

magistrate did sitt upon civil causes only; for that were not likely that Jehosaphat would appoint Levites to be under officers in such a court, but rather where together with Zebadiah the high priest did sitt. Thirdly this I note that whereas it is always most likely that expresse mention should be made of any court at the first institution rather than at a restitution afterwarde; they are fayne to fly from the booke of Moses, (by whome if any such court as they conceive had been established, it is most likely that he would have + expressly set downe the institution thereof,) and to picke out a court out of Jehosaphat's reformation; whome because they must suppose to have established nothing but that which by Moses was commanded, it were to be wished they would shewe where any such court was appointed by Moses. Which if they cannot, it seemeth a farre more naturall course to construe the reformation of Jehosaphat + according to that which we find in the booke of Moses, then to coniecture any newe thing of Moses doinges upon an after-ground of Jehosaphat's reformation<sup>1</sup>. But to conclude this point (for you may well thinke with yourself "Ne sutor") I take it were not amisse after some brief collection of these positions concerning the Jewes estate to shewe the difference betweene that which they desire and that which was amongst the Jewes. The high senate of the Jewes + was but one, it was a standing court, it was a court whereunto men might appeale from all inferiour courtes. One of the chief in the court was the high priest, and sometymes the onely chief in both kynde of causes, the rest were of the nobility, none of the common people; whereas they make a high senate in every parish, from whence although there lye an appeale, yet to no standing court, and in that court or synode no perpetuall chief gouvernor. Moreover they take away superiority of ministers, and civil authority from ministers, and bestowe ecclesiasticall in part upon the common people. Many such differences you may conceive. But suppose the state of the Jewes were such as they would fayne have it; why + should we be tyed to the Jewish polity in the matter of lay-elders, and they be free in the matter of inequality betweene ministers. Here may come in that which before I mentioned p. 28. One thing I have omitted in this discourse, which is, that if in any prophane or ecclesiasticall story you could exemplify where two presidents have beene over one court in causes of a different nature, I thinke it would greatly cleare that point of Amariah and Zebadiah in the

<sup>1</sup> [See Sutcliffe, "de Presbyterio," p. 20, 29; and "False Semblant," &c p. 80.]

story of Jehosaphat. I can call no example to my remembrance. I leave yt therefore to your consideration.

For this long discourse you shall pardon me, because I have done yt partly to settle that in my head by writing, which by bare reading perhaps would have flitted away the sooner, partly because if I be deceived in any part of your meaning, you may both reforme my opinion, and cleare the matter in such sort that others may not be deceived with me.

Whatsoever you shall thinke meete to be placed in your booke out of these observations, you may place them severally where you see cause; for I perceive they cannot well be ioyned altogether<sup>1</sup>.

"It resteth therefore." What their opinion is hath not beene plainly sett downe before in the beginning nor in this place it is not manifest, so as it will not so clearely appeare whether the dispute about Jehosaphat's reformation and this which followeth doth appertayne. I could wishe therefore that in the beginning of this discourse concerning Jewish regiment their opinion were plainly delivered and the point wherein you contradict them. As likewise I thinke it were meete that in the beginning of the booke, after you have refuted Erastus, the state of the question in general concerning lay elders were layd open in most playne termes; which may be very well done in one or two sentences. I thinke those wordes of Mr. Cartwright p. 70 might be referred to that place, because they are the general description of lay elders in such sort as they would have them. And I like Mr. Sandes judgement very well in your second booke concerning the setting downe of the state of the question, and I thinke yt meete to be observed through this whole booke, both in the generall questions and in particular thereout arising.

"The Evangelistes." Quote it; and with all their wordes. Lett + the force of their reason appeare and likewise of your awnswere both in this argument and those which followe.

"Auncients simply so named." Who these were you do not signify, nor give any coniecture whereby we may guesse who they were.

"Sith Joseph." I would say of Arimathæa for distinction. ~ Againe, I perceive at all no force in this argument of theirs because + there is no shadowe of proof that Joseph was not one [of] the 70, wherein the force of their argument should stand.

<sup>1</sup> [This sentence has a pen drawn across it in the MS.]

- P. 53. "Which condemned Christ." It were good to make this and the former reason together with your awnswares very plaine and manifest, for the lesse force there is in their allegations, the
- + more I am desirous you should insist upon them and make their poverty apparent to the world. And in my opinion in theis two places by them alleaged you are somewhat to short, as also in that last point concerning Jehosaphat, whereof I have written before my conceit. But in this place I thinke it should be made manifest that
- + Christ was condemned by the high senate of 70, and therefore Joseph not giving his consent to the sentence against Christ must needes be of the 70: else it were no cause to commend him for not consenting unto the sentence of that court, wherein he had nothing at all to do, as beeing a senatour of an ecclesiasticall court. This I conceive is your meaning, and this I could wishe to be plainly sett downe.
- + "Ecclesiasticall." Adde, "as they say, and those of the layty," &c.
- + "Power of life and death." I thinke you meane by the Romaynes, and it were not amisse to say so much.

P. 55. "Priests and Levites." You seeme to say and also to bring some coniecturall arguments to prove that none of the grand senate of 70 were priests. Notwithstanding in the establishment thereof by Moses afterwarde in Jerusalem you shall reade<sup>1</sup>, And thou shalt come unto the priests of the Levites: in the reformation of Jehosaphat it is likewise sayd, Jehosaphat did sett of the Levites and of the priests &c. So as I should thinke that besides the high priest some of the senate were of the tribe of Levi: and then the Jewish coniecture that Moses took 6 out of every tribe to make up this senate will not stand. Moreover because this court is by you supposed to be the highest court in causes both ecclesiasticall and

+ civill, it seemeth very requisite that many priests should be associates to the high priest therein. For the causes among them determinable by priests were (as I conceive) ten tymes as many as those which by civil authority were to be decided, both because the temporal lawyers of Jury were the priests, and because in so many thinges belonging to their civil state they were to aske counsel of God by the meanes of the priest, as in making warre, peace, confederacyes, &c. The causes therefore which came to the high priest's handes being so many, it may be he had many associates.

"Had a second high court." This one thing is now come to my mynd, that I thinke this may be a great presumption against their

<sup>1</sup> Deut. xvii.

conceit of two high courtes, that it were a great absurdity to establish two courtes of souveraine authority in one realme so as the one should no way depend of the other, for it were as much as to make διπλὸν τὸ κύριον.

P. 56. "Were annexed." I would say, were joined, or associate, or such like.

P. 59. "To whome whereas." I thinke this sentence would be + plainer if you sayd, And whereas finally; putting the wordes (to whome) after attribute.

"*Judeorum Synodum.*" Translate it. And *Synodus* I take it is of the feminine gender, so is not *damnatum*, nor *illud*, nor *constitutum*.

[In margin here.] It should be *Synedrion*, and then I am awnswared.

P. 60. "The power of excommunication." I would adde, in that place meant.

P. 61. "Persons not ecclesiasticall." I had rather say, lay persons, as in the former parte of the sentence you have done; and so beate upon the word, *lay*.

"*Quum per alium.*" Translate it; and quote it. +

P. 62. "Shewe it hath of probability." It is more than a shewe of probability, as I conceive, and therefore I would give it some wordes of greater authority; as, force of reason.

P. 63. "Of our faith." I knowe not what translation you fol- + lowe, but the Greeke hath not the word, our<sup>1</sup>.

P. 65. "Wholesome exhortation." This word may seeme to savour of a scoffe, and therefore I would leave it out.

"Unto it alone." For more manifestation of their weakenes in this place I would adde, As though he which prayeth might not fast, nor he which fasteth bestow almes, nor he which bestoweth almes either fast or pray. And here because Mr. Chatterton in the fruitfull sermon<sup>2</sup> so highly magnified by them doth labour to

<sup>1</sup> [This seems to be a reference to Heb. xii. 2.]

<sup>2</sup> A Fruitfull Sermon upon Rom. xii. 3-8. Lond. Waldegrave, 1584. Especially p. 34, 35. "If you ask me, how many members there be in the body, what they be, and how they be named and called, and what be their duties and callings: the Apostle himself will answer plainly in the next verses, and perfectly and fully determine all these quotations, saying, "These members are either doctors

"to teach, pastors to exhort, elders to rule, deacons to distribute, attenders upon the poor strangers and the sick; or else the people and saints, which are taught, exhorted, ruled, and receive alms and relief. These are all, no more, no fewer. So the necessity of relation plainly proveth; and these are such as are able to execute and perform any duty belonging to the perfect building of and adorning of the mystical body of Christ, as shall hereafter appear

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prove out of this one place all partes of their discipline, and therefore interpreteth him that teacheth to be a doctor, him that exhorteth to be pastor, him that distributeth to be a deacon, him that ruleth a lay elder, him that sheweth mercy a widowe, (for thus as farre as I remember he maketh St. Paul speake after his language,)

+ I could wishe you would reade over that fruitefull Sermon and lett it not pass without some remembrance by the way. Lett them knowe it is somewhat harder to prove all their discipline out of this text, then they tooke it to be. But I would wishe you rather to lessen the authority of [it?] then by direct opposition to refute so poor a conjecture. Your similitude of the Alchymist p. 71, would serve in this place very fitly.

+ P. 66. "Ech particular." It should be either, ech mans, or each particulars possession.

"Auncientes." I thinke it were alwayes good to use the word elders or presbyters.

"Regiments." I thinke the word governements is better, both because it is that which the Apostle useth<sup>1</sup>, and because the using of another word breedeth some obscurity. And I could wishe that for the better clearing and manifesting of their folly in this argument, it were shewed how the Church hath heretofore understood that place which may be done by alleaging one or two testimonies

+ out of the fathers upon the same, if you find any meete for the purpose; for therein I thinke it were not amisse to yeeld now and then to the streame of the world. Afterwardes ἐκ περιουσίας your answere will come in. But in some places, especially where their arguments are weakest, I thinke if you did at the last drawe them into a short enthymeme, it would breed some shame in them and in

○ others a contempt of their kynd of reasoning. As, God hath left in his Church Apostles, teachers, aydes, gouvernements, ergo there must be in every congregation lay elders.

"And have the matter." I would say, and hold the matter.

When I  
speake with  
you, pray  
remember  
me to tell

P. 67. "For to the end." Because this place<sup>2</sup> only seemeth to favour their conceit, I am desirous it should be most fully answered.

The common awnswere you knowe is, to distinguish betweene those

"more at large in the particular  
"handling of every severall office."

And p. 54. "He reduceth all the  
"ordinary functions which were or-  
"dained in the Church, and which  
"are perpetually to be retained for  
"the happy success and preserva-  
"tion thereof, unto two general

"heads, that is to say, unto prophets  
"and officers, dividing either of them  
"into their severall branches."

<sup>1</sup> [In 1 Cor. xii. 28; to which this  
note clearly refers. See b. v. c. 78.  
§ 8.]

<sup>2</sup> [Viz. 1 Tim. v. 17, comp. T. C.  
i. 173; Def. 626; T. C. iii. 32.]

presbiters which teach, and those which teach with great labour and wearines. Which interpretation is taken from the force of that word, κοπιῶντες, toyling. And because this awnswere is not improbable, I could wish you did mention it. As for that which yourself alleage, I observe therein these thinges, which in their severall places you shall find prickt, but I have thought it better to sett them downe all together, first your distinction of presbyters, because it seemeth to favour an unlearned ministry, must be very sufficiently proved. For I somewhat doubt thereof, partly because it is not likely the Apostles having sett downe that rule that a<sup>1</sup> presbyter should be able to teach would themselves transgresse it, partly because it seemeth that in the prime of the Church by the imposition of the Apostles handes the spirite of God was conferred, so as none by them ordayned could want those guifts which to a minister are requisite. Secondly, Mr. Cartwright's assertion is to<sup>1</sup> be sifted more narrowly, and, in my opinion, more plainly to be sett downe, unlesse perhaps you meane to cite their very wordes in the margine; for as they are now delivered, the purpose, for which by them they are alleaged, doth not appeare, namely, to prove their lay elders<sup>2</sup> to have been established in every Church, because these presbyters appointed by Paul and Barnabas could not all be preachers, as they presume<sup>3</sup>: out of which position of theirs it will followe that either St. Paul established a lay presbytery without a pastor, or ○ if there were a pastor wheresoever there was a presbitery, then must they needes presume him a preacher, or no preacher. And which of two they list they may choose: for in both they contradict themselves. Theis absurdities I could wishe to be plainly sett downe. Thirdly, It shall not be amisse to shewe how the fathers heretofore + have understood this text, and that none of them have ever so expounded it, excepting their Ambrose<sup>4</sup>, to whom afterwardes you make awnswere. Fourthly because this question of lay elders and the next of bishops are the most essentiall points of all this controversy, I could wishe that although in the other bookes you have

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Cousines  
awnswere  
to this  
place, as I  
have heard  
from M.  
Sharpe.

<sup>1</sup> 1 Tim. iii. 2. "For at that tyme  
"I thinke the word presbyter and  
"episcopus were used promiscuous-  
"ly. And in episcopo it was re-  
"quired to be able to teach."

<sup>2</sup> "In this point I perceave that  
"I have mistaken Mr. Car. mean-  
"ing. See what I have written in  
"the end of all."

<sup>3</sup> [T. C. iii. 35; comp. Def. 628.]

<sup>4</sup> [Pseud. Ambros. in 1 Tim. v. 1.

"Apud omnes utique gentes hono-  
"rabilis est senectus: unde et syna-  
"goga, et postea Ecclesia seniores  
"habuit, quorum sine consilio nihil  
"agebatur in Ecclesia. Quod qua  
"negligentia obsoleverit, nescio;  
"nisi forte doctorum desidia, aut  
"magis superbia dum soli volunt  
"aliquid videri." ed. Bened. t. ii.  
App. 298. vid. Whitgift's Answ. 132;  
T. C. i. 182; Def. 651; T. C. iii. 44.]

rather beaten backe their arguments then brought any proof for our assertions, yet in theis two questions if you did deale with them *ἀνασκευαστικῶς καὶ κατασκευαστικῶς* I thinke it were not amisse. And in the booke of B. I thinke you have done so. [Margin] In this point I have since considered, that the questions of B. being handled *κατασκευαστικῶς* doth by way of consequence overthrow their elders, and therefore the lesse shall neede to be sayd in this point. [Text] What proofes therefore you can alleage out of Scripture, or antiquity, or reason, to breake the neck of their presbytery, I thinke it were not labour lost to alleage them. This one thing I observe that whereas the thing is urged as most necessary, and as the absolute ordinaunce of God, yet no direct place can be brought, where any such authority is given to lay elders, but here and there a text is snatcht up by the way, and construed according to their purpose.

+ Bishops and deacons are described, of their elders there is no description, only out of a clause concerning their maintenaunce, a formall distinction is coyned, and an ecclesiasticall court on the suddayne erected.

P. 68. "Whence," should be, Whome, as I take it.

"Touching propriety." I could wishe this sentence were somewhat altered. Touching propriety of speach they will not have it thought absurde in them selves when they divide, &c. nor when they affirme, &c. nor when they comprehend, &c., for this way in my opinion it is somewhat plainer.

"Laboured in." A proper division; as if there were in the Church a certayne kynd of men who might sitt still and have their salvation wrought out by other men to their hands; and another kynd who neede not looke to their owne salvation but only care for other men. And if some such clause were putt in by the way (for old acquaintance) I could like it very well.

"Leaders or presidents." I could wishe this point to be somewhat more stood upon. As, may a deacon be tearmed in their language a leader of the rest, beeing a meere layman and employed in nothing els but in the bestowing of Church almes, and is it an unproper speach in us to tearme a presbiter though unable to preach, yet autorized to administer the holy Sacramentes, and present the prayers of the people unto God, a president in the Church? Polish it as you shall thinke meete, but some such thing I could wish were sayd. Then it may followe, if therefore in respect of prayers and Sacramentes onely we should call them leaders, &c.

P. 69. "Our meaning." The force of this whole sentence I do not perceave. Neither do I see what is sayd in it more than in the

former hath been sayd sufficiently. For where you say afterwarde, was nothing else, &c.; I do not perceave what other function they could have then to minister the Sacramentes and reade publike prayers.

P. 72. "One chief bishop." I could wishe that in this place something were added, as, Thus much therefore we have learned of Ignatius, that bishops do, as it were, sustayne the person of God himself, that presbyters do resemble the blessed Apostles of God, that all reverence and submission is due to BB. But doth Ignatius any where teach, &c.

"Præsident probati quique seniores<sup>1</sup>." Sett downe the place at large and in English.

"For of whome." It doth not appeare by that which you have alleaged but that the names of seniores and præsidentes were given to divers persons, nor that there were not two kyndes of presidents, which they urge. And therefore I thinke this point is to be cleared more sufficiently.

[Marg.] "This exception." Is the word exception well used in this place?

"Honor fratrum sportulantium." Lett it appeare by some evident proof out of Cyprian's<sup>2</sup> owne wordes that this is the meaning of theis wordes, because you pinch Mr. Cartwright for it. Otherwise it may be sayd that Fratres sportulantes were not those which receaved allowance, but those which distributed the allowance to the presbyters.

"By which decree." To this clause, which is the most materiall, I do not perceave what you have awnsweared. Pray consider of it<sup>3</sup>.

[Marg.] I tooke theis wordes to have beene the very wordes of Socrates, but I thinke they are T. C. and then they are sufficiently awnsweared.

P. 80. "St. Jerome drawing." I could wish that the disputation betweene St. Jerome<sup>4</sup> and the Luciferians thus farre should stand, because it toucheth them very neare, but that which followeth, because it is one of the most absurd disputes that ever I read, and because it favoureth the papistes in some points, if it were cleane left out I should never misse it.

<sup>1</sup> [Tert. Ap. 39; T. C. iii. 41.]

<sup>2</sup> [S. Cyp. Ep. 1. p. 2; T. C. iii. 42. Cf. V. lxxx. 11. note 1; VII. xxiii. 9.]

<sup>3</sup> [T. C. iii. 43. quoting Socr. H. E. v. 22. "At Alexandria, after Arius was convicted of heresy, it was decreed that the elders should

"no more teach: by which decree they did as it were covertly confess that they had received the reward of breaking the order of God, in permitting that the elder should teach in the Church."]

<sup>4</sup> [Hier. adv. Lucif. 9; T. C. iii. 43.]

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P. 82. "Are these the witnesses." Pray sift this place of Jerome a little more fully, for it maketh against them exceedingly in the point of episcopall authority, which I could wishe were noted. And  
+ in generall for ought I can see all the places by them alleaged do make against them, as that of Ignatius<sup>1</sup>, of Cyprian, of Posidonius<sup>2</sup>: Socrates, and this of Hierome.

If you sayd  
both, as,  
elders or  
elderly  
men, I  
thinke it  
were not  
amisce.

"Elderly men." This in Latine is seniores I thinke, which they will say is translated amisse because you call them, elderly men, whereas it should be elders. And yet in regard of that exposition which afterwarde you give it must be so. I could wishe that the distinction of this word seniores for elders and elderly men were expressly sett downe; and your awnswere somewhat enlarged.

P. 83. "Pamelius." Say, "A papiste, and therefore not likely  
"to impeach the credit of any thing supposed to be written by the  
"auncient fathers."

○ P. 85. "In withstanding them." I could wishe that something were sayd to this effect concerning their lay elders. That if they would plainely confesse that the first founder of this platforme was Mr. Calvin, that the B. of Geneva beeing banished he could not establish an episcopall regiment, that without some discipline the people could not be rayned, that unlesse they had beene persuaded  
+ it had come from God they would not so willingly have obeyed it, that therefore in a religious kynd of polity he maintayned it to be commaunded of God; if they would confesse thus much, and yet argue for the conveniency thereof and shewe the great commodities thereout arising, we would then enter into a politique conference with them, and on the other side declare unto them that if their lay elders should take place we are persuaded that divers inconveniencies would followe; contempt of the prince and nobility, insolency of the base people, &c. and such other as at your leasure you may conceive.

[Marg. just after the beginning of the last note.] "His councill  
"not to accept." I would say, not to accept his counsayle.

"Whether we thinke it so, yea or no." This clause will not be

<sup>1</sup> [T. C. iii. 45, quoting S. Ign. ad Trall. Ep. interp. c. 3. ὁ ἐπίσκοπος, τοῦ Πατρὸς τῶν ὄλων τύπος ὑπάρχει· οἱ δὲ πρεσβύτεροι, ὡς συνεδρίον Θεοῦ, καὶ σύνδεσμος ἀποστόλων Χριστοῦ· χωρὶς τούτων ἐκκλησία ἐκλεκτὴ οὐκ ἔστιν. ap. Coteler. ii. 61.]

<sup>2</sup> [T. C. iii. 42. "Valerius . . . did  
"contrary to the custom of the

"African church, in that he committed the office of teaching unto  
"Augustin which was an elder." He refers to Posidonius, or Possidius, Vit. Aug. c. 5. "Valerius  
"Augustino presbytero potestatem  
"dedit coram se in ecclesia evangelium prædicandi contra usum. . .  
"Africanarum ecclesiarum."]

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well understood. What if you sayd, As long as they perswade us by way of advise to that which they, &c.

[Text.] To conclude. I could wishe that through all the bookes you should be carefull of the quotations both of their sentences and of other auctorities alleaged (for in the former bookes you knowe there is a defect that way); 2. that in the margine you sett as little as may be; 3. that thinges onely probable be indefinitely affirmed; 4. that in awnswearing their arguments you do not only satisfy yourself and those which are learned, but as farre as may be, even the simplest, which must be done by persecuting them when you have them at a lift, not by hard wordes but by laying open the inconsequence of their argumentes as plainly as may be.

Omitted, p. 67. Mr. Carthwright's argument is this. Paul and Barnabas appointed presbyters in every city, therefore more then one. But it is not likely they could appoint more then one preaching presbyter, therefore they appointed some unpreaching presbyters; ergo laymen. Out of this reason I do not see how you can take that advantage which you do, as if an unpreaching ministry could be concluded thereby. But to the reason itself it is no hard matter to awnswere, both because it might be truely sayd that Paul appointed presbyters in every city, though in every particular city he appointed but one, and also because it may be that the churches beeing at that tyme beeing [sic] great in cityes needed more than one presbyter or pastor, and therefore it is not unlikely that more then one preaching presbyter was appointed.

P. 68. "With repugnancy unto their owne." This repugnancy I do not perceive.

P. 74. "After having mentioned." I thinke the place of Cyprian before alleaged were sufficient. This later sentence they may take some advantage at, because it seemeth to barre spirituall persons from secular affaires, which in BB. you knowe are ioyned together.

"Into the clergie." Yet by Cyprian's wordes it seemeth they were as yet no pastors. How that will agree together, I do not conceive. And that clause, for that they had beene most worthy, &c. I thinke might be omitted, both to make the sentence shorter, and because in my opinion it is not greatly materiall.

P. 78. "Arius troubled the Church." Some such thing may be added. So as that which by our opposites is urged as the universal practise of the primitive Church is by Socrates<sup>1</sup> alleaged as a + straung custome observed in one Church onely for a tyme.

<sup>1</sup> [E. H. V. 22.]