would be difficult to

(a) Chap. xii. 10.
(d) Chap. vi. 7.

(b) Ver. 14.

(c) Chap. ii. 3.

convince him, that the Crime of Sabbath-breaking deserved Death, it would be much more so to persuade him, that the doing Good on that Day could be criminal. But the *Jewish* Council would have readily received such an Accusation. If the *Talmud* may be at all credited, it was every way agreeable to their Maxims to proceed against, and pronounce a Man guilty of Death for such an Action as this (a). Who then can admit a Doubt, that our Saviour was to have been prosecuted before them? And how did he avoid the threatening Danger? By withdrawing himself from under their Jurisdiction to the Tetrarchy of *Galilee* (b).

In

(a) It was a Rule with them, *That what might be done on the Eve of the Sabbath dispensed not with the Sabbath.* This agrees exactly with that which the Ruler of the Synagogue says to the People, Luke xiii. 14. "There are six Days, in which Men ought to work: In them therefore come and be healed, and not on the Sabbath-day." They thought that the withered Hand might as well have been restored on any other Day, and that the Woman might have been healed of the Spirit of Infirmity on the Eve before; and therefore that the doing it on the Sabbath was breaking the Sabbath, and deserved Death. *Talm. Sabbath, cap. 19.* They allowed indeed, that the Danger of Life dispensed with the Sabbath. *Tanch. fol. 9. col. 2.* but in neither of the Cases above-mentioned would they admit, that there was Danger of Life. *Vid. Lightfoot, Vol. I. p. 222. and Vol. II. p. 187.*

(b) But *Jesus* withdrew himself with his Disciples to the Sea, *i. e.* the Sea of *Galilee*, Mark iii. 7. *Vid. & Matt. xii. 15.* It is not indeed absolutely certain, where our Saviour was, when he healed the withered Hand; but it is probable, that he was in some Part of *Judea*: That he was now in his Way from *Jerusalem*, where he had been celebrating the Passover, to go to *Galilee*, is sufficiently evident from the Circumstances of the History when laid together, and is the Opinion, I think, of *Dr. Lightfoot, Vol. I. p. 221, 222. Vid. Vol. II. p. 184.* *Father Pezron* indeed conjectures, that when he cured the withered Hand, he

In like manner, when our Lord had healed the Man at the Pool of *Bethesda*, and ordered him to take up his Bed and walk, *St. John* says, *Therefore did the Jews persecute Jesus, and sought to slay him, because he had done these Things on the Sabbath-day* (a). The Word which we translate *persecute*, is a Law-term, and signifies to prosecute or accuse in a Court of Justice. In all Probability, they had actually commenced a Prosecution against him before the great Council for Breach of the Sabbath, and sought Means to apprehend and convict him. Our Lord afterwards gave them further Offence in calling God his Father; and the Evangelist adds, *Therefore the Jews sought the more to kill him, because he had not only broken the Sabbath, but said also, that God was his Father, making himself equal with God* (b). There were two capital Crimes therefore that the *Jews* would have convicted him of, and put him to Death for, had he not immediately left *Jerusalem*. For the Apostle says, *After these Things Jesus went over the Sea of Galilee* (c). And again, at the Beginning of the next Chapter (d), *Jesus walked in Galilee; for he would not walk in Jewry, because the Jews sought to kill him.* He withdrew from

was already arrived in some Part of *Galilee*, from the Mention of the *Herodians*. *Histoire Evangel.* Vol. II. p. 74. Can there be a more slight Foundation for such a Conjecture? Might there not be *Herodians* going from the Feast at *Jerusalem* to *Galilee*, as well as our Saviour?

(a) *John* v. 16.

(b) *Ver.* 18.

(c) *John* vi. 1.

(d) *John* vii. 1.

their

their Jurisdiction. If they had not sought to take away his Life in a Course of Law by accusing him of capital Crimes, why should he industriously avoid all *Judæa*, all Places that were under their Jurisdiction? Had it been their Design to have dispatched him by a private Hand, or a popular Tumult, he might have escaped these, as well by withdrawing into some of the remoter Parts of *Judæa*, as by going into *Galilee*. Or had it been their Intention to have made Interest with the *Roman* Governor to execute him, could they not as easily have prevailed with *Herod* the Tetrarch to do the same? I can see no Reason therefore, why he so industriously avoided all *Judæa*, but because he thereby avoided the Jurisdiction of the *Jewish* Sanhedrim.

Our Lord appeared again at *Jerusalem* at the Feast of Tabernacles. It was so well known to the People of that City, that he was under Prosecution for capital Crimes, that they are struck with Astonishment to see him discoursing in publick, and no one apprehend him. *Then said some of them of Jerusalem, Is not this he whom they seek to kill? But, lo, he speaketh boldly, and they say nothing unto him. Do the Rulers know indeed, that this is the very Christ (a)?* It is plain from these last Words, that they looked upon it as the Business of the Rulers or Magistrates to apprehend him, and put him to Death. The Evangelist, in what follows, tells

(a) John vii. 25, 26.

us, it was owing wholly to the over-ruling Providence of God, that he was not at that Time taken by them. For several of the By-standers had a strong Inclination to apprehend him, yet did not, being in some secret manner prevented by him who disposes of all Events (a). Nay, the *Pharisees* and Chief-Priests sent Officers on purpose to bring him (b); but they, delighted, and quite overcome with his Discourse, return without him (c). The *Pharisees*, in rebuking the Officers for Neglect of Duty, plainly declare him to be an Impostor (d). *Nicodemus*, one of the Council, who believed him to be the Messiah, says to them, “Does our Law judge,” *i. e.* condemn, “any Man as an Impostor or Malefactor before it hear him, and know what he doth (e)?” He puts them in mind, that the Law of *Moses* obliged them to give him a Hearing before they pronounced him a Deceiver, or false Prophet. I leave it wholly to the Reader to determine, what is the Import of these Passages in the most easy and natural Construction, whether that the *Jewish* Magistrates did now execute their Laws in capital Cases, or did not.

(a) Then they sought to take him, but no Man laid Hands on him, because his Hour was not yet come, v. 30. And some of the People would have taken him, but no Man laid Hands on him, v. 44.

(b) Ver. 32.

(c) Ver. 45, 46.

(d) Ver. 47, 48, 49.

(e) Ver. 51.

S E C T. XVII.

Further Arguments from the Gospels.

AFTER the Resurrection of *Lazarus* the Chief Priests and *Pharisees* gather a Council, deliberate, and at length determine, that it was fitting to put *Jesus* to Death; and issue forth their Orders, “That if any Man knew where he were, he should shew it, that they might take him (a).” Our Lord, to escape the Effect of this Order, for the little Time that yet remained before the Passover, walked no more openly among the *Jews*, and went to a remote Part of *Judæa* near the Wilderness (b). We are told in the next Chapter, that *the Chief-Priests consulted also how they might put Lazarus to Death* (c). These Places, if taken in their obvious Sense, clearly enough shew what I am contending for; but that which makes it appear to me in a yet stronger Light, is the Fear of the People so frequently expressed. Thus is it said in *St. Matthew*, *When the Chief-Priests and Pharisees sought to lay Hands on him, they feared the Multitude, because they took him for a Prophet* (d). And again, the Chief-Priests, and Scribes, and Elders of the People, assembled at the Palace of the High-Priest, consulted that they might take *Jesus* by Subtlety, and kill

(a) John xi. 47, &c.
xii. 10.

(b) Ver. 54.

(d) Matt. xxi. 46.

(c) John

him;

him; but *they said, not on the Feast-day, lest there be an Uproar among the People (a)*. Thus also it is said in *St. Mark, The Scribes and Chief-Priests sought how they might destroy him; for they feared him, because all the People were astonished at his Doctrine (b)*. And again, *They sought to lay hold on him, but feared the People (c)*. So in the Gospel of *St. Luke, The Chief-Priests, and the Scribes, and the chief of the People, sought to destroy him, and could not find what they might do; for all the People were very attentive to hear him (d)*. Again, *The Chief-Priests and the Scribes the same Hour sought to lay Hands on him, and they feared the People (e)*. And again, *The Chief-Priests and Scribes sought how they might kill him; for they feared the People (f)*. In like manner it is said in the *History of the Acts*, when the Council had further threatened *Peter and John, They let them go, finding nothing, how they might punish them, because of the People; for all Men glorified God for that which was done (g)*. It is said also of the Officers, that they brought the Apostles before the Council *without Violence; for they feared the People, lest they should have been stoned (h)*. When it is so often said, that the Rulers of the Jewish Nation sought means to put Jesus to Death, had it been meant, that they would have put him to Death by a private Hand in an ex-

(a) Matt. xxvi. 4, 5.
xii. 12.

(b) Mark xi. 18.

(c) Mark

(d) Luke xix. 47, 48.

(e) Luke xx. 19.

(f) Luke xxii. 2.

(g) Acts iv. 21,

(h) Acts v. 26.

Vid. Luke xx. 6. Matt. xxi. 26.

trajudicial manner, or have suborned Witnesses to accuse him of some capital Crime before the *Roman* Governor, or by the Weight of their Influence have prevailed with the Governor to order his Execution, though Evidence of the Crimes alledged against him were wanting, I say, if any of these were the things meant, whence could arise the *Fear of the People*, so frequently and strongly expressed? All these things might have been so managed, as that the Authors of them should have lain concealed. Might not the Hand, which gave the fatal Blow, have remained a Secret? At least, the Persons who set the Assassin to work would have remained unknown; for who could oblige him to disclose it, when the Magistrates were on his Side? And if they had employed any to accuse him to *Pilate*, how could it have been discovered, who they were which gave the Witnesses their Instructions? And if they determined to influence the Governor even against Evidence, how could it have been known, by whose particular Persuasion he was so overcome as to order the Execution?

But should we admit, what it must be owned is very difficult to be admitted, that none of these things would have remained a Secret, could any of them, though known and publick, be ground of *Fear* to the whole Body of the *Jewish* Magistracy? For it is said of the Chief-Priests, the Scribes, and the Elders, *i. e.* of the *Jewish* Magistracy in general, it is said of the whole Council or Court of Judges, that they were
afraid

afraid of the People. Had any of the foregoing Methods been taken, there could not well have been many of them active in the Affair. It is most likely, that the Execution of the Method fixed upon would have been committed to a very few. Which few, indeed, upon a Discovery, might have Apprehensions of the People's Resentment, but not the whole Body. On the other hand, if the great Council of the Nation intended to proceed in a judicial way to condemn and execute *Jesus* against the prevailing Bent and Inclination of the People, who held him as a Prophet, here is a plain Reason for that *general Fear* expressed. *Herod* the Tetrarch, whose Authority in capital Judgments, I suppose, no one ever questioned, suspended the Execution of *John* the Baptist for a while, from the very same Apprehension. *St. Matthew* says, that when he would have put *John* the Baptist to Death for the Freedom of his Reproofs, *He feared the Multitude, because they counted him as a Prophet* (a). The Expression is exactly the same with some of those we have before recited concerning the *Jewish* Magistrates. Had they sought to put *Jesus* to Death by secret Means, the Authors and Instigators, when found out, might have been afraid. Had they endeavoured it by spiriting up Persons to accuse him to the Governor, the Witnesses and Prompters, when known, might have been afraid. Had they resolved upon it by persuading

(a) *Matt. xiv. 5.*

the Governor, the Persons who prevailed with him, when discovered, might have been afraid. But that this should affect the whole Body of the *Jewish* Magistracy, and that while the Discovery was yet uncertain, and I may add, not a little improbable, seems wholly incredible. It must therefore be an Act of the great Council of the *Jewish* Nation, or Body of their chief Magistrates, which is referred to, in those several Places of the Gospels, where this *general Fear* is expressed: And what can that be, but their sitting in Judgment on *Jesus*, condemning him, and ordering his Execution? They were *afraid* to do this because of the Multitude, in the same manner as *Herod* was *afraid* to execute *John* the Baptist: And that they were in Truth *afraid* to act in their judicial Capacity, is fully expressed to us in one of those Places quoted from the History of the *Acts*. For there it is said of the whole Council, in the Case of *Peter* and *John*, that *they let them go, finding nothing how they might punish them, because of the People*. The Reason given why they did not proceed against them, and punish them, was their *Fear of the People*.

And it is evident, that this *Fear*, in the Case of our Saviour, drove them to the Expedient of becoming Accusers instead of Judges, as the safer Method of the two. For if upon accusing him to the *Roman* Governor, (whether any of their own Body had been Witnesses against him, or they had employed others) he had been condemned and executed, and there had followed

followed a popular Insurrection, this would have been esteemed and treated as an Insurrection, not against the *Jewish* Magistrates, but against the *Roman* Governor, who had an Army at hand immediately to have suppressed it, and would have severely animadverted upon those who were forwardest in raising it. Being *afraid* then to act as Judges, they determine to have him prosecuted before the Governor for some Crime against the *Roman* State; and to this End employ Persons to ensnare him in his Discourse, which is clearly intimated to us by the Evangelist *Luke*: *And the Chief-Priests and the Scribes the same Hour sought to lay Hands on him, and they feared the People; for they perceived, that he had spoken this Parable against them. And they watched him, and sent forth Spies, which should feign themselves just Men, that they might take hold of his Words, that so they might deliver him unto the Power and Authority of the Governor* (a). From the Connection of these Verses, it is plain, that as their *Fear of the People* was the Reason they durst not proceed against him themselves, so it put them upon the Expedient of drawing from him something, which might render him obnoxious to the *Roman* Governor. They contrive a Question, the Answer of which they hoped would be Treason against the *Roman* State. The Question was, *Whether it be lawful to give Tribute to Cæsar?* They suspected probably, that

(a) Chap. xx. Ver. 19, 20, &c.

our Saviour was of the Opinion of *Judas* the *Galilaean*, and would have immediately answered, that it was not lawful; at least, that he durst not give any other Answer, when urged to it, because this was an Opinion, which had now made great Progress among the People. And they, it is likely, imagined, that he chiefly aimed at the Favour of the People, and stood in Awe of their Resentment.

And when our Saviour was, beyond their Expectation, betrayed into their Hands by one of his own Disciples, at a Time and Place which admitted of few or no Witnesses, and the fittest that could be to prevent a popular Tumult, they (indeed during the Night) examine him of the supposed Crimes against their own Law, but early the next (a) Morning deliver him to the *Roman* Governor, accusing him of Crimes against the *Roman* State. Their precipitate manner of acting plainly demonstrates the Greatness of their Fear: It was contrary to their Law to execute any one on a Sabbath-day; they did not dare to delay his Execution, lest the People should rise; they hasten with him therefore to *Pilate* as soon as possibly they could with any tolerable Decency, and prevail with him to condemn him. And this they did the more willingly, because they herein gratified their Malice, by seeing him die the most ignominious and cruel Death. And thus our Lord's Prediction had its Accomplishment.

(a) John xviii. 28. Matt. xxvii. 1, 2.

I have now said all that I think necessary on this Question, and what appears to me fully sufficient to prove, that it was permitted the *Jewish* Magistrates under *Roman* Governors to execute their own Laws, by inflicting capital Punishments. Should any learned Man be of a contrary Opinion, I should be heartily glad to see his Reasons published to the World; and should think myself not a little obliged to him to be set right in any thing wherein I am mistaken. As this is a Question that has not yet been thoroughly treated by the Learned, it will be no small Pleasure to me to see it fully discussed, and the Truth fixed upon a solid and immovable Foundation.

C H A P. VI. Part 2d.

Shewing, that the Authority of the High-Priest, and Jewish Magistrates, in the Affairs of Religion, extended to Foreign Cities.

I Proceed now to the second Question, which is, How the Authority of the High-Priest and *Jewish* Council could be extended to *Damascus*, and Foreign Cities? Whatever Authority the *Jewish* Magistrates might exercise in their own Country under the *Romans*, whether
by

by exprefs Grant, or by Connivance, is it at all credible, that their Power fhould reach to other Countries? *St. Paul* fays, *I perfecuted the Saints even unto ftrange Cities* (a). And again, *I went to Damafcus with Authority and Commiffion from the Chief-Priefts* (b). And *Ananias* fays of *St. Paul*, *Here, that is, at Damafcus, he hath Authority from the Chief-Priefts to bind all that call on thy Name* (c). In order to clear up this Matter, it muft be obferved, that the Letters or Commiffion, which *St. Paul* petitioned for, and carried to *Damafcus*, were not directed to the Magiftrates of the City, but to the *Jews*, which inhabited it. It is faid, that *he went unto the High-Prieft, and defired of him Letters to Damafcus to the Synagogues, that if he found any of this Way, whether Men or Women, he might bring them bound to Jerufalem* (d). And he fays himfelf, *Of the High-Prieft, and all the State of the Elders, I received Letters unto the Brethren, that is, the Jews at Damafcus, and went to Damafcus to bring them which were there, bound, unto Jerufalem for to be punifhed* (e). The Authority of the High-Prieft and Sanhedrim was acknowledged by the *Jews* where-ever they lived. And it was ufual for the *Jews* difperfed in foreign Nations to receive Orders and Directions by Letters from the great Council at *Jerufalem*, which Orders they diligently followed (f). This is a thing that may eafily be ap-

(a) Acts xxvi. 11. (b) Ver. 12. (c) Acts ix. 13, 14.
 (d) Ibid. v. 1, 2. (e) Ch. xxii. 4, 5. (f) Vid. Light.
 Vol. I. p. 282, 283. II. p. 681, 2. Seld. de anno civil. cap. 9.

prehended by us, who know how universally the Authority of the Bishop of *Rome* is submitted to by Papists, even though they inhabit Protestant Countries. There can be no Difficulty therefore to conceive, that the chief Rulers of the Synagogues at *Damascus* would readily comply with the Import of the Letters sent them from the great Council at *Jerusalem*, would willingly apprehend and convey to *Jerusalem* the Persons described. The only Difficulty is, whether the Magistrates of *Damascus* would suffer the *Jews* to imprison their Subjects, and send them to *Jerusalem* to be punished. If they would not, *Saul* had been disappointed in his Aim; and it is no unusual thing for your hot furious Persecutors to act in many things rashly, and meet with Disappointments. But it was not *Saul* alone; the Sanhedrim also no doubt judged that the Magistrates of *Damascus* would permit this to be done; otherwise surely they would not have come into *Saul's* Measures, and granted him the Letters he petitioned for.

Damascus was a City conquered by the *Romans*, who granted to the *Jews* every-where to live according to their own Laws. This probably included in it a Permission to scourge, and use lesser Punishments in their Synagogues, and also to apprehend and send to *Jerusalem* greater Delinquents, who deserved a more severe Animadversion. We know it included a Permission to send annually from every Part of the *Roman* Empire large Sums of Money to *Jerusalem*, which was of far greater Consequence than

than their sending now-and-then a Delinquent to be punished. Not only those, who were born of *Jewish* Parents, but all who were profelyted to the *Jewish* Religion, contributed to the Expences of divine Worship at *Jerusalem*, and usually sent many voluntary Offerings besides (a). The Amount of these Collections was so great, that the Governors of Provinces were sometimes uneasy at it, and for that Reason seized the Money, and laid a Restraint on the *Jews*, that they should send no more, as did *Flaccus* in *Asia* (b). *Titus*, in the Speech he made to the *Jews*, after having taken *Jerusalem*, sets this Matter in a just Light : “ The
 “ Kindness of the *Romans*, says *Cæsar*, has ex-
 “ cited you against the *Romans*. We first of
 “ all gave you the Country to inhabit, and
 “ placed over you Kings of your own Nation.
 “ Afterwards (that is, when *Judæa* was made
 “ a *Roman* Province) we preserved to you your
 “ own Country Laws, and permitted you to
 “ live, not only among yourselves, but with
 “ others also as you would. But what is most
 “ of all, we suffered you to raise a Tribute,
 “ and collect Offerings for the Deity, and nei-
 “ ther admonished nor forbid those who offered

(a) Pessimus quisque spretis religionibus patriis tributa & stipes illuc congregabant. Unde auctæ Judæorum res. Tac. Hist. l. 5. n. 5.

(b) Cum aurum Judæorum nomine quotannis ex Italia & ex omnibus vestris Provinciis Hierosolymam exportari soleret, Flaccus sanxit edicto, ne ex Asia exportari liceret. Cic. pro Flacco, c. 28. (67) This was much more frequently done by the Governors or Magistrates of particular Cities. Vid. Jos. Antiq. l. 16. c. 2. § 3. & c. 6.

“ them, although you, our Enemies, became
 “ richer than ourselves, and armed yourselves
 “ against us with our own Money (a).” *Titus*
 represents it as an Instance of greater Kindness
 in the *Romans*; that they suffered the *Jews* to
 collect Money in all the Provinces, and convey
 it to *Jerusalem*, than permitting them the Use
 of their own Laws; and at the same time shews,
 that it was of far more dangerous Consequence
 to the *Roman Power* (b).

There is a Decree of *Julius Cæsar* extant,
 wherein is a Clause, giving a Power to the
 High-Priest of the *Jews* to determine all Dif-
 ferences that should happen about the *Jewish*
 Institution (c). This Clause most certainly re-
 lates to those *Jews* who inhabited foreign Places
 under the *Roman Dominion*. For it is therein
 decreed, that *Hyrchanus* and his Sons should be
 Ethnarchs of the *Jews*, and enjoy the High-
 Priesthood for ever according to their Country
 Laws. This constituted him and his Sons after
 him Judges of all who were within the Eth-
 narchy granted him. The other Clause there-
 fore, whereby he and his Sons after him are
 made Judges of all Differences that should hap-

(a) *Jos. Bell. Jud. l. 6. c. 6. § 2. p. 1234, fin.*

(b) This seems also to be the Sense of *Tacitus*, when he adds
 those Words, *Unde anctæ Judæorum res.*

(c) “*Αν δὲ μετὰ ξὺν γενέσθαι τις ζήτησις περὶ τῶν Ἰουδαίων ἀγαγῶν,
 ἀπέσκει μοι κρίσιν γενέσθαι παρ’ αὐτῶν, vel potius παρ’ αὐτοῖς,
 ut apud Cod. Lugd. Batavos præstantissimos quondam Isaac.
 Vossii. Jos. Antiq. l. 14. c. 10. § 2. because the Grant runs all
 along to him, and to his Sons, who were to be his Successors.
 The Sons indeed were yet to be born, when the Grant was
 made, nor do we read that he ever had a Son.*

pen about the *Jewish* Institution, must unquestionably relate to those, who inhabited Places that were not within his own Dominion. For which Reason this Law was sent by *Julius Cæsar*, when second time Dictator, to the Magistrates of *Sidon*, and ordered to be laid up among their publick Records. He also commanded it to be engraven in Copper Tables both in *Greek* and *Latin*, and to be dedicated. To what End, if it did not concern them? And how could it concern them any otherwise, than that they should permit the High-Priest of the *Jewish* Nation to determine all religious Differences among the *Jews*, which inhabited with them; and when the Case required it, should suffer such of them as had transgressed the *Mosaick* Institution to be sent to *Jerusalem* to be there tried before him?

It is true, there is another Decree of *Julius Cæsar*, which conveys some Rights in *Sidon* to *Hyrchanus* and his Sons: “The fourth of
“ what was sown was to be paid him by way
“ of Tribute every other Year. Besides which,
“ they were to pay him Tythe in the same
“ manner as had been paid to his Ancestors (a).” Which is a very good Reason why this Decree, making over such Rights, should be sent to *Sidon*, and be placed among their Records; but can be no Reason why the former Decree, specifying no such Rights, should be sent there. *Sidon* was at this Time a free City. The con-

(a) *Ibid.* § 6.

stituting *Hyrchanus* Ethnarch and High-Priest of the *Jews*, could give him no Right to any thing in *Sidon* without a specifick Grant, which is accordingly made him in this latter Decree.

There is another Decree of the same *Julius Cæsar*, preserved by *Josephus*, together with the foregoing, and immediately following the first named, whereby he makes the High-Priest, and Ethnarch of the *Jews*, Patron of the injured *Jews* (a). That this is to be understood of all the *Jews* throughout the whole *Roman* Empire, is evident, from that it is ordered to be engraven in *Roman* and *Greek* Letters upon Copper Tables, which were to be dedicated in the Capitol, and at *Sidon* and *Tyre*, and *Ascalon*, and in the Temples; and it is commanded, that this Decree be carried to all Questors and Governors of every City, and to those States and Kingdoms which were in Friendship with the *Romans*. And we find that *Hyrchanus* did frequently interpose in Behalf of the *Jews* injured in *Asia* and other Parts, and obtained Redress for them (b). Now for my own Part, I cannot make the least Doubt, but that the first-mentioned Decree of *Julius Cæsar*, constituting *Hyrchanus* Judge of all the Differences that should happen about the *Jewish* Institution, was sent (not to *Sidon* only, but) to all the Questors and Governors of every City, and to all States and Kingdoms in Friendship with the *Romans*, in the very same manner with this,

(a) *Antiq.* l. 14. c. 10. § 3. (b) *Ibid.* § 11, 12, 20, 22.

which

which makes him Patron of the injured *Jews*. It may indeed be here asked, Why then is not this expressed as well in the one Decree as in the other? And I am fully of the Opinion, that so it was in the original Decree; but our Misfortune is, that we have Parts only, and not the whole, of these Decrees transmitted down to us (a).

That the *Jews* had a Court in every City, where any considerable Number of them inhabited, to decide all Controversies that should happen among them in religious Affairs, cannot, I think, admit of a Doubt; since without this they could not well live agreeably to their own Laws, and since it is so fully expressed in the Decree of *Lucius Antonius* directed to the Magistrates of *Sardis*: “The
“ *Jews* came to me, and signified, that they
“ held Assemblies of their own according to
“ their Country Laws from the Beginning, and
“ had a Place of their own, in which they de-
“ termined Affairs and Controversies that arose
“ among themselves: And petitioning me, that
“ it might be lawful for them to continue this,
“ I decreed to permit them (b).” To whom should Appeals lie from these Courts? Was it not natural, that the *Jews* should desire, that in all Affairs too difficult to be determined by these Courts, they should remit the Cause to the High-Priest and Sanhedrim at *Jerusalem*?

(a) Vid. § 3. & 5. & not. ad § 3. & 7. (b) Antiq. l. 14. c. 10. § 17.

This is the very thing granted them by the fore-mentioned Decree of *Julius Cæsar* (a).

We have no particular Account indeed, that they were ever interrupted in this Privilege of appealing, as we find they often were with regard to some other Privileges, such as the Exemption from being enlisted in the *Roman Army*, and sending their Collections to *Jerusalem*; but the Reason is plain. The Cases of Appeal, wherein the Parties were obliged themselves to attend at *Jerusalem*, seldom happened; and the Cases, wherein either of the Parties were unwilling to go, and it was necessary to use Force, much seldomer: And we may take it for granted, that when Persons had so far transgressed the *Mosaick* Institution as to deserve the Animadversion of the High-Priest and Sanhedrim at *Jerusalem*, they usually renounced Judaism, and conformed to the Rites and Customs of their Heathen Neighbours, in which Case the High-Priest had no more Power over them.

To all that has been now said, it may be objected, that this Decree of *Julius Cæsar* extended only to *Hyrchanus* and his Sons, who should succeed him in his Ethnarchy and Priesthood; and therefore does not reach the Times we are speaking of, when *St. Paul* went to *Da-*

(a) It was for this great Favour probably, that the *Jews* discovered such excessive Sorrow at his Death. In summo publico luctu exterarum gentium multitudo circulatim suo quæque more lamentata est, præcipueque Judæi, qui etiam noctibus continuis bustum frequentârunt. Suet. Jul. c. 84. n. 8. whereas the *Roman* People remained there but one Night. Vid. Not. Pitisci. Appian. B. C. 11. p. 521.

mascus. For none of the Offspring of *Hyrca-*
mus were then High-Priests. The Reply to
 this is, that there was afterwards a Decree made
 by *Augustus Cæsar*, that the *Jews* should enjoy
 their own Laws in the same manner as they
 had done under *Hyrcanus* (a). By comparing
 the Preface of this Decree with that of *Julius*
Cæsar first quoted by us, it is easy to perceive,
 that *Augustus* had that before him, when he
 made this. The Decree of *Julius Cæsar* is
 introduced thus: “ Forasmuch as *Hyrcanus* the
 “ Son of *Alexander* the *Jew*, both now and
 “ in former times, as well in Peace as in
 “ War, has shewn both Fidelity and Indu-
 “ stry in our Affairs, as many Generals have
 “ testified of him, and in the last War at
 “ *Alexandria* came to our Assistance with one
 “ thousand five hundred Auxiliaries, and being
 “ sent by me against *Mitbridates*, exceeded all
 “ the Army in Bravery.” The Decree of *Au-*
gustus begins thus; “ Forasmuch as the *Jewish*
 “ Nation have been found grateful to the *Ro-*
 “ *man* People, not only at this present, but in
 “ past times, and especially under my Father
 “ *Cæsar* the Emperor, and particularly their
 “ High-Priest *Hyrcanus*, it seemeth meet to
 “ me, and my Council, that the *Jews* use their
 “ own Customs according to their own Country
 “ Laws, as they used them under *Hyrcanus*.”
 This Law was made by *Augustus* upon Com-
 plaint of the *Jews* of *Asia* and *Cyrene*, that

(a) *Jos. Antiq.* l. 16. c. 6. § 2.

they

they were interrupted and hindered in some Part of their Customs by the Cities where they dwelt, and is ordered by him to be dedicated in that most famous Temple erected to himself by the Community of *Asia*. This is a further Proof, that the Clause alledged from the Decree of *Julius Cæsar* reached the *Jews* of all Places under the *Roman* Dominion. It does not appear that the *Jews* had Allowance to live according to their own Country Laws in foreign Cities by virtue of any Decree of *Julius Cæsar* now extant, excepting this: And this does not enact, that they should so live, but takes it for granted, that they did so live by virtue of former Laws passed in their Favour; and the Particular it enacts is, that *Hyrchanus* and his Sons after him should be Judges of all their Differences in religious Affairs. *Augustus*, having this very Edict before him, further decrees, that the *Jews* in *Asia*, *Cyrene*, and throughout the *Roman* Empire, should use their own Customs, according to their own Country Laws, in the same manner as they had been used by them under *Hyrchanus* the High-Priest. Which, as it fully shews, that the alledged Clause related to all the *Jews* under the *Roman* Government, so it gave to the High-Priest and Sanhedrim at *Jerusalem* the very same Power which had been granted to *Hyrchanus* and his Sons by *Julius Cæsar*, and constituted them Judges of all the Disputes in religious Affairs, that should happen among the *Jews* inhabiting any Part of the *Roman* Empire.

If

If *Damascus* was at this time under *Aretas* King of *Arabia Deserta*, as we know it was a few Years after, when *St. Paul* made his Escape from a Window (*a*), he was a King subject to the *Romans*, and durst not act in Contradiction to their Laws. It is very probable also, that in the present Case he had not the least Inclination so to do. It is not impossible but he might himself be a *Jew*: Some of the *Arabians* were so (*b*). This we know, that his Daughter was a *Jewess*, because he had married her to *Herod*, Tetrarch of *Galilee* (*c*). It is not likely therefore, that he would be less favourable to the *Jews* than were the *Romans*.

C H A P. VII.

More Jewish Customs confirmed.

ST. Paul says, *When the Saints were put to Death, I gave my Voice against them* (*d*). This is thought to relate to the Death of *St. Stephen* only. For he says, *And when the Blood of thy Martyr Stephen was shed, I also was standing by, and consenting unto his Death, and kept the Raiment of them that slew him* (*e*). Likewise *St. Luke* in relating the Fact says, *And*

(*a*) 2 Cor. xi. 32, 33.
Alcoran, p. 22, pr.

(*d*) Acts xxvi. 10.

(*b*) *Sale's Prelim. Disc.* to the

(*c*) *Jos. Antiq.* l. 18. c. 5. § 1.

(*e*) Acts xxii. 20.

the Witnesses laid down their Cloaths at a young Man's Feet, whose Name was Saul (a).—And Saul was consenting to his Death (b). This is generally understood as the whole which is meant, by its being said, *That he gave his Voice against the Saints*, when they were put to Death, that is, that he fully approved of the Death of *St. Stephen*, and demonstrated he did so, by taking Charge of the Raiment of the Witnesses, when they stripped themselves to stone him. We read not of any other Christians that were put to Death before his Conversion, and for this Reason alone is the Meaning of the Words confined to *St. Stephen's* Death. But it is not unlikely, there might be several others. For the History of the *Acts* is very brief, and doubtless passes over many more things than it relates (c). If there were several others put to Death besides *St. Stephen*, I can see nothing that may hinder us from taking the Words in their literal Sense. Might not *St. Paul* have been a Judge in one of the Courts of Twenty-three? Might he not have been a Disciple in one of those three Orders which always sat in the Courts of Twenty-three, and upon some of these Occasions have been called upon the Bench (d)? That he was ordained and raised to the Dig-

(a) Acts viii. 58. (b) Acts ix. 1. (c) Vid. 2 Cor. xi. 23, &c. where you'll find many Facts even in the History of *St. Paul*, which are not related in the *Acts*.

(d) Vid. Seld. de Syned. l. 2. c. 6. § 2. p. 1322, 1323. Synediorum vigintitriumviralium fuere judicia—capitalia & criminalia omnigena quæ haud inter casus illos reservatos reperta. Ibid. c. 10. § 3. p. 1435, prope init.

nity of an Elder (a), the learned *Selden* says, is not in the least to be doubted ('). *Vitringa* is of the same Opinion, and collects it from that honourable Office, which was given him by the great Sanhedrim, being sent as their Commissioner to all the Synagogues. This he compares with the Office, which afterwards was known in the *Theodosian Code* by the Name of *Apostolus Patriarchæ* (c), and was next in Dignity to that of the Patriarch himself.

It may seem strange to some, that *St. Paul* was not excommunicated by the Jews after he turned Christian; for *St. John* tells us, *The Jews had agreed, that if any Man did confess that Jesus was the Christ, he should be put out of the Synagogue* (d). *St. Paul*, notwithstanding, entered boldly into their Synagogues, where-ever he came, and preached that *Jesus* was the Christ. He was often scourged by them. He says himself, *Of the Jews five times received I forty Stripes save one* (e); but we no-where read of his being excommunicated. The *Talmud* explains this to us. It is thence abundantly evident, that they were very backward to excommunicate the Disciples of the Wise, the Doc-

(a) No Person could be a Judge, unless he were first ordained an Elder, though all Elders were not immediately Judges.

(b) Presbyteratus autem dignitatem antedictam ab Gamaliel accepisse Paulum, antequam Christo nomen dederat, non videtur omnino dubitandum. De Syned. l. 2. c. 7. § 7. p. 1360. Vid. & l. 1. c. 14. p. 1099, pr. & med.

(c) De Synag. vet. l. 3. p. 1. c. 7. p. 707. Quid vetat credere hoc vere ritu Judaico, &c. (d) John ix. 22. (e) 2 Cor. xi. 24.

tors and Teachers of the Law (a). If such committed Crimes worthy of Excommunication, they scourged them, but were unwilling to excommunicate them. This is represented in the *Babylonish Talmud*, as having been more particularly the Custom which prevailed in the Holy Land (b). Scourging among the *Jews* left no Mark of Infamy, nor was any Diminution of a Person's Dignity, so that the High-Priest himself was subject to this Punishment, and it might be inflicted on him even by the Court of Three (c). It may possibly be asked, how it came to pass that St. *Paul* submitted to be scourged by the *Jews* without pleading the Privilege of a *Roman Citizen*, as he did when ordered to be scourged by *Lysias*, and when beaten by the Magistrates of *Philippi*? The Answer is obvious. Forasmuch as he professed a Subjection to the *Jewish* Laws, it was in vain for him to plead this Privilege. The *Romans* allowed the *Jews* the Use of their own Laws. *Roman Citizens* themselves, if *Jews*, were to undergo the Penalties prescribed in the *Jewish* Laws (d).

(a) Neque inter juris studiosos reperitur aliquis, quem temere, seu sine summa deliberatione, excommunicare fas erat, ne quidem foro. Maimon. Talmud tora. cap. 7. Vid. Seld. de Jure nat. l. 4. c. 9. p. 487. Vitruv. de Synag. vet. l. 3. p. 1. c. 2. p. 774, 775.

(b) Gemara ad tit. Moed katon & ad tit. Pefachim. Vid. Seld. de Syned. l. 1. c. 7. p. 854. Buxtorf. Lex. p. 2464, and 2465. For the same Reason probably they did not excommunicate Christ himself; for the People heard him as a Prophet, a great Rabbi or Teacher. Vid. Vitruv. de Synag. vet. l. 3. p. 1. c. 2. p. 780.

(c) Seld. de Syn. l. 2. c. 10. § 4. p. 1437. § 6. p. 1440. c. 13. § 6. p. 1503. § 9. p. 1515. & l. 3. c. 8. § 2. p. 1665.

(d) Vid. Seld. de Syn. l. 2. c. 15. § 11. fin. p. 1564.

§ 2.

§ 2. St. *Paul* being an ordained Elder, Doctor or Teacher, there cannot be much Difficulty in understanding how he was admitted to preach in all the Synagogues which he entered. The same thing may be said of *Barnabas*; for he also is called a Doctor or Teacher (*a*). But can the same thing be said of our Saviour and the twelve Apostles? It may doubtless be alledged, that from the many and great Miracles they performed, they were taken for Prophets by the People; and it cannot be easily supposed, that under the *Jewish* Institution, there was not always a Permission for such to speak and teach in their Synagogues (*b*). But if we consult *Maimonides* and the *Talmud*, we shall find, that it was allowed to all Persons among the *Jews* to speak in their Synagogues (*c*). And the same Liberty, we are told, has continued among them even down to modern Times (*d*).

It is now, I think, unknown, and at this Distance of Time it is no manner of Wonder it should, how the Doctors and Teachers distinguished themselves, so as to be taken for such when they entered the Synagogue. That they were known for such, is generally concluded from a Passage in the *Acts*. When *Paul* and *Barnabas* were in the Synagogue of

(*a*) Acts xiii. 1. (*b*) Vid. *Lightfoot*, Vol. I. p. 612, 613. Vol. II. p. 136, pr. (*c*) *Taanith*, cap. 4. § 2. Vid. *Vitr. de Synag. vet.* l. 3. p. 1. c. 7. p. 705.

(*d*) *Reliquo tempore transiens forte hospes, aut quicumque alius, qui eruditionis fiduciam habet, atque se aliquid recitatione dignum excogitasse opinatur, de eo differere instituit. Leo de Modena in Wagenfello. Vid. Vitr. de Syn. p. 705.*

Antioch in Pisidia, it is said, *The Rulers of the Synagogue sent unto them, saying, Ye Men and Brethren, if ye have any Word of Exhortation for the People, say on* (a). It is commonly thought there were Seats in every Synagogue peculiar to those who came with a Design to teach; that the Rulers therefore might well know that *Paul and Barnabas* designed to speak, from their seating themselves in those Places. This, I think, has no other Foundation than those Words, *That Paul and Barnabas went into the Synagogue, and sat down*, that is, say learned Men, who are of this Opinion (b), in the Seats appointed for the Doctors and Teachers. The learned *Dr. Lightfoot*, in one Part of his Works, supposes they might be distinguished by their Phylacteries (c). But possibly *Paul and Barnabas* might have given Notice of their Intention to the Rulers, when they first entered the Synagogue, or might have signified to them by a Messenger, when the Reading of the Law and the Prophets was over, that they waited only for their Consent. Indeed, it is almost endless to indulge Conjecture in things of such a Latitude, which might have happened so many different ways.

§ 3. *St. Paul*, though educated at the Feet of *Gamaliel*, and an ordained Elder or Rabbi, was also bred up to a mechanick Business, by the Exercise of which he not seldom earned his Living. He says to the *Ephesian Elders*, *Ye*

(a) Acts xiii. 14, 15.

(b) *Light.* Vol. II. p. 689. *Vitr.*

de Syn. l. 3. p. 1. c. 7. p. 709, 710.

(c) Vol. I. p. 611.

yourselfes know that these Hands have ministred unto my Necessities, and to them that were with me (a). And to the Thessalonians, Neither did we eat any Man's Bread for nought; but wrought with Labour and Travel Night and Day, that we might not be chargeable to any of you (b). And to the Corinthians the same (c). We are also informed what this mechanick Business was. For St. Paul meeting with Aquila and Priscilla at Corinth, it is said, That because he was of the same Craft, he abode with them, and wrought; for by their Occupation they were Tent-makers (d). However strange this may seem to us, among whom Persons that are bred to any learned Profession are seldom or never taught any mechanick Business, yet was it a thing commonly practised among the Jews. We read that Rabbi Jose was brought up a Tanner or Leather-dresser, Rabbi Judas a Baker (e), Rabbi Johanan a Shoemaker (f). And Maimonides tells us, that some of the greatest of their wise Men or Rabbies have been Hewers of Wood, and Drawers of Water (g). It seems indeed to have been a Maxim generally followed by Persons of all Stations among them, to bring up their Children to some Trade. This is one of the Things said in the *Talmud* to be commanded a Father to-

(a) Acts xx. 34. (b) 2 Thess. iii. 8. Vid. & 1 Thess. ii. 9. (c) 1 Cor. iv. 12. (d) Acts xviii. 3. (e) So Drusus translates it. In *Lightfoot* it is Jaylor, misprinted, I suppose, for Taylor; for so the Word *Hajiat* signifies. Vid. Buxt. Lex. p. 719, pr. (f) Drusus in Syn. Crit. in loc. Light. Vol. I. p. 612. n. 3. Vid. & Grot. in loc. (g) In *Talmud torah*. Vid. Light. Vol. I. p. 612.

wards his Son, *To teach him a Trade*. And Rabbi *Juda* says, “He that teaches not his Son a Trade, does as if he taught him to be a Thief.” And *Rabban Gamaliel* says, “He that has a Trade in his Hand, to what is he like? He is like to a Vineyard that is fenced (a).” Agreeably hereto, we read in *Josephus*, that *Asinæus* and *Anilæus*, who seem to have been *Jews* of Condition in *Babylon*, were put out by their Mother to learn the Art of Weaving (b). And it is well known, that at this Day the Persons educated in the *Turkish* *Se-raglio*, not excluding even the Emperors, are instructed in some mechanick Trade (c).

§ 4. *St. Paul* having in his way to *Jerusalem* landed at *Tyre*, and spent some time with the Disciples there, when he and his Companions departed thence, it is said in the History of the *Acts*, *They all brought us on our Way with Wives and Children till we were out of the City; and we kneeled down on the Shore, and prayed* (d). The more ordinary Posture at Prayer among the *Jews* was standing (e). But in their Confessions, Supplications, and Deprecations, and in times of Mourning and Affliction, they fell down upon their Knees, and bowed their Faces to the Ground (f). The great Sorrow, which affected

(a) *Tosiphta* in *Kiddushim*. *Vid. Light.* Vol. I. p. 295, prope fin. *Buxt. Lex.* p. 120. & *Hottinger* ad *Gemara Chagigah*, p. 122.

(b) *Antiq.* l. 18. c. 10. § 1. (c) *Sir Paul Rycant's* present State of the *Ottoman* Empire, l. 1. c. 5. (d) *Acts* xxi. 5.

(e) *Vid. Light.* Vol. II. p. 156. (f) *Vid. Grot.* in *Matt.* vi. 5. *Luc.* xxii. 41. *Eph.* iii. 14. *Vitr. de Syn. vet.* l. 3.

affected the *Ephesian* Elders at their parting with *St. Paul*, is expressly related, *Acts* xx. 36, 37, 38. The *Tyrian* Disciples doubtless were not less deeply afflicted. For the Holy Spirit had made known to them the Difficulties and Dangers he was to undergo at *Jerusalem* (a).

The Sea-shore was esteemed by the *Jews* a Place most pure, and therefore proper to offer up their Prayers and Thanksgivings to Almighty God. *Philo* tells us, that the *Jews* of *Alexandria*, when *Flaccus* the Governor of *Egypt*, who had been their great Enemy, was arrested by the Order of the Emperor *Caius*, not being able to assemble at their Synagogues, which had been taken from them, crouded out at the Gates of the City early in the Morning, went to the neighbouring Shores, and standing in a most pure Place with one Accord, lifted up their Voices in praising God (b). *Tertullian* says, that the *Jews* in his Time, when they kept their great Fast, left their Synagogues, and on every Shore sent forth their Prayers to Heaven (c). And in another Place, among the Ce-

p. 2. c. 16. p. 1072, 1073. The *Mahometans* change their Postures according to the different Parts of their Prayers, which they seem to have learnt of the *Jews*. Vid. *Reland. de Relig. Mahum.* and *Sir John Chardin's Account of the Religion of the Persians.*

(a) *Acts* xxi. 4. This I take to be the Meaning, comparing the Words with *Ch.* xx. 23. The Spirit did not forbid his going, for doubtless then he would not have gone; but the Disciples, through the Spirit, foreseeing the great Danger his Life would be in, were earnest and importunate with him not to go.

(b) In *Flac.* p. 982, D.

(c) *De Jejun.* c. 16. n. 103. *Relictis templis.* Synagogues are also called Temples by *Josephus*. Vid. *Vitr. de Syn. vet.* l. 1. p. 1. c. 4. p. 129.

remonies used by the *Jews*, mentions *Orationes littorales*, the Prayers they made upon the Shores (a). And long before *Tertullian's* Time, there was a Decree made at *Halicarnassus* in favour of the *Jews*, which among other Privileges allows them to say their Prayers near the Shore, according to the Custom of their Country (b). It is hence abundantly evident, that it was common with the *Jews* to choose the Shore as a Place highly fitting to offer up their Prayers. I know the Place last recited is otherwise translated by some learned Men (c), who understand the Words of the Decree as a Permission to erect *Proseuchæ*, Oratories or Synagogues, near the Sea. And it must be owned, the Words will well bear that Interpretation. But the Sense I have given them appears to me full as just and easy (d), and I think agrees better with what is said by *Philo* and *Tertullian*.

It has indeed been the Opinion of many learned Men, that the *Jews* chose to build their Synagogues on the Sea-shore, or 'the Banks of a River, or near some Fountain. To this Purpose is alledged that Passage, *Acts* xvi. 13. *And on the Sabbath we went out of the City to a River Side, where Prayer was wont to be made.* Which

(a) *Adv. Nat.* l. 1. c. 13. (b) *Jos. Antiq.* l. 14. c. 10. § 23. (c) *Hudson, and Lardner's Cred.* B. 1. Ch. 3. p. 226.
 (d) *Ἰππορευχὰς ποιεῖσθαι*, a Phrase used 1 *Tim.* 2. 1. It is true, *Halicarnassus* was a large City; but can it be supposed, that at the Time when this Decree was made, the *Jews* were so populous as to need more Synagogues than one? In the Decree of *Sardis*, which was also a large City, it is only said, Let there be a Place given them, in which they may meet with their Wives and Children. *Jos. ibid.* § 24.

is translated by them, *Where there was by Law or Custom a Proseucha or Oratory* (a). But it is far from being certain, that this is the true Meaning of the Place (b). The Words may signify nothing more than the *Jews* of *Philippi* were wont to go and offer up their Prayers at a certain Place by the River-side, in the same manner as we have observed other *Jews*, who lived near the Sea, were accustomed to do upon the Sea-shore. Another Proof of this Opinion is taken from a few Lines of the Poet *Juvenal* (c), which import, that the *Jews* at *Rome* were possessed of a Place without the Gate *Capena*, where was a Fountain, and Plenty of Water (d). It is supposed, that they chose this Situation of their Oratories or Synagogues for the greater Conveniency of Washing. For they looked upon themselves as obliged to wash their Hands always before they began their Prayers (e), and

(a) *Whitby, Drusus, Grot.* in loc. *Lardner*, in his *Cred.* B. 1. c. 3. p. 225, 229. translates it, *Where it had been thought fit that the Oratory should be.*

(b) *Vid. Vitruv. de Syn. vet.* l. 1. p. 1. c. 4. p. 124, &c.

(c) *Substituit ad veteres Arcus, madidamque Capenam,
Hic ubi nocturna Numa constituebat amica:
Nunc sacri fontis nemus & delubra locantur,
Judeis.* Sat. 3. v. 11, 12, 13.

(d) *Vid. Fest. Pomp. ad voc. Fontinalia. Vitruv. de Syn. Vet.* l. 1. p. 1. c. 11. p. 218.

(e) *Vitruv. de Syn. vet.* l. 1. p. 1. c. 11. p. 217. & l. 3. p. 2. c. 18. p. 1095. & c. 19. p. 1109. *Spencer de leg. Heb.* l. 3. Diss. 3. c. 3. § 2. p. 1016.

probably preferred the Sea-water, if near, to any other (a).

It is so well known, that the Hours of Prayer in the Synagogues were the same with those appointed to offer up the daily Sacrifices in the Temple (b), that it is almost needless, I think, to mention to you, that in exact Conformity hereto the ninth Hour of the Day is spoken of in the *Acts* of the Apostles as the Hour of Prayer (c).

§ 5. It is related, that *certain of the Jews banded together, and bound themselves under a Curse, saying, that they would neither eat nor drink, till they had killed Paul* (d). This is looked upon by the learned *Selden* as a particular Form of Excommunication (e). For it was usual among the *Jews* for private Persons to excommunicate both themselves and others (f). And it is not improbable, that these Conspirators laid themselves under all the Curses that were wont to be denounced or understood in an Excommunication, after the same manner as those of the Sect of the *Essenes* bound themselves by horrid Oaths, and under the Penalty of Ex-

(a) Ὡς δὲ ἔθθη ἐστὶ πᾶσι τοῖς Ἰουδαίοις, ἀποριψάμενοι τῆ θάλασση τὰς χεῖρας, ὡς ἀν ἠυξάνθη πρὸς τὸν Θεόν. *Aristieæ Histor. LXX. Inter. p. 34. in Hody, p. 131, prope init. in Havercamp. p. 131, pr.*

(b) *Vitr. de Synag. vet. Proleg. c. 4. p. 42. Seld. de Jure Nat. l. 3. c. 3. p. 287. Light. Vol. II. p. 649.* (c) *Acts iii. 1. Vid. Grot. & Whitby in loc.* (d) *Acts xxiii. 12.* (e) *De Jure nat. l. 4. c. 7. p. 472. & de Syned. l. 1. c. 7. p. 857.* (f) *Seld. de Jure nat. l. 4. c. 8. p. 478. & de Syned. l. 1. c. 7. p. 829, fin. 830.*

communication,

communication, to observe all the Rites peculiar to that Sect (a).

It may seem strange perhaps, that these Persons should be represented as going to the *Jewish* Magistrates, laying before them the Conspiracy they had made, and desiring their Assistance in the carrying it on, and this without any Discouragement or Reprehension from them (b). But it must be considered, that as *St. Paul* had no greater Enemies than the *Sadducees*, and that far the greater Part of the *Jewish* Magistrates were at this Time of that Sect, so the Method proposed for taking away his Life was not inconsistent with the Maxims of Government held even by the *Pharisees*. From their perverted oral Tradition, and the Example of *Phinehas*, it was made a Rule among them, that a private Person might kill one who had forsaken the Law of *Moses*. Of this there is the clearest Proof, not only in the *Talmud* (c), but in *Philo* (d) and *Josephus* (e). It was of the Crime of Apostasy *St. Paul* was accused. The *Asiatick Jews*, when they laid Hands on him in the Temple, cried out, *Men of Israel, help; this is the Man that teacheth all Men every-where against the People, and the Law, and this Place.* And they would

(a) *Jos. de Bell. Jud.* l. 2. c. 8. § 7, 8. Vid. *Seld. de Syn.* l. 1. c. 7. p. 857, 858. (b) *Acts* xxiii. 14, 15. (c) *Sanhed.* c. 9. § ult. *Gemara Bab. ibid.* fol. 81, b. & *Hieros. cod. tit.* fol. 27. col. 2. § 11. (d) *De Sacrificantibus*, p. 855, *E. de Monarchia*, l. 1. p. 818, 819. (e) *Antiq.* l. 12. c. 6. § 2, l. 4. c. 8. § 45. Vid. *Grot. de Jure Belli*, l. 2. c. 20. § 9. n. 5. *Seld. de Jure nat.* l. 4. c. 4. p. 456, &c. *Lardner's Cred.* B. 1. Ch. 9. p. 459, &c.

at that time have put him to Death without the Form of a Tryal, had he not been wrested out of their Hands by an armed Force (a). There are many Examples of this kind to be found in the *Jewish Writers* (b). It is not in the least to be admired therefore, that the Chief-Priests and Elders, who had an inveterate Hatred against *St. Paul*, were far from discountenancing this Method of taking away his Life, or that they should themselves afterwards determine to execute it (c).

It may again be thought, that if these Conspirators had no Apprehensions from their own Magistrates, they had just Reason to dread the Power of the *Roman Governör*; and that it is not to be supposed he would sit still and see publick Justice thus violated and affronted, and Murder committed with Impunity. But *Josephus* informs us, that the *Sicarii* or private Murderers were much encouraged and increased under the Government of *Felix*. For he employing such to assassinate *Jonathan* the High-Priest, they went on from that time to dispatch whom they pleased without Fear (d). It is not at all surprizing therefore, that we read of such a Combination as this towards the End of his

(a) Acts xxi. 28, &c.

(b) Under *Ptolomy Philopator* in *Egypt*, 3 Mac. vii. 12, 13, 14, 15. by *Mattathias*. 1 Mac. ii. 24, 25, 26. and a Number, who conspired against *Herod*, not unlike this Conspiracy against *St. Paul*, *Jos. Antiq.* l. 15. c. 8. § 1, 2, 3, 4. Vid. & *Phil.* l. 3. de *Vita Moïsis*, p. 685, b.

(c) Acts xxv. 4.

(d) *Antiq.* l. 20. c. 7. § 5. de *Bell. Jud.* l. 2. c. 13. § 3.

Government: And from thenceforwards these *Sicarii* or *Zelotæ*, for I think *Josephus* means the same Persons by both Names, were so multiplied, that they soon destroyed all Remains of the People who had any Sense of that which is right and good, and then hastened the Ruin of the City and Temple. It has been asked, What became of these Conspirators against St. Paul's Life? For, not having accomplished what they vowed, did they neither eat nor drink? We read in the *Talmud*, that it was as easy to loose as to bind. The same Person, who laid on the Excommunication and Curse, could also take it off (a); and particularly with regard to Vows of not eating and drinking, any of their Rabbies or wise Men could absolve them (b).

§ 6. We read in the *Acts* of the Apostles of some *Jews* that were Exorcists (c), that is, Persons, who by certain Adjurations undertook to cast out evil Spirits from those who were possessed. It is of the same sort of Persons our Saviour speaks in those Words, *If I by Beelzebub cast out Devils, by whom do your Children cast them out (d)?* He is there discoursing with the *Pharisees*, and appeals to those of their Disciples, (for that is to be understood here by the Word Children) who were Exorcists, whether evil Spirits were to be cast out by the Assistance of *Beelzebub*. That there were People of this Profession among the *Jews*, is not only evident

(a) Seld. de Jure nat. l. 4. c. 8. p. 480, fin. & 481. de Syned. l. 1. p. 867. (b) Light. Vol. II. p. 703. (c) Acts xix. 13. (d) Matt. xii. 27.

from several Christian Writers of the second and following Ages (*a*), but from *Josephus*, who tells us, that *Solomon* composed Incantations, and left Forms of Adjurations, by which the evil Spirits were so cast out of the Possessed, as not to return any more; and that this Method of Cure had been greatly in Use from the Days of *Solomon* down to his own Time. He gives us also a particular Instance of one *Eleazar* a Jew, who by this means dispossessed several Dæmoniacks in the Presence of the Emperor *Vespasian*, his Sons, the chief Officers of his Army, and a great Number of Soldiers (*b*).

The learned Mr. *Joseph Mede* says, that “ he
 “ marvelled how these Dæmoniacks should so
 “ abound in and about that Nation, which was
 “ the People of God (whereas in other Na-
 “ tions, and their Writers, we hear of no such)
 “ and that so, as it should seem, about the Time
 “ of our Saviour’s being on Earth only, because
 “ in the Time before we find no mention of
 “ them in Scripture. The Wonder is yet the
 “ greater, because it seems, notwithstanding all
 “ this, by the Story of the Gospel, not to have
 “ been accounted then by the People of the
 “ *Jews* any strange or extraordinary thing, but
 “ as a Matter usual, nor besides is it taken no-
 “ tice of by any foreign Story (*c*).” The Oc-
 casion of this marvelling is the Mistake of some

(*a*) Justin. Mar. Dial. cum Tryp. p. 311, C. Iren. l. 2. c. 6. § 2, pr. & fin. Orig. contra Celsum, l. 1. p. 17. l. 4. p. 183. 184. Epiph. Hær. 30. n. 10. (b) Antiq. l. 8. c. 2. § 5. p. 339. (c) Discourse on *John* x. 20. Works, p. 28, 29.

plain Facts, which the good Man himself in his following Discourse sufficiently confutes.

The first mistaken Fact is, that Dæmoniacks abounded in the Jewish Nation alone; that in other Nations, and their Writers, we hear of no such. On the contrary, it is certain, that they were in other Nations, and that they are much spoken of in the ancient Greek and Latin Authors, if not always under the very Name of Dæmoniacks (a), yet under several other Names, which we know signify the same thing, such as *εὐρυκλείται* (b), *νυμφόληπτοι* (c), *θεοφόρητος* (d),

(a) Yet *Aristophanes* says, *κακοδαιμονᾶς*, thou art mad, thou art possessed. Vid. *Plut. Act. 2. Scen. 3. p. 40.* And *Socrates* in *Xenophon* uses the Word *δαιμονᾶν* in the same Sense. Vid. *Mem. p. 709, C.* The Word *δαιμονιζόμενος*, commonly used in the *New Testament*, is also found in *Thrasyllus de Ægyptiacis*, (supposed to be the *Thrasyllus* mentioned by *Suetonius*, *Tacitus*, and *Dio*, as the Intimate of the Emperor *Tiberius*) *Γεννᾶται δὲν αὐτῷ λίδος — ποιεῖ δὲ πρὸς τὰς δαιμονιζόμενους ἅμα γὰρ προσεδῆναι ταῖς ῥίσιν, ἀπέρχεται το δαιμόνιον.* Vid. *Plut. de Fluviis, p. 1159.* The same Passage is quoted by *Stobæus*. Vid. *Maussacî not. ad Plut. Plutarch* also uses the same Word, *Οἱ μάγοι τὰς δαιμονιζόμενους κελεύουσι τὰ Ἐφέσια γράμματα πρὸς αὐτὸς κάλαλέγειν.* *Symposiac. l. 7. quæst. 5. prop. fin. & Jos. Ant. l. 8. c. 2. § 5.*

(b) *Οὔλος* (*Ευρίκλης*) ὡς ἐγὼ σαρῖμυθος λέγεται Ἀθηναῖσι ἀληθῆ μαυλεύομενος διὰ τὸ ἐνυπάρχον αὐτῷ δαίμον — ἐγὼ σαρῖται δε, καὶ εὐρυκλείται ἐκαλοῦντο ἐν ἰεῶθεν πάντες οἱ μαυλεύομενοι, ἀπὸ Ἐυρυκλέους πρῶτον τὸτο ποιήσαντες. *Schol. in Aristoph. Vesp. p. 503, pr. Vid. Plat. Sophista, p. 176, E. Τὰς ἐγὼ σαρῖμύθους, εὐρυκλέας πάλαι, νυνὶ πύθωνας προσαγορευόμενες.* *Plut. de Orac. def. p. 414, E.*

(c) *Plato* in *Phæd. p. 1216, E. & Ἵπὸ τῶν νυμφῶν ἐνθουσιάζω, p. 1218, F.*

(d) *Φρενομανής τις εἶ Θεοφόρητος*, spoken of *Cassandra*, *Æschyl. Agam. v. 1149. Πλείστον μέντοι τῶν Θεοφορίτων πλήθ — ἐν αὐτῇ (Κομάνα).* *Strabo, l. 12. p. 535, D.*

θεόληπτος,

θεόληπτος (a), Φοιβόληπτοι (b), πύθωνες (c), Bacchantes (d), Cerriti, Larvati (e), Lymphatici (f), Nocturnis Diis, Faunisque agitati (g). The Damsel that had the Spirit of Divination spoken of in the *Acts* of the Apostles, is not called there by the Name of a Dæmoniack, notwithstanding St. Paul cast a Spirit or Dæmon out of her (h). And is it not evident, that both the Philosophy and Theology of the ancient Heathen almost necessarily suppose this Fact? To what End were their many Lustrations (i)? Did not
Thales,

(a) Plut. de Herod. malign. p. 855, B. Schol. in Sophoc. Antig. ad v. 975. (b) Herod. Melpom. § 13. p. 229. (c) Plut. de Orac. def. p. 414, E. (d) Bacchæ bacchanti si velis ad- vorfariet, Ex insana infaniorum facies. Plaut. Amph. Act. 2. Scen. 2. v. 71. Ἡμῖν δὲ καὶ αὐγελάτε, ὧ σκύθαι, ὅτι βακχεύομεν καὶ ἡμέας ὁ θεὸς λαμβάνει· νῦν ἔτος ὁ δαίμων καὶ τὸ ὑμέτερον βασιλέα λελάθεικε, καὶ βακχεύει, καὶ ὑπὸ τῷ θεῷ μαίνεται. Herod. l. 4. c. 79. Παύσεκε μὲν γὰρ ἐνθέος γυναῖκας. Soph. Antig. v. 975. Τὰς θεολήπτους βάκχας. Schol. ibid. Vid. & Eurip. Bacchæ.

(e) Plaut. Mæn. Act. 5. Scen. 4. v. 2. Fragm. Amph. v. 5. Cæf. Act. 3. Scen. 4. v. 2. Merc. Act. 5. Scen. 4. v. 20, 22. Vid. Au'ul. Act. 4. Scen. 5. v. 15. Larvæ—agitant Senem. Captiv. Act. 3. Scen. 4. v. 66. Larvæ stimulant virum.

(f) Plin. Nat. Hist. l. 25. § 24. l. 27. § 83. l. 28. § 63. l. 34. § 44. l. 37. § 12. p. 373, 15. p. 376. Plaut. Pæn. Act. 1. Scen. 2. v. 132, 133. Vid. Not. ibi Heinlii & Turneb.

(g) Plin. Nat. Hist. l. 30. § 24.

(h) Acts xvi. 16, &c.

(i) Pythagoras was of the Opinion, εἶναι πάντα τὴν ἀέρα ψυχῶν ἐμπλεῶν καὶ τέτυκτες, δαίμονας τε καὶ ἦρωας νομίζεσθαι καὶ ὑπὸ τέτων πέμπεσθαι ἀνθρώποις τὸς ὄνειρος—εἰς τε τούτους γίνεσθαι τοὺς τε καθαρμούς καὶ ἀποσροπιασμούς μανθικὴν τε πᾶσαν, &c. Diog. Laert. l. 8. § 32. Porphyry says, Τα μείλιγμα- τα καὶ τὰ τέτων, (φαύλων δαίμονων) ἀποτρέπαια πρὸς τὸ Πλέτωνα γίνεσθαι. And again, Ἄι ἀγνεῖαι ἢ διὰ τὸς θεὸς προηγεμένως, ἀλλ' ἢν' ἔτοι (φαύλοι δαίμονες) ἀποσῶσι. Euseb. Præp.

Thales (a), Pythagoras (b), Heraclitus (c), Plato and the Stoicks (d) affirm, that all things were full of *Dæmons*? And are not their Priests, in giving forth their Oracles, always described as possessed by their Gods (*e*)?

The

Præp. l. 4. c. 23. p. 174. Εἶσω καθαρμοῦς, Λοξίε δὲ προσδίγων ἐλευθερόν σε τῶνδε πημάτων κτίσει. Spoken to *Orestes*, when possessed by the *Furia*. *Æschyl.* Choeph. v. 1059, 1060. Accordingly, when *Orestes* is at *Apollo's* Altar, the *Furia* are represented as all fallen asleep. *Æsch.* Eumen. v. 46, &c. 94, &c. Aut te piari jubes, homo insanissime? *Plaut.* Mæn. Act. 3. Scen. 2. v. 51. Sof. Quæso quin tu isthanc jubes pro cerrita circumferri? (Circumferre verbum pontificale est pro lustrare, & lustratione curare. *Scalig.* not.) Amp. *Ædopol*, quin factu est opus. Nam hæc quidem *ædopol* larvarum est plena. *Plaut.* Amphit. Act. 2. v. 144. Θεόπομπος δὲ ἐν τῇθ' τῶν φιλιππικῶν, ἄλλα τε πολλὰ περὶ τέτατ' ἔβακχίδος ἰσορῆ παρὰδοξα, καὶ ὅτι ποτὲ τῶν Λακεδαιμονίων τὰς γυναῖκας μανείσας ἐκάθηρεν. *Schol.* in *Aristoph.* Εἰρήν. p. 703. and Ὀρνιθ. p. 588. The great *Epicurus* himself went Σὺν τῇ μητρὶ εἰς τὰ οἰκίδια καθαρμοῦς ἀναγινώσκειν. *Diog.* Laer. l. 10. § 4.

(a) Τὸν κόσμον δαιμόνων πλήρη, *Diog.* Laert. l. 1. § 27.

(b) *Id.* l. 8. § 32.

(c) Καὶ πάντα ψυχῶν εἶναι καὶ δαιμόνων πλήρη. *Id.* l. 9. § 7.

(d) *Plat.* Conviv. p. 1194, a. *Plut.* de Plac. Philos. l. 1. c. 8. Vid. & de Orac. def. p. 415, a, &c. *Varron.* apud *Aug.* de Civ. Dei, l. 7. c. 6.

(e) Νῦν δὲ τὰ μέγιστα τῶν ἀγαθῶν ἡμῖν γίγνεσθαι διὰ μανίας, θεῖα μέντοι δόσει διδομένης ἢ τε γὰρ δὴ ἐν Δελφοῖς προφήτις, αἱ τ' ἐν Δοδώνῃ ἱέρειαι, μανεῖσαι μὲν πολλὰ δὲ καὶ καλὰ—εἰργάσαντο, &c. &c. *Plat.* Phædr. p. 1220, C, D, E. Μαντικὴν ἀπροσύνῃ θεὸς ἀνθρωπίνῃ δέδωκεν· εἰδὲς γὰρ ἔννοους ἐοικῆσαι μανικῆς ἐνθέου καὶ ἀληθεύς. *Id.* Tim. p. 1074, D. Τὸ βακχεύσιμον καὶ τὸ μανιωδες μαντευτικὴν πολλὴν ἔχει. *Plut.* de Or. def. p. 432, F. p. 438, a, b. & de Plac. Philos. l. 5. c. 1. Vid. *Eurip.* Troad. v. 307, 341, 366, 408, 450, 500. *Ejusdem* Bacchæ v. 664, &c. 1091, &c. & Act. 5. *Virg.* *Æneid.* l. 6. 77—*So.* *Lucan.* l. 5. Hi greges (puerorum qui comitantur Apim) repente lymphati futura præcinunt. *Plin.* Nat. Hist. l. 8. § 71. The Ancients, I am ready to think, looked upon all mad Men as agitated by some of their Deities. Thus *Hercules*

The second mistaken Fact is, that *Dæmoniacks* abounded in the Jewish Nation about the Time of our Saviour's being on Earth only, because in the Times before we find no Mention of them in Scripture. Were it true, that there is no Mention of any *Dæmoniack* in the *Old Testament*, this is no manner of Proof, that there were none in those Times. Is there any Mention made there of *Hydropicks*, *Paralyticks*, or *Lunaticks*? Must we conclude therefore, that

cules is represented by Eurip. *Herc. furens*, v. 833, &c. Thus *Ajax* by Sophoc. *Aj. flagell.* v. 51, 60, 118, 172, 401, 452, &c. And *Orestes* by Æschyl. *Choep.* v. 1053, &c. Eurip. *Orest.* v. 36, 260, &c. *Iphig. in Tauris*, v. 285, &c. So when *Manechmus* acts the Madman, he talks to *Bacchus* and *Apollo*, Bromie, quo me in sylvam venatum vocas? Multa mihi imperas, Apollo. Ecce, Apollo, denuo me jubes facere impetum. Plaut. *Mæn. Act. 5. Scen. 2.* v. 82, 109, 115. The Argument, which seems to me to have prevailed with the Generality of the Moderns in their laying aside this Opinion, is, that Madness oftentimes yields to Medicine. But this had no Weight with the Ancients: For they were fully persuaded, that as Possessions were to be obtained by the Use of certain Waters, or Herbs, so they might be delivered from them by Medicines. Ἡ δὲ γῆ πολλῶν μὲν ἄλλων δυνάμεων πηγὰς ἀνίησιν ἀνθρώποις, τὰς μὲν ἐκσατικὰς—τὰς δὲ χρυσάς—τὸ δὲ μανικόν, ρεῦμα καὶ πνεῦμα θειότατόν ἐστι καὶ ὀσιώτατον, ἂν τε καθ' ἑαυτὸν δι' ἄερος, ἂν τε μεθ' ὑγροῦ νάμαλος ἀφαιρῆται. Plut. de Orac. def. p. 432, D. Sed ibi (*Phrygiæ Gallo Flumine*) in potando necessarius modus, ne lymphatos agat: Quod in *Æthiopia* accidere his, qui e *Fonte Rubro* biberint, *Ctesias* scribit. Plin, *Nat. Hist.* l. 31. § 5. Thalassegle pota lymphari homines, obversantibus miraculis.—Theangelida pota Magi divinent. Id. l. 24. § 95. p. 360. And that the Possessed might be cured, vid. Plaut. *Mæn. Act. 5. Scen. 4.* Joseph. *Antiq.* l. 8. c. 2. § 5. p. 339. de *Bell.* l. 7. c. 6. § 3. *Tobit*, Ch. vi. & Ch. viii. Plut. de *Fluv.* p. 1159. The same Virtue is also ascribed to this Stone, which grows in the River *Nile*, by *Aristotle*, or whoever was the Author of the Book, de *Mirabil.* Συνίελεϊ δὲ καὶ τοῖς δαίμονι τινι γενομένοις κατόχοις, ἅμα γὰρ τῷ προσθῆναι ταῖς ῥίσι, ἀπέρχεσθαι τὸ δαιμόνιον. Vid. *Maussaci Not.* ad Plut. *Fluv.* Plin. *Nat. Hist.* l. 25. § 24. l. 27. § 83. l. 30. § 24. l. 37. § 12, 15.

there

there were no Persons in those Days labouring under such Diseases? Had there been one sent from Heaven to heal those Distempers in a miraculous manner, as our Saviour did, no doubt we should have found, that there were as many under the *Old Testament* as under the *New*. But there having been no such Occasion given for the speaking of them, can we wonder, that we read not of many of them? However, it is not true, that there is no Mention made of Dæmoniacks in the *Old Testament*, if the Thing, and not the Word, be hereby meant. For it is said, that *Saul*, the first King of *Israel*, was troubled with an evil Spirit (*a*), that is, was a Dæmoniack. And it is evident from the Words of *Josephus*, I have already referred to, that Dæmoniacks were frequent among them from that Time downward. For he expressly says, that the Method of Cure instituted by King *Solomon* very much prevailed in the *Jewish Nation* even down to his own Time (*b*). And whereas *Mr. Mede* says, that *Dæmoniacks abounded in the Jewish Nation about the Time of our Saviour's being on Earth only*, there is nothing more known, than that almost all Writers for two or three Centuries after, not only Christians, but such as were the greatest Enemies the Christians ever had, mention them as no unusual thing in their Time, and in other Countries

(a) 1 Sam. xvi. 14. 16.

(b) Καὶ αὕτη μέχει νῦν παρ' ἡμῖν ἡ θεραπεία πλείστον ἰχϋεί,
Antiq. l. 8. c. 2. § 5.

than

than *Judæa* (a). It is an Unhappiness, that when learned Men, through Forgetfulness or Inadvertency, or through a Desire of being better informed, drop a Doubt in their Writings concerning any particular Passage of Scripture, the Half-learned and the Half-thinking eagerly catch it up, and insist upon it as an irrefragable Argument against the Truth of the sacred Writings: I'll be bold to say, that Five-sixths of the Objections against the Christian Religion, which have of late been industriously spread, are of this Kind.

Circumcision (b); Resting on the seventh

(a) Plut. Sympos. l. 7. qu. 5. prope fin. Δαίμονας ἀνάγων. Luc. Philopseud. p. 474. E. Ὅσοι τὸς δαιμονῶντας ἀπαλλάττεισι τῶν δειμάτων. Ibid. p. 477, D. & 478, A, B. *Apollonius* relates, that a Woman came to the Brachmans, praying Relief for her Son, who was sixteen Years of Age, Δαιμονῶν δὲ δύο ἔτη, and had been a Dæmoniack two Years, Philostr. de Vit. Apol. l. 3. c. 12. p. 144, 145. *Apollonius* was himself taken for a Dæmoniack by the Hierophant at Athens. Ibid. l. 4. c. 6. p. 175. Ὁ δαίμων ἐλαύνει σε ἐκ εἰδότηα· ἐλελήθει δὲ ἄρα δαιμονῶν τὸ μειράκειον. And *Apollonius* cast out the Dæmon, making him throw down a Statue at parting, as an Evidence, that he had left him. Ibid. p. 176, 177. Celsus in Orig. p. 333. 416, 417. Porph. de Abstin. l. 2. § 43, fin. 46, fin. 47, fin. The Remains we have of *Porphyry* and *Iamblichus* contain not a little on the Subject of Dæmons. It is certain also, that the Doctrine concerning Dæmons was one Article in the Theology of the Platonists, as may be seen in the Works of *Plato*, *Plutarch*, *Plotinus*, *Maximus Tyrius*, *Alcinous*, *Apuleius*, *Proclus*, *Julian*, and *Eusebius* in Præp. l. 4. c. 5. And it appears plainly to have been *Lucian's* Intention in writing his *Philopseudes* to ridicule the grave Philosophers in and near his own Time; for that their Writings and Discourses were so filled with Dæmons, Dæmoniacks, Apparitions, and Magical Operations. Compare what he says with Philostr. de Vita Apoll. l. 4. c. 15. p. 205, A, B. c. 3. p. 165. c. 8. p. 182, 183, 184. l. 6. c. 16. p. 303, 304. l. 8. c. 3. p. 395, B, D. & c. 5. p. 411, C.

(b) Acts vii. 8. & x. 45. & xi. 2. & xv. 1. Vid. Hor. l. 1. Sat. 5. v. 100. & Sat. 9. v. 70. Catull. 45. Juv. Sat. 14. v. 99. 103. Pers. Sat. 5. v. 184. Mart. l. 7. 29. 88. Strab. l. 16. p. 761, C. & p. 824, B. Tacit. Hist. l. 5. § 5. Suet. Dom. c. 12. n. 6.

Day (*a*) ; keeping Fasts (*b*) and Feasts (*c*) ; eating at some times unleavened Bread (*d*) ; making a Distinction of Meats (*e*) ; separating themselves from the Society of other People (*f*) ; rejecting all Images (*g*) ; worshipping the God of Heaven alone (*h*) ; permitting none but *Jews* to enter the Temple at *Jerusalem* (*i*) ; burying their Dead (*k*) ; together with their firm Ad-

(*a*) Acts xiii. 14, 27, 42. & xv. 21. & xvii. 2. & xviii. 4. Vid. Hor. l. 1. Sat. 9. v. 69. Juv. Sat. 6. v. 158. Sat. 14. v. 96. 105, 106. Perf. Sat. 5. v. 184. Tac. Hist. l. 5. p. 353. l. 4. Dio, l. 36. p. 36, E. p. 37, C, D. Plut. Symp. l. 4. qu. 5. p. 671, F. 672, A. & de superst. p. 169, C. Justin. l. 36. c. 2.

(*b*) Acts xiii. 2. & xxvii. 9. Vid. Tac. Hist. l. 5. § 4. p. 353. l. 2. Suet. Aug. c. 76. n. 3. Mart. l. 4. 4. Strabo, l. 16. p. 761, C. & 763, A. Plut. Symp. l. 4. qu. 5. p. 671, D. Just. l. 36. c. 2.

(*c*) Acts xviii. 21. Vid. Juv. Sat. 6. v. 158. Perf. Sat. 5. v. 180, &c. Plut. Symp. l. 4. qu. 5. p. 671, D, E. & 672, A.

(*d*) Acts xx. 6. Vid. Tac. Hist. l. 5. p. 353. l. 3. Raptarum frugum argumentum, panis Judaicus nullo fermento, retinet.

(*e*) Acts x. 14. Vid. Tac. Hist. l. 5. § 4. p. 353. n. 1. Juv. Sat. 14. v. 98. & Sat. 6. v. 159. Plut. Symp. l. 4. qu. 5.

(*f*) Acts x. 28. & xi. 3. & xvi. 20, 21. Vid. Juv. Sat. 14. v. 100, 103, 104. Tac. Hist. l. 5. § 4. l. 2. Separati epulis, discreti cubilibus, § 5. l. 3. Κεχωρίδαίαι δὲ ἀπὸ τῶν λοιπῶν ἀνδρῶπων—τὰ περὶ τὴν διαίταν πάντ' ὡς εἰπεῖν. Dio, l. 36. p. 37, B, C. Just. l. 36. c. 2. n. 28.

(*g*) Acts xvii. 29. & xix, 26. Vid. Tac. Hist. l. 5. p. 353. l. ult. Nulla simulachra urbibus suis, nedum templis sunt. Non regibus hæc adulatio, non Cæsaribus honor, p. 354. n. 5, 6. & p. 359. l. 2. Οὐδ' ἄγαλμα ἐδὲν ἐν αὐτοῖς ποτὲ τοῖς Ἱεροσολύμοις ἔχον. Dio, l. 36. p. 37, C. Strabo, l. 16. p. 760, D. 761, A.

(*h*) Acts xiv. 15. & xvii. 24. Vid. Juv. Sat. 14. v. 97. Strabo, l. 16. p. 761, A. Tac. Hist. l. 5. p. 354. n. 5. Dio, l. 36. p. 37, C.

(*i*) Acts xxi. 28, 29. & xxiv. 6. Vid. Tac. Hist. l. 5. p. 357. l. ult. Illic, immensæ opulentiae Templum;—ad fores tantum Judæo aditus; limine præter sacerdotes arcebantur. Jos. Antiq. l. 15. c. 11. § 5, prop. fin. & l. 8. c. 3. § 9. and the Speech of Titus, de Bell. l. 6. c. 2. § 4.

(*k*) Acts ii. 29. & v. 6, 10. Vid. Tacit. Hist. l. 5. p. 354. n. 3. Corpora condere, quam cremare e more Ægyptio.

herence to *Moses* their Lawgiver (a); are Customs indeed plainly hinted in the *Acts* of the Apostles; but are so well known to have belonged to the *Jews*, that they need not any long and laborious Confirmation.

C H A P. VIII.

Grecian Customs confirmed.

§ 1. I Have now, I think, considered all the Customs referred to in the History of the *Acts*, which are purely *Jewish*. There remains one, which is common to the *Jews* with most other Nations, and that is the Practice of Magick. We read of *Bar Jesus* a *Jew*, who was a Sorcerer (b), and of *Simon* a Sorcerer in *Samaria* (c), and that many of the *Christian Converts* at *Ephesus*, who had used curious Arts, brought their Books together, and burnt them before all Men (d). Nothing is more certain, than that the Arts of Sorcery or Magick were expressly forbidden by the Law of *Moses* (e). Notwithstanding it is a very clear Fact, that they were practised by many among the *Jews* as

(a) *Acts* vi. 11, 13, 14. & xxi. 21, 28. Vid. *Juv. Sat.* 14. v. 101, 102. *Tac. Hist.* l. 5. § 4.

(b) *Acts* xiii. 6.

(c) *Acts* viii. 9.

(d) *Acts* xix. 19.

(e) *Exod.* xxii. 18. *Lev.* xx. 27. *Deut.* xviii. 10, 11. 1 *Sam.* xxviii. 3, 9. *Mishna Sanhed.* c. 7. § 4. *Maim.* in tract. *Sanh.* & *Abodah Zara*, c. 6. *More Neboch.* p. 3. c. 37. *Seld. de Jur. Nat.* l. 2. c. 1. p. 172. & cap. 7. p. 228. & l. 7. c. 3. p. 718, & 719. *de Syned.* l. 2. c. 13. § 5.

well as among the Heathen: If any Credit may be given to the *Talmud*, twenty-four of the School of *Rabbi Judah* were killed by Sorcery (a), eighty Women Sorceresses were hanged in one Day by *Simon Ben Shetab* (b). And the Gloss says; the Women of *Israel* were generally fallen to the Practice of Sorceries. So greatly did the Practice hereof abound among them, that a Skill in this Art was required as a necessary Qualification for a Person to be chosen into their Councils, whether that of Seventy-one, or those of Twenty-three, that he might be the better able to try and judge the Accused, whether they were really guilty of this wicked Art or not (c). Nay, several of their Elders, Judges, or Rabbies, arrived at so great a Proficiency herein, that they outdid them who made it their Profession (d). We read also in *Josephus*, of one *Simon* a Jew, born in *Cyprus*, a Sorcerer, who was a great Friend and Companion of *Felix* the Roman Governor (e), in the same manner as *Bar Jesus*, mentioned in the *Acts*, seems to have been of Ser-

(a) *Light.* Vol. I. p. 371. Vol. II. p. 244. Hieros. Talm. fol. 18. col. 3.

(b) Hieros. Sanh. fol. 23. 3. Bab. Sanh. fol. 44. 2. See *Light.* Vol. II. p. 244.

(c) Rabbi Jochanan in Gem. Bab. ad tit. Sanh. c. 1. fol. 17. 1. & adtit. Menachoth, c. 6. fol. 65. 1. & Maim. Halach, Sanh. c. 2. § 1. See Seld. de Syn. l. 2. c. 9. p. 1412, 1413. & *Light.* Vol. II. p. 244.

(d) Thus did Rabbi Meer Hier. Sotah, fol. 16, 2. & Rabbi Joshua Hierus. Sanh. fol. 25. 4. See *Light.* Vol. I. p. 371. & Vol. II. p. 244.

(e) Antiq. l. 20. c. 7. § 2. Thus *Thrasyllus* the Sorcerer was one of the most intimate Friends of the Emperor *Tiberius*. Tacit. Ann. l. 6. c. 21, fin. Suet. in Aug. 99. 3. & in Tib. 14. 7. Dio, l. 55. p. 555.

gius Paulus Proconsul of *Cyprus*. The same Author tells us, that at that Time were very many Sorcerers and Deceivers, who pretending to shew Wonders and Prodigies, seduced great Numbers of People after them into the Wilderness (a).

That Magick was practised among the Heathen, is a thing too well known to need any Proof. Their Philosophers, Historians and Poets, agree to confirm this Fact (b). Nay several of the most renowned of the *Greek* Philosophers were themselves at no small Pains to attain a Skill in this Art, such as *Pythagoras*, *Empedocles*, *Democritus*, *Plato* (c). And it deserves remarking, that as *Simon* is said in the *Acts* of the Apostles to have given out himself to have been some great one, that is, as the Antients interpret it to be, the Deity (d), so *Pythagoras* gave out, that he was *Apollo Hyperboreus* (e). That there were many conver-

(a) *Antiq.* l. 20. c. 8. § 6. & *de Bell.* l. 2. c. 13. § 4. *σιφῶν*
 ἢ *οὐρανῶν*.

(b) Vid. *Del Rio* & *Bulenger de Magia*. *Tibul.* l. 2. 45. *Hor.* Sat. 8. *Silius Ital.* l. 13. *Noris*, Vol. III. p. 603. *Ovid*, &c.

(c) Certe *Pythagoras*, *Empedocles*, *Democritus*, *Plato*, ad hanc discendam navigavere, exiliis verius quam peregrinationibus susceptis. Hanc reversi prædicavere; hanc in arcanis habuerunt. *Plin.* *Nat. Hist.* l. 30. § 2. *Diog. Laert.* l. 8, 24, pr. & 59, pr. *Philostatus* would clear them of this. See *De Vita Apoll.* l. 1. c. 1. but it is too plain a Fact to be denied.

(d) Vid. *Grot.* in *Act.* viii. 10.

(e) This he did by shewing his Golden or Ivory Thigh. Vid. *Porph. Vit. Pyth.* p. 192, 193. *Iamb. de Vit. Pyth.* c. 28. p. 127, 131. *Orig. contr. Cels.* l. 6. p. 280. *Ælian.* l. 2. c. 26. & l. 4. c. 17. & *Diog. Laert.* l. 8. 11. How shall we reconcile this with his *Metempsychosis*, and with his conversing with *Apollo*? *Philostatus*. ubi supra.

fant in the Art of Magick in the City of *Rome* during the Reigns of *Augustus*, *Tiberius*, and many succeeding Emperors, is abundantly evident from the *Roman History*; and we read of their having been banish'd *Italy* more than once (a). *Ephesus*, which is the Place where it is said the Christian Converts brought together and burnt their Books of Sorcery; was so famous for this Art, that some particular Forms of Incantment deriv'd their Names from thence (b), either as having been originally invented by some Magician of that City, or as being most in Use among the *Ephesians*. I have sometimes thought, that the Notions, which prevailed concerning the Power of Magick, were no small Hindrance to the Progress of Christianity. It is very certain; that the Enemies of the Gospel, both *Jews* and *Heathen*, ascribed the miraculous Works wrought by our Saviour and his Apostles to this Power (c), and no Doubt prevailed with many to be of the same Opi-

(a) Tacit. Ann. l. 2. § 27. Ut infernas umbras carminibus eliceret. § 28. & 69. l. 16. § 30. Quin et facto per Magos sacro, evocare manes et exorare tentavit. Suet. Ner. c. 34. n. 11. Vid. et *Plin.* Nat. Hist. l. 30. § 5. They were expelled, An. U. C. 617. *Valer.* cap. 32. Again, 721. *Dio*, l. 49, fig. 'Were forbid all prophesying, 761. *Dio*, l. 56. And were again banished *Italy* under *Tiberius*, 770. So that *Tacitus* says of them, *Genus hominum, quod in civitate nostra & vetabitur semper & retinebitur.* Ann. l. 2. § 32. Hist. l. 1. § 22. & l. 2. § 62.

(b) *Plut.* Sympos. l. 7. 9. 5, fin. Vid. verba *Menandri*, *Athenei*, *Clem. Alex.* citata *Grotio* in Act. xix. 19. & *Suid.* in voc. Ἐφεσ. γράμ.

(c) *Matt.* ix. 34. *Talmud Bab.* Schab. fol. 104. 2. *Sanhed.* f. 107. 2. See *Light.* Vol. II. p. 189. *Celsus* in *Orig.* l. 1. p. 7, 22, 24, & 53. Vid. *Not. Spenc.* in *Orig.* p. 7. col. 1.

nion. But is it possible, that those who looked upon the Works performed to proceed from no higher an Original, could conceive them to be any Proof of a Mission from the one only living and true God, or of the Truth and Certainty of the Doctrines taught by the Performers?

§ 2. It is said in the *Acts*, that a certain *Damsel* possessed with a Spirit of Divination, brought her Masters much Gain by Soothsaying; And that *Paul* dispossess'd her by commanding the Spirit in the Name of *Jesus Christ* to come out of her (a). The Words which are here properly enough translated a Spirit of Divination, are πνεῦμα πύθωνος. There was a famous Temple at *Delphi* erected to the Honour of *Apollo*, who from killing one, who for his Cruelty was furnamed *Python*, that is, Serpent or Dragon, had the Name of *Pythius* given him (b). The Person who gave forth Oracles at this Temple, was a Woman called *Pythia*, suppos'd to be inspired and possess'd by *Pythius* or *Apollo* (c). When she uttered the Oracle, her Mouth was shut, and the Voice came as from her Belly or Breast (d), and it was understood to be *Apollo* who spoke

(a) Ch. xvi. 16, 18.

(b) Strabo, l. 9. p. 422, 423. Macrobi. Sat. l. 1. c. 17. p. 281. Bayage Ann. 51. p. 625. n. 16. Bochart. Hieroz. p. 2. l. 3. c. 5. p. 383. Potter's Greek Antiq. B. 2. Ch. 9.

(c) Strabo, l. 9. p. 419. B. Τὴν Πυθίαν δεχομένην τὸ πνεῦμα. Vid. et Orig. adv. Celli. p. 333.

(d) Potter's Greek Antiq. B. 2. c. 9. p. 246. & ch. 12. p. 268. Galen in Glossis. Hippoc. cit. Grot. in Act. xvi. 16. Hammond. in loc.

in her (*a*). There were many Persons of both Sexes in other Places, who seemed to be inspired or possessed in the same manner, whose Voices proceeded from the same Parts of the Body (*b*), and who were thought to divine or tell Things future. These Persons were called *Pythons* (*c*), and the Spirit which spake within them was called the Spirit of *Python* (*d*), probably because of the same Kind which inspired the Priests of *Python* or *Delphi*; for *Python* was also another Name for *Delphi* (*e*).

A late Writer, who seems unwilling to believe, that there ever were any Persons possessed by *Dæmons* or evil Spirits, says of the Damsel who had a Spirit of Divination, that “When she was discovered, she was disabled from playing this Trick any longer. By St. Paul’s saying to her, *I command thee to come out of her*, no more was or could be meant, than to put a Stop to the Trick the Woman used (*f*).” Now, supposing this Woman’s speaking inwardly, as from her Belly or Breast, were a Trick of her own acquiring, and no ways owing to any *Dæmon* or Spirit that spake

(*a*) Orig. adv. Cels. l. 2. p. 63. l. 3. p. 125. Schol. in Aristoph. Plut. p. 6. col. 2.

(*b*) *Judei* dicunt vocem esse emissam a partibus quæ nominari non debent. Vid. Seld. de diis Syris, Syntag. 1. c. 3. p. 289. Menoch. in Syn. Crit. ad 1 Sam. xxviii. 7.

(*c*) Plut. de Orac. defect. p. 414, E.

(*d*) Suid. in voc. Πύθωνος. Schol. in Aristoph. Plut. p. 6. Potter’s Greek Antiq. B. 2. c. 12. p. 268, 269.

(*e*) Homer. B. l. 519. & Schol. ibi. Pindar Olymp. od. 6. Callim. Hym. in Apoll. v. 35. & in Delium, v. 90. & in Dian. v. 250.

(*f*) Enquiry into the Meaning of *Dæmons*, p. 54.

from within her, this Author should have shewn, how *St. Paul's* saying those Words, *I command thee to come out of her*, was a Discovery of this Trick. I believe all his Readers, as well as myself, must be utterly at a Loss to know how the pronouncing those Words could any ways reveal the Secret, and convince the By-standers, that she was a mere Impostor, and had no Spirit of Divination within her: Would it not rather convince them, that in his Opinion she had such a Spirit within her? But let us again suppose what is not so much as hinted in the Text, that *St. Paul* spent much Time in talking to the People, and shewing them, that this Woman, by a particular Formation of the Organs of Speech, and by long Practice, had gained a Habit of speaking so as that no one should see her Lips move, and the Voice should seem to come from her Breast. I am yet at a loss to know how this could deprive her Masters of their Gain: For surely this would go but a little way towards convincing the People, that she could not really predict Things future. Her Reputation was established; there was a general Belief, that she did foretel Things, and a great Concourse of People after her to make Enquiry into their future Fortunes. It is expressly said, that *she brought her Masters much Gain by Soothsaying*. The shewing that it was possible for her by long Practice to attain the Art of speaking inwardly, would no ways dissuade Persons from following

following her, so long as they retained a Notion, that she really prophesied.

We'll advance therefore one Step further, and suppose that *St. Paul* spent Time not only in discovering the Trick of speaking inwardly, but that he also argued against her being a Diviner or Prophetess, and plainly laid before them, that she usually made her Answers in ambiguous and general Terms, that they much oftener proved false than true, and that it was owing to mere Accident, if at any time there seemed to be Truth in what she had said. If we judge from the Experience we have of Mankind, we cannot reasonably suppose, that these Arguments should immediately prevail with all the By-standers, or indeed any considerable Part of them, to lay aside the Opinion they had entertained of this Woman's Gift. However, we'll suppose that all the By-standers were at once convinced of the Truth and Weight of the Apostle's Arguments: Would they be able immediately to spread the same Persuasion among all the Inhabitants of *Philippi*? And if all *Philippi* had believed her an Impostor, might not her Masters have sent her to another City, where, by the Practice of the same Arts, she might still have brought them much Gain? The plain Truth therefore is, *St. Paul* prevented her future prophesying; or, if the *Word Trick* pleases better, he wholly disabled her from doing the Trick any more. He cast out the Spirit which spake within her, so that she was no more heard to
speak

Speak as from her Belly or Breast. Her Masters soon perceived, that she was no longer inspired or possessed, that she could now utter no more Divinations or Prophecies; and therefore all Hope of their Gains from her, whether in *Philippi*, or any other City, were wholly gone (a).

And

(a) After all, it is a Dispute among learned Men, whether this Woman was of the Number of *ἐγγασπίμοδοι*, whether she did speak inwardly as from her Belly or Breast. They say the Words *ἔχουσιν πνεῦμα πύθωνος* do not necessarily imply this Meaning, but only in general, that she was possessed by a Spirit of Divination, or foretelling Things to come. And they urge, that when she followed St. Paul, and said, *These Men are the Servants of the most high God, which shew unto us the way of Salvation*, *ἔκραζε*, she spake out with a loud and distinct Voice. If this were the Case, what Trick had the Woman, that St. Paul could discover to the People? Vid. Wolfii Cur. in loc. Another thing which demonstrates the Absurdity of this Interpretation, is the Rage of the Multitude against St. Paul. For no sooner had the Masters of the Girl accused him and *Silas* to the Magistrates, but it is said, *that the Multitude rose up together against them*, v. 22. Had he, as this Interpreter supposes him to have done, convinced the whole City of *Philippi*, that this Maid-servant was an Impostor, and could foretel Things future no more than any other Person, no doubt they would have taken part with St. Paul, and not with the Masters of the Girl. They would have thought themselves obliged to him for having discovered the Cheat, and preventing their future Expence in needless and fruitless Applications to one who could only amuse and deceive them, but not foretel them any thing future. If they were incensed against any Person, it is natural to suppose, it should have been against the Girl and her Masters, for having imposed upon them, and trick'd them out of their Money. But that they should take part with the Masters of this Impostor against the Person who had discovered the Fraud, is so contrary to all the Experience we have of Mankind, that it is a Demonstration of the Absurdity of this Comment. On the other hand, if we take the Story in the plain and literal Sense; how natural is it, that the Multitude of the City should side with the Masters, as being fully persuaded, that it was not only a great Piece of Injustice done to them by the Apostle, but a publick Injury of a very heinous Nature, they having hereby lost what they

And although this Affair of Possessions is esteemed so great a Difficulty by many of our modern Reasoners, and Pretenders to Philosophy, and can by no means gain their Assent, yet is it very certain, that not a few of the gravest and wisest of the antient Philosophers were fully persuaded of its Truth. *Van Dalen* himself acknowledges, that the *Pythagoreas* and *Platonists* believed it (a); and indeed it appears too plainly from their Writings to be denied. It sufficiently appears also, that the Belief hereof was not confin'd to these two Sects; but that many other Philosophers were of the same Opinion (b). . Most of the Phi-

they esteemed an Oracle, to which they might apply upon all urgent and doubtful Occasions! Nor is there any the least Hint in the Text, of a Change in the Multitude, as though they had been first for *St. Paul*, and afterwards, by some secret Management, brought over to side with the Masters.

(a) De Orac. p. 185. Ed. 1683.

(b) *Zeno*, and the whole Sect of the Stoicks; *Aristotle*, and a great Number of the *Peripateticks*. Καὶ μὴν καὶ μανθικὴν ὑφ' ἑσάναι πᾶσαν φασίν, ἢ καὶ πρόνυοιαν εἶναι, spoken of *Zeno* and the Stoicks, *Diog. Laer.* l. 7. § 149. Ὅι Στωικοὶ τὴν μανθικὴν εἰσάγουσι κατὰ τὸ ἔνθεον, ὅπερ ἔστιν ἐνθεσιαστικόν. — *Δεισοφελῆς καὶ Δικαίαρχος* τὸ κατ' ἐνθεσιασμόν μόνον παρεισάγουσι, καὶ τὸς ὀνειρῆς. *Plut. de Plac. Philos.* l. 5. c. 1. *Colophonius Xenophanes*, unus, qui deos esse diceret, divinationem funditus sustulit, reliqui vero omnes præter Epicurum divinationem probaverunt — *Dicæarchus Peripateticus* cætera divinationis genera sustulit, somniorum & furoris reliquit. — Sed cum Stoici omnia fere illa defendèrent, quod & *Zeno* in suis Commentariis quasi sæmina quadam sparsisset, & ea *Cleanthes* paulo uberiora fecisset, accessit acerrimo vir ingenio *Chrysippus*, qui totam de Divinatione duobus libris explicavit sententiam, uno præterea de oraculis, uno de somniis: quem subsequens, unum librum *Babylonius Diogenes* edidit, ejus auditor: duo *Antipater*: quinque noster *Posidonius*. *Tull. de Divin.* l. 1. § 5, 6. Vid. et § 82, — 88. Dixi de *Pythagora*, de *Democrito*, de *Socrate*: Excepi de antiquis, præter *Xenophanem*, neminem; adjunxi veterem *Academiam*; *Peripateticos*, *Stoicos*: unus dissentit *Epicurus*. § 87.

losophers

losophers who lived after our Saviour's Time were strong in the Persuasion hereof (a), even those who were the greatest Enemies the Christians ever had, such as *Apollonius* (b) and *Porphyry* (c). *Celsus* himself, in disputing against the *Christian* Religion, lays aside the *Epicurean*, and supposes the Truth hereof (d). I think also it may be made very evident, that the *Christians* of the first Ages knew well how to distinguish between the Craft, Artifices and Frauds of the Heathen Priests, and real Possessions (e).

§ 3. We read in the *Acts*, of *Demetrius* a Silver-smith, which made Silver Shrines for *Diana* (f). That *Diana* was esteem'd a Goddess, that she was worshipp'd not in *Asia Minor* alone, but throughout the then known World; as *Demetrius* asserteth (g), and that she had a

(a) As fully appears by their remaining Works, and is set in a glaring Light by *Lucian* in his *Philopseud*.

(b) Vid. *Philostr. de Vit. Apoll.*

(c) *Porphyry* wrote a Book Περὶ τῆς ἐκ λογίων φιλοσοφίας, *De Philosophia ex Oraculis*, in which he made a Collection of the Oracular Answers given by *Apollo* and the other Gods and good Dæmons, thinking this a sufficient Proof of the Goodness and Efficacy of Theology, and a fit Incitement to the Study of divine Wisdom. *Euseb. Præp.* l. 4. c. 6.

(d) Vid. *Orig. adv. Cels.* p. 333, 416, 420.

(e) Vid. *Orig. adv. Cels.* p. 333. *Euseb. Præp.* l. 4. c. 1, 2, 3. *Lucian's Pseudomantis* drives out the *Christians* before he begins to shew his Tricks, quoted by *Vandale*, de *Orac.* p. 441. and *Vandale's* own Words, p. 443, n. 6. ed. 1683.

(f) Chap. xix. 24. *ναοποιός*. Vid. *Schol. in Aristot. Rhet.* l. 1. c. 15.

(g) Vid. *Herod. Euterp.* l. 2. c. 137. *Pausan. Messen.* p. 141. l. 33. & ubiq; *Strabo* ubiq; *Seld. de Diis Syris Syntag.* c. 8. p. 385. & c. 13. p. 395. *Tac. Ann.* l. 3. § 61, 62. *Liv.* l. 1. c. 45. *Eurip. Iphig. in Tauris.* *Ulpian. Instit.* tit. 22. § 6.

most

most magnificent Temple erected at *Ephesus* (a), are Things confirmed by so many Authors, and so well known, that it would be a needless Expence of your Time to relate the particular Passages. The Word which we translate Shrines, is in the *Greek* *ναὶς* Temples. That it was the Custom with the *Greeks*, and other Heathen Nations, to make little Models of a Temple, and place a small Image therein, in order to carry with them when they travelled, or went to War (b), as also for their private Devotion at Home, is confirmed to us by a Variety of antient Authors (c): And indeed the making such Temples continues to be the Custom in some of the more polite Heathen Nations to this Day. A very curious one of this Sort I have seen brought hither from the *East-Indies*. That there should be a great Demand for the Models of so famous

(a) Strabo, l. 14. p. 640, 641. Pausan. Achaic. p. 207. l. 9, &c. Plin. Nat. Hist. l. 36. c. 14. or § 21. Solin. c. 40. "Ἡτ' Ἐφέσῳ πάγχρυσον ἔχεις οἶκον. Aristoph. Neph. p. 162. Xen. de Exped. Cyri, l. 5. p. 350. Martial. de Spectac. ep. 1. Pompon. Mela, l. 1. c. 17. Philo Byzant. de Septem, Orbis Spectac. & Allatīci Not. p. 91. Vid. Wolfii Cur. in loc. & Basn. An. p. 672.

(b) Asclepiades Philosophus — Deæ Cœlestis argenteum breve figmentum, quocunq; ibat, secum solitus efferre. Amm. Mareel. l. 22. c. 13. Dio informs us, that the famous Roman Eagle, or Ensign so called, was a little Temple, in which was placed a golden Eagle. L. 40. p. 128, D. And *Salmasius* thinks this is plainly to be seen upon *Trajan's Pillar*. Exercit. in Solin. p. 802. and *Stewechius*, in a Coin of *Constantine's*. Comment. ad Veget. l. 2. c. 6. p. 119, fin. 2 Sam. v. 21. 1 Chron. xiv. 12. Virg. Æneid: l. 8. v. 678, &c. Tacit. Ann. l. 15. 29. Vid. Sanctii Com. in 4. lib. Reg. p. 105 & 603. & Spenc. de leg. Heb. p. 816.

(c) Vid. Herod. l. 2. p. 113. l. 45. Polyb. l. 6. p. 495, C. Plin. Nat. Hist. l. 36. § 4. n. 5. 10. & § 19, n. 2.

a Temple as that at *Ephesus*, which was esteemed one of the Wonders of the World, so as to create much Trade to the Workmen employed in making them, is but an easy and natural Supposition. *Demetrius* made a Speech to the Workmen, which being finished, they cried out, *Great is Diana of the Ephesians* (a).

Afterwards the whole City being gathered together, are represented as making the same Cry (b). That it was customary with the *Greeks* to make such Acclamations in Honour of their Gods, is evident from a Passage of *Aristides*, who represents the People of *Smyrna* as shouting in the same manner, *Great is Æsculapius* (c).

§ 4. The People of *Ephesus*, having caught *Gaius* and *Aristarchus*, *Paul's* Companions, rushed with one Accord into the Theatre, and *Paul* also would have entered in; but it is said, that certain of the chief of *Asia*, which were *Paul's* Friends, sent unto him, desiring him that he would not adventure himself into the Theatre (d). What we translate, certain of

(a) V. 28.

(b) V. 34:

(c) Serm. Sacr. 2. p. 520: The learned *Ez. Spanheim* understands it of the People of *Pergamus*. De Præst. Numif. p. 424. and it is certain there was a very antient Temple of *Æsculapius* at *Pergamus*. Vid. Tac. Ann. l. 3. c. 63. But it is plain, from the foregoing Words of *Aristides*, that this Affair was transacted at *Smyrna*. Vid. p. 519, A. There was a Temple of *Æsculapius* also at *Smyrna*. Vid. Serm. Sacr. 1. p. 486, A. It was in or near that City likewise, if I mistake not, that *Aristides* made that Acclamation in his Dream, *Great is Æsculapius*. p. 514, C. Vid. etiam *Elfner*. in loc.

(d) V. 29, 30, 31:

the chief of Asia, is in the Greek *τινὲς δὲ τῶν Ἀσιαρχῶν*, *certain of the Asiarchs*, that is, principal Officers, or High-Priests chosen by the Community of *Asia*, to preside over their Feasts and Games, which were performed at certain Intervals to the Honour of their Gods (a). The Temple of *Diana at Ephesus* was built at the common Expence of all the *Grecian Cities in Asia* (b): And it is probable, that the Temples erected to other Deities in some other Cities, were built in the same manner. Near these Temples were exhibited publick Games after a certain Term of Years (c), and *Asiarchs* were chosen by the common Suffrage of all the *Grecian Cities* (d) in *Asia* to preside over these Games, and to perform the Honours due to the Deity. It is, I think, evident, from the Relation in the *Acts*, that they were then celebrating the Games we are speaking of at *Ephesus* (e). Upon this Account the *Asiarchs* were there present. For this Reason the People rushed into the Theatre. It was in this great Concourse of People,

(a) Vid. Cujacium, l. 2. Observ: 13. Ezech. Spanh. de Usu & Præst. Num. T. 2. p. 418. Vales. Not. in Euseb. p. 63, 64. Grot. in loc.

(b) Liv. l. 1. c. 45. Plin. Hist. Nat. l. 36. § 21.

(c) Dionys. Hal. l. 4. c. 25, fin.

(d) This, I think, is the common Opinion of learned Men: Vid. Grot. in loc. Selden Marm. Arund. p. 1569, prop. fin. And is taken from *Strabo*, who expressly says, that the *Lyciarch* was chosen by the Cities of *Lycia*, l. 14. p. 665, A. Vid. Salmaf. in Sol. p. 566. Usher. Not. in Polyc. p. 200, pr. Vales. Not. in Euseb. p. 63, 64.

(e) Selden is of this Mind, Marm. Arund. p. 1569. & p. 1574, fin.

that

that *Demetrius* expected a brisk Trade, which, perhaps, not wholly answering his Expectation, he might think, that *St. Paul*, who had now preached more than two Years at *Ephesus* (a) against Idolatry, might, in part, have prevented it. The same thing is supposed, by some learned Men, to be hinted in the Speech of the Town-clerk, when he calls the City of *Ephesus* *νεωπόρον* (b), and when he speaks of a lawful Assembly (c).

It is a Dispute among the learned Men, Whether there were more *Asiarchs* than one at a time (d)? Those who admit but one, suppose, that all who had once performed the office, retained the Title during Life (e). I must own, I have seen nothing conclusive as yet said by them who contend, that there was one annual *Asiarch* only. There are various Passages in antient Authors, which seem to render it more probable, that there were several who bore that high Office at the same time (f). Some of these, having a Friendship for *St. Paul*, sent to him (g) not to adven-

(a) *Acts* xix. 8, 10.

(b) *Seld.* *ibid.* p. 1573, 1574, 1575.

(c) *Seld.* *ibid.* p. 1575, 1576.

(d) *Selden*, *Usher* and *Basnage*, are of the Opinion there were several.

(e) Thus *Salmasius*. Thus *Spanheim* and *Valesius*.

(f) *Strabo*, l. 14. p. 649. says, that some of the *Trallians* were always of the Number of *Asiarchs*. *Aristides*, *Τῶν μὲν τετάρτου ἢ πέμπτου τῆς χειροτονίας*, was chosen third or fourth *Asiarch*. *C rat. Sacr.* 4. p. 613, C. & 614, C, fin. Add to this the Passage of *Domnius*, quoted afterwards from *Malela*.

(g) *Strabo* tells us, they were the wealthiest and most powerful of the Province, who were *Asiarchs*, *ubi supra*.

ture himself into the Theatre, because they foresaw, that should he come there, it would be with the utmost Hazard of his Life : For the People being violently enraged against him, would doubtless have demanded, that he should be thrown to the wild Beasts (a) ; and probably it was not in their Power at that time to withstand their Request.

It is afterwards said, that *the Town-clerk appeased the People* (b). The Word we render *Town-clerk*, is γραμματεὺς. If there be Truth in what *Dominus* relates concerning the Officers who presided over the Games of *Antioch*, and certainly he could not but be well acquainted with Things of so publick a Nature transacted in his own City, I think it is highly probable, that the γραμματεὺς here spoken of, was a Person of far greater Authority than the Clerk of the City of *Ephesus*. He tells us, that besides the *Syriarch*, there was the *Alytarch*, γραμματεὺς, and the *Amphitales* ; that the *Alytarch* represented *Jupiter*, γραμματεὺς represented *Apollo*, and that the *Amphitales* represented *Mercury*, and that they had suitable Honours paid them by all the People (c). If there were such Officers as these at the publick Games in *Ephesus*, (and

(a) Thus the People demanded of *Philip* the *Asiarch* at *Smyrna*, to let loose a Lion upon *Polycarp*; but he excused himself by saying, That that Part of the Games was already over. *Martyr. Polyc.* p. 200. Possibly this could not have been urged at the Time which is now before us at *Ephesus*.

(b) Ver. 35.

(c) *Joan. Malela*, p. 574, &c.

I think it is generally allowed, that as the Games exhibited, though in different Cities, and different Parts of the World, were the same, so there were the same kind of Officers who presided over them) who more proper to speak to the enraged Multitude, who so likely to have Weight and Influence, and the Force of an Oracle in what he said, as he to whom they paid the Honours due to *Apollo*? *Apuleius* also informs us, that in *Egypt*, one of the Officers who presided over their sacred Rites, was called γραμματεὺς (a).

§ 4. The Town-clerk, or this religious Officer, who represented *Apollo*, in the Speech he makes to the People, says, *What Man is there, that knoweth not, that the City of the Ephesians is a Worshipper of the great Goddess Diana, and of the Image which fell down from Jupiter* (b)? The Word we translate *Worshipper*, is νεωκόρον. The Word, I think, which comes nearest to it in our Language, is Churchwarden. The Citizens of *Ephesus* were Wardens of *Diana's* Temple to see not only to the necessary Repairs of it, but that it was always kept clean and neat; that at the proper Seasons it was beautified and adorned, and that nothing necessary to the Splendor of her Worship was at any time wanting. This Title of νεωκόρος, is thought by some learned Men to belong more peculiarly to the City of *Ephesus* at the Time the publick Games were there ex-

(a) In *Milesia* undecima cit. *Bashage* Annal. V. I. p. 673.

(b) Ver. 35.

hibited,

hibited (a). It is remarkable, that there are several Coins of that City still extant, which have this Word at Length upon them, 'Εφεσίων νεωκόρων, and some that have the Word *Diana* added thereto (b). We learn also from Coins, that several other Cities were dignified with the same Title.

§ 5. The Town-clerk adds, *and of the Image which fell down from Jupiter.* I have not as yet met with any other Author, who asserts, that the Image of *Diana* in the Temple of *Ephesus* fell down from *Jupiter*; but nothing is more probable, than it was given out and believed so to be. For this was a Thing often pretended by the Heathen Nations, that the Images they worshipped fell down from Heaven (c). This was said of the *Palladium*, or Image of the Goddess *Pallas*, in the City of *Troy* (d). This was said of the *Ancile* or *Target* at *Rome*, in the Reign of *Numa* (e). The Image of the Goddess *Cybele* was said to fall down from *Jupiter* at *Pessinus* in *Phrygia*, and a solemn Embassy was sent by the *Romans* to request this Image, and bring it to

(a) *Seld. Marm. Arund.* p. 1573, 1574. *Hammond* in loc.

(b) *Seld. ibid.* p. 1571, 1572. Vid. *Wolff Cur. & Auctores* ibi citat.

(c) Vid. *Suid.* in voc. Διοπετέες. And compare it with those Words of *Tully*, Alterum (simulachrum) erat tale, ut homines, sum viderent, aut ipsam videre Cererem, aut effigiem Cereris, non humana manu factam, sed cœlo delapsam, arbitrarentur. In *Verrem*, l. 5. § 187, fin.

(d) *Schol.* in *Virg. Æneid.* 2. v. 162.

(e) Ἐν δὲ ταῖς πελταῖς — μίαν εἶναι λέγουσι Διοπετῆν. *Dionys. Hal. Antiq. Rom.* l. 2. c. 71. *Plut.* in *Num.* p. 148.

Rome (a). We learn from *Euripides*, that the same thing was said of the Image of *Taurica Diana (b)*. Nothing therefore more likely, than that this was the prevailing Opinion also concerning the Image of *Ephesian Diana*; to which the Antiquity of the Image might not a little contribute. All Authors agree, that it was esteemed very antient (*c*), and though made of Wood, yet perished not when the Temple was burnt (*d*). That this was the prevailing Opinion, seems also confirmed by this Circumstance, that usually where-ever they built Temples to *Diana*, the Image erected was formed after the Model of that at *Ephesus (e)*.

§ 6. The Town-clerk further says, *If Demetrius, or the Craftsmen with him, have a*

(a) Herodian. l. 1. c. 35. p. 26.

(b) Iphigen. in Tauris, v. 87, 88, 977, 978. Διοπετὲς λαβεῖν ἄγαλμα, & v. 1384. τὸ δ' ἔραν ἔπεισημα τῆς Διὸς κόρης ἄγαλμα.

(c) Plin. Hist. Nat. l. 16. § 79. n. 7. *Pliny* wonders that *Mucianus* should say, that the Image was made of the Wood of a Vine, and pretend to name the Artificer who made it, when he himself affirms, that it is not only more antient than Father *Bacchus*, but than *Minerva* also, that is older than the Planting of the Vine, and the Invention of Arts. Pausan. Achaic. p. 207. l. 11, 12, &c. Messen. p. 141, l. 35.

(d) Vitigineum & nunquam mutatum septies restituto templo. Plin. ibid. n. 5.

(e) Strabo. l. 3. p. 160, A. l. 4. p. 179, B. 180, A, C, D. 184, A. Ἐφεσίαν δὲ Ἀρβεινὴν πόλεις τε ὀνομάζουσιν αἱ πᾶσαι καὶ ἄνδρες ἰδίᾳ θεῶν μάλιστα ἄγουσιν ἐν τιμῇ. — τρία δὲ ἄλλα ἐπὶ τέτοις συνετελεσεν ἐς δόξαν μέγεθος τε τῆς ναῦ, τὰ παρὰ πᾶσιν ἀνθρώποις καλὰσκευάσματα, ὑπερρηκότα καὶ Ἐφεσίων τῆς πόλεως ἡ ἀκμῆ, καὶ ἐν αὐτῇ τὸ ἐπιφανὲς τῆς θεῆς. Pausan. Messen. p. 141. l. 34. &c. Vid. Pausan. Corinth. p. 46. l. 2. & fere passim. *Sponheim* affirms, that this appears yet more fully from Coins, in Observ. in Callim. p. 289. cit. Wolfii Cur. in Act. Apost. p. 1300.

Matter against any Man, the Law is open, and there are Deputies (a). The Greek Words are, 'Αγοραῖοι ἄγορῆαι, καὶ ἀνδύπατοι εἰσι, *The Courts of Law are held, and there are the Proconsuls.* The first I take to be the Courts where Civil Actions were tried, and Matters of Property determin'd : The other to refer to criminal Causes. If *Demetrius* charged any Person with Debt, or Damages, he might plead his Cause in the former Courts; if with Crimes, before the Proconsul. But here it is very properly asked, Why mention is made of *Proconsuls* in the plural Number, when it is very well known, that there never was more than one Proconsul, to whom was committed the Government of the Province ? In the *Syriack* Translation is read *Proconsul* in the singular Number; and were there any Number of Copies to support that Reading, the Difficulty would wholly vanish. The learned *Grotius* supposes, that the Proconsul and his *Legatus* are here understood (b); but I cannot be of his Mind. The giving this Title to both, would be setting them upon the Level; which would as much detract from the Proconsul, as it added Honour to the *Legatus*. The *Greeks* were too great Masters in the Art of Flattery to fall into such an Absurdity. The learned and laborious *Samuel Basnage* (c) is of Opinion, that the Province of *Asia* was at this

(a) Acts xix. 38.

(b) In loc.

(c) Annal. V. I. p. 674. n. 11.

Time administered by *Celer* and *Ælius*; who were *Procuratores Cæsaris*, and had poisoned *Silanus* the Proconsul, by Order of *Agrippina*, the Emperor's Mother (a). *Grotius* indeed says, that *Suilius* was now Proconsul (b). But as there is no certain Proof of this, so it is much more probable, that he governed the Province in the Time of the Emperor *Claudius*, with whom he was a Favourite (c). *Celer* and *Ælius* had, in all Probability, the *Ornamenta Consularia*, that is, Ensigns and Ornaments of the Consular Dignity; for such many of the *Procuratores* had (d). And if the Government of the Province was committed to them, they were *vice Proconsulis* (e). It was an

(a) Tacit. Ann. l. 13. c. 1.

(b) In Act XIX 40.

(c) Therefore *Suilius* says of *Seneca*, whom he esteemed his principal Enemy, *Insensum amicis Claudii, sub quo justissimum exsilium pertuisset* Tacit. Ann. l. 13. c. 42. There is not the least Likelihood, that the Court would suffer any Person to go to *Asia* as Proconsul in the room of *Silanus*, who was not entirely at their Devotion, lest he should enquire into the Murder, and punish the Authors of it. For which Reason I think *Suilius* could not be the Person at this Time. It is much more likely, that the Care of the Province was committed to the two Murderers, both upon the account of their own Security, and as a Reward of their Villany. And we find afterwards, in the fourth Year of *Nero*, that *Celer* was charged with Mal-administration by the Province of *Asia*; but, though not cleared, yet was protected from Punishment by reason of this Murder. And doubtless he well knew, that after the Commission of such a Fact, whatever Injuries and Oppressions he was guilty of, they must be all overlooked at the Court of *Rome*. Tacit. Ann. l. 13. c. 33.

(d) *Ornamenta Consularia etiam Procuratoribus ducenariis indulsi* Claudius. Suet. Cl. 24. 1. that is, to all those whose annual Pay, or Allowance, amounted to a certain Sum. Vid. Dio. l. 53. p. 506, D.

(e) L. 2. C. de Poenis; l. 4. C. ad leg. Fab. de Plagiar. l. 1. C. de pedan. jud. l. 3. C. ubi causa fiscal.

easy, natural, and unstrained Piece of Flattery therefore, to call them Proconsuls. This seems a most probable Conjecture; nor do I know any thing material that can be urged against it. Other Conjectures might be made; but this looks so like the Truth, that it is needless to offer them (a). What renders this still the more probable, is, that it had been the Custom during the Republick, for the Proconsul, when he left the Province, to commit the Government of it to the Questor, as fully appears from *Tully's* Epistles (b). It is likely, that no sooner did the Emperor hear of the Death of *Silanus*, than he sent to the two Procurators to take upon them the Government. Thus *Tiberius*, the Governor of *Crete*

(a) The publick Games, which drew a great Concourse of People from all Parts, might possibly invite some of the neighbouring Proconsuls to be present, such as those of *Achaia*, *Cilicia*, and *Cyprus*. To this it may be answered, that if they were present, they could not sit as Judges; for a Proconsul had no Power but in his own Province. L. 1. ff. de Offic. Proc. True; but they might sit as Assessors; and if any of their own Provincials were accused, great Deference would be paid to their Opinion, and possibly the Criminal might be sent home to be punished by themselves. L. 11. ff. de custod. & exhib. reorum. Another Objection is, that a President could not be absent from his Province but one Night. L. 15. ff. de Officio Præsidis. And the Reason of the Case, it is true, reaches the Proconsul. Vid. l. 10. pr. ff. de Officio Proc. However, it is possible this Law did not reach the Proconsuls; for they had greater Privileges than Presidents. The Proconsul had six Fasces, the President but five; the Proconsul could *deportare*, the President not. Vid. Voet. in Pandect. de Off. Præs. § 1. fin. p. 86. Another Conjecture may be, that a Diocese or two of the Province of *Asia* might belong to the Proconsul of *Cilicia*, as it certainly did in the Time of *Tully*. Vid. Epist. ad Attic. l. 6. 1, 2, 3,

(b) Epist. Fam. l. 2. ep. 15. ad. Attic. l. 6. ep. 3, 4, 5, prop. fin. & 6.

being dead, committed that Island to the Questor and his Assessor, for the Remainder of his Life (a).

§ 7. The Town-clerk further adds, *But if ye enquire any thing concerning other Matters, it shall be determined in a lawful Assembly (b).* I take this to be meant of the Assembly of the Diocese or District of *Ephesus*, of which *Pliny* gives an Account. There were a great Number of Districts in *Asia*, each of which had an Assembly. Some of these are referred to by *Tully* in his Epistles to *Atticus (c)*; many more of them are mentioned by *Pliny*, among which this of *Ephesus* is one (d). The Town-clerk or γραμματεὺς says, If *Demetrius* had any Claim of Property to make, there were Civil Courts in which he might sue. If he had Crimes to object to any Person, the Proconsuls were there; but if he had Complaints of a political Nature, if he had any thing to say, that might redound to the Honour of the Goddess, the Good of the Temple, and the publick Utility, there was the usual legal Assembly of the District belonging to *Ephesus*, in which it ought to be proposed.

§ 8. We are told in the History of the *Acts*, that *Paul* and *Barnabas* being at *Lystra*, and

(a) Τότε δὲ ἡ Κρήτη, τῶν ἀρχόντων αὐτῆς ἀποθανόντων, τῶν τε ταμίᾳ καὶ τῶν παρέδρων αὐτῆς τὸν λοιπὸν χρόνον προσετάχθη. Dio, l. 57. p. 611, C.

(b) V. 39.

(c) L. 5. ep. 20. & ult.

(d) H. N. l. 5. § 25, 29, 30, 32, 33. Vid. Cellar. Geog. Ant. V. 2. p. 127.

having

having healed a Man lame from his Mother's Womb, the People said, *The Gods are come down to us in the Likeness of Men; and called Barnabas Jupiter, and Paul Mercury, because he was the chief Speaker (a).* It was a common Opinion among the Heathen, that their Gods sometimes came down from Heaven, appeared in human Shape, and conversed with Men, as most evidently appears from their Poets and other Writers, This was believed of *Jupiter* and *Mercury* in particular (b). Hence the Name of *Zeus καταβάτης Mercury*, as being *Jupiter's* Servant, *μεγίστω Ζηνὶ Δαιμόνων λαβίς (c)*, made frequent Descents on his Messages, and therefore was thought to be seen much oftener than *Jupiter*. But when *Jupiter* condescended to visit the Earth, *Mercury* was supposed usually to be his Attendant (d). That *Mercury* was esteemed the Interpreter of the Gods, and as their Mouth to Men, and therefore was looked upon and addressed to as the God of Eloquence, is confirmed to us by a great Variety of Authors (e). For this Reason
is

(a) Acts xiv. 8, -- 12.

(b) Ovid. Metam. Baucis & Philemon.

(c) Eurip. Jon. v. 4. vid. Paus. Arcad. p. 264. l. 8. Ovid. Fast. l. 2. v. 603, 611. Sil. Ital. l. 3. *Magni Jovis & Deorum nuntium*, Hor. Carm. l. 1. od. 10. Luc. Philopat. p. 995, C. & Deor. Dial. p. 179, fin.

(d) Vid. Plaut. Amph. Ovid. Fast. l. 5. v. 495, &c.

(e) Τὸν ἑρμηνέα καὶ προφήτην τῶν θεῶν, ἀφ' ἧ καὶ Ἑρμῆς ἐνόμασαν. Phil. leg. ad Caium, p. 1005, E. Τοῦ δὲ λόγου τῶ πάντων ποιητικῶ τε καὶ ἐρμηνευτικῶ ὁ Ἑρμῆς παρασατικός. Porph. in Euseb. Præp. l. 3. c. 11. p. 114. Hor. Carm. l. 1. od. 10. v. 1, &c. Ovid. Fast. l. 5. v. 668. Τὸν Ἑρμῆν ——— ἢ τῆ σοφίας ταύτης

is it said, *They took Paul for Mercury, because he was the chief Speaker.*

§ 9. It follows, *Then the Priest of Jupiter, which was before their City (a).* That it was their Custom to build Temples to their Deities in the Suburbs (b), and to place the Images of their tutelar Deities before the City at the Gates, is fully evident from several of their Poets (c) and other Writers. *Jupiter*, which was before their City, may be understood therefore of the Image of *Jupiter πολιεύς* (d), which was placed at the Gate of the City, or, it may be, in some Temple erected in the Suburbs before the Gate. The Priest of this *Jupiter* brought Oxen and Garlands to the Gates of the House where the Apostles were, in order to have done Sacrifice (e). That it was usual to sacrifice Oxen to *Jupiter* is clear from *Homer* (f), *Strabo* (g), *Livy* (h), and

ταύτης ἡγεμόνα καὶ προσάτην. Aristid. Platon. i. p. 178, fin. Vid. Orat. in Min. p. 26, A. Θεὸς ὁ τῶν λόγων ἡγεμῶν. Jambl. de Myst. Ægypt. pr. Lucian. Apol. pro Mer. cond. p. 504, A. Pseudolog. p. 600, fin. Dial. Deor. p. 180, B. Gall. 234, A. Ἑρμῆ ——— λαλιστάτη καὶ λογιωτάτη θεῶν ἀπάντων.

(a) V. 13.

(b) That of *Jupiter* in particular, Liv. l. 34. c. 53, prop. fin. Vid. Alex. ab Alex. l. 2. c. 4.

(c) Ἄνασσ' Οὔκα πρὸ πόλεως. Æschyl. septem contra Theb. v. 170. Γίνωσκε γὰρ ὅτι ἐζωγράφευ ταύτην πρὸ τῶν πυλῶν τῆς πόλεως, ἦν καὶ ὁ Λυκόφρων πυλαίτιδα λέγει δαὶ τὸ ἐνωθεν ἰσαθεῖται ταύτην τῶν τῆς πόλεως πυλῶν. Schol. Ibid. Vid. Lycop. v. 356. Paus. Bæot. p. 291. l. 7. & Syb. not.

(d) Arist. de Mundo. Pausan. Attic. p. 27. l. 30.

(e) V. 13.

(f) Iliad. l. 2. v. 402.

Αὐτὰρ ὁ βῆν ἱέρευσεν ἀναξ ἀνδρῶν Ἀγαμέμνων
Πίονα, πενήαέτηρον, ὑπερμενέει Κρονίωνι.

(g) L. 10. p. 483, fin. Τὸν μὲν ἔν βῆν θύει τῷ Δί.

(h) L. 41. c. 14. p. 1235, pr. *Immolantibus Jovi singulis bubus.*

others.

thers (a). That they made use of Garlands at the Time they sacrificed, both to adorn the Victim which was to be offered, and the Priest himself, appears from *Pliny* (b), and many other Authors (c).

§ 10. It is afterwards said, that the People of *Lystra*, being persuaded by the Jews which came from *Antioch* and *Iconium*, stoned *Paul*, and drew him out of their City (d). That Stoning was a Punishment in Use among the *Greeks*, we learn from *Ælian* (e) and others (f). Some possibly may admire at the sudden Change here related, that the People should be so wrapped up in Admiration of *St. Paul*, as to be ready to do Sacrifice to him one while, and

(a) Ἀθηναίων βασιλεύοντι Ἐρεχθέως τότε πρῶτον βῆν ἔκτεινεν ὁ βουφόντι ἐπὶ τῷ βωμῷ τῷ πολίεως Διός. Pausan. Attic. p. 27. l. 30. Vid. p. 22. l. 22. Euseb. in Chron. p. 75. & 109: says that *Cecrops* first sacrificed an Ox to *Jupiter*; but he seems to be herein mistaken. For *Pausanias* avers, that although *Cecrops* first called *Jupiter* supreme, he sacrificed nothing to him that had Life. Arcad. p. 237. l. 15. *Meysius* has well explain'd the Occasion of this Mistake. De Reg. & Archont. l. 1. c. 9. Ovid. Fast. l. 5. v. 514.

Audito palluit ille Jove.

Ut rediit animus, cultorem pauperis agri

Immolat, & magno torret in igne bovem.

Dion. Hal. Antiq. Rom. l. 1. § 39, fin. Καὶ θύει τῷ θεῷ (Διὶ Ἐυρεσίῳ) δάμαλιν ἓνα.

(b) Nat. Hist. l. 16. c. 4.

(c) Dionys. Hal. l. 1. § 55, fin. Ὅτι δὲ ἀμφὶ τῷ Αἰνείῳ, παρασκευασθείσης θυσίας, ἔχοντες τὰς σεφάνους περὶ τῷ βωμῶν ἔστησαν. Juv. Sat. 13. v. 63. Prudentius, v. 1021. Servius ad Æneid. 2. v. 133. Vid. Walchii Not. ad Lact. p. 160. Potter's Greek Antiq. l. 1. p. 199.

(d) V. 19.

(e) Var. Hist. l. 5. c. 19. p. 434.

(f) Vid. Soph. Oed. Col. v. 448. & Ajac. Flagel. v. 743. Eurip. Orest. v. 50, 59, 442, 535, 563, 613, 624, 861, & 944. Potter's Greek Antiq. V. I. p. 128, pr

soon

soon after be prevailed with to stone him. There is an Account in the latter End of this History of the *Acts*, of a Change rather more sudden than this, but in the direct contrary way. The People of *Melita*, while they saw a Viper hanging upon *Paul's* Hand, looked upon him as a Murderer, whom Vengeance suffered not to live; But when he had shook it off, and they saw no Harm followed, they took him for a God (a). Persons must know very little of human Nature, and have had small Experience of Mankind, that cannot give Credit to such sudden Changes as these in the Populace. *Menedemus* the Philosopher was had in such Contempt by his Fellow-Citizens, that he was called Dog, Trifler, Fool. Afterwards he was so highly admired by them, that they put the Government of their City into his Hands (b). *Democritus* was despised by his Countrymen for having wasted his Patrimony, and was indicted by them for a Spendthrift. But having foretold some Events which came to pass, he was judged worthy of divine Honours (c). *Aristophanes* the Comedian says of the People of *Athens*, esteemed the politest of all the *Greeks*, *He who is nobody with them to-day, to-morrow shall be esteemed ὑπερμέγας an exceeding great Man* (d). The
Reverse

(a) *Acts* xxviii. 4, 6.

(b) *Diog.* L. 2. n. 140.

(c) *Diog. Laert.* l. 9. n. 39. compared with *Athenaus*, quoted by *Menagius* in his Notes upon the Place.

(d) Τὸ νῦν μὲν ἄδεις, αὐριον δ' ὑπερμέγας. *Equit. Act* 1. Sc. 2. p. 296. Ἐντὸς δέκα ἡμερῶν Θεὸς αὐτοῖς δόξεις, οἷς νῦν καὶ πίνθησκου

Reverse of this was equally true of them. For, it may be, no People in the World were more fickle, inconstant and mutable; and I much question whether any Place affords so many Examples of Persons who had done the greatest Service to their Country, and were in the highest Honour, soon after stripped of all, banished, or otherwise punished (a).

§ 11. When *St. Paul* entered *Athens*, it raised his Indignation not a little to see the City wholly given to Idolatry (b). The Word in the *Greek* is *κατείδωλον* full of Idols (c). In this respect, I suppose, no City in the World ever equalled it. The Words which *Lucian* puts into the Mouth of *Prometheus*, were literally true here: “Every-where
“ were to be seen Altars, and Sacrifices, and
“ Temples, and Feasts; all the Streets, and
“ all Assemblies, were full of *Jupiter* (d),”

πίσμαθ. *Mar. Anton. de reb. suis*, l. 4. § 16. Hoc. in imperita multitudine lest vitiosissimum, varietas & inconstantia, & crebra tanquam tempestatum, sic sententiarum commutatio. *Cic. pro domo sua*. Idem eadem possunt horam durare probantes? *Hor. l. 1. ep. 1. v. 82.*

(a) *Thucydides* — tum scripsisse dicitur, cum a republica remotus, atq; id quod optimo cuiq; *Athenis* accidere solitum est, in exsilium pulsus esset. *Cic. de Orat. l. 2. n. 13.* Vid. *Val. Max. de Ingrat.* Nothing is more true than the Observation of *Livy*, l. 24. § 25. *Hæc natura multitudinis est, aut servit humiliter, aut superbe dominatur.* They either cringe, fawn, and are in the lowest manner servile, or else tyrannize and domineer in the haughtiest way possible, and oftentimes on a sudden pass from the one of these to the other.

(b) *Acts xvii. 16.*

(c) After the same way of speaking, *Strabo*, describing the Country about *Marseilles*, calls it *κατάμπελον*, clouded with Vineyards. *L. 3. p. 179, fin.*

(d) *Prometh. p. 113, fin.*

and other Deities, as any one may be convinced, who will be at the Pains to read the Description of *Athens* left us by *Pausanias*, or the *Athenæ Atticæ* of the learned *Meursius*.

It is a Thing so well known, that it is almost needless to observe to you, that *Athens* abounded with Schools, that many Persons came thither from all Parts to finish their Education, and that it was a Place of great Resort for Men of Fortune, Leisure and Learning (a). It is easy to conceive, that in such a Place there should be a general Thirst after Knowledge, and a continual Enquiry made, Whether there was any thing new either in Philosophy or History, any new Opinion divulged, or any new Thing that had happened in the World. We know, from our own Experience, that in all publick Places, where there is a Concourse of People of Condition, there is usually discovered not a little Curiosity of this Kind. It can be matter of no Admiration therefore, when it is said in the *Acts* of the Apostles, *That all the Athenians, and Strangers which were there, spent their Time in nothing else but either to tell or hear some new Thing* (b). This Character was due to them of a long Standing. Many Years before, when they had an Affair of the most urgent Nature upon their Hands, when *Philip* King of *Macedon* was making large Steps to-

(a) Vid. Meursii, Fortun. Attica, cap. 8.

(b) Acts xvii. 21.

wards the Ruin of their State, they indulged this Humour to a very great Excess. *Demosthenes*, in one of his Oration, in order to encourage them to act vigorously against the Invader, tells them, “ They had much more
 “ Reason to expect the Favour of the Gods
 “ than he had, because they were more pious
 “ and just. But, *you will say*, How then came
 “ he to have greater Success in the former
 “ War than we had? *The Answer is, because*
 “ *Philip* acts the Part of a Soldier, endures
 “ Fatigue, faces Danger without any Regard
 “ to the Seasons of the Year, and neglecting
 “ no Opportunity; whilst we *Athenians* sit at
 “ Home, doing nothing, always delaying, and
 “ making Decrees (a), and asking in the Forum,
 “ if there be any thing new (b).” In other
 his Oration also, he plainly hints to them, that they were at least as solicitous, as active, as diligent to learn the News, as they were in this most important Business of opposing *Philip*, if not more so (c).

Certain learned Men, who had heard *St. Paul* discoursing in the Forum (d), more particularly
 some

(a) The Reader may see what he means by this in his Oration de Republ. Ord. p. 71, fin. & 72.

(b) Ad Phil. Epistolam, p. 66, E.

(c) Philip. 4, pr. & Philip. 1. p. 16, A.

(d) *Paul* disputed in the Market daily with them that met him, Acts xvii. 17. Ἐν τῇ ἀγορᾷ. The Forum or Market among the *Greeks* served not only the Purpose of buying and selling all sorts of Merchandize, but of holding their publick Assemblies; and therefore were usually Places of a very large Extent, in which also Persons of Leisure met for the sake of Conversation and News. There were many of these in the City of *Athens*, but
 the

some of the *Epicurean* and *Stoick* Philosophers, curious to know what new Opinions he taught, conducted him to *Mars's Hill*, in the *Greek*, to *Areopagus*, a Place of the same Note at *Athens* as *Westminster-hall*, or the House of Lords, is with us. The Speech *St. Paul* makes to them in this Place begins thus; *Ye Men of Athens, I perceive that in all things ye are too superstitious* (a). That Person must be a great Stranger to their History, who does not immediately see the Truth and Justice of this Character. *Philostratus* says, that the first Discourse *Apollonius*

the most noted, and that which probably was called ἡ ἀγορὰ, the Market, without adding any other Name to it, was *Ceramicus*. And this, it is probable, is to be here understood. *St. Paul* discoursed with Philosophers and others, who met here for Conversation. In this Place was not only σοὰ βασιλείος, but σοὰ ποικίλη; also the School of the *Stoick* Philosophers. Vid. *Pausan. Attic.* Compare p. 3. l. 7, &c. p. 14. l. 10. & p. 15. 9. & *Achaic.* p. 228. l. 27, &c. & *Menag. Not.* in *Diogen. Laert.* l. 7. § 5. & *Wolf. Cur.* in loc.

(a) *Acts xvii. 22.*

It is thought by some learned Men, that these Words are not rightly translated, and that the Apostle designed them as a Commendation of the *Athenians*, as much as to say, *I perceive, that in all things ye are very pious or devout.* It undoubtedly became the Apostle, in the Beginning of his Speech, to make use of such a Word as would give the least Offence, otherwise he had destroyed his own Design, and lost their Attention; but that he had any Thought herein to commend or flatter them, is contrary both to the whole Drift of the History, and to his own Notions as a Christian. What was it raised his Indignation, but his seeing the City wholly given to Idolatry? What was it engaged him in Disputes daily in the Market, but the great Number of their σεβάσματα, or Objects of Devotion, that is, their excessive Superstition? Although therefore the Word δεισιδαιμονέστερος may be sometimes used in a good Sense, yet doubtless the Apostle here meant it in the bad Sense. There is no one who has looked into *Demosthenes*, or almost any *Greek* Writer, but must see the Propriety of ἄνδρες Ἀθηναῖοι, *Ye Men of Athens*, however distant this may seem from our modern way of Address.

made

made at *Athens* was upon the Subject of Sacrifices, because he saw that the *Athenians* were φιλοθύται addicted to sacrificing (a). *Xenophon* says of them, that they observed twice as many Festivals as any other People (b), and gives it as one Reason why publick Business was retarded, and Persons waited sometimes a whole Year for an Answer either from the Senate or the People, “ That they were obliged to keep such a
 “ Number of Feasts, as did no other City of
 “ the *Greeks* (c).” *Pausanias* tells us, that they worshipped the Gods more than others, or exceeded all others in their Piety towards the Gods (d). And *Sophocles*, that they went beyond all the World in the Honours they paid the Gods (e). *Dionysius Halicarnassensis* says, that if any Praise belonged to the City of the *Athenians*, this chiefly did so, that in all things, and at all times, they followed the Gods, and performed nothing without their Direction (f). And *Josephus* lays it down as a Thing universally acknowledged, “ All Men say, that the *Athenians*
 “ are the most pious of all the *Greeks* (g).”

(a) De Vit. Apoll. l. 4. c. 6.

(b) De Repub. Athen. p. 700, A.

(c) Ibid. p. 699, B.

(d) Attic. p. 15. l. 12. & p. 22. l. 13.

(e) Ὅτι ἕνεκ' εἰ τις γῆ θεὸς ἐπίσται,
 Τιμαῖς σεβίσειν, ἢ δὲ τῶν ὑπερβέρει.

Oed. Col. v. 1060. Vid. & v. 1186. & 264.

(f) Εἰ γὰρ τι ἄλλο τῆς Ἀθηναίων πόλεως, καὶ τῶν ἐν πρώτοις ἐστὶν ἐγκώμιον, τὸ περὶ παντὸς πράγματος, καὶ ἐν παντὶ καιρῷ τοῖς θεοῖς ἐπέσθαι, καὶ μηδὲν ἀνευ μαντικῆς καὶ χρησμῶν ἐπιτελεῖν. De Thucyd. Hist. Jud. § 40. med.

(g) Contr. Apion. l. 2 § 11. p. 1373.

§ 12. That which gave Occasion to *St. Paul* to remark the Greatness of their Superstition, and to begin his Speech from thence, was not only his having seen the City crouded with Temples, Altars, and Idols (a), but his having also observed an Altar erected *to the unknown God* (b). To such a Height of Superstition were they arrived, that they not only, by publick Authority, received the Gods of foreign Nations, but raised Altars also to Gods unknown. *Strabo* says, “ That the *Athenians*, as they were wont
 “ to take other things from Foreigners; (he
 “ had just before instanced in their Instruments
 “ of Musick) so the Gods also. For they have
 “ received from Strangers many sacred Rites,
 “ even to such a Degree as to be made the Sub-
 “ ject of Comedy (c).” *St. Jerom* informs us, that there was an Altar at *Athens* dedicated *To the Gods of Asia, and Europe, and Africa, to the unknown and foreign Gods* (d). This was receiving at once all the Gods of the then known World, both those, whose Names they had learnt, and those which they had not so much as heard of. *Pausanias* tells us, that there was an Altar of the unknown Gods at *Olympia* (e); that there was also an Altar or Altars of the Gods named unknown, at *Phalerus* the nearest Port to *Athens* (f). And *Apollonius* affirms,

(a) These are the *σεβάσματα*, mention'd v. 23.

(b) *Ibid.*

(c) L. 10. p. 471, C.

(d) *Comment. ad Tit. 1.*

(e) *Eliac. i. p. 162. l. 6.*

(f) *Βωμοὶ δὲ Θεῶν τε ὀνομαζομένων ἀγνώστων, καὶ ἠρώων, καὶ παίδων τῶν Θησέως καὶ Φαληρέως. Attic. p. 1. l. 34.*

that

that at *Athens* were built Altars of unknown Gods (a). These Things render it exceeding probable, that there might be one or more Altars in that great City with this Inscription; *To the unknown God.* But that which puts it beyond all Doubt, are the Words of *Lucian* in his *Philopatris*, who introduces one swearing by *the unknown God at Athens* (b); and another determining, “That he will with Hands lifted up
“ to Heaven worship the unknown God at
“ *Athens* (c).”

It has been thought by learned Men; and I think not without some Degree of Probability; that by the unknown God, to whom this Altar was dedicated, the *Athenians* meant the God of the *Jews* (d). From what has been already said, it appears plainly to have been a prevailing Humour with them to receive the Gods of all foreign Countries, and why not the God of the *Jews* among the rest? If the Relation given us by *Josephus* of the Vision of *Alexander the Great*, and his adoring the Name of God engraven upon the Golden Plate in the Fore-front of the Mitre, when *Jaddus* the High-Priest met him at his Entry into *Jerusalem* (e), be true; (and I can see no just Reason why the Truth of

(a) Ἀθηναίων, ἧ καὶ ἀγνώστων δαιμόνων βωμοὶ ἱδρύνονται.
Philost. de Vit. Apol. l. 6. c. 2, fin.

(b) Νῦν δὲ ἀγνώστων ἐν Ἀθήναις. Philopat. p. 997, A.

(c) Ἡμεῖς δὲ δὲ ἐν Ἀθήναις ἀγνώστων ἐφευρόντες, καὶ προσκυνήσαντες χεῖρας εἰς ἔρανὸν ἐκτείναντες τῷ τῷ εὐχαρισήσομεν.
Ibid. prop. fin.

(d) Vid. Wolfii Cur. in loc. Basnege Ann. Vol. I. p. 636.

(e) Antiq. l. 11. c. 8. § 5.

it should be questioned) the Fame of this alone would be a sufficient Inducement to the *Athenians* to erect an Altar to the God of the *Jews*. It is certain, that after this Expedition of *Alexander* many of the *Jews* were taken into his Army (a), the *Jews* and *Greeks* became better acquainted, the *Jews* soon spread themselves through *Greece*, there was a Communication opened, and a frequent Intercourse between *Greece* and *Judæa*, and Leagues of Friendship were entered into (b), and particularly between the *Athenians* and *Hyrchanus* the High-Priest of the *Jewish* Nation, to whom for the many Kindnesses he had shewn them, they erected a brazen Statue in one of their Temples at *Athens* (c).

The Reason why they should give the Title of *unknown* to the God of the *Jews*, is sufficiently easy and obvious. The *Jews* themselves religiously abstained from uttering the Name of God (d), so that no Foreigner could ever learn any Name peculiar to him. *Dio* says, that the *Jews* esteemed him ἀόρητον, not to be expressed (e). For which Reason the Emperor *Caius* replied to *Philo* and the *Jews* that were with him, “Ye are the God-haters, who esteem
“ not me a God, though acknowledged to be
“ so by all others, ἀλλὰ τὸ ἀκατονόμαστον ὑμῖν,

(a) *Ibid.* fin.

(b) *Antiq.* l. 12. c. 4. § 10. & l. 13. c. 5. § 8. *Vid.* Gronov. not. ad *Jos.* p. 44.

(c) *Antiq.* l. 14. c. 8. § ult.

(d) *Vid.* *Philon.* *Vit. Moïis*, l. 3. p. 683, D, E. 684, A, B.

(e) L. 36. p. 37, C.

“ but

“but ~~that~~ that is unnamed by you (a).” Therefore *Lucan* (b), and *Trebellius Pollio* (c), call him *incertus Deus*: And doubtless the *Jews* always spoke of him as incomprehensible and unutterable. No Wonder therefore, if the *Athenians* should inscribe upon the Altar intended him, *To the unknown God*. And most certainly the Apostle had hereby given him the fairest Opportunity imaginable to instruct the *Athenians* in the Knowledge of the only true God, and with great Reason told them, that *the God whom they ignorantly worshipped, declared he unto them* (d).

It is said, that among *St. Paul's* Converts at this Place was *Dionysius the Areopagite* (e). The *Areopagites* were not only the highest Court of Judicature in *Athens*, but also the supreme Council in Affairs of State (f): Men of the best Families

(a) Leg. ad Caium, p. 1041, A, B.

It is in our printed Copies, *θεομισεῖς*, ye that are hated by the Gods, but I think it ought to be read *θεομίσεις*.

(b) —Et dedita sacris

Incerti Judæi Dei. L. 2.

(c) Claud. p. 351.

(d) Acts xvii. 23.

(e) Ch. xvii. v. 34.

(f) So *Meursius* expressly calls it, *Supremus omnino Senatus erat*; and quotes both *Plutarch* and *Heliodorus* to authorize the Expression. Vid. *Meurs.* *Areop.* cap. 1. p. 5, 6. Our very learned Archbishop observes, that the Council of the *Areopagites*, though inferior to the Senate of the Five hundred in Order and Power, yet was superior to it in Dignity and Esteem, and therefore was called *ἡ ἀνω βουλὴ*. Gr. Ant. q. B. 1. c. 18. p. 90. The Senate of the Five hundred were choiēn annually, the *Areopagites* sat for Life, or till some very gross Misbehaviour. To shew what Part they held in the *Athenian* Government, I need only transcribe the Words of *Tully*: *Ut, si quis dicat, Atheniensium rempubli-*

Families and Fortunes, and who had the fairest Reputations, were usually taken into this Court, And it may be, no Court in the World was ever so illustrious and so highly esteemed as this. There are few or none of the ancient Authors but make laudable Mention hereof.

St. Paul, it is said, departed from the Island of *Melita*, in a Ship of *Alexandria*, whose Sign was *Castor and Pollux* (a). It was the Custom with the ancient *Greeks* and *Romans* to place the Image or Picture of the Deity, to whose Care and Protection they committed the Ship, at the Stern, and to place the Sign, by the Name of which the Ship was called, at the Head (b). It is a Dispute among learned Men, whether the tutelar Deity were not also sometimes the Sign, and for that Reason placed both at Head and Stern (c). There are undeniable Instances in ancient Authors, wherein some of the Hea-then Deities are placed at the Head (d). And it is not very likely, that such Ships should have

cam concilio regi, desit illud, Arcopagi : Sic, cum dicimus, providentia mundum administrari, deesse arbitrator, decorum. De Nat. Deor. l. 2. § 74. And it is not seldom that he calls the Senate of *Rome* by the Name of this Court: Romanæ autem se res sic habent. Senatus, Ἀπειὸν πάλυον, nihil constantius, nihil severius, nihil fortius. Ad Att. l. 1. ep. 14.

(a) Acts xxviii. 11.

(b) Vid. Hammond. in loc. Virg. Æneid. l. 10. v. 157, 166, & 171. Ovid. de Trist. Eleg. 9. v. 1, 2. Pers. Sat. 6. v. 30.

(c) Selden denies it. Vid. de Diis Syris, Syntag. 2. c. 16. p. 400. And Grotius seems to be of the same Opinion, in loc. Salmasius in Solin. p. 403. defends the contrary, as also many other Authors.

(d) Vid. Herod. l. 3. c. 37. Æschyl. Sept. contra Thebas, v. 214. & Not. Stanleii.

other Deities at the Stern, to whose Tutelage they were committed. Of this sort is the Ship which carried *Paul* to *Italy*. It had *Castor* and *Pollux*, two Heathen Deities, at the Head (*a*), and doubtless, if any (*b*), had the same also at the Stern, as the Tutelar Gods, Protectors, and Patrons of the Ship, these being esteemed Deities peculiarly favourable to Mariners (*c*).

C H A P. IX.

Roman Customs confirmed.

§ 1. **M**OST of the *Roman* Customs referred to are so well known, that I need say little to confirm them. That the ordinary Residence of the *Roman* Procurator in *Judæa* was at *Cæsarea*, and that the *Romans* had a military Force both at *Cæsarea* and *Jerusalem*, are fully evident from *Josephus* (*d*).

(*a*) In the same manner is a Ship, which used to carry Corn from *Egypt* to *Italy*, described by *Lucian*, as having the Goddess *Isis*, who gave Name to the Ship, at the Head. Vid. *Navig.* p. 665, C. & 669, A, B.

(*b*) It is not certain, that all such Ships, as had their Tutelar Deities at the Head, had them also at Stern. Vid. *Not. Stanl. ante citat.*

(*c*) Vid. *Hor. Carm.* l. 1. *Od.* 3. v. 1. & *Od.* 12. v. 27, &c. *Ovid. de Trist. Eleg.* 9. v. 45. *Lucian. Apol. & Merc.* p. 185, D, E. *Max. Tyr. Iterum. Quis sit Deus Socr. fin.* p. 173, & *Not. Davisii.*

(*d*) Compare *Acts* xxi. 32. & xxiii. 23, 24. & xxiv. 7. and *Antiq.* l. 18. c. 3. § 1. & c. 4. § 1.

That the *Roman* Army consisted of Legions, and that a Legion was made up of a certain Number of Cohorts, as our Army is divided into Regiments, and every Regiment into Companies, and that a Cohort was made up of six Orders or Centuries (*a*), over each of which Orders was placed a Centurion, is known almost to every one that has but heard of the *Romans*. But besides the Cohorts, which were formed into Legions, there were other Cohorts separate and distinct from any Legion, something like our independent Companies, as is abundantly evident from *Cæsar*, *Strabo*, *Tacitus*, *Suetonius*, and *Josephus*. Such were *Cohortes Urbanae*, *Cohortes Prætoriae*: Such, I take it, were *Cohortes Colonicae* mentioned by *Cæsar* (*b*), and the Cohorts placed by the Emperor *Claudius* at *Puteoli* and *Ostia* for the Prevention of Fire (*c*). Such confessedly were the auxiliary Cohorts, as *Cohors Usipiorum* (*d*), *Cohortes Batavorum* (*e*), and others mentioned by *Tacitus* (*f*).

The commanding Officer of these Cohorts was called *Tribunus* or *Præfectus Cohortis*; by the former Name, if the Cohort was composed of *Roman* Citizens; by the latter, if of Auxiliaries (*g*). Both these Words are rendered into the

(*a*) *Cæteri* (Centuriones) *juxta suam quisque Centuriam*. Tac. Hist. l. 2. c. 89.

(*b*) *De Bell. Civ.* l. 2. c. 19 n. 4.

(*c*) *Suet. Claud.* c. 25. n. 7.

(*d*) *Agric.* c. 28.

(*e*) *Hist.* l. 1. c. 59.

(*f*) *Hist.* l. 2. c. 89 & l. 4. c. 70.

(*g*) *Vid. Polyb.* l. 6. p. 482. *A. Tac. Hist.* i. 1. § 20. p. 50 l. ult. l. 4. c. 31, 32. l. 3. c. 68. & c. 35. *Ann.* l. 6. c. 9, prop. fin. & l. 12.

the Greek by the Word *χιλίαρχος*, Captain of a Thousand, and indeed the Cohorts of this sort frequently consisted of a thousand Men (*a*), whereas the Legionary Cohorts never exceeded six hundred, and seldom were so many (*b*). I remember not to have read in any Author of the Tribune of a Legionary Cohort (*c*), and without doubt such an Expression must have

& l. 12. c. 17. l. ult. Cæsar de B. C. l. 2. c. 20. Liv. l. 25. c. 14. & l. 33. c. 38. & l. 34. c. 47. Suet. Cai. c. 56. n. 4. & Suet. Juv. 4.

(*a*) D. O. l. 55. p. 565, A. Tac. Hist. l. 2. c. 93, prop. fin Joseph. de Bell. Jud. l. 3. c. 4. § 2. Appian has Instances of Cohorts of this sort, which had yet more Men. Vid. Savil's View of certain military Matters, p. 219.

(*b*) Vegetius indeed, who lived more than three hundred Years after the Time we are speaking of, says, that the first Cohort of every Legion consisted of a thousand Men, and those chosen ones. Vid. de Re Militari, l. 2. c. 6, pr. So probably it was, when he wrote; but we have not the least Hint of this in any more ancient Author, which we must certainly have met with, had it been the Practice in their Time. That the first Cohort was more depended on than any other, is evident from those Words of Cæsar, Duabusque missis subsidio cohortibus, atque his primis legionum duarum. De Bell. Gal. l. 5. c. 15. But this proceeded not from the Greatness of their Number, but from the Choice of the Men, and that their Officers were the bravest, the oldest, and the most experienced of the whole Legion. For which Reason the Centurions of this Cohort were Members of the Council of War. Vid. Polyb. l. 6. p. 470, B. Cæf. de Bel. Gal. l. 5. c. 28. Lips. de Rom. Mil. l. 2. Dial. 4. Savil's View, p. 209, pr.

(*c*) They are always termed Tribuni Militum, or, if the Author had a Mind to be more particular, Tribuni Militum de Legionibus 2dæ Liv. l. 33. c. 38. Trib. Mil. tertix Legionis, l. 41. c. 3. 4ta, Legionis, l. 34. c. 46. Tribuni Legionis quintæ, Hirt. de Bell. Afr. c. 28. Tribunus Militum 10æ. Legionis, c. 54. L. Atius Tribunus primus 2dæ Legionis, Liv. l. 41. c. 3. Vid. & l. 25. c. 14. l. 41. c. 1. & 2. l. 45. c. 32. Suet. Otho. c. 10. n. 2. But the Commanders of six independent Cohorts placed in Garrison by Varro at Cadiz, Cæsar calls Tribuni Cohortium. De Bell. Civ. l. 2. c. 20. n. 2.

been

been very improper. There were six Tribunes to a Legion (*a*), and in each Legion ten Cohorts (*b*). If I mistake not, the Tribunes had Authority equally over the whole Legion, so far as their Power reached (*c*). But had the Command been divided, there would have been a Cohort and two-thirds of a Cohort under each Tribune. It would have been a great Diminution therefore to have spoken of them, as having Authority over one Cohort only.

We read, in the History of the *Acts*, of *Cornelius* a Centurion at *Cæsarea*, of the Band called the *Italian Band* (*d*). The *Greek Word* is *σπειρα*, which signifies a Cohort. He was one of the Centurions of the *Italian Cohort*. There having been a Legion of this Name, called *Legio Italica*, most learned Men have been hereby induced to understand it as importing, that he was a Centurion of one of the Cohorts belonging to the *Italian Legion* (*e*). But there is not the least Ground for this Interpre-

(*a*) Polyb. l. 6. p. 473, B. & 478, B. In *Vegetius's* Time there were as many Tribunes as Cohorts in a Legion. Vid. l. 2. c. 14. But there is not the least Footstep of any such thing in the Authors who wrote about the Time we are speaking of.

(*b*) Jul. Frontin. de Stratagem. l. 1. c. 6, pr. Cæs. de Bell. Gal. l. 6. c. 7.

(*c*) Therefore *Horace* says,

Quod mihi pareret Legio Romana Tribuno. Sat. l. 1. 6. v. 48. They usually governed by Turns, two at a Time. Polyb. l. 6. p. 479, A. & 482, A.

(*d*) *Acts* x. 1.

(*e*) Vid. Grot. in loc. *Samuel Basnage* acknowledges that this Legion had not yet a Being, but thinks that *St. Luke*, by a Prolepsis, calls the Legion he then served in, the *Italick Legion*, because at the Time he wrote his History, *Cornelius* was a Centurion in the Legion so named. Vid. Ann. p. 513. n. 10.

tation.

tation. Had *St. Luke* meant this, no doubt he would have said, that he was a Centurion of the *Italian* Legion, or of one of the Cohorts in that Legion, which was the easy, natural, and usual way of speaking (*a*). But this he could not say, because there was no such Legion then existing (*b*). When he says, a Centurion of the
Italian

(*a*) L. Fabius Centurio Legionis 8væ, Cæs. de Bell. Gal. l. 7. c. 47. M. Petreius ejusdem Legionis Centurio, c. 50. T. Salienus centurio legionis 5æ, Hirt. de Bell. Afr. c. 28. Centurio Legionis, 14æ, c. 45. Duodecimæ Legionis—quartæ Cohortis omnibus Centurionibus occisis, Cæs. de Bell. Gal. l. 2. c. 25. Tertix Cohortis Centuriones, (Legionis sub Q. Cicerone in Nervii) l. 5. c. 43, prop. fin. Omnibus primæ Cohortis (Legionis nonæ) Centurionibus interfectis, de Bell. Civ. l. 3. c. 64, fin. Centuriones qui jam primis ordinibus appropinquarent, T. Pulsio & L. Varenus, de Bell. Gal. l. 5. c. 44, pr. The first Orders or Centuries always made up the first Cohort. Ab octavis ordinibus ad primipilum se transducere pronuntiavit. De Bell. Civ. l. 3. c. 53. By comparing this with Suet. Jul. c. 68. 4, 5, 6. it appears, that the valiant *Scæva*, who had received a hundred and twenty or two hundred and thirty of the Enemies Darts on his Shield in the Defence of a little Tower against *Pompey* in one Day, was at that time a Centurion of the eighth Cohort of the sixth Legion under *Cæsar*. Vid. de Bell. Gall. l. 6. c. 40. n. 7. It was usual also to describe the Centurions, as they were placed over the *Triarii*, *Principes*, or *Hastati*. And this *St. Luke*, who had been at *Rome*, could not be a Stranger to. There were three Maniples in every Cohort, Manipulus *Triariorum*, Man. *Principum*, & Man. *Hastatorum*. Over each of these Maniples were two Centurions: The first chosen had the Precedence, and commanded the Order or Century on the right Hand, and was called *Primus Centurio*, Liv. l. 7. c. 41. *Centurio primi pili*, Liv. 2. 27. Cæs. B. G. 3, 5. Vell. Paterc. l. 2. c. 78, fin. *Primipilus*, Liv. 8. 8. Cæs. B. G. 2, 25. or *Princeps prior*. B. C. 3. 64, fin. *Princeps primus*, Liv. 25. 14. or *Hastatus primus*. Flor. l. 1. c. 18. n. 8. *Minucius 4æ Legionis primus hastatus*. Oros. l. 4. c. 1. p. 222. Cæs. B. C. l. 1. c. 46. And of the inferior Cohorts we read, *Tertio anno virtutis causa mihi T. Quintius Flaminius decimum ordinem hastatum assignavit*, Liv. 42. 34. *Nasennius octavum Principem duxit*, Tull. ad Brut. Ep. 8.

(*b*) The Conversion of *Cornelius* happened at the End of the Reign of *Caius*, or the Beginning of *Claudius*; but the *Italick* Legion

Italian Cohort, no doubt he means a distinct separate Cohort, which went under that Name (a).

That there were Cohorts even of *Romans* distinct from the Legionary Cohorts, I mean besides the Prætorian and City Cohorts, is as clear from *Strabo* and *Tacitus* as Words can make it. *Strabo*, speaking of the *Roman* Forces in *Egypt*, says, there are three Legions, of which one is placed in the City, the other two in the Country. Besides these there are nine Cohorts of *Romans*, three in the City, three near the Borders of *Æthiopia* in *Syene*, and three in another Part of the Country (b). In his Description of *Syene*, a little after, he says again, There are placed here three Cohorts of *Romans* for a Guard (c). *Tacitus*, speaking of the Legacies of the Emperor *Augustus*, says, that he gave to the Legionary Soldiers, and to such Cohorts as were composed of *Roman* Citizens, three hundred *nummi*, i. e. Two Pounds Eight Shillings and Five Pence Farthing a Man (d). He had mentioned the Prætorian Cohorts before, to whom *Augustus* left a much larger Legacy.

Legion was raised by *Nero*, as we are expressly informed by *Dio*, l. 55. p. 564, E. and *Suetonius*, as I think, confirms it, Ner. c. 19. 4. We read not of the *Italick* Legion before this Time, but after is frequent Mention made of it by *Tacitus*, Hist. l. 1. c. 59. & 64. l. 2. c. 41. & 100. & l. 3, 14.

(a) As much as *Tacitus*, when he says, *Sempronius Densus Centurio prætorix Cohortis*, Hist. l. 1. c. 43, pr.

(b) L. 17. p. 797, B.

(c) P. 817, D. Vid. p. 819, C.

(d) *Prætoriarum cohortium militibus singula nummum milia, legionariis aut cohortibus civum Romanorum trecentos nummos viritum dedit*, Ann. l. 1. c. 8, n. 6. Vid. *Jac. Gronov* not.

Had

Had he hereby meant the Urban Cohorts, no doubt he would have named them. They were but three (a), too small a Body to be joined with the Legionaries, and described by such a Periphrasis. Besides, it is evident from *Suetonius* (b), and *Dio* (c), that they had five hundred *nummi*, *i. e.* Four Pound and Eight Pence Three Farthings a Man. *Tacitus*, in other Parts of his History, also plainly distinguishes between the Legionary and other Cohorts (d).

I cannot therefore make the least Doubt, but that there was at *Cæsarea* such a Cohort as we have been describing, composed perhaps chiefly of *Italians*, and from thence taking the Name

(a) Tac. Ann. l. 4. c. 5. n. 4.

(b) Aug. 102. 4. n. 24.

(c) L. 56. p. 590, fin. & 591, pr.

(d) We read of separate Cohorts in the *Roman* Army, even from the early Days of the Republick. The brave *Siccus* led a Cohort of eight hundred, *Dionys. Hal.* l. 10. c. 43. Some Cohorts of Veterans followed *T. Quinctius* the Consul, *Liv.* l. 3. c. 69, pr. fin. At another time, *Seniorum etiam Cohortes factæ*, *Liv.* l. 10. c. 21. And it is no uncommon thing, in the Accounts given us of the *Roman* Armies, to read of various Cohorts over and above the Legions, which cannot well be understood of any but *Roman* Cohorts. *Vid. Cæs. de Bell. Gal.* l. 5. c. 24. *de Bell. Civ.* l. 3. c. 88, 89. *Tac. H.* l. 1. c. 59, 60. *Vid. Not. ad num.* 7. *Ann.* l. 15. c. 10. *Lipf. de Rom. Mil.* l. 1. Dial. 8. With such separate or independent Cohorts at the Decline of the Republick, and Beginning of the Empire, they garrisoned the frontier Places, as we have already seen both from *Strabo* and *Cæsar*, and as might be further confirmed from *Tacitus*. *Vid. Ann.* l. 15. c. 10. & l. 3. c. 47. & c. 41. *Andecavos Acilius, excita Cohorte, quæ Lugduni prælidium agitabat, coercuit. Turonii legionario milite oppressi. Et l. 12. 38. Legionarias cohortes exstruendis apud Siluras prælidis relictas, circumfundunt. Ac ni cito vicis & castellis proximis subventum foret, i. e.* Unless the Cohorts, which were garrisoned in the neighbouring Towns and Fortifications, had come immediately to their Relief, the legionary Cohorts had been cut to Pieces.

of the *Italian* Cohort (a). That these separate Cohorts should have Names given them as well as the Legions, to distinguish them from each other, was nothing more than necessary. Accordingly, we read in *Tacitus*, of *Cohors duodevicesima* (b), and of *Cohors septima decima* (c), which

(a) The learned Dr. *Lightfoot* is of Opinion, that this Cohort was the Life-guard of the Procurator, and therefore were *Italians*, Vol. I. p. 843. That it was no unusual thing for the Governors of Provinces to have such a Guard, appears from *Cæf. de Bell. Gal. l. 1. c. 40. n. 15.* where professing that he would venture himself with the tenth Legion only, he says, *Sibique eam Prætoriam Cohortem futuram.* *Kennet* says, that it was the Institution of *Scipio Numantinus*, *Antiq. of Rome*, p. 191, pr. But many Years before this, *Scipio Africanus* had such a Cohort, as his own Words will evince, *Tribunis edicit, ut ubi Prætorio dimisso signa concinuissent, extemplo educerent e Castris Legiones*, *Liv. l. 30. c. 5.* And so had *Postumius* the Dictator some Ages before, *Cohorti suæ, quæ de delecta manu præsidii causa circa se habebat.* *Liv. l. 2. c. 20.* We meet with the Phrase *Cohorti Prætoriae*, *Tull. in Verrem, l. 1. c. 14.* *Asconius* interprets it, *comitibus consularibus*; and so it seems to be understood in other Parts of *Tully's* Speech against *Verres*, *Vid. l. 2. c. 10. (27)* & *Epist. ad Quint. l. 1. ep. 1. c. 4, pr.* However, had it been altogether unusual for the Governors of Provinces to have entertained such a Guard, this Phrase or Way of Speaking had been without Foundation. *Sylla*, *Mark Antony*, and *Octavius Casar*, had such a Guard. *Vid. Savil's View, p. 219.*

(b) *Hist. l. 1. c. 64. n. 7.*

(c) *Ibid. c. 80. n. 1.* The auxiliary or social Forces were divided into Cohorts, and in reading the *Roman* Historians, it is not always possible to distinguish between them and the independent *Roman* Cohorts we are speaking of, especially where Cohorts are named in general without any farther Description. But we may very safely pronounce, that *Cohors duodevicesima* and *Cohors septima decima* were not Auxiliaries. For as we read not of such Names given to any auxiliary Cohorts, so we find them (if described at all) always described by the Name of the Place where they were raised, or by the peculiar Arms they bore. *Quatuor & triginta Cohortes, ut nomina gentium, aut species armorum forent discretæ*, *Tac. Hist. l. 2. c. 89.* Thus we read of *Cohors cetratorum*, and *Cohortes cetratæ*, *Cæf. B. C. l. 1. c. 39. & 55. & 70. & 75. Præmissis Gallorum, Lusitanorum, Britannorumque*

which probably was the Cohort we have mentioned before, as placed by the Emperor *Claudius* at *Ostia* for the Prevention of Fire.

It appears to me, upon a careful Examination of *Josephus*, that all the *Roman* Forces, which were ordered in *Judæa* during the Time it was a *Roman* Province, before the destructive War broke out, which ended in the Ruin of the City and Temple, were this sort of separate independent Cohorts. He tells us, that at the Death of *Herod Agrippa*, which happened about four

tannorumque Cohortibus. Tac. Hist. l. 1. c. 70. Cohortes duas universas Camertium, Tull. pro Balbo, 22. (50.) Cohortem Marforum, Liv. l. 33. c. 38. Cohors Peligna, l. 25. c. 14. Cohortes duas sociorum Lucanam Sueffanamque, l. 10. c. 33. The Soldiers raised also in their own Colonies, though *Roman* Citizens, and distinguished from the Auxiliaries, (as you may see by those Words of *Livy*, M. Junius Consul in provinciam Galliam transgressus, auxiliis protinus per civitates Galliae, militibusque colonis imperatis, l. 41. c. 5.) yet were frequently in independent Cohorts, which took their Names from the Colonies where they were raised. We have before observed, that *Cæsar* mentions Dux Coh. Colonicæ. *Livy* Coh. Placentina, l. 41. c. 1. Coh. Firmana & Cohors Cremonensis, l. 44. c. 40. which doubtless took their Names from the Colonies of *Placentia*, *Firmum* and *Cremona*, Vid. Liv. l. 27. c. 11. And this, by the way, I take to be a new and clear Proof of separate independent Cohorts of *Roman* Citizens.

As the two Cohorts named duodevicesima and decima septima, could not be Auxiliaries, so neither could they be Legionary Cohorts. It is true, the Legionary Cohorts were named from their Number, as we have already seen from *Cæsar's* Commentaries, 12æ Legionis quartæ Cohortis, & primæ Cohortis Legionis nonæ, & tertæ Cohortis Legionis sub Q. Cicerone; and *Tully* also mentions primam Cohortem, ad Att. l. 5. ep. 20. But as there were no more than ten Cohorts in a Legion, the Name of a Legionary Cohort could never exceed that Number; Decima Cohors erat infima. Since then there were Cohorts, which went by the Name of duodevicesima and decima septima, it is not only a Demonstration, that there were such independent Cohorts as I am pleading for, but that there were a considerable Number of them, and that they often took their Names from the Order in which they were raised, as did the Legions themselves.

Years

Years after the Conversion of *Cornelius*, there were five Cohorts at *Cæsarea*, composed of Persons who were Citizens of *Cæsarea*, or of *Sebaste*. He mentions these in particular, because of the Insults they were guilty of towards the deceased *Agrippa* and his Family, to whom they had been under great Obligations (a). Afterwards, upon the Occasion of the Quarrel between the *Jews*, and other Inhabitants of *Cæsarea*, he says, *That the most of those, who served there as Soldiers under the Romans, were of Cæsarea or Sebaste* (b). This implies, that they were not all so, but that there might be one or more Cohorts of other Nations; of which the *Italian* Cohort, mentioned by *St. Luke*, might be one, if not before removed: For this was thirteen or fourteen Years after the Conversion of *Cornelius*.

Before this, it is said of *Cumanus* the Procurator, that taking the *Sebastene* Horse, and four Cohorts of Foot, he assisted the *Samaritans* against the *Jews* (c). In the Time of *Florus* the Procurator, he tells us, there came two Cohorts from *Cæsarea* to *Jerusalem* (d): And after

(a) *Antiq.* l. 19. c. 9. § 1, 2.

(b) Ἐπὶ τῷ τὸς πλείους τῶν ὑπὸ Ῥωμαίους ἐκείσε στρατευομένων Καισαρείς εἶναι καὶ Σεβαστηνές, *Antiq.* l. 20. c. 8. § 7.

(c) *Antiq.* l. 20. c. 6. § 1. Τέσσαρα τάγματα. This is a Word often used by *Greek* Writers to signify *Legions*: That it cannot be so understood here, is evident from the Circumstances of the Case. And *Josephus* uses it elsewhere also to signify *Cohort* particularly l. 19. c. 1. § 15. Where he calls the Body of *German* Guards Τάγμα. Compare it with *Suet.* Aug. 49. 3. & *ibi* Not. & *Galb.* 12. 4.

(d) *De Bell. Jud.* l. 2. c. 15. § 3.

the War broke out, when *Titus* came to his Father *Vespasian* at *Ptolemais*, it is said, five Cohorts from *Cæsarea* joined them (a). He tells us of another Cohort at the same time in Garrison at *Ascalon* (b) : And the Cohort left by *Florus* at *Jerusalem* had been some Time before basely murdered by the *Jews*, and that on their Sabbath (c). Thus we find frequent Mention of Cohorts, and although we read in *Josephus* of several Legions in *Syria*, we find not an Account of any one, which was quartered in *Judæa* during this Time, or indeed that did so much as enter it.

Vitellius marched with two Legions out of *Syria* to make War upon *Aretas* King of *Arabia*, by Order of the Emperor *Tiberius*; but when they came to *Ptolemais*, he yielded to the Intercession of the *Jews*, that they should not go through *Judæa* (d). *Petronius* also took two Legions from *Syria*, and came to *Ptolemais*; but the Soldiers halted there, and he with his Friends and Servants only went to *Tiberias*, where the *Jews* prevailed with him to delay the Execution of the Order he had received from the Emperor *Caius* to set up his Image

(a) *Ibid.* l. 3. c. 4. § 2. The Army there described consisted of three Legions, and twenty-three Cohorts, ten of which Cohorts had one thousand Foot each, the other thirteen six hundred Foot, and a hundred and twenty Horse. The Account of the Auxiliaries follows after.

(b) *De Bell. Jud.* l. 3. c. 2. § 1.

(c) *Ibid.* l. 2. c. 17. § 10.

(d) *Antiq.* l. 18. c. 6. (Hudson, but should be) 5. § 3.

in the Temple, and the Legions proceeded no farther (a).

The Emperor *Claudius* was so highly offended with the five Cohorts, which were composed of the Citizens of *Cæsarea* and *Sebaste*, for insulting the deceased *Agrippa* and his Family, that he ordered *Fadus* the Procurator to send them to *Pontus* in order to serve there, and to choose the same Number of Soldiers out of the *Roman* Legions in *Syria* to supply their Place in *Cæsarea* (b). This not only shews us, that the Legions were quartered in *Syria*, but also teaches us, that the separate Cohorts we have been mentioning were sometimes formed out of the Choice of the Legionary Soldiers; and it is not improbable, that they were usually so (c). The Consequence of this must have been, that the independent Cohorts of *Roman* Citizens were esteemed more honourable than the Legions; and thus it manifestly was with regard to the *Prætorian* and *Urban* Cohorts (d).

When the War broke out, *Cestius* took from *Antioch* the twelfth Legion complete, and two thousand chosen Men out of the other Legions, and six Cohorts, which probably might be such Cohorts as we have been mentioning (e). Indeed

(a) *Ibid.* c. (wrongly numbered 9.) § 2, 3, &c.

(b) *Ibid.* l. 19. c. 9. § 2, prop. fin.

(c) Thus *Cæsar* says, that he would make the tenth Legion his *Prætorian* Cohort. *De B. G.* l. 1. c. 40.

(d) This appears from the Largeness of their Pay, and the Legacies of *Augustus*, *Tac. Ann.* l. 1. c. 17. p. 34. l. ult. *D. O.* l. 53. p. 503, *B. Tac. Hist.* l. 1. c. 87. *Suet. Aug.* c. 102. n. 4.

(e) *De Bell.* l. 2. c. 18. § 9.

before

before this we read, that when *Fadus* did by the Emperor's Order make a Demand, that the Vestments of the High-Priest should be deposited in the Castle of *Antonia*, *Longinus* the Procurator of *Syria* came to *Jerusalem*, and with him a great Force, to prevent the Tumults and Disorders, which he feared might arise from such a Demand (a). The Words here are very general, πολλὴν ἐπαγόμενος δύναμιν. They signify unquestionably a greater Number of Soldiers than were usually brought to *Jerusalem*: But as it is not said that he came immediately from *Syria*, it is possible he might come only from *Cæsarea*, and bring with him the Cohorts from thence. Or if he came from *Syria*, a considerable Number of Horse and light-armed Foot might attend him, and he might take the Cohorts from *Cæsarea* in his Way. Had he brought a Legion with him, I think we may be very certain, that *Josephus* would have expressed it. He, who gives so particular an Account, that the chief of the *Jewish* Nation met *Vitellius* at *Ptolemais*, and interceded with him, that the Legions might not march through their Country, because it was contrary to their Laws to permit Images (of which there were many in their Legionary Ensigns) to be brought into it (b), would he pass over this so slightly, and say nothing of any Opposition that was made to

(a) Antiq. l. 20. c. 1. § 1.

(b) Ibid. l. 18. c. (6. Hud. for) 5. § 3:

it (a)? And was it possible there should not be great Opposition made to it? And that in a Reign, when the *Jews* were highly favoured, and carried almost every Point they asked (b)?

Upon the whole, I think, there is clear Proof, that the Cohorts quartered in *Judæa* were separate, independent Cohorts (c); and that St. *Luke* has spoken most justly and properly in calling *Cornelius* a Centurion of the *Italian* Cohort, and *Julius* a Centurion of the *Augustal* Cohort (d), (which not improbably was a Cohort of the *Sebastenes* mentioned by *Josephus*) and *Lysias* the Chiliarch. We have rendered it chief Captain of the Band (e); but in the *Greek* it is *χιλίαρχος*, i. e. Tribune or Prefect of

(a) Read the Opposition that was made to *Pilate*, when he brought the Emperor's Image from *Samaria* to *Jerusalem* among the military Ensigns, l. 18. c. 4. *Hud.* for 3. § 1. It is there said, that former Governors had caused their Forces to march into *Jerusalem* with Ensigns that had no such Ornaments, i. e. no Images of any kind. It seems to me to have been entirely arbitrary, and wholly in the Breast of the commanding Officer, what Ensigns were made use of in the separate and independent Cohorts. We read of ten thousand Men under one Ensign, who were the Life-Guard of *Octavius Caesar* in *Appian*, quoted by *Savil*, p. 219. But what was the Legion without its Eagle? Read also the cruel Event of *Herod's* fixing a Golden Eagle upon the Gate of the Temple. *Antiq.* l. 17. c. 6. § 2, 3. *De Bell.* l. 1. c. 33. § 2, 3, &c.

(b) Vid. *Antiq.* l. 19. c. 5, & 6. & l. 20. c. 1, & 5.

(c) There is a *German* Professor, who has wrote a Dissertation upon this Subject, and is of my Opinion. His Name is *Schwarzius* of *Altorf*. I have endeavoured what I could, but have not been able to see his Treatise. It was printed at *Altorf*, 1720. Vid. *Wolf. Curæ.* in *Act.* x. 1. Could I have procured it, I might, I believe, have spared much of the Labour I have been at upon this Point.

(d) *Acts* xxvii. 1.

(e) *Acts* xxi. 31.

the Cohort, which was then at *Jerusalem*. For ordinarily there was but one Cohort quartered at *Jerusalem*. Upon the great Feasts, and the Apprehension of any Commotion, doubtless there were more Cohorts sent thither. For which Reason there were frequent Marchings of the Soldiers between *Jerusalem* and *Cæsarea* (a). But that there was ordinarily one Cohort only at *Jerusalem*, seems evident to me from what passed between *Florus* and the *Jewish* Magistrates, when he left the City the last Time, just before the War broke out. He told them of his Departure, and offered to leave with them as strong a Guard as they should desire. They undertook that all things would be secure and quiet, if he would leave with them a Cohort, but not that which had fought with the Inhabitants; for the People could not but have an Enmity to that Cohort, by reason of what they had suffered. For *Josephus* tells us before, that *Florus* had ordered the Soldiers to plunder part of the City, and kill all they met with. In the Execution of which Order, the Lives of three thousand six hundred of the Inhabitants were destroyed (b). *Florus* agreed to the Proposal, and having changed the Cohort as they desired, returned with the rest of the Forces to *Cæsarea* (c). As it is not to be thought that the Magistrates at such a time as this would have

(a) Vid. Antiq. l. 18. c. 4. Huj. for 3. § 1. De Bell. Jud. l. 2. c. 15. § 3.

(b) De Bell. Jud. l. 2. c. 14. § 9.

(c) Ibid. c. 15. § 6.

asked for a less Guard than was usually placed at *Jerusalem*, so we may be very sure, that if they had, *Florus* would not have consented to it. And by those Words, ἀλλάξας τὴν σπεῖραν, *having changed the Cohort, as the Magistrates desired*, it should seem, that it was not any Part of the Forces which *Florus* brought with him, but the Cohort which was in Garrison at *Jerusalem*, that had done the Mischief, and irritated the People.

§ 2. We read in the History of the *Acts*, that the Owners of the Maid, which had the Spirit of Divination, drew *Paul* and *Silas* to the Magistrates, and accused them of troubling the City, and teaching Customs, which were unlawful for them to receive and observe, being *Romans* (a). Persons, who are in the least acquainted with the State of our Colonies in the *West-Indies*, cannot but know how much the Price of a Slave is increased by the Profession he is of, the Business he has learnt, and the Capacity he is in of earning Money. The ancient *Greeks* and *Romans* possessed Slaves of all Professions, Philosophers (b), Rhetoricians, Grammarians, Physicians, as well as Persons bred up to every sort of Mechanick Trade (c).

Among

(a) Ch. xvi. 19—21.

(b) Thus was the celebrated *Plato*, Diog. Laert. l. 3. n. 19. Sen. Epist. 47. p. 117. Vid. Plut. in Dion. Corn. Nep. in Dion. cit. in Not. Menag. in Diog. Laert. Thus was the famous *Diogenes* the Cynick, being sold to *Xeniades* the *Corinthian*, Diog. Laert. l. 6. n. 29, 30, 36. Sen. Ep. 47. p. 117. And *Epictetus* the Stoick. Vid. Fabric. Bib. Græc.

(c) Vid. Pignor. de Servis. & Popma de Oper. Serv. *Diogenes* tells *Xeniades*, who bought him, that a Physician, or a Pilot, though

Among the rest, they sometimes happened to have Slaves that were Astrologers, or Magicians, or Diviners (a). Ἐγγαστριμοῦδοι, or those who had the Spirit of *Python*, were doubtless very rare, and the Purchase of such a one must have been exceeding high. The Maid-Servant here mentioned, you see, is represented as having more than one Owner. Her Price, it is likely, was too great to be advanced by a single Person. At least no one in Prudence cared to risque so large a Sum upon the Uncertainty of a Life. For though she brought much Gain, how soon might it be cut off by her Decease?

There were two Things therefore, which deeply affected her Owners, upon *St. Paul's* having cast out the Spirit: The Disappointment of their Hopes, and the Loss of their Capital. This Person would now sell for no more than a common Servant-Maid. Unquestionably they thought that no small Injury was done them, and were highly provoked. They hale *Paul* and *Silas* therefore to the Magistrates. But what can they accuse them of? *St. Paul* had herein broken no *Roman* Law. The casting out a Spirit of Divination was a Thing unknown, unheard of among the *Romans*, and therefore we may be sure there was no Law to provide against it. For this Reason they are obliged to take up with general Accusations, such as troubling the City, and teaching Cu-

though a Slave, must be obeyed. That in like manner he ought to hearken to him, though his Slave. *Diog. Laert.* l. 6, c. 30, 36.

(a) *Vid. Pignor. de Serv.* p. 355.

stoms, which it was not lawful for the *Romans* to receive. The Name of *Jews* was generally odious among the *Heathen* (a), so that they readily believed any Crimes imputed to them. The Masters of the Damsel therefore open their Indictment, with declaring, that the Persons accused were *Jews*.

No doubt *St. Paul* had taught in this, as in all other Cities of the Heathen, that they should turn from the Worship of Idols unto the living God, who made Heaven and Earth. How far the teaching this was punishable by the *Roman* Laws, is not now so clear. That there were Laws forbidding the introducing of strange Deities, or new Rites and Ceremonies, in the publick Worship, is most certain (b). Notwithstanding, there seems to have been a Toleration both at *Rome*, and throughout the whole Empire, for every Person to worship what Gods he pleased, and in what manner he thought fit, at his own Home in private (c). Nor does

(a) Suspiciosa ac maledica civitate, spoken of the Nation of the *Jews*, Tull. pro Flac. c. 28. Judæa gens contumelia numinum insignis, Plin. l. 13. § 9 p. 69. Dum Assyrios penes, Medosque & Persas Oriens fuit, despectissima pars scivientium. And a little after, Tetrerrimam gentem, Tac. Hist. l. 5. c. 8. p. 358.

(b) Liv. l. 39. c. 16. p. 1156. Tull. de Leg. l. 2. c. 8. & 10. See the Advice of *Maccenas* to *Augustus*, Dio, l. 52. p. 490, D. and how far he followed it, Suet. Aug. c. 93, pr.

(c) Καὶ ὁ πάντων μάλιστα ἐγγυε τεθαύματα, καίπερ μυρίων ὄσων εἰς τὴν πόλιν ἐληλυθόταν ἑθ. ἐν, Οἷς ΠΟΛΛΗ ΑΝΑΓΚΗ ΣΤΕΒΕΙΝ ΤΟΤΣ ΠΑΤΡΙΟΤΣ ΘΕΟΥΣ ΤΟΙΣ ΟἴΚΟΘΕΝ ΝΟΜΙΜΟΙΣ, ἄδειὸς εἰς ζῆλον ἐληλυθε τῶν ξενικῶν ἐπιτηδεύματων ἢ πόλις δημοσίᾳ, ὁ πολλὰς πρὸν συνέβη παθεῖν. Dionys. Hal. l. 2. c. 19. Omnes enim religione moventur, & Deos patrios sibi retinendos arbitrantur. Cic. in Ver. quoted by Dr. *Whitby* on Acts xvi. 21.

there

there seem to have been any Law against the instructing Persons in private in the Ceremonies and Worship of any Deity. The *Jews*, we know, made many Profelytes at *Rome* itself (a), as well as in other Parts of the Empire.

However, whether the Preaching of the Apostle was a Crime against the *Roman* Law or not, the Magistrates of *Philippi* heard no Proofs of the Things alledged, nor gave the Prisoners leave to make any Defence; but, seeing the Populace enraged against them, without more ado stripped them, beat them, and committed them to close Confinement. It is not improbable, that the Magistrates might have been before informed of what had happened to the Servant-Maid; might impute the Change wrought in her to some wicked magical Arts; might think it no small Injury done to her Owners, and looking upon *Paul* and *Silas* as mean and contemptible Persons (b), and seeing the whole City set against them, and demanding their Punishment, they might judge it the most prudent Part to act as they did, in order to appease and satisfy the Multitude.

§ 3. The Magistrates here are called ἀρχοντες (c), and στρατηγοί (d). The Word ἀρχοντες

(a) Vid. Hor. Sat. l. 1, 4. v. ult. Juv. Sat. 14. v. 96, &c. Pers. Sat. 5. v. 179, &c. Jos. Antiq. l. 18. c. 4. § 5.

(b) It is very likely, that it was usual for them to chastise Slaves, and Persons who were esteemed of a mean and servile Condition, in this hasty manner. Even the Municipal Magistrates had a Power to chastise Slaves, l. 12. ff. de Jurisd. Vid. & Huber. Dissert. l. 1. Diss. 1. c. 6. p. 37. & Diss. 2. c. 3. p. 54.

(c) Ver. 19.

(d) Ver. 20.

signifies

signifies Rulers or Governors in general; but *ἑρατῆγοι* is the Word used by the *Greeks* to denote the *Roman* Prætors. The proper Name of the Magistrates in a *Roman* Colony is *Duumviri*, who answer to the Consuls at *Rome* in the same manner as *Decuriones* to the Senate. *Tully* informs us, that the *Duumviri* of *Capua* called themselves Prætors, and had Lictors going before them, not with Sticks or Staves, but with the *Fasces* or Rods, in the same manner as the Prætors had at *Rome*; and thinks it not improbable, that in a few Years they would affect the Name of Consuls (*a*). I make no doubt, but that the Example set by *Capua* soon spread, and it became common in other Colonies also to call their Magistrates Prætors. No wonder if the *Greeks* therefore, who were great Masters in the Art of *Flattery*, and never diminished or lessened the Honours due to any, gave them all the Name of *ἑρατῆγοι*, or Prætors. That they did so, is very evident from the Book of *Modestinus* the *Roman* Lawyer, *de excusationibus*, which he wrote in the *Greek* Language, wherein speaking of the Magistrates of Colonies, he calls them *ἑρατῆγοι* (*b*). And *Theophilus*, a *Greek* Interpreter of the Laws,

(*a*) Cum cæteris in coloniis Duumviri appellentur, hi se Prætores appellari volebant. Quibus primus annus hanc cupiditatem attulisset, nonne arbitramini paucis annis fuisse Consulium nomen appetituros? Deinde anteibant lictores, non cum bacillis, sed, ut hic prætoribus antecunt, cum fascibus duobus. De leg. Agrar. 34. (93.)

(*b*) In l. 6. § 16 ff. De excusat. Tut. & l. 15. § 9. eod. Vid. Hub. l. 1. Diss. 2. p. 51.

does the same (a). If the *Roman* Lawyers give them that Name, we may be sure it was only because it had been the prevailing Practice.

§ 4. As we have seen from *Tully*, that the *Duumviri* of *Capua*, or *Prætors*, as they called themselves, had their *Lictors* with the *Fasces* going before them, so we find in *St. Luke*, that the *Magistrates* of *Philippi* had also their *πα-
ῤῥῆχοι* (b), which is the Word used by the *Greeks* to signify the *Roman* *Lictors*. These were Officers who constantly attended the chief *Roman* *Magistrates*, to be ready upon all Occasions to seize and chastise Offenders. It is said the *Magistrates* of *Philippi* rent off the *Cloaths* of *Paul* and *Silas* (c), i. e. they ordered the *Lictors* or Officers to do it. Nothing more common than to impute that to the *Magistrate*, which is done by his Order (d). It was the Custom to strip Malefactors, before they beat or scourged them. They did not give the Offender leave to pull off his own *Cloaths*, nor would they suffer the Officers to untie, unhasp, or unbutton them, and to take them off in a regular way; but they were torn or rent off their *Backs* in the hastiest manner. The Word

(a) Ad Tit. 20. § 4. lib. 1. Instit. Vid. Hub. p. 53.

(b) Ver. 35, 38.

(c) Ver. 22.

(d) Thus, although it is said, v. 22. that the *Magistrates* commanded them to be beaten, yet, v. 23. it is said the *Magistrates* laid many *Stripes* upon them, and cast them into *Prison*; and v. 33. The *Magistrates* have beaten us openly, and have cast us into *Prison*. Thus it is said, *Philip* King of *Macedonia*, ἐμασίωσεν scourged *Aphthonetus*, and ἀπέκτανεν executed, or put to Death, *Archidamus*. *Ælian*. Var. Hist. l. 14. c. 49. Vid. Periz. notas.

περιρρήξαντες made use of by St. *Luke*, signifies this, and is the very Word made use of by other *Greek* Authors (*a*); and a Word of the same Import, signifying Force and Violence, by the *Latins* (*b*).

§ 5. The Magistrates having given strict Charge to the Gaoler to keep *Paul* and *Silas* safely, it is said he thrust them into the inner Prison, and made their Feet fast in the Stocks (*c*). The inner Prison goes by a great Variety of Names among ancient Authors (*d*), and is in one Place of the *Roman* Law called *sedis intimæ tenebræ* (*e*). It was dark as well as inward, remote both from Light and Air. The Stocks, called in the *Greek* ξύλον, in *Latin* *Nervus*, or *Cippus*, was an Engine so contrived, that the Prisoner sitting on the Ground, his Legs were put into two Holes, which were drawn asunder to what Degree the Gaoler pleased, so that the Person fastened therein often lay in the greatest Torture and Misery. Mention is made of this Engine by many of the ancient Authors (*f*).

§ 6. We read afterwards, that the Gaoler would have killed himself, supposing that the

(*a*) Plut. in *Mario* & in *Camillo*, citat. Grot. in loc.

(*b*) Lacerantibus vestem lictoribus, Liv. 28. Scissa veste, Tac. Hist. l. 4. c. 27. Fasces lictori auferentem & sua vestimenta scindentem, quia tardius scindebantur aliena, Senec. de *Ira*, l. 1. c. 16. p. 21, pr. Vid. Grot. ibid.

(*c*) Ver. 23, 24.

(*d*) Vid. Wolf. Cur. in loc.

(*e*) L. 1. circa med. C. de custod. reor. Tenebris vinculisque mandare. Tul. in *Cat.* 4. (10.) 5.

(*f*) Vid. Grot. in loc. & Wolf. Cur.

Prisoner had been fled (a). The Cause of this sudden and desperate Resolution was the severe Punishment he dreaded. For by the *Roman Law* the Gaoler was to undergo the same Punishment, which the Malefactors, who escaped by his Negligence, were to have suffered (b). And it was a usual thing both with *Greeks* and *Romans*, in any great Distress, immediately to rid themselves of their Fears and Lives together (c). Even the Philosophers themselves countenanced and encouraged this Practice (d).

§ 7. The Magistrates, having appeased the People by scourging and imprisoning *Paul* and *Silas*, had attained their chief End. No doubt they thought the Prisoners had undergone sufficient Punishment, since no Crime was proved against them, and therefore sent an Order to the Gaoler the next Morning to discharge them.

(a) Ver. 27.

(b) L. 4. C. de Custod. reor. Vid. & l. 8. & 12, ff. eod.

(c) Vid. Tull. pro Cluen. 61. (171.)

(d) By their Doctrine. Vid. Sen. de Prov. c. 2, prop. fin. & c. 6. per tot. Epist. 58, prop. fin. Quemadmodum navem eligam navigaturus, & domum habitaturus, ita mortem utique, qua sum exiturus e vita, Epist. 70. It was the Opinion of the Stoicks in general, εὐλόγως ἐξάξειν ἑαυτὸν τῆ βίῃ ἢ σοφὸν—καὶ ἐν σκληροτέροις γένηται ἀλγηδόνι, ἢ πηρώσειν, ἢ νόσοις ἀνιάτοις. Diog. Laert. l. 7. c. 130, fin. Vid. Not. Menag. And of the Epicureans, Æquo animo e vita, cum ea non placeat, tanquam e theatro, exeamus. Tull. de fin. l. 1. c. 15. Vid. & c. 19. & Diog. Laert. l. 10. c. 124, 125, 126, 127, & 139. And by their Practice. Thus it is said, that *Menippus* ὑπ' ἀθυρίας βρόχῳ ἢ βίον μεταλλάξει. Diog. Laert. l. 6. c. 100. *Metrocles*, ἑαυτὸν πνίξας. Ibid. c. 95. *Zeno*, ἀποπνίξας ἑαυτὸν. Id. l. 7. c. 28, fin. *Cleanthes*, ἀποσχόμενον τροφῆς τελευτήσαι. C. 176. See what is said of the Death of *Pythagoras*, Diog. Laert. l. 8. c. 19. of *Aristotle*, l. 5. c. 6. of *Empedocles*, l. 8. 69. and of *Democritus*, *Athenans*, l. 2. cit. Menag. in not. ad Diog. Laert. l. 9. 43.

But

But *St. Paul* judged it reasonable, that the Magistrates should be made sensible of their Rashness and Injustice, that it might be a Caution to them for the future not to give way to popular Clamour, and suffer themselves to be born down by the Violence of the Multitude, so as to injure and oppress the Innocent. He therefore says to the Gaoler and Lictors who brought the Order, *They have beaten us openly uncondemned, being Romans, and have cast us into Prison, and now do they thrust us out privily? Nay verily, but let them come themselves and fetch us out (a).*

It is here asked, Why *St. Paul* did not plead his Privilege sooner, in order to prevent the Punishment? Why did he not declare himself a *Roman*, while the Lictors were stripping him? As he did at another Time to the Centurion, while they were binding him with Thongs (b). When *St. Paul* spake to the Centurion, he was safely lodged in the Castle, freed from the Bustle and Hurry of the Multitude, and had Time sufficient to tell his Case in the coolest and most deliberate manner. But at *Philippi* the Execution was so hasty, that he had not Time to say any thing that might make for his Defence; and the Noise and Confusion were so great, that had he cried out with never so loud a Voice, that he was a *Roman*, he might reasonably believe, that he should not be regarded. Seeing also the Fury of the Multitude, for im-

(a) Ver. 37.

(b) Acts xxii. 25.

mediately

mediately upon the Accufation it is faid, *The Multitude rofe up together againft them (a)*; it is not improbable, he might think it moft advifeable to fubmit to the Sentence pronounced, however unjust, in order to quiet the People, and prevent a greater Evil. For he was in Danger of being forced out of the Hands of the Magiftrates, and torn in Pieces. But; whatever were the true Reafons which prevailed with *St. Paul*, not to declare himfelf a *Roman*, or whatever it was that prevented the Effect, which fuch a Declaration, if made, ought to have had, the over-ruling Hand of Providence was herein plainly vifible; for the Conversion of the Gaoler and his Houfhould was occafioned by the Execution of this hafty and unjust Sentence.

That it was unlawful to beat a *Roman* with Rods, that it was much more fo to beat him uncondemned, is evident from the *Roman Laws (b)*, *Tully (c)*, and many other Authors.

(a) Acts xvi. 22.

(b) *Porcia* and *Sempronia* mentioned by *Tully*, pro *Rabir.* 3. (8) in *Ver.* l. 5. 63, pr. (162.) Vid. & *Alex. ab Al.* Vol. I. l. 3. c. 20. p. 770.

(c) Oblitofne igitur hos putatis effe, quemadmodum fit ifte folitus virgis plebem Romanam concidere? In *Ver.* l. 1. 47. (122.) Cælebatur virgis in medio foro Meffanæ civis Romanus, iudices; cum interea nullus gemitus, nulla vox alia iftius miferi inter dolorem crepitumque plagarum audiebatur, nifi hæc, *Civis Romanus fum.* Hac fe commemoratione civitatis omnia verbera depulfurum, cruciatumque a corpore dejecturum arbitrabatur. In *Ver.* l. 5. 62, fin. 63. (162, 163.) Vid. & (144, 147.) Facinus eft vinciri civem Romanum, ſcelus verberari, prope parricidium necari. In *Ver.* l. 5. 66. (170.) Causa cognita multi poffunt abfolvi; incognita quidem condemnari nemò poteft. *Ibid.* l. 1. 9. (25, fin.)
Apollonium

thors (a). *St. Paul* says, *They have beaten us openly*. It was deemed a great Aggravation of any Injury by the *Roman Law*, that it was done in publick, before the People (b). He adds, *And now do they thrust us out privily?* Would they conceal the Injury they have done us, by discharging us thus secretly? No, it is fitting, that as they have beaten us openly, so they should make an open Declaration of our Innocence. Let them therefore come to the Prison, and publickly acknowledge the Injustice they have done us, by giving us a Dismission in their own Persons. That this and more might be sometimes done by the Magistrates conscious of a false Imprisonment, appears from *Lucian*, who represents the Governor of *Egypt* as speaking kindly to, and comforting *Antiphilus* and *Demetrius* for the Punishment they had undergone by being unjustly detained in Prison, and giving them a
 very

Apollonium—*indicta causa in vincla conjecit, l. 5. 8. (18.)* Quæram, cur hunc eundem *Apollonium*, *Verres* idem, repente, nulla nova re allata, nulla defensione, sine causa de carcere emitti iusserit? Tantumque in hoc crimine suspicionis esse affirmabo, &c. *Ibid.* 9. (22.)

(a) *Traxeratque magnam senatus partem ut indefensum & inauditum dedi ad exitium postularent.*—dari tempus, egi crimina, quamvis invisum ac nocentem, more tamen audiendum censebant. *Tac. Hist.* l. 2. c. 10. *Inauditi atque indefensi tanquam innocentes perierant.* *Ibid.* l. 1. c. 6. *Vid. & Tertull. Apuleii. Salvian. cit. Grot. in loc.*

(b) It was esteemed *atrox injuria vestimentis scissis* to have his Cloaths torn off, though he had suffered nothing in his Body, l. 9. § 1. ff. de Injur. But to undergo both, and that publickly, was a much higher Aggravation, l. 7. § 8. ff. de Injur. *Pauli Sentent.* l. 5. tit. 4. § 10. *Atrocitatem aut locus facit, aut tempus, Locus, si in theatro aut in foro fiat—Si die festo ludorum, & conspiciente populo, injuria fiat, atrox est tempore.* *Vid. it. Not. 32.*

very large Sum of Money out of his own Purse (a).

It is afterwards said, that *the Magistrates feared (b) when they heard that they were Romans, and came and besought them (c), and brought them out, and desired them to depart out of the City (d).* The Magistrates, conscious of the Iniquity they had committed, and the Punishment they were liable to, might well be afraid. For *Paul and Silas* had their Option, either to bring a civil Action against them, or to indict them criminally for the Injury done (e). In either of which Cases had they been cast, they were rendered infamous (f), would be incapable of being any more in the Magistracy (g), and subjected to several other legal Incapacities (h),

(a) Toxaris, p. 80. D, E.

(b) In like manner it is said of *Lysias* the Tribune, that he was afraid, after he knew that he was a Roman, and because he had bound him, *Acts* xxii. 29.

(c) It should rather have been translated *comforted them*, παρακαλεσαν αυτους, exactly of the same Import with *Lucian's* παραμυθησάμενος. Toxar. ubi supra. They gave them good Words, telling them how little they had deserved the Treatment they had suffered, commended their Patience, and said every thing that was proper to induce them to forgive the Injury. Vid. *Apul. Miles.* 3. p. 50.

(d) Ver. 38, 39.

(e) Vid. Voet. ad Pand. l. 47. tit. 10. § 2, 13, 14, 15, 24. Huber. Dissert. l. 1. p. 57, 58.

(f) L. 1. ff. de his qui not. infamia, l. 7. ff. de pub. Judiciis. Pauli Sent. l. 5. tit. 4. § 9. Vid. not. 27—31.

(g) L. 5. ff. de Decurionibus & Pauli Sent. l. 1. tit. de Decur. § 3.

(h) They could neither be nor appoint *Procuratores* and *Cognitores*, Attorneys and Solicitors. Pauli Sent. l. 1. tit. 2. § 1. l. 1. § 8. ff. de postul. § ult. Instit. de exception. l. 15. § 2. ff. de probation. l. 7. ff. de postul.

besides the Punishment they were to undergo at the Discretion of the Judge, which in so atrocious an Injury could not have been small (a). The learned *Grotius* is of Opinion, that they might have been indicted for the Crime *læsæ majestatis*, of Treason against the *Roman* People. For he adds, such was the Law, that the Majesty of the *Roman* People was thought to be hurt by the hurting of a *Roman* Citizen (b). But I cannot find that he has sufficient Authority for this.

It may possibly be asked, how *St. Paul* found so easy Credit, when he asserted, that he was a *Roman*, both here at *Philippi*, and in the Castle of *Antonia* at *Jerusalem*? It is very probable, that the Magistrates of *Philippi*, when they sentenced him to be whipped without a Hearing, took him for a Person of a mean and servile Condition. It is certain, they treated him as such. It is not unlikely, that *Lysias* the Tribune might have the same Notion of him, when he ordered him the Question. Is it to be supposed, that they would readily believe one, whom they looked upon as in so low a State of Life? and that, in a thing, which was so manifestly for

(a) In quos extra ordinem animadvertitur, ita ut prius ingruentis consilium pro modo commentæ fraudis poena vindicetur exilii, aut metalli aut operis publici. Pauli Sent. l. 5. tit. 4. § 8. l. ult. ff. de Injur. l. ult. ff. de privat. delict. The Injury done *St. Paul* was dupliciter atrox, re & tempore. L. 7. § 8. ff. de Injur. or tripliciter, according to Pauli Sent. l. 5. tit. 4. § 10. Etiam ex lege Cornelia injuriarum actio civiliter moveri potest, condemnatione æstimatione judicis facienda. l. 37. § 1. ff. de Injur. l. 7. § 6. ff. eod.

(b) In Ver. 38.

his present Advantage? The Answer to this is clear. It was at his own great Peril, if he was afterwards found not to be what he had professed. *Arrian* tells us, that those who feigned themselves to be *Roman* Citizens, when in Truth they were not such, were severely punished (a). And what is yet more home to the present Purpose, *Suetonius* informs us, that the Emperor *Claudius* beheaded such who usurped the *Roman* Citizenship, and that in the Place where they usually executed Malefactors (b). It was the eleventh Year of this Emperor's Reign, when *St. Paul* was imprisoned at *Philippi*; so that it was at no less Peril than that of his Life, and he was in Danger of suffering the shameful Death of a common Malefactor, had he taken upon him to plead the Privileges of a *Roman* Citizen, and was not such in Truth.

§ 8. It is said, that *Lysias* the chief Captain or Tribune commanded, that *St. Paul* should be examined by Scourging (c), that he might know what heinous Crime he had been guilty of, which so highly provoked the People. The Word which we translate *examine*, signifies to examine by Torture (d). It was part of the *Roman* Law to torture Persons, in order to find

(a) Qui jus Romanæ civitatis mentiuntur, graviter puniuntur. In *Epictet.* l. 3. c. 22. cit. *Basnage.* Ann. Vol. I. p. 627. n. 21, fin. Vid. & *Tull.* de *Offic.* l. 3. 11. (47).

(b) Civitatem Romanam usurpantes in Campo Esquilino securi percussit. *Clud.* c. 25. n. 9.

(c) Acts xxii. 24.

(d) Μάστιγιον ἀνατάξασθαι. Vid. *Grot.* in *Matt.* xxvii. 19. & *Wolf.* Cur. in loc.

out the Truth (*a*). That *Scourging* was used by way of Question or Torture, is evident both from the *Roman Law* and *Historians* (*b*); and indeed, I am apt to think, they commonly began the Question with *Scourging* (*c*). It is added, *And as they bound Paul with Thongs* (*d*). The Words in the *Greek* are *ὡς προέτεινεν αὐτὸν τοῖς ἰμάσιν*, which signify not the binding him, but the shewing him the Thongs wherewith they were to scourge him, and threatening him therewith (*e*). For this undoubtedly was the Method, to bring into their View, and lay before Persons the Instruments and Engines of their Torture, to try whether they would not confess the Truth before they were actually applied (*f*).

§ 9. The chief Captain, we are told, *was afraid*, after he knew that *Paul* was a *Roman*, *because he had bound him* (*g*). For it is before said, that *he had commanded him to be bound with two Chains* (*h*). *Tully* informs us, that it was a Crime to bind or imprison a *Roman Citizen* (*i*); he means, no doubt, uncondemned, as was the Case we are now speaking of. It is well known,

(*a*) Vid. Tit. de Quæstionibus in D. & C. Pauli Sent. l. 5. tit. 14. de Quæstionibus habendis. Suet. Aug. 19. 4. Tib. 19. 3. & 58. 2. & 62. 1, 2, 3. Cai. 32. 2. Claud. 34. 2. Ner. 35. 7. Tac. Ann. l. 1. c. 30. n. 5. & l. 14. c. 60. n. 3.

(*b*) Vid. Grot. in Matt. xxvii. 19.

(*c*) At illam non verbera, non ignes, non ira eo acrius torquentium, ne a foemina spernerentur, pervicere. Tac. Ann. l. 15. c. 57.

(*d*) Ver. 25.

(*e*) Vid. Grot. in loc. & Wolf. Cur.

(*f*) Tormentorum adspectum & minas non tulere. Tac. Ann. l. 15. c. 56. Voet. in ff. de Quæst. § 2. ad fin. pag.

(*g*) Ver. 29.

(*h*) Acts xxi. 33.

(*i*) Facinus est vinciri civem Romanum. In Ver. l. 5. (170).

that one Method of Confinement among the *Romans* was by chaining the Prisoner to a Soldier (*a*). The Chain was fastened by one End to the Wrist of the Prisoner, by the other End to the Wrist of the Soldier. And sometimes they were fastened by two Chains to two Soldiers. In this manner was *St. Paul* conducted into the Castle of *Antonia*, and lay there chained between two Soldiers the first Night (*b*).

Lysias discoursing with *St. Paul* in the Castle, after having asked him whether he was a *Roman*, says, *With a great Sum obtained I this Freedom* (*c*). That the Freedom of the City of *Rome* was oftentimes sold, we may easily collect from a Passage in *Tully* (*d*); and that it was so more particularly in the Reign of the Emperor *Claudius*, *Dio* will inform us (*e*).

(*a*) Vid. Tit. ff. de custod. & exhib. reor. Alligatique sunt etiam qui alligaverunt, nisi tu forte leviozem in sinistra catenam putas. Sen. de Tranq. c. 10. Eadem catena & custodiam & militem copulat Sen. Epist. 5, prop. fin. Joseph. Antiq. l. 18. c. 7. § 5.

(*b*) Ver. 30.

(*c*) Ver. 27, 28.

(*d*) Ei Dolabelli rogatu meo civitatem a Cæsare impetravit.—Cumque propter quosdam sordidos homines, qui Cæsaris beneficia vendebant, tabulam, in qua nomina civitate donatorum incisa essent, revelli jussisset; eidem Dolabellæ, me audiënte, Cæsâr dixit, nihil esse quod de Megâ vereretur; beneficium suum in eo manere. Ad Famil. l. 13. ep. 36.

(*e*) Πολλοὶ παρὰ τῆ Μεσσαλίνης τῶν τε Καισαρείαν ὄντων (τὴν πολιτείαν) καὶ διὰ τῆτο μεγάλων τὸ πρῶτον χρημάτων πραδεῖσα, ἐπειθ' ἔτος ὑπὸ τῆ εὐχερείας ἐπευωνήθη, ὥς καὶ λογοπρηνήθῃναι ὅτι καὶ ὑάλινα τὶς σκεύη συντετριμμένα δῶ τινὶ, πολίτης ἔσαι—ἢ δ' ἐν Μεσσαλίνα, οἱ τε ἀπελεύθεροι αὐτῆ οὕτως ἔ τὴν πολιτείαν μόνον, ἐδὲ τὰς στρατείας, καὶ τὰς ἐπιτερείας, τὰς τε ἡγεμονείας, ἀλλὰ καὶ τ' ἄλλα πάντα ἀφειδῶς ἐπώλεν καὶ ἐκαπήλευσε. Dio, l. 60. p. 676, C, D, E. Hence Tacitus says, Per avaritiam Claudianorum temporum, empto jure muniendi. Hist. l. 5. c. 12.

We read that *St. Paul* (a) appealed from *Festus* the Procurator of *Judæa* to *Cæsar* (b). There were many Laws made by the *Romans*, allowing of Appeals from inferior Magistrates (c), and particularly from the Governors of Provinces. The Emperor *Augustus* appointed certain Persons of consular Dignity to hear such Appeals (d). 'Tis

(a) It has been a Question much agitated among the Learned, how *St. Paul's* Ancestor became free of the City of *Rome*? *St. Paul* saying in his Answer to *Lyfias*, *But I was free-born*, Acts xxii. 28. Vid. Gron. not. ad *Joseph.* p. 41.—46. Never certainly was there a Dispute more needless, since it is so very plain from many unquestionable Authorities, that the Freedom of the City of *Rome* was attainable by Foreigners various ways. By Merit: Thus the two whole Cohorts of *Camertians* before named; thus *Heraclienfium Legio*, and many others, mentioned by *Tully* in the same Place, pro *Balbo*, c. 22. By Favour: Thus the Cohort garrisoned at *Trapezus*, spoken of by *Tacitus*, Hist. l. 3. c. 47. Thus *Alaudarum Legio*, so often mentioned by *Cicero*. Suet. Jul. 24. 2. Nothing more certain, than that the *Jews* assisted *Julius Cæsar* with their Forces. *Jof. Antiq.* l. 14. c. 8. § 1, 2, 3. which he also very gratefully acknowledges. *Ibid.* c. 10. § 2, 7. The like they did by *Mark Antony*. *Ibid.* c. 15. § 8. Can it be supposed, that many of them did not at that Time, either by Merit or Favour, procure the Freedom of the City of *Rome*? Or was it *Antipater* alone who had that Honour conferred on him? *Ibid.* c. 8. § 3. By Money, as we have already seen. Hence probably it is we read of so many *Jews* free of the City of *Rome*, who dwelt in *Greece* and *Asia*. *Ibid.* c. 10. § 13, 14, 16, 17, 18, 19. By being freed from Servitude: That very great Numbers became Citizens this way through the Covetousness or Vain-glory of their Masters, as well as from their own Merit, vid. *Dionys. Halic. Ant. Rom.* l. 4. c. 24. Suet. Aug. c. 42. n. 3. That Multitudes of the *Jews* in particular became free this Way, appears from that *Tiberius* enlisted four thousand freed *Jews* at one time, and sent them to *Sardinia*. Compare Suet. *Tib.* c. 36. n. 2. Tac. *Ann.* l. 2. c. 85. n. 4. *Jof. Antiq.* l. 18. c. 3. § 5.

(b) Acts xxv. 11, 25. & xxvi. 32.

(c) *Alex. ab Alex.* l. 4. c. 6. L. 49. tit. 1, 2, 3, 4, 5. Dig. Grot. in loc. Wolf. Cur. in loc.

(d) *Appellationes quotannis urbanorum quidem litigatorum prætori delegavit urbano: at provincialium consularibus viris, quos,*

'Tis added, that upon this Appeal *Festus consulted with the Council* (a). That the Governors of Provinces had a certain Number of Persons with them, which they were obliged to consult and advise with, and particularly in Matters of Judicature, is abundantly evident from *Tully* (b), *Josephus* (c), *Dio* (d), and *Philo Judæus* (e).

St. Paul was after this sent with other Prisoners to *Rome* (f). It was a usual thing to send Persons from the Provinces to be tried at *Rome*, as we learn from *Suetonius* (g), *Josephus* (h), *Pliny* (i), and other Authors.

When they were arrived at *Rome*, it is said, *the Centurion delivered the Prisoners to the Cap-*

quos singulos cujusque provinciæ negotiis præposuisset. Aug. c. 33. 4. Vid. Pitisci Not. ibi, n. 14, 15. (a) Ch. xxv. 12. (b) Honestos homines, qui causam nôrint, ablegat, a concilio que dimittat? In Ver. l. 2. 32. (79.) Illud negabis, te concilio tuo dimisso, viris primariis, qui in concilio C. Sacerdotis fuerant, tibi que esse solebant, remotis, de re judicata judicasse? te que eum, quem C. Sacerdos, adhibito concilio, causa cognita, absolvisset; eundem remoto concilio, causa incognita, condemnasse? Ibid. 33. (81.) Servos, quos ipse cum concilio, belli faciendi causa consensisse judicavit, eos sine concilii sententia, sua sponte, omni supplicio liberavit, l. 5. 8. (18.) Crimen sine accusatore, sententia sine concilio, damnatio sine defensione. Ibid. 9. (23.) (c) Antiq. l. 20. c. 4. § 4. & de Bell. l. 2. c. 16. § 1. (d) Τὴς δὲ δὴ παρέδρες αὐτὸς εαυτῶ ἑκάστος ἀιρεῖται, ἓνα μὲν ὁ ἐσρατηγηγότες, καὶ ἐκ τῶν ὁμοίων σφισιν, ἢ καὶ τῶν ὑποδεσέξων τρεῖς δὲ, οἱ ὑπατευκότες, ἐκ τῶν ὁμοτίμων, εὐς ἂν καὶ ὁ αὐτοκράτωρ δοκιμάσῃ. l. 33. p. 505. fin. Doubtless ἦ stands not here for *or*; but for *eight*. The Proprætor chose one of Prætorian, and eight of inferior Dignity. The Proconsul three of consular, and I suppose also eight or more of a lower Rank. (e) Leg. ad Caium, p. 1027, B. fin. Vid. Grot. in Matt. xxvii. 19. (f) Acts xxvii, 1. (g) Aug. c. 33. 4. (h) Ἰερ. i. τινας, καὶ ἑξ καὶ γὰρ δὲ, διὰ μικρὰν καὶ τὴν τυχεύσαν αἰτίαν δήσας εἰς τὴν Ῥώμην ἐπέμψεν, λόγον ὑφέξοντος τῷ Καίσαρι. Vit. § 3. Antiq. l. 20. c. 5. § 2. de Bell. l. 2. c. 5. § 3. & 12. § 6. & c. 13. § 2. (i) L. 10. ep. 97.

tain of the Guard (a), but Paul was suffered to dwell by himself with a Soldier that kept him (b). That it was usual for Prisoners to be put under the Care of the *Præfectus Prætorio*, or Captain of the Guard, is evident from *Tacitus* (c), *Josephus* (d), and *Pliny* (e). And though they were ordinarily confined in the Prætorian Camp, yet that such as were esteemed less guilty were sometimes favoured so far, as to be permitted to dwell in their own Houses with a Soldier chained to them, appears from *Josephus* (f). And this I take to be that which in the Roman Law is called *Aperta, & libera, & in usum hominum instituta custodia militaris* (g).

It is said, *Acts* xxii. 30. of *Lysias* the commanding Officer at *Jerusalem*, who in the Absence of the Procurator supplied his Room, and acted as such, ἐκέλευσεν ἔλθειν τὰς ἀρχιερεῖς καὶ ὅλον τὸ συνέδριον αὐτῶν. In like manner *Josephus*, *de Bell.* 1. 2. c. 15. § 6. says of *Gessius Florus* the Procurator, Μιταπεμφάμενος τὰς τε ἀρχιερεῖς καὶ τὴν βουλὴν.

(a) Τῶν στρατοπέδων ἀρχὴ, very properly translated Captain of the Guard, or *Præfecto Prætorio*; for there was but one Camp in the City of *Rome*, and that was of the Prætorian Soldiers. Vid. *Tac. Ann.* 1. 4. 2. *Suet. Tib.* 37. 2. vid. *Not. Pitisci ad Aug.* 49. 4. n. 12.
 (b) *Acts* xxviii. 16. (c) *Cit. Grot. in loc.* (d) *Antiq.* 1. 18. c. 6. (*Hud.* 7.) § 6. compared with *Suet. Cai.* c. 12. 3. *Dio*, 1. 58. p. 626, *C. Agrippa* was ordered into the Custody of *Macro Præfectus Prætorio* by *Tiberius*, and we read, that many were under the same Confinement. *Jos. ibid.* § 7. and that the Place of their Imprisonment was the Camp, For when *Agrippa* was ordered to a more easy Confinement at his own House, it is said, ἐκ τῆς στρατοπέδου μετασέσεν εἰς τὴν οἰκίαν. *Ibid.* § 10.
 (e) *L.* 10. ep. 65. (f) *Ubi supra.* (g) *L.* 2. C. de *Exact. Trib.*

The End of Vol. I

