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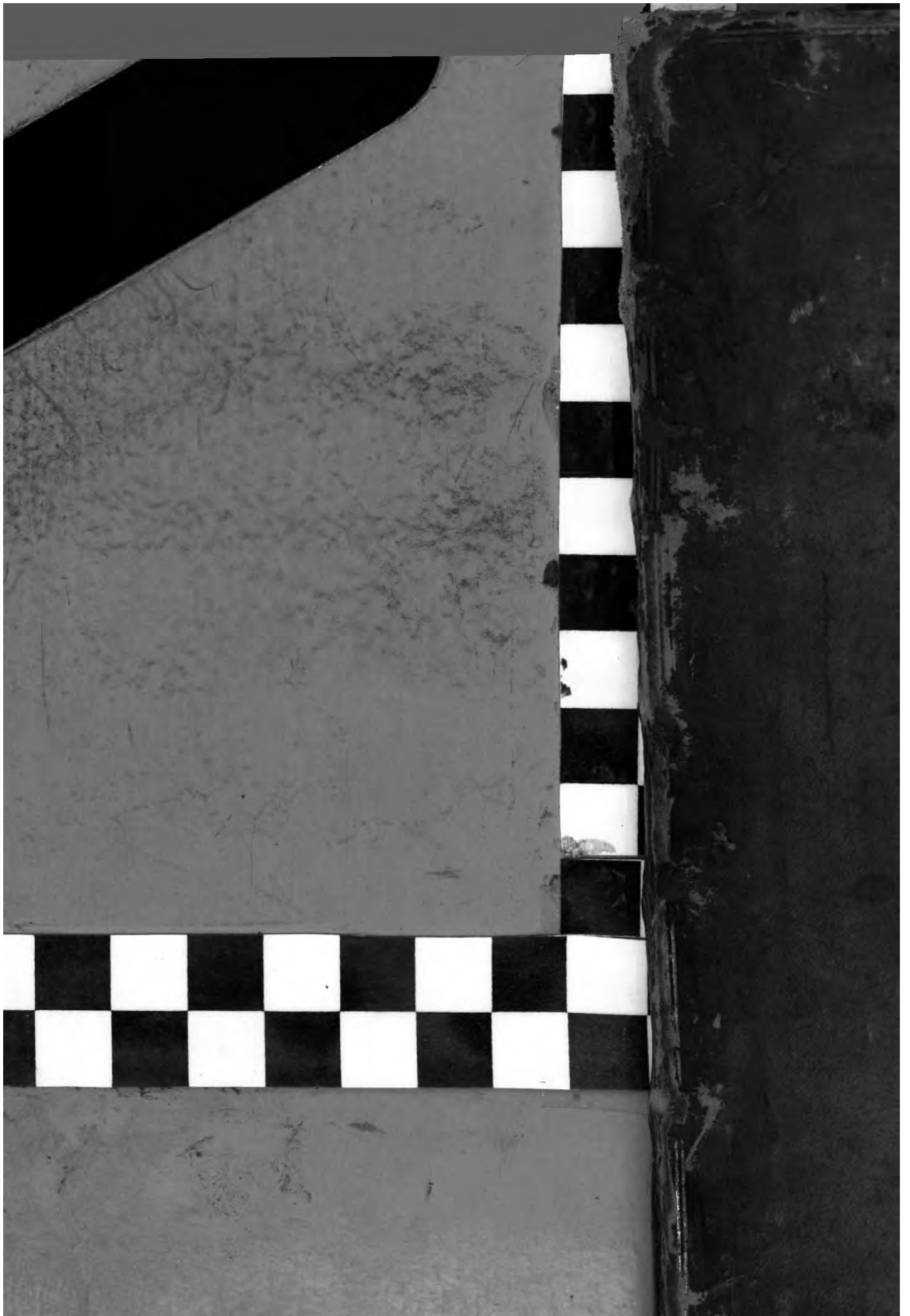
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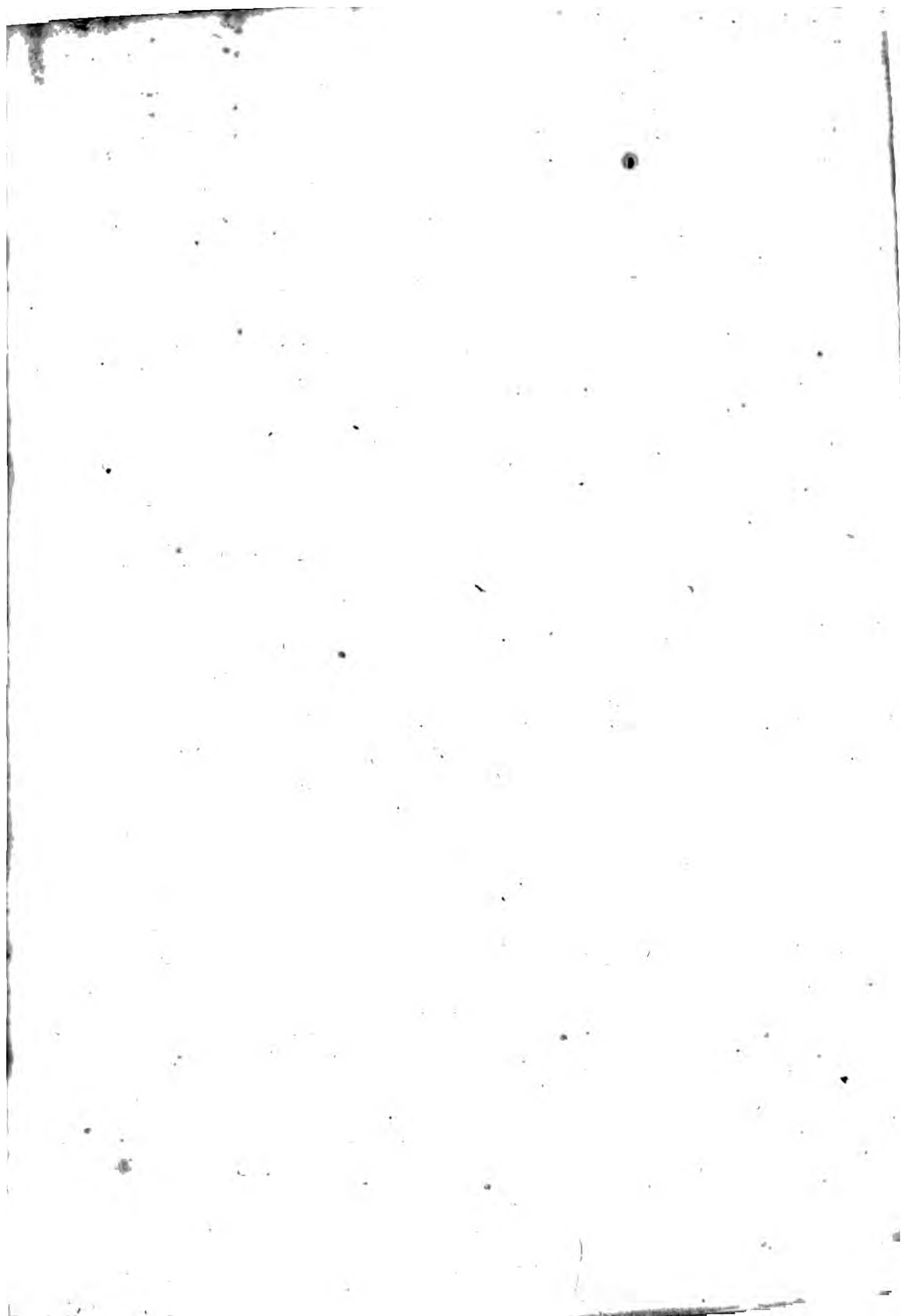


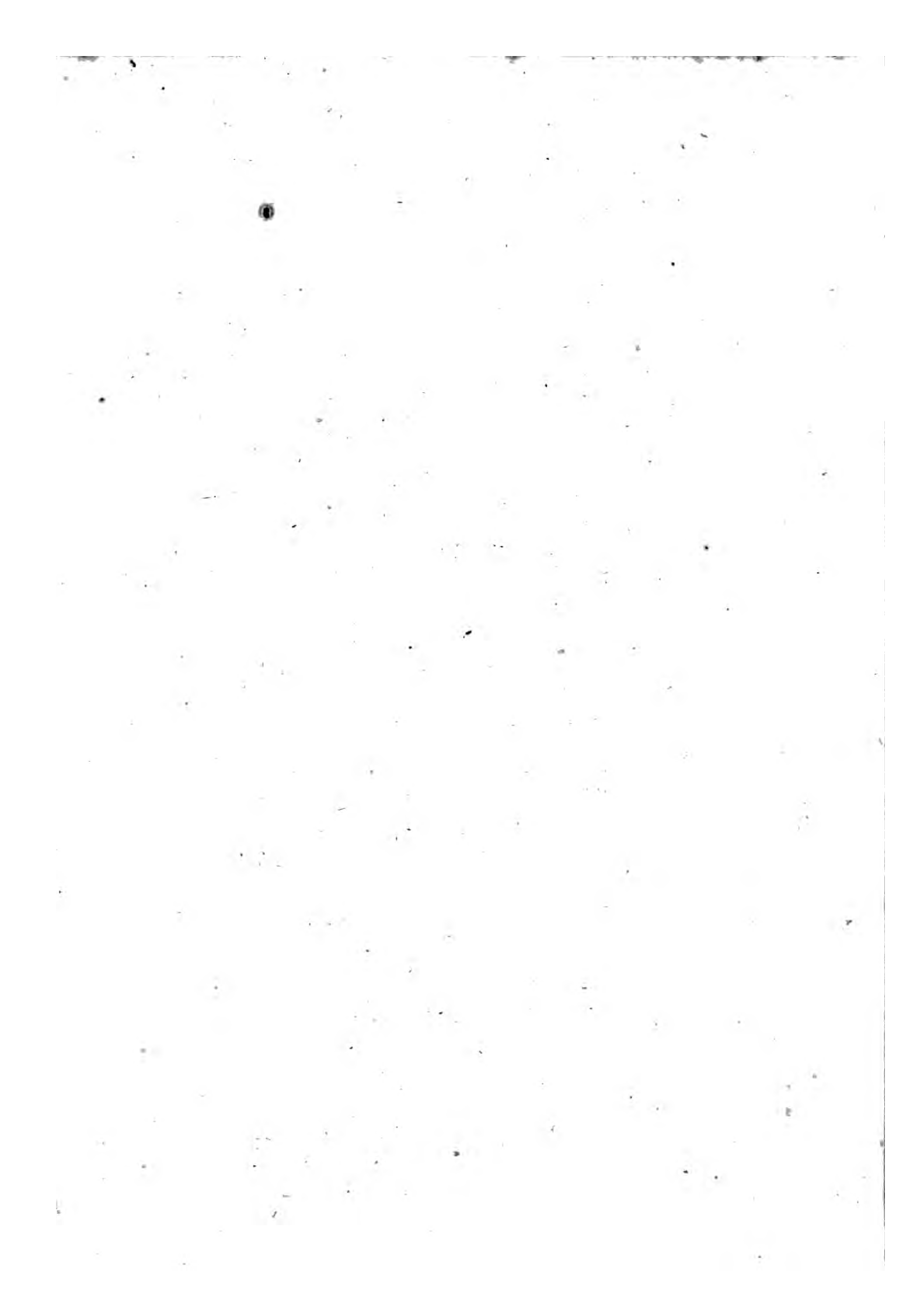
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BIA⊙ANATOS.
A
DECLARATION
OF THAT
PARADOXE,
OR
THESIS.

*That Self-homicide is not so naturally Sin,
that it may never be otherwise.*

Wherein
The Nature, and the extent of all those Lawes,
which seeme to be violated by this Act,
are diligently surveyed.

*Written by John Donne, who afterwards received Orders from the
Church of England, and dyed Deane of St Pauls, London.*

Jo: Saresb. de nugis Curial. Prolog.
Non omnia vera esse profiteor. Sed legentium a se ipsis inservire.

Published by Authority.

LONDON
Printed for Humphrey Moseley, and are to be sold at his
shop at the Princes Armes in St Dunis Churchyard. 1658.





TO THE
Right Honourable
THE LORD
PHILLIP HARBERT.

My Lord,



Although I have not exactly obeyed your commands, yet, I hope, I have exceeded them, by presenting to your Honor, the *Treatise,*

The Epistle

tise, which is, so much the better, by being none of mine owne, and may therefore peradventure, deserve to live, for facilitating the Issues of Death.

It was writ, long since, by my Father, and by him, forbid both the Presse, and the Fire; neither had I subjected it now, to the publique view, but that, I could finde no certaine way to defend it from the one, but by committing it to the other; For, since the beginning of this War, my Study having been often searched, all my Books (and almost my braines, by their continuall allarums) sequestred, for the use of the Committee; two dangers appeared

Dedicatory.

appeared more eminently to hover over this, being then a Manuscript; a danger of being utterly lost, and a danger of being utterly found; and fathered, by some of those wild Atheists, who, as if they came into the World by conquest, owne all other mens Wits, and are resolved to be learned, in despite of their Starres, that would fairely have enclined them, to a more modest, and honest course of life.

Your Lordships Protection will defend this Innocent from these two Monsters, Men that cannot write, and Men that cannot reade, and, I am very confident, all those that can, will think
it

The Epistle, &c.

it may deserve this favour from your Lordship ; For, although this Booke appeare under the notion of a Paradox, yet, I desire your Lordship, to looke upon this Doctrine, as a firme and established truth.

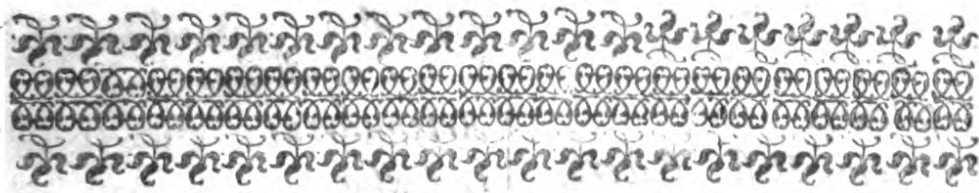
Da vida osar morir.

Your Lordships

most humble Servant

*From my house in
Covent-Garden. 28.*

I O : D O N N E .



Authors cited in this Booke.

BEZA.
B. Dorotheus.
Bosquierus.
Athenagoras.
Causaus.
Trismegistus.
Theodoricus A. Niem.
Steuchius Engubi.
Ennodius.
Pererius
Zambanus
Alcoran
Corpus Iur: Canon.
Carbo, Summa Summarum
Polidorus Virgilius
Matalius Metellus, Pra-
fat. in Osor. Histor.
Pierius
S. Ambrosius
Cardanus
Tholosa: Syntagm.
S. Cyprianus
Hadri: Junius

Emanuel Sâ
Nicephorus
S. Gregorius
Vasques
Clarus Bonarscius
Corpus Iur: Civil.
Binnius
Bracton
Plowden
A: Gellius
Tertullian
Climachus
Basil
Filefacus
Campionus
S. Hieronimus
Ben: Gorion
Plinius
Paleotus de Notb.
Canones Pœnitenti:
Clemens Alex:
Sotus
Bodin

(*)

Sil.

Sylvius
Meadendorpius
Lucidus
Arpilcueta
Fabricius Hist: Cicero.
Windeckus
Lipsius
Porphyrius
Damafus
Feuardentius
Eusebius
Vincentii Speculum
Prateolus
Diodorus Siculus
Tho: Morus
Anto: Augustin.
P. Manutius
Sebast: Medices
Scotus
Calvinus
Forestus de Venen.
Serarius
Biblia Sacra
Humfredus Angl.
Mallonius in Paleotti Sin-
don.
S. Chrysofomus
Pontius Paulinus
Aquinas
AZorius
Sayr

Elianus
Cajetanus
S. Augustinus
Artemidorus
I. Caesar
Josephus
Vegetius
Acacius
Fo: Picus
Hemnius
Latinus Pacatus
Platina
Baronius
Ignatius
Alfon: Castro
Schultingius
Plato
Simancha
Alb. Gentilis
Pruckmannus
P. Pomponatius
Buxdorfus
Anto: de Corduba
Thyreaus
Lavater
Naclerus
Quintilianus
Toletus
Sulpitius
Adrianus Quodlib.
Beccaria

Vita Phil: Neri
Maldonatus
Bonaventura
Gregor: Nazianz.
Canones Apostolorum
Lucas de Penna
Optinellus
Laertius
Binsfeldius
Pedraça
Sextus Senensis
Paracelsus
Metaphrastes.
Surius
Gregor: de Valentia
Brentius
Theophilaët
Hesichius
Marloratus
Schlusselfburgius
Agapetus
Reuchlin
Martialis ad Tholo:
Saravia
Sylvester
Libër Conformitatum S.
Franc. et Christi.
Cassianus
Procop. Gazæus
Ardoinus
Greg. Turon

Supplem. Chronis.
Nazarius Paneg.
Menghi
Ioan. de Lapide
Hippocrates
Bellarminus
Revelation. Brigide
Regul. Iesuit.
Franc. Gregorius
Oecumenius
Origenes
Alcuinus
Corn. Celsus
Idiota Contemplatio de
morte
Baldus
Aristoteles
Stanford
Bartolus
P. Martyr
Declaration des Doctes en
France
Sedulius Minorita
Io. Gerson
Lylius Geraldus
Mariana
Saxsovinius
Lambert
Fra. a Victoria
Wierus

Keplerus
Lyra
Burgensis
P. Lombard
Sophronius

Schultetus
Euthymius
Paterculus
Cassianus

IN citing these authors, for those which I produce only for ornament and illustration, I have trusted my owne old notes; which though I have no reason to suspect, yet I confesse here my lazines; and that I did not refresh them with going to the Originall. Of those few which I have not seene in the bookes themselves, (for there are some such, even of places cited for greatest strength,) besides the integrity of my purpose, I have this safe defence against any quarreller, that what place soever I cite from any Catholique Author, if I have not considered the Book it selfe, I cite him from another Catholique Writer. And the like course I hold in the Reformers. So that I shall hardly be condemned of any false citation, except to make me Accessorie, they pronounce one of their owne friends principall.

A



A distribution of this Book, into Parts, Distinctions, and Sections.

Preface.

- 1 **T**He Reason of this Discourse.
- 2 Incitements to charity towards those which doe it.
- 3 Incitements to Charity towards the Author.
- 4 Why it is not inconvenient now to handle this.
- 5 Descentious among schollars more, and harder to end then among others.
- 6 In such perplexities we ought to incline to that side which favours the dead.
- 7 Why I make it so publique.
- 8 What reader I desire to have.
- 9 The reasons why there are so many citations.
- 10 God punisheth that sin most, which occasions most sin in others.

The first part, first Distinction, first Section.

- 1 Why we first prove, that this sin is not irremissible.

Sect. 2.

- 1 Three sorts of mistakers of this sin.

Sect. 3

- 1 That all desperation is not haynous; and that Self-homicide doth not alwaies proceed from desperation.

- 2 It may be without Infidelity.

The Contents.

- 3 *When it is poena peccati it is involuntarium.*
- 4 *The reason why men ordinarily aggravate desperation*
- 5 *Of the second opinion, which is of impenitiblenes.*
- 6 *Of Calvins opinion, that it may be.*
- 7 *None impeccable, nor impenitible.*

Sect. 4.

- 1 *Of the third sort, which presume actuall impenitence by reason of this Act.*
- 2 *Which is the safer side in doubtfull cases.*
- 3 *In Articulo Mortis, the Church ever interprets favourably.*
- 4 *What true repentance is by Clement.*
- 5 *Witnesses which acquit, more credited, then they which accuse, in the Cannon Law.*

Sect. 5.

- 1 *Why we mayve the Ordinary definition of Sin taken from Saint Augustine, and follow another taken from Aquinas.*
- 2 *Of the torturing practice of Casuists.*
- 3 *Of the eternall Law of God, in Saint Augustines Definition, against which a man may doe without sinne.*
- 4 *Of the Definition which we follow.*

Sect. 6.

- 1 *How Law of Nature, and of reason, and of God, exhibited in this definition, are all one; and how diversly accepted.*
- 2 *In some cases all these three Lawes may be broken at once. As*
- 3 *In revealing a secret.*
- 4 *In Parricide.*

Sect. 7.

- 1 *Of the Law of Nature, and that against it strictly taken, either no sinne, or all sinne is done.*
- 2 *To doe against Nature makes us not guilty of a greater sinne, but more inexcusable.*
- 3 *No action so evill, that it is never good.*

The Contents.

4 No evill in act, but disobedience.

5 Lying naturally worse then Selte-homicide.

6 Fame may be neglected: yet we are as much bound to preserve fame, as life.

7 God cannot command a sinne, yet he can command a murther.

8 Orignal sin, cause of all sin, is from nature.

Sect. 8.

1 That if our Adversaries by Law of nature mean only sensitive Nature, they say nothing, for so most vertuous actions are against nature.

Sect. 9.

1 As the Law of nature is recta ratio, that is, Jus gentium. So immolation, and Idolatry are not against law of Nature.

Sect, 10.

1 As reason is the form, and so the nature of a man, every sinne is against nature: yea, whatsoever agrees not exactly with Christian Religion.

2 Vertue produced to Act, differs so from Reason, as a medicine made and applyed, from a boxe of drugs.

Dist. 2. Sect. 1.

1 Sinnes against Nature in a particular sense, are by schoolmen said to be unnatural Lusts, and This. But in Scripture only the first is so called.

2 Of the example of the Levite in the Judges, where the Vulgate Edition, calls it sin against Nature.

3 S. Pauls use of that phrase Law of Nature, in long haire.

4 Vegetius use of that phrase.

Sect. 2.

1 Self preservation is not so of particular Law of Nature, but that Beasts naturally transgresse it, Whom it binds more then us. And we, when the reason of it ceases in us, may transgresse it, and sometimes must.

2 Things naturall to the Species, are not alwaies so to the Individuall.

¶ 2

3 There-

The Contents.

- 3 Thereupon some may retire into Solitude.
- 4 The first principles in Naturall Law, are obligatory, but not deductions from thence, and the lower we descend the weaker they are.
- 5 Pellicans. And by S. Ambrose, Bees kill themselves.
- 6 The Reason of almost every law is mutable.
- 7 He that can declare where the reason ceases, may dispence with the Law.
- 8 In what manner dispensations worke.
- 9 As nothing can annull the prerogatives of Princes or of Popes, though their own act seem to provide against it, so no law so much destroyes mans liberty, but that he returns to it, when the reason of that law ceases.
- 10 Self-preservation, which is but an appetition of that which is good in our opinion, is not violated by Self-homicide.
- 11 Liberty, which is naturally to be preserved, may be departed withall, when our will is to doe so.

Sect. 3.

- 5 That cannot bee against law of nature, which men have ever affected, if it be also (as this is) against sensitive nature, and so want the allurements which other sins have.
2. There are not so many examples of all other vertues, as are of this one degree of fortitude.
- 3 Of Romane Gladiators. Of their great numbers, great persons, and women.
- 4 With how small persuasions Eleazar in Iosephus drew men to it.
- 5 Wives in the Indies doe it yet.
- 6 The Samanxi Priests in the Indies, notorious for good life and death did it.
- 7 Latinus Pacatus expresth this desire pathetically.
- 8 By what means the Spaniards corrected this natural desire in the Indies. Dist. 3. Sect. 1.
- 1 After civility and christianity quenched this naturall desire, in the place thereof succeeded a thirst of Martyrdome.

How

The Contents.

- 2 *How leasurely the custome of killing at funerals wore out.*
- 3 *Philosophers saw, and Moses delivered the state of the next life, but unperfectly,*

Sect. 2.

- 1 *That Martyrdome was by the Fathers insinuated into men, for the most part by naturall Reasons, and much upon humane respects.*
- 2 *So proceeded Clement.*
- 3 *So did Tertullian.*
- 4 *So did Cyprian.*
- 5 *Externall honours to Martyrs.*
- 6 *Monopoly of Martyrdome*
- 7 *Gods punishments upon their persecutors encouraged men to it.*
- 8 *Priviledges of Martyrs extended to many.*
- 9 *Contrary Reasons cherishd this desire in them.*
- 10 *Libellatici, or compounders with the state, in Cyprian.*
- 11 *Flight in persecution condemned by Tertullian.*
- 12 *Death grew to be held necessary to make one a Martyr.*
- 13 *In times when they exceeded in indiscreet exposings of themselves, they taught that Martyrs might be without death.*
- 14 *Professors in Cyprian, men who offered themselves before they were called.*
- 15 *Enforcers of their own Martyrdome.*
- 16 *Examples of inordinate affecting of Martyrdome.*
- 17 *Laws forbidding more executions, made to despise Christians.*
- 18 *Glory in their number of Martyrs.*

Sect. 3.

- 1 *That Hereticks noting the dignity gaind by Martyrdome, laboured to avert them from it, but could not correct this naturall inclination.*
- 2 *They laboured the Magistrate to oppose this desire.*
- 3 *Basilides denied Christ to have been crucified; and*

The Contents.

that therefore they dyed madly.

4 Helchelar, that outward profession of Religion was not needfull; much lesse Martyrdome.

5 Which also the Gnostici taught: and why they prevailed not.

Sect. 4.

1 That Heretiques missing their purpose herein, tooke the naturall way of overtaking the Orthodox in numbers of Martyrs.

2 Petilians new way of Martyrdome.

3 Another new way of the Circumcelliones, or Circuitoires.

4 The Cataphrygæ exceed in number.

5 The Euphenitæ for their numbers of Martyrs called Martyrians.

Sect. 5.

1 Hereupon Councels tooke it into their care to distinguish Martyrs, from those who dyed for naturall and humane respects.

Sect. 6.

1 Therefore later Authors doe somewhat remit the dignity of Martyrdome.

2 The Jesuits still professe an enormous love to such death.

Distinction 4. Sect. 1.

1 Lawes and Customes of well polished Estates having admitted it, it were rash to say it to be against Law of Nature.

2 True and Ideated Common-wealthes have allowed it.

3. 4. Athenians, Romans.

5 Of Depontani.

6 Ethiopians.

7 All Lawes presume this desire in men condemned.

8 In Utopia authorized.

9 And by Plato in certaine cases.

10 Conclusion of the first Part.

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The Second Part of the Law of Reason.

Distinct. 1. Sect. 1.

1 That the Law of Reason is, Conclusions drawn from primary Reason or light of Nature, by discourse.

2 How much strength such deduced reasons have.

Sect. 2.

1 Of this kind of reasons, generall Lawes have greatest authoritie.

2 For it is of their essence that they agree with the Law of Nature.

3 And there is better testimony of their producing, then of particular mens opinions.

Sect. 3.

1 Of Lawes, the Emperiall Law ought first to be considered.

2 The reason of that Law is not abolished; but the confession of our dependencie upon it.

3 Why it is called Civill Law.

4 Of the vastnes of the books from whence it is collected, and of the large extent thereof.

5 That yet in this so large Law there is nothing against our case.

6 Of the Law of Adrian concerning this in Souldiers.

7 Of the other Law concerning this in offenders already accused.

Dist. 2. Sect. 1.

1 Of the Cannon Law.

2 The largenes of the subject, and object thereof.

3 Of Codex Canonum, or the body of the Canon Law, in use in the primitive Church.

Of the Additions to this Code since.

4 Canon Law apter to condemn then the Civil, and why.

Sect. 2.

1 That this proposition is not hereticall by the Canon Law.

2 Simancha

The Contents.

- 2 Simancha his large Definition of Haresy.
- 3 No decision of the church in the point.
- 4 Nor Canon nor Bull.
- 5 Of the common opinion of Fathers, and that that varies by times, and by places by Azorius.
- 7 Gratian cites but two Fathers, whereof one is on our side.
- 8 That that part of Canon Law, to which Canonists will stand, condemns not this.
- 9 A Catholique Bps. censure of Gratian, and his decret. Sect. 3.
 - 1 What any Councells have done in this point.
 - 2 Of the Councell of Antifidore under Greg. 1. 590.
 - 3 That it only refusd their oblations.
 - 4 That it was only a Diocesan Councell.
 - 5 The Councell of Braccar. inflicts two punishments.
 - 6 The first, of not praying for them is meant of them who did it, when they were excommunicate.
 - 7 The second, which is denying of buriall, is not always inflicted as a punishment, to an offender; as appears in a punishment, to an offender; as appears in a locall interdict.
 - 8 Romans buried such offenders as had satisfied the law within the Towne, as they did Vestalls and Emperours. Dist. 3 Sect. 1
 - 1 Of the Laws of particular Nations.
 - 2 Of our Law of Felo de se.
 - 3 That this is by our Law Murder, and what reasons entitle the King to his good.
 - 4 That our naturall desire to such dying, probably induced this customary Law.
 - 5 As in States abounding with slaves, Law-makers quenched this desire, lest there should have beene no use of them.
 - 6 Forbid lest it should draw too many: as hunting, and usury: and as wine by Mahomet.
 - 7 Upon reason of generall inclinations we have severall Laws against theft.
 - 8 When

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- 8 *When a man is bound to steale.*
- 9 *Sotus his opinion of Day-theeves.*
- 10 *Of a like law against Self-homicide in the Earldome of Flaunders. Sect. 2.*
 - 1 *Severe Laws are arguments of a generall inclination, not of a hainousnes in the fact.*
 - 2 *Fasting upon Sundays extremely condemned upon that reason.*
 - 3 *So Duells in France..*
 - 4 *So Bull-baitings in Spaine.*
 - 5 *The hainousnes of Rape, or Witch-craft are not diminished, where the Laws against them were but ease.*
 - 6 *Publike benefit is the rule of extending odious Laws, and restraining favourable.*
 - 7 *If other nations concurre in like Laws, it sheweth the inclination to be generall. Sect. 3.*
 - 1 *The Custome of the Jews not burying till Sunn-set, and of the Athenians cutting off the dead hand evict not. Sect 4.*
 - 1 *The reasons drawne from remedies, used upon some occasions to prevent it, prove as little. Dist. 4. Sect. 1.*
 - 1 *Of the reasons used by particular men, being divines.*
 - 2 *Of S. Aug. and of his argument against Donatus.*
 - 3 *Of S. Augustine comparatively with other Fathers.*
 - 4 *Comparison of Navar and Sotus.*
 - 5 *Jesuits often beholding to Calvin for his expositions.*
 - 6 *In this place we differ not from S. Augustine.*
 - 7 *Nor in the second cited by Gratian.*
 - 8 *That there may be Causa puniendi sine culpa.*
 - 9 *As Valens the Emperor did misse Theodosius, So S. Augustine pretermitted the right case.*
 - 10 *Of Cordubensis rule, how we must behave ourselves in perplexities.*
 - 11 *How temporall reward may be taken for spirituall offices.*
 - 12 *Of*

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12 *Of Pindarus death praying for he knew not what.*

13 *In one place we depart from S. Augustine upon the same reason, as the Jesuite Thyraeus doth depart from him in another.*

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1 *The place cited by Gratian out of S. Hierome, is on our side.*

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1 *Lavaters confession, that Augustine, Hierome, Chrysostome, Lactantius, are of this opinion.*

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1 *Of Peter Martyrs reason, Mors malum.*

2 *Clement hath long since destroyed that reason.*

3 *Of Malum poenæ, how farre it may bee wished, and how farre it condemnes.*

4 *Possessed men are not alwaies so afflict for sinne.*

5 *Damnation hath not so much rationem mali, as the least sinne.*

6 *If Death were of the worst sort of evill, yet there might be good use of it, as of Concupiscence.*

7 *In what sense S. Paul calles Death Gods enemy.*

8 *Death, since Christ, is not so evill as before.*

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1 *Of Peter Martyrs reason, Vita donum Dei.*

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1 *Of Lavaters reason of Iudges in all causes.*

2 *Where Confession is not in use, there is no Iudge of secret sinne.*

3 *Of the Popes Iurisdiction over himselfe.*

4 *Of such Iurisdiction in other persons by Civil lawes.*

5 *Io: 22. elected himselfe Pope.*

6 *Iurisdiction over our selves is therefore denied us;*

7 *because we are presumed favourable to our selves, not in cases esteemed hurtfull.*

8 *In cases hurtfull we have such Iurisdiction.*

9 *Oath of Gregory in the great Schisme.*

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- 10 *When a man becomes to be sui Juris.*
- 11 *Warre is just betweene Sovereaign Kings, because they have no Iudge.*
- 12 *Princes give not themselves priviledges; but declare that in that case they will exercise their inherent generall Priviledge.*

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- 1 *Josephus reason of Depositum.*
- 2 *A Depositarie cannot be accused De Culpa, but De Dolo.*

- 3 *A secret received Data fide is In natura Depositum.*

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- 1 *Of similitudinary reasons in Authors not Divine.*

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- 1 *Of Josephus his reason of Hostis.*

Sect. 10.

- 1 *Of Josephus reason of Servus.*

Sect. 11.

- 1 *Of Josephus reason of a Pilot.*

Distinct. 5. Sect. 1.

- 1 *Of Saint Thomas two reasons from Justice, and Charitie.*

- 2 *Of that part of injustice, which is stealing himselfe from the State.*

- 3 *Monastike retyring is, in genere rei, the same fault.*

- 4 *The better opinion is, that there is herein no injustice.*

- 5 *Of the other Injustice, of usurping upon anothers Servant.*

- 6 *Though we have not Dominium, we have Usus of this life: And we may relinquish it when we will.*

- 7 *The State is not Lord of our life, yet may take it away.*

- 8 *If injustice were herein done to the State, then by a licence from the State it may be lawfull.*

- 9 *And the State might recompence her Damage upon the goods or Heir of the Delinquent.*

- 10 *In a man necessary to the State, there may bee some Injustice herein.*

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11 *No man can doe injurie to himselfe.*

12 *The question whether it be against Charity, respited to the third part.*

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1 *Of Aristotles two reasons of Misery and Pusillanimitie.*

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1 *Of reasons on the other side.*

2 *Of the Law of Rome, of asking the Senate leave to kill himselfe.*

3 *Of the case upon that Law in Quintillian.*

Sect. 2.

1 *Comparisons of desertion and destruction.*

2 *Of Omissions equall to committings.*

Sect. 3.

3 *In great faults the first step imprints a guiltines, yet many steps to self-homicide are allowable.*

4 *Dracoes lawes against homicide were retained for the hainousnes of the fault.*

5 *Tolets five Species of Homicide.*

6 *Foure of those were to be found in Adams first Homicide in Paradise.*

Sect. 4.

7 *Of Tolets first and second Species, by Precept, and by Advise, or Option.*

8 *We may wish Malum poenæ to our selves, as the Eremitte prayed to be possessed.*

9 *That we may wish death for wearines of this life.*

10 *It is sin to wish the evill were not evill, that then we might wish it.*

11 *Of wishing the Princes Death.*

12 *In many opinions by contrary Religion, a true King becomes a Tyrant.*

13 *Why an oath of fidelity to the Pope binds no man.*

14 *Who is a Tyrant by the declaration of the learned men of France.*

15 *How*

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- 15 *How Death may be wished by Calvins opinion.*
 - 16 *How we may wish death to another for our own advantage.*
 - 17 *Phil. Nerijs consented that one who wished his own death might have his wish.*
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- 1 *Of Tolets third Species of Homicide, by permission, which is Mors Negativa.*
 - 2 *Of standing mute at the Barre.*
 - 3 *Three Rules from Scotus, Navar, and Maldonate, to guide us in these desertions of our selves.*
 - 4 *That I may suffer a Theif to kill me, rather then kill him.*
 - 5 *Of Se defendendo in our Law.*
 - 6 *That I am not bound to escape from prison if I can. Nor to eat, rather then starve,*
 - 7 *For ends better then this life we may neglect this.*
 - 8 *That I may give my life for another.*
 - 9 *Chrysostomes opinion of Sarahs lie, and her consent to Adultery. And S. Augustines opinion of this, and of that wife, who prostituted her selfe to pay her husbands debts.*
 - 10 *That to give my life for another, is not to preferre another before my selfe, as Bonaventure and August. say; But to prefer vertue before life; which is lawfull.*
 - 11 *For spirituall good it is without question.*
 - 12 *That I may give another that without which I cannot live.*
 - 13 *That I may lawfully wear out my self with fasting.*
 - 14 *That this in S. Hier. opinion is selfe-homicide.*
 - 15 *Of the Fryer whom Cassianus calls a Self-homicide, for refusing bread from a theife, upon an indiscreet Vom.*
 - 16 *Of Christs fast.*
 - 17 *Of Philosophers inordinate fasts.*
 - 18 *Of the Devils threatning S. Francis, for fasting.*
 - 19 *Examples of long fasts.*
 - 20 *Reasons, effects, and obligations to rigorous fastings.*

Corollary of this Section of Desertion.

Sect. 6.

1 Of another Species of homicide, which is not in Tolets division by Mutilation.

2 Of Delivering ones selfe into bondage.

3 By divers Cannons homicide and mutilation is the same fault.

4 Of Calvins argument against Divorce, upon this ground of Mutilation.

5 The example of S. Mark, cutting off his thumbe to escape Priesthood.

6 In what cases it is clear, that a man may maim himself.

Sect. 7.

1 Of Tolets fourth Species of Homicide, by actual helping.

2 Ardoynus reckons a flea amongst poysons, because it would destroy

3 David condemned the Amalekite, who said he had helped Saul to kill himselfe.

4 Mariana the Iesuite is of opinion, that a King which may be removed by poyson, may not be put to take it by his owne hands though ignorantly, for he doth then kill himself.

5 That a malefactor unaccused may accuse himself.

6 Of Sanfovins relation of our custome at executions, and withdrawing the pillow in desperate cases.

7 Of breaking the leggs of men at executions, and of breaking the halter.

8 Of the forme of purgations used by Moses Law in cases of lealousy.

9 Of formes of Purgation called Vulgares.

10 Charlemaine brought in a new forme of purgation.

11 And Britius a Bisshop, being acquitted before, extorted another purgation upon himselfe.

12 Both kindes of Ordealium, by water, and fire, in use here, till King Johns time.

13 In all these purgations, and in that by Battaille, the party himself assisted.

14 Exam-

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14 *Examples of actuall helpers to their owne destruction in S. Dorotheus doctrine.*

15 *Of Ioseph of Arimathæa his drinking of poyson.*

16 *Of S. Andrew and S. Lawrence.*

17 *Casuits not cleere whether a condemned man may doe the last act to his death.*

18 *But in cases without condemnation, it is sub præcepto to Priests, Curats, to goe to infected houses.*

Sect. 8.

1 *Of Tolets last species of Homi-cide which is the act it selfe.*

2 *How farre an erring conscience may justify this act.*

3 *Of Pythagoras philosophicall conscience, to dy, rather then hurt a Beane, or suffer his schollers to speak.*

4 *Of the apparition to Hero a most devout Eremite, by which he killed himself, out of Cassianus.*

5 *That the Devill sometime sollicites to good.*

6 *That by Vasques his opinion, it is not Idolatry to worship God in the devil.*

7 *Rules given to distinguish evil spirits from God are all fallible.*

8 *Good Angels sometimes move to that which is evil, being ordinarily and morally accepted.*

9 *As in mis-adoration by Vasques, invincible ignorance excuses, so it may in our cases.*

10 *Of S. Augustines first reason against Donatus, that we may save a mans life against his will.*

11 *Of his second reasons, which is want of examples of the faithfull. And of S. Augustines assured escape, if Donatists had produced Examples.*

12 *Divorce in Rome on either part, And in Jury, on the womans part long without example.*

13 *Saint Augustines Schollers in this point of examples, as stubborne as Aristotles, for the inalterablenesse of the Heavens, though the reason of both be ceased.*

14 *Of the Martyr Apollonia who killed her selfe.*

15 *Of*

- 15 *Of answers in her excuse.*
 16 *Of the Martyr Pelagia who killed her selfe.*
 17 *Though her History bee very uncertaine, yet the Church seems glad of any occasion to celebrate such a fact.*
 18 *Saint Augustines testimony of her.*
 19 *Saint Ambroses Meditation upon her.*
 20 *Eusebius his Oration incitatory, imagined in the person of the Mother.*
 21 *Saint Augustines first of any doubting of their fact, sought such shifts to defend it, as it needed not.*
 22 *S. Augustines example hath drawne Pedraca a Spanish Casuist, and many others, to that shift of speciall Divine inspiration, in such cases.*
 23 *And so sayes Peter Martyr of the Midwives, and of Rahabs lye.*
 24 *To preserve the Seale of Confession, a man may in some case be bound to doe the intire act of killing himselfe.*

The Third Part, which is of the Law of God.

Distinct. I Sect. I.

- 1 *An introduction to the handling of these places of Scripture.*
 2 *Why I forbear to name them who cite these places of Scripture.*
 3 *If any oppose an answer, why I intreat him to avoide bitternes.*
 4 *Why Clergy men, which by Canons may fish, and hunt, yet may not hunt with dogs.*
 5 *Of Bezas answer to Ochius Polygamy.*

Distinction 2. Sect. I.

1 *No place against this Selt-homicide, is produced out of the Iudiciall or Ceremoniall Law.*

Sect. 2 1 *Of the place Gen. 9.5. I will require your blood.*

2 *We are not bound to accept the interpretation of the Rabbins.*

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3 Of Lyra, and of Emmanuel Sâ, both abounding in Hebraisms, yet making no such note upon this place,

Sect. 3. 1 Of the place Deut. 33. 39. *I kill, and I give life.*

2 Jurisdiction of Parents, Husbands, Masters, Magistrates, must consist with this place.

3 This place must be interpreted as the other places of Scripture, which have the same words. And from them, being three, no such sense can be extorted.

Sect. 4. 1 Of the place Iob 7. 1. *vita militia.*

2 Why they cite this place according to the vulgate copy.

3 Of Soldiers priviledges of absence by Law.

4 Iobs scope is, That as warre works to peace, so heere we labour to death.

5 Of Christs letter to King Abgarus.

Sect. 5. 1 Of another place in Iob 7. 15. *Anima elegit suspendium.*

2 Why it was not lawfull to Iob to kill himself.

3 His words seeme to shew some steps toward a purpose of Self-homicide.

4 Of Sexeus Senensis, and of Gregories exposition therof

5 How I differ from the Anabaptists, who say that Iob despaired.

6 S. Hierome, and the Trent Councell incurre this error of condemning all which a condemned man says.

7 Very holy and learned men impute a more dangerous despaire to Christ, then I doe to Iob.

Sect. 6. 1 Of the place Io. 2. 4. *Skin for Skin &c.*

Sect. 7. 1 Of the place Eccles. 30. 16. *There is no riches above a sound body.*

2 This place is not of safety, but of health.

Sect. 8. 1 Of the place Exod. 20. *Thou shalt not kill.*

2 S. Augultine thinks this Law to concerne ones self more directly, then another.

3 This Law hath many exceptions.

4 Laws of the first table are *strictioris vinculi*, then of the second.

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5 A

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5 A case wherein it is probable that a man must kill himself, if the person be exemplar.

6 As Laws against Day-theeves may be deduced from the Law of God authorizing Princes, So may this from the commandement, of preferring Gods glory.

7 Whatsoever might have been done before this Law, this Law forbids not.

Sect. 9. 1 Of the place Wisd. 1. 12. Seek not death.
Distinct. 3. Sect. 1.

1 Of the place Mat. 4. 6. Cast thy self downe.

2 That Christ when it conduced to his owne ends, did as much, as the devill tempted him to, in this place.

Sect. 2. 1 Of the place Acts 16. 17. Do thy self no harme.

2 S. Paul knew Gods purpose of baptizing the Iaylour.

3 For else saith Calvin, he had frustrated Gods way of giving him an escape by the Iaylours death.

Sect. 3. 1 Of the place Rom. 3. 8. Do not evill for good.

2 In what sence Paul forbids this.

3 God always inflicts malum poenæ by instruments.

4 Induration it selfe is sometimes medicinall.

5 We may inflict upon our selves one disease, to remove another.

6. In things evill, in that sence as S. Paul takes the word here, Popes daily dispence.

7 So doe the Civill Lawes.

8 So doe the Cannons.

9 So doth God occasion lesse sins to avoid greater.

10 What any other may dispence withall in us, in cases of extremity, we may dispence with it our selves.

11 Yet no dispensation changes the nature of the thing, and therefore that particular thing was never evill.

12 The Law it self, which measures actions, is neither good nor evill.

13 Which Picus notes well, comparing it to the firmament.

14 What

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- 14 *What evil S. Paul forbids here, and why.*
 - 15 *Nothing which is once evil, can ever recover of that.*
 - 16 *These Acts were in Gods decree preserved from those stains of circumstances, which make things evil: So as Miracles were written in his book of Nature, though not in our copy thereof; and so, as our Lady is said to be preserved from Originall sinne.*
 - 17 *Of that kind was Moses killing of the Egyptian.*
 - 18 *If this place of Paul, be understood of all evil.*
 - 19 *Yet it must admit exceptions, as well as the Decalogue it selfe.*
 - 20 *Otherwise that application which Bellarmine and others doe make of it will be intollerable.*
- Sect. 4. 1. *Of divers places which call us, Temples of God.*
2 *The dead are still his Temples and Images.*
3 *Heathen Temples might be demolished, yet the Soyle remained Sacred.*
4 *S. Pauls reason holds in cases where we avile our bodies, here we advance them.*
- 5 *How we must understand that our body is not our own.*
Sect. 5. 1. *Of the place, Eph. 4. 15. One body with Christ.*
2 *This place gives Arguments to all which spare not themselves for releif of others, and therefore cannot serve the contrary purpose.*
- Sect. 6. 1. *Of the place Eph. 5. No man hates his own flesh.*
2 *How Marlorate expounds this Hate.*
- Distinct. 4. Sect. 1.
1 *Of the places of Scripture on the other part.*
2 *We may, but our Adversaries may not make use of Examples. To which the answer of Martyr and Lavater is weake*
- 3 *The Nature, Degrees, and Effects of Charity.*
 - 4 *S. Augustines description of Her. Of her highest perfection beyond that which Lombard observed out of Aug.*
 - 5 *He who loves God with all his heart, may love him more.*

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6 Any suffering in Charity, hath infallibly the grace of God; by Aquin.

Sect. 2. 1. Of the place 1 Cor. 13. 4. Though I give my Body.

2 By this, it was in common reputation, a high degree of perfection to die so, and Charity made it acceptable.

3 S. Paul speaks of a thing which might lawfully be done, for such are all his gradations in this Argument.

4 Tongues of Angels, in what sense in this place.

5 Speech in the Affe, understandings of prophesies in Iudas, or miraculous faith, make not the possessor the better.

6 How I differ from the Donatists, arguing from this place, that in charity there Self-Homicides were alwayes lawfull.

7 To give my body, is more then to let it be taken.

8 How Nicephorus the Martyr gave his Body in Sarpitius his roome who recanted.

9 There may be some case that a man who is bound to give his body, cannot doe it otherwise then by self-homicide.

Sect. 3. 1. Of the place Joh. 10. 11. & Joh. 15. 13. The good Shepheard.

2 That a man is not bound to purge himself, if anothers crime be imputed to him.

Sect. 4. 1. Of the place Joh. 13. 37. I will lay down my life.

2 Peters readines was naturall; Pauls deliberate.

Sect. 5. 1. Of the place Joh. 10. 15. Of Christs example.

2 Why Christ spoke this in the present time.

3 Of the abundant charity of Christ.

4 Of his speech going to Emmaus.

5 Of his Apparition to S. Charles.

6 Of the Revelation to S. Brigid.

7 Of his mothers charity.

8 That none could take away Christs soule.

9 His owne will the onely cause of his dying so soon by S. Augustine.

10 And by Aquinas, because he had still all his strength.

11 And

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11 *And by Marlorate because he bowed his head, and it fell not, as ours do in death.*

12 *In what sense it is true that the Jewes put him to Death.*

13 *Of Aquinas opinion, and of Silvesters opinion of Aquinas.*

14 *Christ was so the cause of his death, as he is of his wetting, which might, and doth not shut the window when it rains.*

15 *Who imitated Christ in this actuall emission of the soul.*

16 *Upon What Reasons this manner of dying in Christ is called Heroique, and by like Epithets.*

17 *Christ is said to have done herein, as Saul, and Appolonia, and such.*

Sect. 6. 1 *Of the places Ioh. 12. 25. Luc. 14. 26. Of Hating this life.*

2 *Jesuits apply particularly this Hate.*

3 *If the place in the Ephes. No man hateth his flesh, be against self-homicide, this place must by the same reason be for it.*

4 *S. Augustine denying that this place justifies the Donatists, excludes not all cases.*

Sect. 7. *Of the place 1 Ioh. 3. 16. We ought to lay down our lives, &c.*

2 *All these places direct us to doe it so, as Christ did it, unconstrained.*

Sect. 8. 1. *Of the place Phil. 1. 27. Cupio dissolvi.*

2 *Of S. Pauls gradations to this wish, and of his correcting of it.*

Sect. 9. 1 *Of the place Gal. 4. 15. You would have plucked out your own eyes.*

2 *This was more then vitam profundere by Calvin.*

Sect. 10. 1. *Of the place, Rom. 9. 3. Anathema.*

2 *That he wished herein Damnation.*

3 *That he considered not his Election at that time.*

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Sect. 11. *Of the place, Exod. 32. 32. Dele me de libro.*
 2 *That this imprecation was not onely to be blotted out of the History of the Scripture as some say.*

3 *It was stranger that Christ should admit that which might seeme a slip downward, when he wisht an escape from death, then that Moses should have such an exaltation upward, as to save his Nation by perishing, yet both without inordinatenesse.*

4 *How by Paulinus, a just man may safely say to God, Dele me.*

Distinct. 5. Sect. 1.

1 *Of Examples in Scripture.*

2 *The phrase of Scripture never imputes this Act, to any as a sinne, when it relates the History.*

3 *Irenæus forbids man to accuse where God doth not.*

4 *Beza his answer to Ochius reason, that some Patriarchs lived in Polygamy, reaches not home to our case.*

5 *For it is not evident by any other place of Scripture, that this is sinne, and here many examples concur.*

Sect. 2. 1 *Examples of Acts which were not fally selte-homicides, but approaches.*

2 *Of the Prophet who punished him that would not strike him.*

3 *That when God doth especially invite men to such violence, he says so plainly. And therefore such particular invitations may not be presumed where they are not expressed.*

Sect. 3. 1 *Of Jonas.*

2 *Why S. Hierome calls only Jonas of all the Prophets holy.*

Sect. 4. 1 *Of Samson.*

2 *The Church celebrates him as a Martyr.*

3 *Paulinus wishe such a death as Samsons.*

4 *They which deny that he meant to kill himself, are confuted by the text.*

5 *They which say, he intended not his owne death principally, say the same as we doe.*

6 *That*

6 That S. Augustines answer to this fact, that it was by speciall instinct, hath no ground in the history.

7 Of Sayr his reason, in confirmation of Augustine, That Samson prayed.

8 Of Pedraca his reason, that it was therefore the work of God, because God effected it so, as it was desired.

9 That he had as much reason, and as much authority to kill himselfe, as to kill the Philistims. And that was only the glory of God.

10 That in this manner of dying, hee was a type of Christ.

Sect. 5. 1 Of Saul.

2 Whether the Amalekite did helpe to kill Saul. Whether Saul be saved or no.

3 In what cases the Jewes, and Lyra confesse, that a man may kill himselfe.

4 Lyra's reasons why Saul is to be presumed to have dyed well.

5 Burgensis reason to the contrary ; That if Saul were excusable, the Amalekite was so too, is of no force.

5 Of Sauls Armour-bearer.

Sect. 6. 1 Of Achitophel.

2 He set his house in order, and he was buried.

Sect. 7. 1 Of Judas.

2 He dyed not by hanging in the opinion of Euthymius, Oecumenius, Papias S. Johns disciple, and Theophilact.

3 By what meanes many places of Scripture have been generally otherwise accepted, then the text enforceth.

4 Judas not accused of this in the story, nor in the two Propheticall Psalmes of him.

5 Origen's opinion of his repentance.

6 Calvin acknowledgeth all degrees of Repentance, which the Romane Church requires to Salvation to have been in Judas.

7 Perilians opinion that Judas was a Martyr.

8 His Act had some degrees of Justice, by S. August.

Sect. 8. 1 Of Eleazar.

2 All

- 2 *All confesse that it was an Act of vertue.*
 - 3 *His destruction was certaine to him.*
 - 4 *He did as much to his owne death, as Samson.*
 - 5 *The reasons of this Act, alleadged in the Text, are Morall.*
 - 6 *Saint Ambrose extols this by many concurrences.*
 7. *Cajetans reason for justification thereof, is appliable to very many other cases of Selfe-homicide.*
- SECT. 9. I Of Rasis.
- 2 *His reasons in the Text Morall.*
 - 3 *Whether it be Pusillanimity, as Aristotle, August. and Aquinas urge.*
 - 4 *Saint Augultine confesseth that in Cleombrotus it was greatnesse of minde.*
 - 5 *How much great Examples governe.*
 - 6 *That it was reputed Cowardlinesse in Antisthenes, being extremely sicke, not to kill himselfe.*
 - 7 *Vpon what reasons Lyra excuses this, and like actions.*
 - 8 *Burgensis his reason confesseth that there might have beene just causes for this act.*

Conclusion

- 1 *Why I refrained discourse of destiny herein.*
- 2 *Man made of shadow, and the Devill of fire by the AL-CORAN.*
- 3 *Our adversaries reasons contradict one another.*
- 4 *No precept given of loving our selves.*
- 5 *Encouragemens to contempt of death.*
- 6 *Why I abstaine from particular directions.*
- 7 *Laws forbid ordinary men to cure by extraordinary meanes, yet Kings of England, Fra. and Spaine doe it.*
- 8 *As Hierom Origen Chrylost. and Cassianus are excused for following Plato, in toleration of a ly, because the church had not then pronounced; so may it be in this.*



THE PREFACE

Declaring the Reasons, the
Purpose, the way, and the end
of the *AVTHOR*.



BEZA, A man as eminent and illustrious, in the full glory and Noone of Learning, as others were in the dawning, and Morning, when any, the least sparkle was notorious, (a) confesseth of himself, that only for the anguish of a Scurffe, which over-ranne his head, he had once drown'd himselfe from the Millers bridge in *Paris*, if his Uncle by chance had not then come that way; I have often such a sickely inclination. And, whether it be, because I had my first breeding and conversation with men of a suppressed and afflicted Religion, accustomed to the despite of death, and hungry of an imagin'd Martyrdome; Or that the common Enemy find that doore worst locked against him in mee:

C

Or

x. The reason of this discourse.

a *Epist. ante confessionem.*

Or that there be a perplexitie and flexibility in the doctrine it selfe; Or because my Conscience ever assures me, that no rebellious grudging at Gods gifts, nor other sinfull concurrence accompanies these thoughts in me, or that a brave scorn, or that a faint cowardlinesse beget it, whensoever any affliction assailes me, mee thinks I have the keyes of my prison in mine owne hand, and no remedy presents it selfe so soone to my heart, as mine own sword. Often Meditation of this hath wonne me to a charitable interpretation of their action, who dy so: and provoked me a little to watch and exagitate their reasons, which pronounce so peremptory judgements upon them.

(b) A devout and godly man, hath guided us well, and rectified our uncharitablenesse in such cases, by this remembrance, [*Scis lapsus, &c. Thou knowest this mans fall, but thou knowest not his wrastring; which perchance was such, that almost his very fall is justified and accepted of God.*] For, to this end, saith one, (c) [*God hath appointed us tentations, that we might have some excuses for our finnes, when he calles us to account.*]

An uncharitable mis-interpreter unthriftily demolishes his own house, and repaires not anothers. He loseth without any gaine or profit to any. And, as (d) *Tertullian* comparing and making equall, him which provokes another, and him who will be provoked by another, sayes, [*There is no difference, but that the provoker offended first, And that is nothing, because in evill there is no respect*

Incitements
to charity to-
wards the
doer.

b B. Dorotheus
doctrin. 6.

c Basq. conc 2.

d lib. de pati-
entia.

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respect of Order or Prioritie.] So wee may soone become as ill as any offendor, if we offend in a severe increpation of the fact. For, (e) Climachus in his *Ladder of Paradise*, places these two steps very neere one another, when hee sayes, [Though in the world it were possible for thee, to escape all defiling by actual sinne, yet by judging and condemning those who are defiled, thou art defiled.] In this thou art defiled, as (f) Basil notes, [That in computing others sinnes, thou canst not avoid excusing thine owne.] Especially this is done, if thy zeale be too fervent in the reprehension of others: For, as in most other Accidents, so in this also, Sinne hath the nature of Poyson, that (g) [It enters easiest, and works fastest upon cholericque constitutions.] It is good counsell of the Pharisees stiled, (h) [Ne judices proximum, donec ad ejus locum pertingas.] Feele and wrestle with such tentations as he hath done, and thy zeale will be tamer. For, (i) [Therefore (saith the Apostle) it became Christ to be like us, that he might be mercifull.]

If therefore after a Christian protestation of an innocent purpose herein, And after a submission of all which is said, not only to every Christian Church, but to every Christian man, and after an entreaty, that the Reader will follow this advise of *Tabernus*, [(k) *Qui litigant, sint ambo in conspectu tuo mali & rei*, and rust neither me, nor the adverse part, but the Reasons, there be any scandall in this enterprise of mine, it is Taken, not Given. And though I know, that the

e *Scala paradisi*.
grad. 3.

f *In quest. fuse*
disp. ad q. 6.

g *Forest. de*
venen. not. in
observat. 2.

h *Senar. Tri-*
baref. l. 2. cap.
17.

i *Heb. 2. 17.*

Incitements to
charity toward
the Author.

k *Senar. Tri-*
baref. l. 2. cap.
17.

l Io. 5. 2.

m Athenag. de
resur.

Why it is not
inconvenient
now to han-
dle this point.

n Filescus de
authorit. Epis.
cap. 1. § 7.

Dissentions a-
mong schol-
lars more and
harder to end
then others.

o Dan. 10.

p Humf. Iesui.
part. 2. ad rat. 5

malitious prejudged man, and the lazy affectors of ignorance, will use the same calumnies and obtrusions toward me, (for the voyce and sound of the Snake and Goose is all one) yet because I thought, that as in the poole of *Bethsaida*, (l) there was no health till the water was troubled, so the best way to finde the truth in this matter, was to debate and vex it, (for (m) [*We must as well dispute de veritate, as pro veritate,*]) I abstained not for feare of mis-interpretation from this undertaking. Our stomachs are not now so tender; and queasie, after so long feeding upon solid Divinity, nor we so umbragious and startling, having been so long enlightened in Gods path, that wee should thinke any truth strange to us, or relapse into that childish age, in which (n) a Councell in *France* forbade *Aristotles Metaphysiques*, and punished with Excommunication the excribing, reading, or having that booke.

Contemplative and bookish men, must of necessitie be more quarrelsome then others, because they contend not about matter of fact, nor can determine their controversies by any certaine witnesses, nor judges. But as long as they goe towards peace, that is Truth, it is no matter which way. (o) The tutelare Angels resisted one another in *Persia*, but neither resisted Gods revealed purpose. (p) *Hierome* and *Gregorie* seeme to be of opinion, that *Salomon* is damned; *Ambrose* and *Augustine*, that he is saved: All Fathers,
all

all zealous of Gods glory. (q) At the same time when the *Romane* Church canonized *Becket*, the Schooles of *Paris* disputed whether hee could be saved; both Catholique Judges, and of reverend authoritie. And after so many Ages of a devout and religious celebrating the memory of *Saint Hierome*, *Causans* hath spoken so dangerously, that (r) *Campian* saies, hee pronounces him to be as deepe in hell as the Devill. But in all such intricacies, where both opinions seeme equally to conduce to the honor of God, his Justice being as much advanced in the one, as his Mercie in the other, it seemes reasonable to me, that this turne the scales, if on either side there appears charity towards the poore soule departed. (f) The Church in her Hymnes and Antiphones, doth often salute the Nayles and Crosse, with Epithets of sweetnesse, and thanks; But the Speare which pierced Christ when he was dead, it ever calles, *dirum Mucronem*.

This pietie, I protest againe, urges me in this discourse; and what infirmity soever my reasons may have, yet I have comfort in *Tresmegistus* Axiome, (t) [*Qui pius est, summè Philosophatur.*] And therefore without any disguising, or curious and libellous concealing, I present and object it, to all of candor, and indifferencie, to escape that just taxation, (u) [*Novum malitia genus est, & intemperantis, scribere quod occultes.*] For as, (x) when *Ladislaus* tooke occasion of the great schisme, to corrupt the Nobility in *Rome*, and ho-

q ejusd. part 1.
præfat. ad Com.
Leicest.

r Ratio 5.
a Such perplexities wee ought to incline to that side that favoureth the dead.

f Nota Mallon.
in Paleor. Sin.
part. 1. cap. 2.

t De pietate et
philosophia.
Why I make it so publique.

u Hier. Apol.
advers. Ruffin.

x Theodor. a.
Niem. l. 2. ca.
37.

ped thereby to possess the Towne, to their seven Governours whom they called *Sapientes*, they added three more, whom they called *Bonos*, and confided in them; So doe I wish, and and as much as I can, effect,) that to those many learned and subtle men which have travelled in this point, some charitable and compassionate men might be added.

y *Tesarid. 6.*
What reader I
will.

z *Gen. 3: 6.*
et 7.

a *Hom. de S.*
Susanna.

b *Steuch. de*
Valla de Don.
const.

If therefore, of Readers, which yⁿ *Gorionides* observes to be of foure sorts, (Sponges which attract all without distinguishing; Flowre-glasses, which receive and powre out as fast; Baggies, which retaine onely the dregges of the Spices, and let the Wine escape; And Sives, which retaine the best onely,) I finde some of the last sort, I doubt not but they may bee hereby enlightened. And (z) as the eyes of *Eve*, were opened by the taste of the Apple, though it bee said before that shee saw the beauty of the tree, So the digesting of this may, though not present faire objects, yet bring them to see the nakednesse and deformity of their owne reasons, founded upon a rigorous suspition, and winne them to be of that temper, which (a) *Chrysostome* commends, [*He which suspects benignly would faine be deceived, and bee overcome. and is prouly glad, when he findes it to be false, which he did uncharitably suspect.*] And it may have as much vigour (as (b) one observes of another Author) as the Sunne in *March*; it may stirre and dissolve humors, though not expell them; for
that

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23

that must bee a worke of a stronger power.

Every branch which is excerpted from other authors, and engrafted here, is not written for the readers faith, but for illustration and comparison. Because I undertooke the declaration of such a proposition as was controverted by many, and therefore was drawne to the citation of many authorities, I was willing to goe all the way with company, and to take light from others, as well in the journey as at the journeyes end. If therefore in multiplicity of not necessary citations there appeare vanity, or ostentation, or digression my honesty must make my excuse and compensation, who acknowledg as (c) *Pliny* doth [*That to chuse rather to be taken in a theft, then to give every man due, is obnoxii animi, et infelicis ingenii.*] I did it the rather because scholastique and artificiall men use this way of instructing; and I made account that I was to deale with such, because I presume that naturall men are at least enough inclinable of themselves to this doctrine.

This my way; and my end is to remove scandall. For certainly God often punisheth a sinner much more severely, because others have taken occasion of sinning by his fact. If therefore wee did correct in our selves this easines of being scandalized, how much easier and lighter might we make the punishment of many transgressors? for God in his judgements hath almost made us his assistants, and counsellors, how far he shall punish; and our interpretation of anothers sinne doth

The reason of
so many cita-
tions.

c Epist. Tit.
Vesp.

God punishes
that sinne most
which occasi-
ons most sinne
in others.

doth often give the measure to Gods Justice or Mercy.

d Paulin. Ep.
4. Severo.

If therefore, since (d) [*disorderly long haire which was pride and wantonneſſe in Abſolon, and ſquallor and horridnes in Nebuchodonozor, was vertue and ſtrength in Samſon, and ſanctification in Samuel,*] theſe ſevere men will not allow to indifferent things the beſt conſtruction they are capable of, nor pardon my inclination to do ſo, they ſhall pardon this opinion, that their ſeverity proceeds from a ſelf-guiltines, and give me leave to apply that of *Ennodius*, (c) [*That it is the nature of ſtiſſe wickedneſſe, to think that of others, which themſelves deſerve, and it is all the comfort which the guilty have, not to find any innocent.*]

e Epift. ad
Aſyrian.

THE



THE
FIRST PART.
OF
LAW and NATURE.

Distinction I.

SECT. I.



A (a) Lawyers use to call that impossible, which is so difficult; that by the rules of law it cannot be afforded, but by the indulgence of the Prince, and exercise of his Prerogative; So Divines are accustomed to call that sinne, which for the most part is so, and which naturally occasions and accompanies sinne. Of such condition is this **S**

D

Ho.

1. Why wee first prove that this sinne is not irremissible.

a *Palaeotus de notbis. c. 28.*

HOMICIDE: which to be sinne every body hath so sucked, and digested, and incorporated into the body of his Faith and Religion, that now they prescribe against any opposer; and all discourse in this point is upon the degrees of this sinne, and how farre it exceeds all other: So that none brings the metall now to the test, nor touch, but onely to the balance. Therefore although whatsoever is in our appetite good or bad, was first in our understanding true or false, and therefore if wee might proceed orderly, our first disquisition should be employd upon the first source, and origen, which is, whether this opinion be true or false, yet finding our selves under the iniquity and burden of this custome, and prescription, we must obey the necessitie, and preposterously examine: First, why this fact should be so resolutely condemned, and why there should be this precipitation in our judgement, to pronounce this above all other sins irremissible: and then, having removed that which was nearest us, and delivered our selves from the tyranny of this prejudice: our judgment may be brought nearer to a straightnesse, and our charity awakned, and entended to apprehend, that this act may be free not onely from those enormous degrees of sinne, but from all.

SECT. II.

They who pronounce this sinne to be so necessarily

3. Three sorts
of mistakers
of this sinne.

farily damnable, are of one of these three persuasions. Either they mis-affirme that this act alwaies proceeds from desperation; and so they load it with all those comminations with which from Scriptures, Fathers, Histories, that common place abounds. Or else they entertaine that dangerous opinion, that there is in this life an impenitiblenesse, and impossibilitie of returning to God, and that apparent to us (for else it could not justifie our uncharitable censure;) Or else they build upon this foundation, that this act being presum'd to be sinne, and all sinne unpardonable without repentance, this is therefore unpardonable, because the very sin doth preclude all ordinary wayes of repentance.

SECT. III.

To those of the first Sect, if I might be as vainly subtile, as they are uncharitably severe, I should answer, that all desperation is not sinnefull. For in the devill it is not sinne, nor doth hee demerit by it, because he is not commanded to hope. Nor in a man which undertook an austere and disciplinary taming of his body by fasts or corrections, were it sinfull to despaire that God would take from him *stimulum carnis*. Nor in a Priest employ'd to convert infidels, were it sinfull to despaire; that God would give him the power of miracles; If therefore to quench and extinguish this *stimulum carnis*, a man should kill himselfe;

D 2

the

1. That all desperation is not hainous; and that this act doth not alwaies proceed from desperation.

2. It may bee without infidelitie.

a *Tho. 2 2. q. 2. ar. 2.*

3 When it is *pœna peccati* it is *involuntarium*.

b *Perer. Exod. c. 1. disp. 4.*

4. The reason why men ordinarily aggravate it.

c *Can. 17.*

the effect and fruit of this desperation were evill, and yet the root it selfe not necessarily so. No detestation nor dehortation against this sinne of desperation (when it is a sinne) can be too earnest. But yet (a) since it may be without infidelitie, it cannot be greater then that. And though *Aquinas* there calls it sinne truly, yet he sayes hee doth so, because it occasions many finnes. And if it bee as (b) others affirme, *Pœna peccati*, it is then *involuntarium*, which will hardly consist with the nature of sinne: Certainly, though many devout men have justly imputed to it the cause and effect of sin, yet as in the (c) penitentiall Cannons, greater Penance is inflicted upon one who kills his wife, than one who kills his mother; and the reason added, not that the fault is greater, but that otherwise more would commit it; So is the sinne of desperation so earnestly aggravated; becaule springing from Sloth, and Pusillanimity, our nature is more slippery and inclinable to such a descent, than to presumptions, which yet without doubt do more wound and violate the Majesty of God, then desperation doth. But howsoever, that none may justly say, that all which kill themselves, have done it out of a despaire of Gods mercy, (which is the onely sinnefull despaire) we shall in a more proper place, when we come to consider the examples exhibited in Scriptures, and other Histories; finde many who at that act have been so far from despaire, that they have esteemed it a great degree of Gods mercy,

to

to have been admitted to such a glorifying of his name, and have proceeded therein as religiously as in a sacrifice; and as (d) one sayes, elegantly, of *Job, venerare in gloriosa Proverbia*, and of whom we may properly say, that which *Moses* said, when they punished upon one another their Idolatry, *Consecrastis manus vestras Domino*.

When I come to consider their words who are of the second opinion, and which allow an impenitibleness in this life (of which *Calvin* is a strong Authorizer, if not an Authour; who sayes, that actual impenitence is not the sinne intimated in *Matth. 12. 30, & 31*. But it is a willing resisting of the holy Ghost, into which who-soever falls, *Tenendum est*, saith he, we must hold that he never riseth again) because these hard and mis-interpretable words fall from them, when they are perplexed, and intricated with that heavy question of sinne, against the holy Ghost, and because I presume them to speak proportionally and analogally to their other Doctrine, I rather incline to afford them this construction, that they place this impenitibleness onely in the knowledge of God, or that I understand them not, then either beleve them literally, or beleve that they have clearly expressed their own meanings. For I see not why we should be lother to allow, that God hath made some impeccable, then impenitible. Neither do I perceive, that if they had their purpose, and this were granted to them, that therefore such an impenitibleness must of necessity

d *Bosquier*
Con. 2.

Exod. 32.
29.

5. Of the second opinion,
impenitibleness.

6. Of *Calvins*
opinion, *Mat.*
12. 30.

7. None impeccable, nor
impenitible.

be concluded to have been in this person, by reason of this act.

SECT. IIII.

But the third sort is the tamest of all the three, and gives greatest hope of being reduced, and re-ctified: For though they pronounce severely upon the fact, yet it is onely upon one reason, that the fact precludes all entrance to repentance. Wherein I wonder why they should refuse to apply their opinions to the milder rules of the Casuists (a) which ever in doubtfull cases, teach an inclination to the safer side. And though it be safer to thinke a thing to be sin, then not, yet that rule serves for your own information, and for a bridle to you, not for anothers condemnation. They use to interpret that rule of taking the safer side, that in things necessary (*necessitate finis*, as repentance is to salvation) wee must follow any probable opinion, though another bee more probable; and that, directly that opinion is to be followed, *Quæ favet animæ*: which they exemplifie thus. (b) That though all Doctors hold that baptisme of a childe not yet thoroughly born, in the hand or foot to be ineffectuall, yet all Doctors counsell to baptize in that case, & to beleeve of good effect. And the example of the good theife informes us, that repentance works immediately; and from that history Calvin collectts, That such paine *in articulo mortis*, is naturally apt

to

1. Of the third sort, and that we ought not to presume actuall impenitence in this case.

a *Azor. Mor. Instit. pa. 1. l. 2. c. 16.*
2. Which is the safer side in doubts.

b *Zambran. de pœnitent. dub. 2. n. 39.*

3. *In articulo mortis*, the Church interprets ever favourably.

to beget repentance; Since the Church is so indulgent, and liberall to her children, (c) that at the point of death shee will afford her treasure of baptisme to one which hath been mad from his birth, by the same reason as to a child; (d) yea, to one fallen lately into madnesse, though it appeare he were in mortall sinne, if he have but attrition, which is but a feare of hell, & no tast of Gods glory; And such attrition shall be presum'd to be in him, if nothing appeare evidently to the contrary: (e) If she be content to extend and interpret this point of death, of every danger by sea, or travell; (f) If she will interpret any mortall sinne, in a man provoked by sodain passion, and proceeding from indeliberation, to be no worse nor of greater malignity, then the act of a childe. If being unable to succour one before (g) she will deliver him from excommunication after he is dead. (h) If she bee content that both the penitent and confessor, bee but *diligentes*, not *diligentissimi*; (i) If rather then she will be frustrate of her desire to dispense her treasure, she yeelds that mad and possessed men, shall be bound till they may receive extreame unction. (k) If lastly she absolve some whether they will or no, why should we abhorre our mothers example, and being brethren, be severer than the Parent? Not to pray for them which dye without faith is a precept so obvious to every Religion, that even (l) *Mahomet* hath inhibited it: But to presume impenitence, because you were not by, and heard it, is an usurpation.

c *Idem de bap. dub. 8. n. 1.*

d *Ibid. n. 2.*

e *Idem prelud. 1. n. 7.*

f *Idem de penitent. dub. 3. nu. 2.*

g *Ibidem.*
h *Dub. 7. nu. 9.*

i *Idem de unct. dub. 2. nu. 3.*

k *Sayr Thesaur. cas. consci. tom. 1. l. 2. c. 21. nu. 2.*

l *Alcor. ar. ar. 19.*

This

a *Stromat. l. 2.*
What true
repentance is.

1 *Lib. 3. ad a-*
mandum. ep. 1.

5. Witnesses
which acquit,
more accepta-
ble then accu-
sers.

o *Dist. 8 l. ca.*
Clerici.

p 12. q. 1. c.
duo sunt.

This is true repentance (saith *Clement*) [(m) To doe no more, and to speake no more, those things, whereof you repent; and not to be ever sinning, and ever asking pardon.] Of such a repentance as this our case is capable enough.

And of (n) one who died before he had repented, good *Paulinus* would charitably interpret his haste, [That he chose rather to go to God *debitor quam liber*] and so to die in his debt rather than to carry his acquittance. As therefore in matters of fact, the delinquent is so much favor'd that (o) a Lay-man shall sooner be beleev'd which acquits him, then a Clerk which accuseth (though in (p) o-ther cases there be much disproportion betweene the value of these two testimonies;) So, if any will of necessitie proceede to judgement in our case, those reasons, which are most benigne, and which, (as I sayd) *favent animæ*, ought to have the best acceptation and entertainment.

SECT. V.

Of all those definitions of sinne, which the first Rhapsoder *Pet. Lombard* hath presented out of ancient learning, as well the *Summists* as *Casuits* doe most insist upon that which he brings from (a) *S. Augustine*, as, commonly, where that Father serves their turnes, they never goe further. This definition is, that sinne is *dictum, factum, concupitum, contra aeternam legem Dei*. This they stick too, because this definition (if it be one) best beares their de-
fiant

1. Why wee
wave the ordi-
nary definiti-
on of sinne ta-
ken from *S.*
Augustine, and
follow that of
Aquinas.
a *Lib. 2. Dist.*
35. A.

scant; and is the easiest conveyance, and carriage, and vent for their conceptions; and applying rules of Divinitie to particular cases: by which they have made all our actions perplex'd and litigious, in *foro interiori*, which is their tribunall: by which torture they have brought mens consciences to the same reasons of complaint, which (b) *Pliny* attributes to *Rome*, till *Trajan's* time; that *Civitas fundata legibus, legibus evertebatur*. For as Informers vext them with continuall delations upon penall Lawes, so doth this act of sinning entangle wretched consciences in manifold and desperate anxieties.

But for this use this definition cannot be thought to be applyable to sinne onely, since it limits it to the externall Law of God, (which word though *Lombard* have not, (c) *Sayr* and all the rest retain) for this eternall Law is (d) *ratio gubernativa Dei*, which is no other then his eternall decree for the government of the whole world, and that is Providence. And certainly against this, because it is not alwayes revealed, a man may without sinne both think and speak and doe: as I may resist a disease, of which God hath decreed I shall die. Yea though he seeme to reveale his will, we may resist it, with prayers against it, because it is often conditioned, and accompanied with limitations and exceptions. Yea though God dealt plainly by *Nathan*, (e) [*The child shall surely die.*] *David* resisted Gods decree by prayer and penance. We must therefore seek another definition of sinne,

E

which

Of the torturing practise of Casuists.

b *Panegyrr. Traian.*

c *Thesaur. Cas. Consc. l. 1. Ca. 5.*
d *Tho. 22. q. 91. ar. 2.*

3. Of the eternall law of God in *Augustines* definition against which a man may doe without sinne.

c *2. Sam. 12. 14.*

f 22. q. 64. ar.
1. Con.
4. Of the De-
nition which
we follow.

which I think is not so well delivered in those words of *Aquinas* (f) [*Omnis defectus debiti actus habet rationem peccati*] as in his other; [*Pecatum est actus devians ab ordine debiti finis, contra regulam naturae rationis, aut legis aeternae.*] For here *lex aeterna* being put as a member and part of the definition, it cannot admit that vast and large acceptation, which it could not escape in the description of *S. Augustine* but must in this place be necessarily intended of *lex divina*. Through this definition therefore, we will trace this act of *Self-homicide*, and see whether it offend any of those three sorts of Law.

SECT. VI.

1. How the law of nature, of reason, and of God, exhibited in this definition, are all one; and how diversly accepted.

Of all these three Laws, of Nature, of Reason, and of God, every precept which is permanent, and binds alwayes, is so compos'd and clemented and complexion'd, that to distinguish and separate them is a Chymick work: And either it doth only seeme to be done, or is done by the torture and vexation of schoole-limbicks, which are exquisite and violent distinctions. For that part of Gods Law which binds alwayes, bound before it was written, and so it is but *dictamen recte rationis*; and that is the Law of nature. And therefore *Fsidore* as it is related into the (a) Canons, dividing all Law into divine and humane, addeth [Divine consists of nature, Humane of custome] Yet though these three be almost all one; yet because

a Dist. 1. Omnes.

cause one thing may be commanded divers waies, and by divers authorities, as the common Law, a Statute, and a Decree of an arbitrary Court, may bind me to do the same thing, it is necessary that we weigh the obligation of every one of these Laws which are in the Definition.

But first I will only mollify and prepare their crude and undigested opinions and prejudice which may be contracted from the often iteration, and specious but sophisticate inculcatings of Law, and Nature, and Reason, and God, with this *Apote*, that many things which are of Natural and Humane and Divine Law may be broken. Of which sort (b) to conceale a secret delivered unto you is one. And the Honour due to Parents is so strictly of all these Laws, as none of the second Table more. Yet in a iust warre a Parricide is not guilty; yea by a law of *Venise*, though (c) *Bodin* say, it were better the Towne were sunk then ever there should be any example or president therein; A sonne shall redeeme himselfe from banishment by killing his Father being also banished. And we (d) read of another state (and Laws of Civil Commonwealths may not easily be pronounced to be against Nature) where when Fathers came to be of an unprofitable and uselesse age, the sons must beat them to death with clubs: And of another, where all persons of above 70 years were dispatched.

2. In some cases all these three lawes may be broke at once.

3. Revealing a secret.
b *Soto de reg. Secr. membr. 1. q. 2.*

4. Parricide.
c *de Rep. l. 1. cap. 4.*

d *Ælian. l. 4. cap. 1.*

SECT. VII.

1. Of the law, of nature; and that against it strictly taken, either no sin, or all sinne is done.

2. To doe against nature, makes us not guilty of a greater sinne, but more inexcusable.

3. Nothing so evill, that is never good.

4. No evill but disobedience.

5. Lying naturally worse then Selfe-homicide.

a *Theaur. cas. conf. l. 7. c. 9. n. 9.*

b *sup. 22. q. 37. ar. 2.*

c *de reg. secr. memb. 1. q. 3.*

This terme the law of Nature, is so variously and unconstantly deliver'd, as I confesse I read it a hundred times before I understand it once, or can conclude it to signifie that which the author should at that time meane. Yet I never found it in any sence which might justifie their vociferations upon sinnes against nature. For the transgressing of the Law of nature in any act doth not seeme to me to increase the haynousnesse of that act, as though nature were more obligatory than divine Law; but only in this respect it aggravates it, that in such a sin we are inexcusable by any pretence of ignorance since by the light of nature we might discern it. Many things which we call sin, and so evill have been done by the commandement of God; by *Abraham* and the *Israelites* in their departing from *Agypt*. So that this evill is not in the nature of the thing, nor in the nature of the whole harmony of the world, and therefore in no Law of nature, but in violating, or omitting a Commandement: All is obedience or disobedience. Whereupon our Country-man (a) *Sayr* confesseth, that this SELF-HOMICIDE is not so intrinsically ill, as to Ly. Which is also evident by *Cajetan* (b) where he affirms, that I may not to save my life, accuse my self upon the Racker. And though *Cajetan* extend no farther her in, then that I may not bely my self: Yet (c) *Soto* evicts,

evids, that *Cajetans* reasons, with as much force forbid any accusation of my self, though it be true. So much easier may I depart with life then with truth, or with fame, by *Cajetan*. And yet we find that of their fame many holy men have been very negligent. For not onely *Augustine*, *Anselm*, and *Hierome*, betray themselves by unurged confessions, but (d) St. *Ambrose* procur'd certain prostitute women, to come into his chamber, that by that he might be defamed, and the People thereby abstaine from making him Bishop. This intrinsique and naturall evill therefore will hardly be found. For, (e) God who can command a murder, cannot command an evill, or a sinne; because the whole frame and government of the world being his, he may vse it as he will. As, though he can doe a miracle, he can do nothing against nature; because (f) [That is the nature of every thing, which he works in it.] Hereupon, & upon that other true rule, (g) [whatsoever is wrought by a superior Agent, upon a patient, who is naturally subject to that Agent, is naturall] we may safely infer, that nothing which we call sinne is so against nature, but that it may be sometimes agreable to nature.

On the other side, nature is often taken so widely and so extensively, as all sinne is very truly said to be against nature. Yea, before it come to be sinne. For S. *Augustine* sayes (h) [Every vice, as it is vice, is against nature.] And vice is but habite which being produced to act, is then sinne. Yea

E 3

the

6 Fame may be neglected; yet we are as much bound to preserve it, as life.
d *Soto* *ibid.*

e *Th.* 22. q. 104. ar. 4. ad 2. m.

7 God cannot command a sin, yet he can command murder.

f *Aug.* cont. faust. l. 26. ca.

3.
g *Th.* 1. q. 105. ar. 6. ad. 1.

h *De li. Arb.* l. 13. ca. 13.
8 Original sin is from nature.

12. q. 81. ar.
4.

3. q. 8. ar. 5.
ad 7.

1. q. 100. ar.
ad 3.

12. q. 81. ar.
4.

the parent of all sinne, which is hereditary originall sin, which (i) *Aquinas* calls, [a languor and faintnesse in our nature, and an indisposition, proceeding from the dissolution of the harmony of originall Justice] is by him said to be in us, [(k) *quasi naturale*] And is, as he saith in another place, so (l) naturall, [that though it is propagated with our nature, in generation, though it be not caused by the principles of nature.] So (m) as if God would now miraculously frame a man, as he did the first woman, of another's flesh and bone, and not by way of generation, into that creature, all infirmities of our flesh would be derived but not originall Sin. So that originall sinne is traduced by nature onely, and all actuall sinne issuing from thence, all sinne is naturall.

SECT. VIII.

But to make our approaches neerer. Let us leave the consideration of the Law of nature, as it is Providence, and Gods decree for his government of the great world; and contract it only to the law of nature in the lesse world, our selves. There is then in us a (a) double law of nature, Sensitive and Rational; and (b) the first doth naturally lead and conduce to the other. But because by the languor and faintnesse of our nature, we lazily rest there, and for the most part goe no further in our journeys therefore out of this ordinary

1 That if our adversaries by law of Nature meane onely Sensitive Nature, they say nothing, for so most vertuous actions are against Nature.

a *Tho.* 12. q.
71. ar. 2. *Con.*
b *Carbo. Cas.*
Conf. To. 2. pa.
1. 6. 5.

nary indisposition, *Aquinas* pronounceth, that the inclination of our sensitive nature is against the law of reason. And this is that which the Apostle calls the law of the flesh, and opposeth against the law of the spirit.

Now although it be possible to sinne and transgresse against this sensitive nature, which naturally and lawfully (c) is inclined upon *bonum delectabile*, by denying to it lawfull refreshings, and fomentations; yet I think this is not that law of nature which these abhorers of SELF-HOMICIDE complaine to bee violated by that Act. For so they might aswell accuse all discipline and austeritie, and affectation of Martyrdome, which are as contrarie to the Law of sensitive Nature.

SECT. IX.

And therefore, by law of nature, if they will meane any thing, and speak to be understood, they must entend the law of ratiōnall nature: which is that light which God hath afforded us of his eternall law; and which is usually call'd *recta ratio*. Now this law of nature as it is onely in man and in him directed upon Piety, Religion, Sociableness; and such (for as it reacheth to the preservation both of Species and individualls, there are lively prints of it in beasts) is with most authors confounded and made the same with *jus gentium*. So (a) *Azorius*, and so (b) *Syl-*

Rom. 7. 23.

c Tho. *ibid.*

r As the law of Nature is *Recta Ratio*, it is *jus gentium*. So Immolation of men and Idolatry, are not against Nature.

a *Mor. Inst. 2. l. 5. cap. 1.*

b *Com. ad leg. Reg. præ.*

c *De Som. sign.*

d *Pol. Virg. de Invent. rer. l. 5. cap. 8.*

e *Middendorp. de Acad. l. 6. ex Io. Bormo.*

f *Cæsar. Bell. Gall. l. 6.*

g *Mat. Met. præf. ad Oser. Hist.*

i A reason is the forme, and so the Nature of man, every sin is against Nature, yea, whatsoever agrees not exactly with Christian Religion.

a 12. q. 71. ar. 2. *Con.*

(b) *Sylvius* delivers [That the law of nature, as it concerns only reason, is *jus gentium*,] and therefore whatever is *jus gentium* that is, practised (and accepted in most, especially civil'd nations) is also law of nature, which (c) *Artemidorus* exemplifies, in these two, *Deum colere, mulieribus vinci.*

How then shall we accuse Idolatry, or immolation of men to be sinnes against nature? For (not to speak of the first, which the a deluge overflowed the whole world, and only *Canaan*, was a little Ark swimming upon it, delivered from utter drowning, but yet not from stormes and and leakes, and dangerous weather-beatings,) immolation of men was so ordinary, that (d) [almost every nation, though not barbarous, had received it.] the (e) *Druids* of *France* made their divinations from sacrifices of men. (f) And in their wars they presaged also after the same fashion. And for our times it appears, by the Spanish relations, (g) that in only *Hispaniola* they sacrific'd yearly 20000 children.

SECT. X.

However since this is receiv'd [(a) that the nature of every thing is the forme by which it is constituted, and that to doe against it, is to doe against nature] since also this forme in man is reason, and so to commit against reason is to sin against nature; what sin can be exempt from that charge, that it is a sin against nature, since every sin

is

is against reason. And in this acceptation (b) *Lucidus* takes the law of nature, when he sayes [God hath written in our hearts such a law of nature, as by that, we are saved in the coming of Christ.] And so every act which concurreth not exactly with our religion shall bee sinne against nature. Which will appeare evidently out of (c) *Jeremies* words, where God promiseth as a future blessing, that he will write his lawes in their hearts, which is the Christian law. So that the Christian law, and the law of nature, (for that is the law written in hearts) must be all one. Sinne therefore against nature is not so enormous, but that that may stand true, which *Navar* saith (d) [that many lawes both naturall and divine doe bind onely *ad veniale*.] And so (not disputing at this time, whither it be against reason alwaies or no,) (for reason and vertue differ no otherwise than a close box of druggs, and an emplaister or medicine made from thence and applyed to a particular use and necessitie; and in the box are not onely aromatike simples, but many poysons, which the nature of the disease, and the art of the Administerer make wholesome,) This SELF-HOMICIDE is no more against the law of nature, then any other sinne, nor in any of the acceptations which we touch'd before. And this is as much as I determined for this first Distinction.

b *Epistola multis epist.*

c 31. 33.

d *Manual. ca. 23. nu. 50.*

2. Vertue produced to an act, differs so from reason, as a medicine made and applyed, from a box of druggs.

Distinction II.

SECT. I.

1. Sinnes against nature in a particular sense, are by Schoolmen said to be unnaturall lusts; and this. But in Scriptures onely the first is so called.

a *Mor. Instit. p. 1. l. 4. cap. 1.*
b 22. q. 154.
ar. 11. Con.

c *Rom. 1. 20.*
d *Judg. 19. 24*

2. Of the example of the *Levite* in the *Judges*.
e *Antiq. l. 5. c. 2.*

There is a lower and narrower acceptation of this law of nature (which could not well be discerned but by this light, and fore-discour- sing) against which law, this sinne, and a very few more, seeme to be directly bent, and opposed. For (a) *Azorius* sayes, [That there are sinnes peculiarly against nature, which are *contra naturalem usum hominis*] which he exemplifies in unnaturall lusts, and in this. And of the former example (b) *Aquinas* sayes, [That there are some kinds of lusts which are sinnes against nature, both as they are generally vices, and as they are against the naturall order of the act of generation.] In the Scriptures also this sinne of mis-using the Sexe, is called against nature, by (c) *S. Paul.* And once (in the vulgar edition) in the (d) old Testament. But (as I intimated once before) this sinne against nature is so much abhor'd, not because the being against nature makes it so abominable, but because the knowledge therof is so domestique, so neare, so inward to us, that our conscience cannot slumber in it, nor dissemble it, as in most other sinnes it doth. For, in that example of the *Levite* in the booke of *Judges*, (if those wicked men did seeke him for that abominable use, which (e) *Iosephus* sayes,

sayes, was onely for his wife; And when himself relates to the people the history of his injury in the next chapter, he complains that they went about to kill him to enjoy his wife, and of no other kind of injury;) though the Host which had harbor'd him dissuade the men thus, [*solum non operemini hoc contra naturam*] will any man say, that the offer which he made them to extinguish their furious lust, to expose to them his owne daughter, a virgine, and the wife of his guest, (which *Iosephus* increases by calling her a *Levite* and his kinf-woman,) was a lesse sinne, then to have given way to their violence, or lesse against nature, because that which they sought was *contra naturalem usum*. Is not every voluntary pollution, *in genere peccati*, as much against the law of nature, as this was, since it strays and departs from the way, and defeats the end of that facultie in us, which is generation? The violating therefore of the law of nature, doth in no acceptation aggravate the sinne. Neither doth the Scripture call any other sinne, then disorderly lust by that name; *S. Paul* once appeals to the law of nature, when arguing about the covering of heads, of men or women at publique prayer, hee sayes, [*Judge in your selves;*] And [*Doth not nature teach you, that if a man have long haire, it is a shame.*] Not that this was against that law of nature to which all men were bound, for it was not alwayes so. For, in most places, shavings and cuttings, and pullings, are by the *Satyriques* and *Epigrammatists*

1 Cor. 11. 14.
3. S Pauls use
of the phrase
Law of nature
in long haire.

of those times, reprehended for delicacy and effeminatenesse. And the *Romans* till forrain corruption had envenom'd them, were ever call'd gloriously *Intonsi*; but because (sayes *Calvine*) [it was at that time received as a custome throughout all *Greece*, to weare short haire, *S. Paul* calls it naturall.]

f *De re milit.*
l. 4. c. 39.
4. *Vegetius* use
of that phrase.

g *Pierius de*
barbis Sacerdotum.

1. Selfe-preservation is not so of particular law of nature, but that beasts naturally transgress it, whom it binds more then us; and we, when the reason thereof ceases in us, may transgress it, and sometimes must.

So *Vegetius* sayes [That from (f) *November* to *March* the Seas are shut up, and intractable *lege natura*,] which now are tame and tractable enough, and this also *lege natura*. And that custome which *S. Paul* call'd naturall in *Greece*, was not long naturall there. For the Bishops of *Rome*, when they made their Canons for Priests shavings, (g) did it because they would have their Priests differ from the Priests of the *Greek Church*. So that *S. Paul* mentioning the law of nature, argues not from the weight and hainousnesse of the fault, as our adversaries use; but useth it as the nearest and most familiar and easie way to lead them to a knowledge of decencie, and a departing from scandalous singularitie in those publique meetings.

SECT. II.

And though *Azorius* (as I said) and many others, make this *Selfe-homicide* an example of sin, against particular Law of Nature; yet it is onely upon this reason, that *selfe-preservation* is of Naturall Law. But that Naturall Law is so generall, that

that it extends to beasts more then to us, because they cannot compare degrees of obligation and distinctions of duties and offices, as we can. For we know that (a) [some things are naturall to the *species*, and other things to the particular *person*] and that the latter may correct the first. And therefore when (b) *Cicero* consulted the oracle at *Delphos*, he had this answer, [Follow your owne nature.] And so certainly that place, (c) [It is not good for the man to be alone,] is meant there, because if he were alone, Gods purpose of multiplying mankinde had beene frustrate. Yet though this be ill for conservation of our *species* in generall, yet it may be very fit for some particular man, to abstaine from all such conversation of marriage or men, and retire to a solitude. For some may need that counsell of (d) *Chrysostome*, [Depart from the high way, & transplant thy self in some inclosed ground: for it is hard for a tree which stands by the way side, to keep her fruit, till it be ripe.] Our safest assurance, that we be not misled with the ambiguity of the word *Naturall Law*, and the perplex'd variety thereof in Authors, will be this, That [all the precepts of *Naturall Law*, result in these, *Fly evill, seek good*;] That is, doe according to Reason.

For these, as they are indispensable by any authority, so they cannot be abolished nor obscur'd, but that our hearts shall ever not onely retaine, but acknowledge this Law. From these are deduced by consequence, other precepts

F 3

which

a *Tho. 12. 9.*
51. ar. 7. Con.

2. Things naturall to the *species*, are not alwaies so to the *individuum*
b *Fabricius Hist. Cicero, Ann. 30.*
c *Gen. 2. 18.*
3 Therefore some may abandon the world.

d *Homil. 36. Oper. imperf. in Matth.*

c *Th. 12. 9. 94.*
ar. 4.

4 First principles in naturall Law are obligatory, but not deductions from thence, and the lower we descend, the weaker they are.

which are not necessary alwaies; as *Redde depositum*. For though this seeme to follow of the first, *Doe according to reason*, yet it is not alwaies just. And as *Aquinas* saies, The lower you goe towards particulars, the more you depart from the necessitie of being bound to it. So (f) *Acacius* illustrates it more clearely, [It is naturall, and bindes all alwaies, to know there is a God. From this is deduced by necessary consequence, that God (if he be) must be worshipped; and after this, by likely consequence, that he must be worshipped in this or this manner.] And so every Sect will a little corruptly and adulterately call their discipline *Naturall Law*, and enjoyn a necessary obedience to it. But (g) though our substance of nature, (which is best understood of the foundations and principles, and first grounds of *Naturall Law*,) may not be changed, yet *functio natura*, (which is the exercise and application therof,) and deduction from thence may, and must. The like danger is in deducing consequences from this naturall Law, of *Selfe-preservation*; which doth not so rigorously, and urgently, and illimitedly binde, but that by the Law of Nature it selfe, things may, yea must neglect themselves for others; of which the Pellican is an instance, or an embleme.

And (h) *St. Ambrose* Philosophying divinely in a contemplation of Bees, after he hath afforded them many other prayes, sayes [*That when they finde themselves guilty of having broken any of their Kings*

g *De privilegiis
Juris. l. 1. c. 8.*

g *Sylvius Com-
ment. ad leg.
reg. præfat. c. 1.*

5 Pellicans,
and Bees, by S.
Ambrose, kill
themselves.

h *Hexam. l. 5.
cap. 1.*

Kings

Kings Lawes, Penitenti condemnatione se mulctant, ut immoriantur aculei sui vulnere.] Which magnanimity and justice, he compares there with the Subjects of the Kings of *Persia*, who in like cases are their owne executioners. As this naturall instinct in beasts, so rectified reason belonging onely to us, instructs us often to preferre publique and necessary persons, by exposing our selves to unevitable destruction.

No law is so primary and simple, but it fore-imagines a reason upon which it was founded: and scarce any reason is so constant, but that circumstances alter it. In which case a private man is Emperor of himselfe; for so (i) a devout man interprets those words, [*Faciamus hominem ad imaginem nostrum, id est, sui juris.*] And he whose conscience well tempred and dispassion'd, assures him that the reason of selfe-preservation ceases in him, may also presume that the law ceases too, and may doe that then which otherwise were against that law.

And therefore if it be true that [it (k) belongs to the Bishop of Rome, to declare, interpret, limit, distinguish the law of God,] as their Doctors teach, which is, to declare when the reason of the Law ceases: it may be as true which this Author, and the (l) Canons affirme, that he may dispense with that Law: for hee doth no more, then any man might doe of himselfe, if he could judge as infallibly. Let it be true that no man may at any time doe any thing against the law of nature, yet,

(m) [As

6 The reason of almost every Law is mutable.

i B. Dorotheus Doctrinâ 12.

k Windeck. Canonum & legum consens. & dissens. ca. 12.

7 He that can declare when the reason ceases, may dispence with the Law.
l 25. q. 1. sunt quidam.

m Tho. 22. q.
88. ar. 10.
8. How dis-
pensations
worke.

n Tho. 22. q.
89. ar. 9.

o Acacius de
privilegijs l. 1.
ca. 3.

9. As nothing
can annull the
prerogative of
Princes or
Popes, though
their own act
seeme to pro-
vide against
it; so no law
doth so de-
stroy mans li-
berty, but that
he returnes to
it, when the
reason of the
law ceases.

(m) [*As a dispensation workes not thus, that I may by it disobey a law, but that that law becomes to me no law, in that case wher the reason ceases;*] So may any man be the Bishop & Magistrate to himselfe, and dispense with his conscience, where it can appeare that the reason which is the soule and forme of the law, is ceased. Because, (n) as in Oathes and Vowes, so in the Law, the necessitie of dispensations proceeds from this, that a thing which universally considered in it selfe is profitable and honest, by reason of some particular event, becomes either dishonest or hurtfull; neither of which, can fall within the reach, or under the Commandement of any law; and in these exempt and priviledged cases, (o) [*the priviledge is not contra jus universale, but contra universalitatem juris.*] It doth onely succor a person, not wound, nor infirme a law. No more, then I take from the vertue of light, or dignitie of the Sunne, if to escape the scorching thereof, I allow my selfe the reliefe of a shadow.

And, as neither the watchfulnesse of Parliaments, nor the descents and indulgences of Princes, which have consented to lawes derogatory to themselves, have beene able to prejudice the Princes *non obstantes*, because prerogative is incomprehensible, and over-flowes and transcends all law. And as those Canons which boldly (and as some School-men say) blasphemously say, *Non licebit Papa*, diminish not his fulnesse of power, nor impeach his *motus proprios*, (as they call them)

them) nor his *non obstante jure divino*, because they are understood ever to whisper some just reservation, *sine justa causa*, or *rebus sic stantibus*, so, what law soever is cast upon the conscience or liberty of man, of which the reason is mutable, is naturally condition'd with this, that it binds so long as the reason lives.

Besides, *Self-preservation*, which wee confesse to be the foundation of generall naturall Law, is no other thing then a naturall affection and appetite of good, whether true or seeming. For certainly the desire of Martyrdome, though the body perish, is a *Self-preservation*, because thereby, out of our election our best part is advanc'd. For heaven which we gaine so, is certainly good, Life, but probably and possibly. For here it holds well which (p) *Athenagoras* sayes, [*Earthly things and Heavenly differ so, as Veri-simile, & Verum;*] And this is the best description of felicitie that I have found, That [(q) it is *reditus uniuscujusque rei ad suum principium.*] Now since this law of *Self-preservation* is accomplish'd in attaining that which conduces to our ends, and is good to us, (for (r) liberty, which is a faculty of doing that which I would, is as much of the law of nature as preservation is; yet if for reasons seeming good to me, (as to preserve my life when I am justly taken prisoner, I will become a slave; I may doe it without violating the law of nature.) If I propose to my selfe in this SELF-HOMICIDE a greater good, though I mistake it, I perceive not

G

wherein

10. Self-preservation being but an appetite of that which is good to us, is not violated by this act.

p De resurrect.

q Heptapl. 10. Pici. l. 7. proem.

r *Sylvius Com. ad leg. reg. præfat. l. 1.*
11. Liberty, which is naturally to be preserved, may be departed with.

wherein I transgresse the generall law of nature, which is an affection of good, true, or seeming : and if that which I affect by death, bee truely a greater good, wherein is the other stricter law of nature, which is rectified reason, violated ?

S E C T. III.

1. That cannot be against Law of Nature, which men have ever affected ; if it be also, (as this is) against sensitive Nature, and so want the allurements of other sinns. a *De Subtil.* lib. 5.

Another reason which prevailes much with me, and delivers it from being against the Law of nature, is this, that in all ages, in all places, upon all occasions, men of all conditions, have affected it, and inclin'd to doe it. And as (a) *Cardan* sayes it, [*Mettall is planta sepulta, and that a Mole is Animal sepultum.*] So man, as though he were *Angelus sepultus*, labours to be discharged of his earthly Sepulchre, his body. And though this may be said of all other sinnes, that men are propense to them, and yet for all that frequency, they are against nature, that is rectified reason, yet if this sinne were against particular Law of nature, (as they must hold, which aggravate it by that circumstance,) and that so it wrought to the destruction of our species, any otherwise then intemperate lust, or surfet, or incurring penall Lawes, and such like doe, it could not be so generall ; since being contrary to our sensitive nature, it hath not the advantage of pleasure and delight, to allure us withall, which other sinnes have.

And when I frame to my selfe a Martyrologe
of

of all which have perished by their own meanes for Religion, Countrey, Fame, Love, Ease, Feare, Shame; I blush to see how naked of followers all vertues are in respect of this fortitude; and that all Histories afford not so many examples, either of cunning and subtile devises, or of forcible and violent actions for the safeguard of life, as for destroying.

Petronius Arbiter who served *Nero*, a man of pleasure, in the office of Master of his pleasures, upon the first frowne went home, and cut his Veines. So present and immediate a step was it to him, from full pleasure to such a death.

How subtilly and curiously *Attilius Regulus* destroyed himselfe? Wo being of such integritie, that he would never have lyed to save his life, lyed to lose it; falsely pleading, that the *Carthaginians* had given him poyson, and that within few dayes he should dye, though he stay-
ed at *Rome*.

Yet *Codrus* forcing of his death, exceeded this, because in that base disguise he was likely to perish without fame.

Herennius the *Sicilian*, could endure to beat out his own braines against a post; and as though he had owed thanks to that braine which had given him this devise of killing himselfe, would not leave beating, till he could see and salute it.

Comas who had been a Captaine of theeves, when he came to the torture of examination, scorning all forraigne and accessorie helps to dye,

2. There are not so many examples of all other vertues, as of this one degree of Fortitude.

Petr. Arbiter.

Attil. Regulus.

Codrus.

Herennius.

Comas.

made his owne breath, the instrument of his death, by stopping and recluding it.

Annibal.

Annibal, because if hee should be overtaken with extreame necessitie, he would be beholden to none for life nor death, dyed with poyson which he alwaies carryed in a ring.

Demosthenes.

As *Demosthenes* did with poyson carryed in a penne.

Aristarchus.

Aristarchus when he saw that 72 yeares, nor the corrupt and malignant disease of being a severe Critique, could weare him out, sterved himselfe then.

Homer.

Homer which had written a thousand things, which no man else understood, is said to have hanged himselfe, because he understood not the Fishermens riddle.

Othryades.

Othryades who onely survived of 300 Champions, appointed to end a quarrell between the *Lacedemonians* and *Athenians*, when now the lives of all the 300 were in him, as though it had been a new victory to kill them over again, kill'd himselfe.

Democles.

Democles, whom a Greeke Tyrant would have forced, to show that he could suffer any other heat, scalded himselfe to death.

*Portia.
Lucretius.*

Portia, *Cato's* daughter, and *Catulus Lucretius* sought new conclusions, and as *Quintilian* calls them, [*Nova Sacramenta pereundi*], and dyed by swallowing burning coales.

Declam. 17.

Terence.

Poore *Terence* because he lost his 108 translated Comedies, drown'd himselfe.

And

And the Poet *Labiennus*, because his Satyricall Bookes were burned by Edict, burnt himselfe too.

Labiennus.

And *Zeno*, before whom scarce any is prefer'd, because he stumbled, and hurt his finger against the ground, interpreted that as a Summons from the earth, and hang'd himselfe, being then almost .00 yeares old. For which act, *Diogenes Laertius* proclaimes him to have been [*Mira felicitate vir, qui incolumis, integer, sine Morbo excessit.*]

Zeno.

To cure himselfe of a quartane, *Portius Latro* killed himselfe.

Por. Latro.

And *Festus*, *Domicians* Minion, onely to hide the deformity of a Ringworme in his face.

Festus.

Hippionas the Poet rimed *Bubalus* the Painter to death with his Iambiques.

Hippionas.

Macer bore well enough his being called into question for great faults, but hanged himselfe when hee heard that *Cicero* would plead against him, though the *Roman* condemnations at that time inflicted not so deep punishments.

Macer.

And so *Cassius Licinius* to escape *Cicero's* judgement, by choaking himselfe with a napkin, had (as *Tacitus* calls it) *precium festinandi*. You can scarce imagine any person so happy, or miserable, so repos'd or so vaine, or any occasion either of true losse, or of shamesfastnesse, or forwardnesse, but that there is some example of it.

Licinius.

Annal. lib. 5.

Yet no man, to me seemes to have made harder shift to dy, then *Charondas*, who first having

Charondas.

made a new law, that it should be death to enter the Counsell Chamber armed, not onely offended that Law, but punished it presently by falling upon his sword.

But the generall houre of such death is abundantly expressed, in those swarmes of the *Roman* Gladiatory Champions, which, as (b) *Lipsius* collects, in some one month cost *Europe* 30000 men, and to which exercise and profusion of life, till expresse Lawes forbade it, (c) not onely men of great birth, and place in the State, but also women coveted to be admitted.

By *Eleazars* Oration recorded in (d) *Josephus*, we may see how small perswasions moved men to this. [*Hee onely told them, that the Philosophers among the Indians did so. And that we and our children were borne to dy, but neither borne to serve*]

And we may well collect, that in *Cæsars* time, in *France*, for one who dyed naturally, there dyed many by this devout violence. For (e) hee sayes there were some, whom he calls *Devotos*, and *Cientes*, ((f) the latter Lawes call them *Soldarios*) which enjoying many benefits, and commodities, from men of higher ranke, alwaies when the Lord dyed, celebrated his Funerall with their owne. And *Cæsar* adds, that in the memorie of man, no one was found that ever refused it.

Which devotion I have read some where continues

3. Of the *Romane* Gladiators in great persons, and great numbers
b *L: 1. cap. 12. de Gladiator.*

c *Idem. l. 2. cap. 3.*

d *De bell. Judai. l. 7. c. 28.*

4. Small perswasions drew men to it.

5. By the *Soldurii* in *France* it may be gathered, that more dyed so, then naturally.

e *Lib. 3. com. Bell. Gall.*

f *Tholosa. Synt. lib. 14. cap. 10. N. 14.*

tinues yet in all the wives in the Kingdome of *Bengala* in the *Indies*.

And there not onely such persons, as doe it in testimony of an entire dependency, and of a gratitude, but the (g) *Samanai*, (which did not inherit Religion, and Priesthood, and wisdom, as *Levites* did amongst the *Jewes*, and the *Gymnosophists* amongst them, but were admitted by election, upon notice taken of their sanctity) are sayd to have studied wayes how to dye, and especially then when they were in best state of health. And yet (h) these Priests whose care was to dye thus, did ever summe up, and abridge all their precepts into this one, *Let a pious death determine a good life*. Such an estimation had they of this manner of dying. (i) How pathetically *Latinus Pacatus* expresses the sweetnesse of dying when we will; [*Others*, sayth he, after the conquest, making a braver bargain with *Destiny*, prevented uncertaine death by certaine; and the slaves scaped whipping by strangling. For who ever fear'd, after there was no hope? Or who would therefore forbear to kill himselfe, that another might? Is anothers hand easier then thine own? Or a private death fouler then a publique? Or is it more paine to fall upon thy sword, and to oppresse the wound with thy body, and so receive death at once, then to divide the torment, bend the knee, stretch out the necke, perchance to more then one blow?] And then wondering why *Maximus*, who had before murdered *Gratian*, and was now suppressed by *Theodosius*, had not enjoyed the common benefit of killing himselfe,

6. Wives in *Bengala* doe so yet.

7. The *Samanai* which were Priests in the *Indies* used to doe it. g *Porphyr. de Abstin. antiq.*

h *Heurnius de philosoph. Barbar. l. 2. ca. 2.*

i *Panegy. Theodosio.*
8. *Lat. Pacat.* expresseth this death pathetically.

himselfe; he turnes upon *Gratian*, and sayes, [*Thou Reverend Gratian, hast chased thine Executioner, and would' st not allow him leasure for so honest a death, least he should staine the sacred Imperiall robe with so impious blood, or that a Tyrants hand should performe thy revenge, or thou bee beholden to him for his owne death.*] And with like passion speakes another *Panegyrique to Constantine*, who after a victorie, tooke their swords from the conquered, *Ne quis incumberet dolori*. By which language one may see, how naturall it was to those times, to affect such dispatch.

Matal. Metel. Praefar. in hist. Oforij.

9. How the Spaniards corrected this naturall desire in the Indians.

And in our age, (k) when the *Spaniards* extended that Law, which was made onely against the *Canibals*, that they who would not accept Christian Religion, should incurre bondage; the *Indians* in infinite numbers escaped this by killing themselves; and never ceased, till the *Spaniards* by some counterfeitings made them thinke, that they also would kill themselves, and follow them with the same severity into the next life.

And thus much seeming to me sufficient, to defeat that argument which is drawn from *Self-preservation*, and to prove that it is not so of particular law of Nature, but that it is often transgressed naturally, wee will here end this second Distinction.

Distinct.

Distinction III.

SECT. I.

After this when men by civillie and mutuall use one of another, became more thrifty of themselves, and sparing of their lives, this solemnity of killing themselves at funeralls wore out and vanish'd; yet leysurely, and by unsensible diminutions. (a) [*For first in shew of it, the men wounded themselves, and the women scratch'd and defaced their cheekes, and sacrific'd so by that aspersion of blood. After that, by their friends graves they made graves for themselves, and entred into them alive, (as Nunnes doe when they renounce the world.) And after in show of this show, they onely tooke some of the earth, and wore it upon their heads: and so for the publique benefit were content to forfeit their custome of dying*]

And after Christianitie, which besides the many advantages above all other Phylosophies, that it hath made us clearely to understand the state of the next life: which *Moses* and his followers (though they understood it) disguis'd ever under earth y rewards, and punishments; either because humane nature after the first fall, till the restitution and dignification thereof by *Christ*, was generally incapable of such mysteries, or, because it was reserved to our blessed Saviour to interpret and comment upon his owne Law, and that

H

great

a Sylvius Com. ad leg. reg. c.

24.

1 After civility and christianity quenched this naturall desire, in the place thereof, there succeeded a thirst of Martyrdom.

2 How leysurely the custome of killing at funeralls wore out.

3 *Moses* delivered, and the philosophers saw the state of the next life, but unperfectly.

great successive Trinity of humane wisdom, *Socrates, Plato, and Aristotle*, saw but glimmeringly and variously; as also for matters of this life, the most Stoick and severe Sect that ever cast bridle upon mankind, I say, after Christianity had quench'd those respects of fame, ease, shame, and such, how quickly naturally man snatch'd and embraced a new way of profusing his life by Martyrdome?

S E C T. II.

For whil'st the famous acts, or famous sufferings of the *Jewes*, for defence even of Ceremonies, (many thousands of them being slaine, onely because they would not defend themselves upon the Saboth;) And whil'st the custome of that Nation ever embrued in sacrifices of blood, and all, most of all other Nations devout and earnest even in the immolation of men. And whil'st the example of our blessed Saviour, who chose that way for our Redemption to sacrifice his life, and profuse his blood, was now fresh in them, and govern'd all their affections, it was not hard for their Doctors even by naturall reasons, and by examples to invite, or to cherish their propensesse to Martyrdome.

Clement therefore when he handles this point, scarce presents to them any other argument then naturall men were capable of, and such food, and such fuell, as would serve the tast and fer-

VOUR

1 That this was for the most part insinuated into men by Naturall reasons, and much upon humane respects.

Stromat. l. 4.

2 So proceeded *Clement*.

vour of such an one as were not curious above Nature. As, that Death was not naturally evil: That Martyrdome was the beginning of another life. That the Heathen endured greater paines for lesse reward. That a Barbarous people immolated every yeare a principall Philosopher to *Xamolxis* an Idol; and they upon whom the lot fell not, mourn'd for that. And with most earnestnesse that Martyrdome is in our owne power: which be arguments better proportioned to Nature, then to Divinity; and therefore *Clement* presumed them men inclined, or inclinable by nature to this affection.

Tertullians Reasons are somewhat more sublime; yet rather fine, and delightfull, then solid and weighty; As, That God knowing man would sin after Baptisme, provided him, *Secunda solatia, lavacrum Sanguinis*: That the death of Saints, which is said to be precious in Gods sight, cannot bee understood of the naturall death common to all: And that from the beginning in *Abel* righteousness was afflicted. And these reasons were not such as would have entred any, in whom a naturall inclination had not set open the gates before.

Cyprian also takes the same way; and insists upon application of Prophecies of these two sorts; That they should bee despised in this world, and that they should be rewarded in the next.

To these were added externall Honours,

L. cont. Gnostic.
3. So did *Tertullian*.

Lib. de exhort.
Martyrii ad
fortunatum.
So did *Cyprian*.

a *Tertul. de Corona Milit.*

4 Externall Honours to Martyrs.

b *Damasc. & Platin.*

c *Hadr. Junius in Eunapii vita*

5 Monopolie of Martyrdom

d *Feuardentius l. 8. c. 13.*

Baron. Martyr. cap. 10.

e *Carbo. Cas. Conf. To. 2. pa. 2. c. 6.*

f *De pœnitent. Dist. 1. Si qui autē. Ex Aug. de pœnitent.*

6 Gods punishments upon their persecutors, encouraged men to Martyrdom.

g *Ad Scapulam.*

7. Extending priviledges of Martyrs to many.

h *Aug. Epist. ad Hieron. 28. De Nat. & Orig. Anim.*

(a) Annuall celebrating their Memories, and entitling their deaths, *Natalitia*; And (b) that early instituting of the office of Notaries to regulate their passions, even in *Clemens* time, And (c) the proposing their *Salita capita* to bee worshipped; which word (though *Eunapius* speake it prophanely) was not undeserved by the generall misuse of such devotion.

And (d) after the Monopoly of appropriating Martyrdome, and establishing the benefit thereof upon them onely which held the integritie of faith, and were in the unity of the Church; of which persuasion *Augustine*, and *Hierom*, and most of the Ancients are cited to be; and then by continuall increasing the dignity and merit of it, as that (e) *ex opere operato*, it purged actuall sinne, as Baptisme did originall; And (f) that without Charitie, and in Schisme, though it merited not salvation, yet it diminished the intensnesse of Damnation.

And by these they incited mans nature to it, which also might be a little corruptly warmed towards it, by seeing them ever punished who afflicted them, for so (g) *Tertullian* saies, that [*no City escaped punishment, which had shed Christian blood.*]

After this, they descended to admit more into their fellowship, and communicate and extend these priviledges: for by such indulgence are (h) *Herods* Infants Martyrs: So is *John Baptist*, though he dyed not for a matter of Christian

stian faith : So (i) is he which suffers for any vertue, and he which dyes in his mothers womb, if she be a Martyr. (k) And so is he which being for Christian profession wounded deadly, recovers : and hee which being not deadly wounded, dyes after of sicknesse contracted by his owne negligence, if that negligence amounted not to mortall sinne.

So not onely the sickly and infirme succeeding Ages, but even the purest times did cherrish in men this desire of death, even by contrary reasons ; both which notwithstanding by change of circumstances, had apparance of good. For as fire is made more intense, sometimes by sprinkling water, sometimes by adding fuell. So when their teachers found any coolenesse or remissenesse in them, and an inclination to flight, or composition with the State, then (l) *Cyprian* noted such with the ignominy of *Libellatici*, because they had taken an acquittance of the State, and sayes of them [*Culpa minor sacrificatorum, sed non innocens conscientia.*]

And then (m) *Terrullian* equally infames flying away, and such marchandizing, when hee sayes, [*Persecution must not be redeemed ; for running away is a buying of your peace for nothing, and a buying of your peace for money is a running away*]

And then we shall finde that even against the nature of the word Martyre, it became the common opinion, that death was requisite and necessarie to make one a Martyr.

l *Aphoriz. man. Sa. ve Martyr.*
k *Tho. 2. 2. 124. ar. 4. quart.*

8. Contrai reasons che rished this fire in them

9 *Cyprian l bellatici. Co pounds w the State.*

l *Sermo de lapsis.*

m *De fuga. p. positio, 2.*

10 *Terrullian condemnes flying in per- secution.*

11 *Death, be came to bee held necessar to make one Martyr.*

n Hist. l. 5. c. 2.

12. In times when they exceeded in discreet exposing themselves, they taught that Martyres might be without dying.

o Azor. Mor. Inst. p. 2. l. 5. cap. 7.

Ad Polycarp.

p Ad Smirnen.

So in (n) *Eusebius*, the Christians though afflicted, modestly refuse the name of Martyrs, and professe that they have not deserved it, except they may be kill'd.

Contrarywise in other times when the disease of head-long dying at once, seemed both to weare out their numbers, and to lay some scandall upon the cause, which wrought such a desire in men, which understood not why they did it, but uninstructed, uncatechized, yea unbaptized, (but that the charity of the Supervivers imputed to them *Baptisma fluminis*, as they hope, or at least, *Sanguinis*, for that they saw) did onely, as they saw others doe; Then I say (as (o) a Learned Writer of our time sayes, [That the Church abstaines from easie Canonizing, *Ne vilesceret Sanctitas*] (which is not here Holinesse, but Saintship) least the dignity of Martyrdome should be aviled by such promiscuous admittance to it, they were often contented to allow them the comfort of Martyrdome without dying; which was but a returning to the naturall sense of the word.

So *Ignatius* stiles himselfe in his Epistles, Martyr. Yea more then the rest he brought down the value thereof, and the deare purchase, for he sayes (p) [That as he which honors a Prophet in the name of a Prophet, shall have a Prophets reward; So hee shall have a Martyrs reward which honors [vinctum Christi.] And so our most blessed Saviour, proceeding in his mercifull purpose of encreasing his King-

Kingdome upon earth, yet permitting the Hea-then Princes to continue theirs as yet, the Christi-an Religion was dilated and oppressed; and the professors thereof, so dejected and worne with confiscations and imprisonments, thought that as in the (q) *Passover* from *Egypt* every doore was sprinkled with blood; So Heaven had no doore from this world but by fires, crosses, and bloody persecutions: and presuming Heaven to be at the next step, they would often stubbornly or stu-pidly winke, and so make that one step.

q *Exod. 12.7*

God forbid any should be so malignant, so to mis-interpret mee, as though I thought not *the blood of Martyrs to be the seed of the Church*, or dimi-nished the dignity thereof; yet it becomes any in-genuity to confesse, that those times were affected with a disease of this naturall desire of such a death; and that to such may fruitfully be applyed those words of the good B: *Paulinus*, (r) [*Athleta non vincit statim, quia eruitur: nec ideo transfatant, quia se spoliant.*] Alas! we may fall & drown at the last stroke; for, to sayle to heaven it is not enough to cast away the burdenous superfluities which we have long carried about us, but we must also take in a good frayte. It is not lightnesse, but an even-repoled stedfastnesse, which carries us thi-ther.

r *Severo.ep.2.*

But (s) *Cyprian* was forced to finde out an an-swer to this lamentation, which he then found to be common to men on their death beds, [*Wee mourne because with all our strength we had vowed our selves*

s *De Contempt. mortis.*

13 *Cyprian. profes.* Men who offered their lives be-fore they were called.

t Baroni. Mar.
2. Ian. H.

14 Enforcers
of their owne
Martyrdome.
u Euseb. Hist.
l. 8. c. 9.

15 Examples
of inordinate
affecting of
Martyrdome.
Germanus.
x Hist. l. 4. c.
14.

y Hist. l. 4. c.
10.

Meir. & Iosep.
z Ioseph. de bel.
Iud. l. 7. c. 11.

a Ignati. epist.
ad Roman.

16 Ignatius
solicitation for
it.

selves to Martyrdome, of which we are thus deprived, by being prevented by naturall death.] And (t) for them who before they were called upon, offered themselves to Martyrdome, he is faine to provide the glorious and satistactory name of Professors.

From such an inordinate desire, too obedient to nature, proceeded the fury of some Christians. (u) who when sentence was pronounced against others, standing by, cryed out, *Wee also are Christians.*

And that inexcusable forwardnesse of *Germanus*, (x) who drew the beast to him, and enforced it to teare his body; And why did he this? *Eusebius* delivers his reason; That he might bee the sooner delivered out of this wicked and sinfull life. Which (y) acts *Eusebius* glorifies with this prayse, [That they did them *mente digna Philosophis*] So that it seemes wisest men provoked this by their examples; As (z) at the burning of the temple at Hierusalem, *Meirus* and *Iosephus*, though they had way to the Romans, cast themselves into the fire. How passionately (a) *Ignatius* solicites the Roman Christians not to interrupt his death. [*I feare saith he, your charity will hurt me, and put me to beginne my course again, except you endeavour that it may be sacrificed now. I professe to all Churches, quod voluntarius morior*] And after, *Blandiciis demulcere feras; entice and corrupt the Beasts to devoure me, and to be my sepulchre, fruar bestiis, Let me enjoy those beasts, whom I wish much more cruell then they are; and if they*

they will not attempt me, I will provoke and draw them by force] And what was *Ignatius* reason for this, being a man necessary to those Churches, and having allowable excuses of avoiding it? [*quia mihi utile mori est.*] such an intemperance urged the woman of *Edissa*, (b) when the Emperour *Valens* had forbidden the Christians one temple, to which particular reasons of devotion invited them, to enrage the Officers with this Contumely, when they asked her, why thus squallid, and headlong she dregg'd her sonne through the streets, I do it least when you have slaine all the other Christians, I and my sonne should come to late to partake that benefit. And such a disorderly heate possessed that (c) old wretched man, which passing by after the execution of a whole legion of 6666, by iterated decimation, under *Maximianus*, although he were answered that they dyed, not onely for resisting the Roman Religion, but the State, for all that, wish't that he might have the happines to be with them, and so extorted a Martyrdome. For that age was growne so hungry and ravenous of it, that many were baptized onely because they would be burnt, and children taught to vex and provoke Executioners, that they might be thrown into the fire.

And this assurednesse that men in a full persuasion of doing well would naturally runne to this, made (d) the proconsul in *Africk* proclaime, Is there any more Christians which desire to dy,
I and

Edissens.
b *Nicephor. l.*
11. c. 21.

c *Speculum*
vinc. To. 4. l.
11. c. 40.

d *Bod. Damon.*
l. 4. c. 3. ex *Ter-*
tulli.

17 Lawes
forbidding
more executi-
ons made to
despite Chri-
stians.

e *Alc. 72. Az.*f *Ex Tertul.
Bodin. supra*18 *Glory in
the numbers
of Martyrs.*g *Specul. Vin.
To. 4. l. 10 c.
88.*h *Supra. fo. 66.*i *Baron. Mart.
22. June.*k *Homil. 27. in
Evangel.*l *Martyrolog.
cap. 8.*

and when a whole multitude by generall voice discovered themselves, he bid them [*Goe hang and drown your selves and ease the Magistrate.*] And this naturall disposition, (e) afforded *Mahomet* an argument against the *Jews*, [*if your Religion be so good, why doe you not dy?*] for our primitive Church was so enamored of death, and so satisfied with it, that to vex and torture them more, (f) the Magistrate made lawes to take from them the comfort of dying, and increased their persecution by ceasing it, for they gloried in their Numbers.

And as in other warfares men muster and reckon how many they bring into the field, their confidence of victory was in the multitudes of them which were lost. So they admit into the Catalogue *Herods* Infants, and the 11000 Virgins. And (g) when 9000 Souldiers under *Adrian* by apparition of an Angel, are said to have embraced Christian Religion, and when the Emperour sent others to execute them, 1000 of those executioners joyn'd to them, and so the whole 10000 were crucified. (h) And of an intire legion massacred at once we spoke but now. And *Baronius* (i) speaks of 10000 crucified in *Armenia*, celebrate upon the 22th. of *June*: whether divers from the 10000 under *Adrian* or no, I have not examined. (k) *Saint Gregory* says, [*Let God number our Martyrs, for to us they are more in number then then the sands.*] And (l) *Baronius* saies, That excepting the first of *January*, (which yet in the Roman

Mar-

Martyrologe records as many, as most other daies) there is no day which hath not 500 Martyres ; almost every one hath 900, or 800.

SECT. III.

And when the *Church* encreased abundantly under all these pressures, (for, As in profane and secular wars, the greater the Triumphs of a Conquerour are, the greater also are his Armies, because then more and more concur to his splendor, and to participate his fortunes; So in this spirituall warfare, the greater the triumphant Church was, the greater grew the Militant, assisted both with the Example & Prayers of the other.) And when all these treadings downe did but harrow our Saviours field, and prepare and better it for his Harvest, The bloud of the Martyrs (for though, as I say still, very many dyed out of a naturall infirmite of despising this life, a great number had their direct marke upon the glory of God, and went to it awake) having, as a (a) *Nicophorus* sayes, almost strangled the Devill, hee tryed by his two greatest Instruments, (when they are his) the Magistrate, and the Learned, to avert them from this inclination.

For, suggesting to the Magistrate that their forwardnesse to dye, grew onely from their faith in the Resurrection, he (b) procur'd there bo dyes to be burnt, and their ashes scattered into

I 2

Rivers,

1. That Heretiques seeing the dignity gained by Martyrdome, laboured to avert them from it, but could not correct this naturall inclination.

a *Lib.4.cap.2.*

2. The Devill labours the Magistrates to quench their desire of dying
b *Specul. Vinc. To.4.cap.102. lib.10.*

Rivers, to frustrate and defeat that expectation ;
And he raised up subtile Heretiques, to infirme
and darken the vertue and majestie of Martyr-
dome.

Of which the most pestilently cunning *Basilides*, fore-suspecting that hee should not easily remove that desire of dying, which Nature had bred, and Custome confirmed in them, tryed to remove that which had root onely in their Religion, as being yet of tenderer growth, and more removable then naturall impressions. Therefore he offered not to impugne their exposing themselves to death in all cases, but onely said, (c) that it was madnesse to dye for Christ, since he, by whose example they did it, was not crucified, but *Symon* who bore the Crosse.

Another (d) Heretique, called *Helchesar*, perceiving that it was too hasty to condemne the act of Martyrdome even for Christ, thought onely to slacken their desire to it, by teaching, that in time of Persecution, so wee kept our heart at Anchor safe, we were not bound to testifie our Religion by any outward act, much lesse by dying.

Which Doctrine the *Gnostici* also taught, but prevailed little, both because the contrary was rooted in Nature, and because they accompanied this doctrine, with many others, foule and odious even to sense ; and because they were resisted by *Tertullian*, a man mighty, both in his generall abilities, and in his particular and profes-

sed

Basilides heres.

Anno 134.

3. *Basilides* denyed Christ to have been crucified, & that therefore they dyed madly.

c *Alfon. Castr.*
verb. *Martyr.*
ex *Philast.*

d *Prateolus l.*
5. ex *Niceph.*

4. *Helchesar*
that outward
profession of
Religion was
not needfull.

5. That also
the *Gnostici*
taught, and
why they pre-
vailed not.

sed earnestnesse to magnific Martyrdome: And against these he writ his *Scorpiacum*.

S E C T. I I I I.

This way giving no advantage to Hereticks, they let loose the bridle of their owne nature too, and apprehended any occasion of dying as forwardly as the Orthodoxall Christians. And because the other preferib'd against them, and were before hand with them in number, to redeeme time and overtake them, they constituted new occasions of Martyrdome.

(a) *Petilian* against whom *St. Aug:* writ, taught, that whosoever kill'd himself as a Magistrate, to punish a sinne committed before, was a Martyr.

And they who are by *Saint Augustine*, and others, called *Circumcelliones*, and *Circutores*, (because (I thinke) as their Master, they went about to devoure) would entreate, perswade, enforce others to kill them, and frustrated after all those provocations, would doe it themselves, and by their survivors bee celebrated for Martyrs. These were of the (b) *Donatists*, of whom *Saint Augustine* sayes, To kill themselves out of respect of Martyrdome, was *Ludus Quotidianus*

Other Hereticks also, whose errors were not about Martyrdome, hastened to it. So the (c) *Cataphryga*, who erroneously baptizing the dead, Ordaining Women, Annulling second Marriges, and erring in such points, (d) could soone boast of their number of Martyrs, per-

1. That Heretiques failing herein, tooke naturall ways, of overtaking the Orthodox in Numbers of Martyrs.

2. *Petilian* new way of Martyrdom. a *Alf. Castr. ver. Martyrium*

3. Another new way of the *Circumcelliones* & *Circutores*.

b To. 2. Ep. 50.

4. The *Cataphryga* exceed in Number. c *Pratsolus*.

d *Baron. Martyr. C. 10.*

e Hist. l. 5. c. 15

f Baron. Mar-
tyrol. ca. 10. Ex
Epiph. Har. 80
g Schulingius,
To. 3. ca. 177.
10. Euphemita
therefore cal-
led Martyrians

chance because *Tertullian* being then on their part, they found him, as he was wheresoever he came, a hot encourager of men to Martyrdome. It is complain'd in (e) *Eusebius*, that Heretiques seeing their arguments confuted, fled now to their number of Martyrs, in which they pretended to exceed the others. And from their numbers of Martyres, (f) the *Euphemita* called themselves *Martyrians*. And thereupon (g) *Baronius* saies, [Amongst the heathen, perchance you may heare, and there find one *Empedocles*, which will burne himself, but amongst the *Donatists*, *Hominum examina*.]

SECT. V.

1. Hereupon Councils took it into their care to distinguish true Martyrs, from those who dyed for naturall and humane respects.

a Conc. Laodic.
Can. 33.

b Conc. Carth.
1. C. 2.

So that the authoritie gained by their forwardnesse to equall the number of true Martyrs, was so great, and began so farre to perplex the world, that some Councils foreseeing, that if both sides did it equally, it would all be imputed to humane respects, began to take it into their care to provide against it. And thereupon (a) your Council exhibites an expresse Canon, That no Christian leaving true Martyrs, should goe to false, *Quia alieni à Deo*. And (b) another corrects the other Heresie of diminishing the reputation of Martyrs thus, *Martyrum dignitatem nemo profanus infames*.

SECT.

SECT. VI.

Thus when the true Spirit of God drew many, the spirit of Contention many, and other naturall infirmities more, to expose themselves easily to death, it may well be thought, that from thence the Authors of these later Ages, have somewhat remitted the intensnesse of Martyrdome, and mingled more allayes, or rather more metall, and not made it of so great value alone, as those earnest times did: for since (a) Saint Thomas said, [*That though Martyrdome be a worke of greatest perfection, yet it is not of it selfe, but as it is wrought by charity, and expressest that.*]

Vasques (b) reprehends Cordubensis for saying that it is any worship of God: for [*it is not sayes he, a Sacrifice nor worke of Religion, but of fortitude, which is but a morall vertue.*] Therefore it is now (c) taught, [*that it is a mortall sinne to provoke another to inflict Martyrdome.*] And (d) a Martyr, (though Martyrdome purge much) is bound to cleanse himselfe by every one of the Degrees of penance; for saith Carbo, [*it is not Sacramentum, but opus privilegiatum.*] So they seeme tender and loth by addition of religious incitements, to cherish or further that desire of dying, to which by reason of our weaknesse, and this worlds encumbrances, our nature is too propense and inclined.

Onely the Jesuits boast of their ranting out of Mar-

1 Therefore later Authors do somewhat remit the Dignity of Martyrdome.

2 2:9. 124. ar. 3.

b De Adorati- one l. 1. N. 42.

c Navar. Man. c. 11. Nu. 40.
d Carbo. Cas. Conf. To. p. 2. c. 6.

2 The Jesuits still professe an enormous love to such death.

Clarus Bo-
navicus Amphi-
theat. Hono. l. 1.
p. 4.

Martyrdome in the new worlds, and of their rage till they finde it. (e) He which hath brought them all upon one Scene, fues that [Altonsus Castro at his execution in the Molucca, was so overjoyed that he forgot his modesty [Rapi- mus Martyrium, sayes he, Ipontanea irruptione,] And [one would think that it were a disease in us.] [Which we doe, least the rest of our life should be Meritis sterile, & gloria vacuum] [we bargaine and contract with our profession, upon that Condition, that we may prodigere animas in hostili ferro;] [And we possesse no more, then such small matters as onely serve to cut off our life.] So that, if this desire of dying be not agreeable to the nature of man, but against it, yet it seemes that it is not against the nature of a Iesuite. And so we end this Distinction, which we purposed onely for the consideration of this desire of Martyrdome, which swallowed up all the other inducements, which, before Christianity contracted them, tickled and inflamed mankind.

Distinction III.

SECT. 1.

1 Lawes and
customes of
well policed
estates having
admitted it, it
is not likely to
be against law
of Nature.

T Here remaines onely for the fourth and last Distinction of this first part, our reason by which this SELF-HOMICIDE seemes to me to escape

escape the breach of any Law of Nature, which is, that both expresse literall Lawes, and mute Law, custome, hath authorized it, not onely by suffering, and connivency, but by appointing it.

And it hath the countenance not onely of many flourishing and well policed states, but also of Imaginary Common-wealths, which cunning Authors have Ideated, and in which such enormous faults are not like to be admitted. Amongst the *Athenians* condemned men were their own executioners by poyson. And amongst the *Romans* often by bloodlettings. And it is recorded of many places, that all the *Sexagenarii*, were by the lawes of wise States, precipitated frō a bridge. Of which, if (a) *Pierius* his conjecture be true, that this report was occasioned by a custome in *Rome*, by which men of that age were not admitted to surffage; And because the way to the Senate was *per pontem*, they which for age were not permitted to come thither, were called *Depontani*, yet it is more certaine, that (b) amongst the *Ceans* unprofitable old men poytoned themselves; which they did crown with garlands, as triumphers over humane misery. And the (c) *Ethiopians* loved death so well, that their greatest Mal-factors being condemned to banishment, escaped it Ordinarily by killing themselves. (d) The civill law, where it appoints no punishment to the delinquent in this case, neither in his estate nor memory, punishes

K

2. True and Ideated common-wealths have allowed it.

Athenians.

Romans.

Depontum.

a *Hieroglyph.*
l. 17.

Ceans.
b *Aelianus.*
l. 3. cap. 26.

c *Diod. Sicul.*
l. 2. bib.

© *Ethiopians.*

d *Dig. l. 48.*

tit. 3. leg.
final.

3 Civill law and all others, presume it, in condemned men.

a

a keeper, if his prisoner kill himselfe; out of a prejudice, that if meanes may be afforded them, they will all doe so.

And do not we see it to be the custome of all Nations now, to manacle and disarme condemned men, out of a fore-assurance that else they would escape death by death? (e) Sir *Thomas Moore* (a man of the most tender and delicate conscience, that the world saw since Saint *Augustine*) not likely to write any thing in jest mischieuouly interpretable, sayes, That in *Vtopia*, the Priests and Magistrates did use to exhort men afflicted with incurable diseases, to kill themselves, and that they were obeyed as the interpreters of Gods will; But that they who killed themselves without giving an account of their reasons to them, were cast-out unburied. And (f) *Plato* who is usually cited against this opinion, disputes in it, in no severer fashion, nor more peremptory then thus, [*What shall we say of him, which kills his nearest and most deare friend? which deprives himselfe of life, and of the purpose of destiny? And not urged by any Sentence, or Heavy Misfortune, nor extreame shame, but out of a cowardlinesse, and weaknesse of a fearfull minde, doth unjustly kill himselfe? What Purgatory, and what buriall by law belongs to him, God himselfe knowes. But let his friends inquire of the Interpreters of the law, and doe as they shall direct.*] You see nothing is delivered by him against it, but modestly, limitedly, and perplexedly.

e *Vtop. l. 2. c. de seruis.*

f In *Vtopia* authorized.

g And by *Plato* in certaine cases. f *De leg. 9.*

And

And this is all which I will say of the first member of that definition of sine which I undertooke, which is, transgressing of the Law of Nature. Wherein I make account that I have sufficiently delivered and rescued this *Self-homicide*, from any such violating of the Law, as may aggravate the fact, or make it hainous.

6 Conclusion of the first part.

Second Part.

Distinction I.

Of the Law of Reason.

SECT. I.

THat part of the Definition of sin, which we received for the second place, is, That it be against the Law of Reason; where, if we should accept Reason for *Recta Ratio*, (especially primarily, and originally,) it would be the same as Law of Nature. Therefore I rather choose to admit such an acceptation thereof, as may bring most doubts into disputation, and so into clearnesse.

1. That the law of reason, is, conclusions drawne from primary reason by discourse.

Reason therefore in this place shall signifie conclusions drawne and deduced from the primary Reason, by our discourse and ratiocination : And so sinne against reason, is sinne against such arguments and conclusions. as may by good consequence be derived from primary and originall Reason, which is light of nature.

2. How much strength, Reasons deduced have.

This primary reason therefore, against which none can plead lycense, law, custome, or pardon, hath in us a soveraigne, and masculine force ; and by it, through our Discourse, which doth the motherly office of shaping them, and bringing them forth and up, it produces conclusions and resolutions.

SECT. II.

1. Of this sort of Reasons, generall lawes have the greatest authority.

And as in earthly Kingdoms, the Kings children, and theirs, and their race, as farre as we may reasonably presume any tincture of blood, have many priviledges and respects due to them, which yet were forfeited if there appeared any bastardy or interruption of lawfull descent from that roote ; And though these respects and obsequiousnesse, belong to them as they are propagated from that roote, and as some sparks of that Sovereignty glimmer in them, yet their Servants and Officers take them where they finde them, and consider them onely as Dukes, or Lords, and possessors of patrimoniall estates, but every mans heart and allegiance is directed
and

and fastned upon the Prince, and perchance a step or two lower, with a present and immediate relation to the father, and what they have from him. So whē from those true propositions, which are the eldest children and issue of our light of Nature, and of our discourse, conclusions are produced, those conclusions also have now the Nature of propositions, and beget more; and to all these there belongs an assent and submission on our parts, if none by the way have beene corrupted and bastarded by fallacy. And though (as in the other case) men of a weake disposition, or lazey, or flattering, looke no farther into any of these propositions, then from whose mouth it proceeds, or what authority it hath now, not from whence it was produced, yet upon the heire apparent, which is, every necessary consequence from naturall light, every mans resolution is determin'd, and arrested by it, and submitted to it. And though humane lawes, by which Kingdomes are policed, be not so very neare to this Crown of certaine Truth, and first light, (for if they were necessary consequences from that law of nature, they could not be contrary in divers places and times, as we see lawes to be) yet I doe justly esteeme them neerer, and to have more of that bloud royall in them, then the resolutions of particular men, or of Schooles.

Both because it is of the essence of all humane law, that it agrees with nature, (I meane for the obligation *in interiori foro*, without which a law

2. For that is of there essence that they agree with law of Nature.

hath no more strength, then an usurper, whom they which obey, watch an opportunity to dispossesse.)

3. And there is better testimony of their producing, then of private mens opinions

a *Dig. l. 1. tit. 3*
le. 1. *lex est.*

And because Assemblies of Parliaments, and Councils, and Courts, are to be presumed more diligent for the delivery and obstetrication of those children of naturall law, and better witness that no false nor supposititious issue be admitted, then any one man can be. For (a) the law is therefore well call'd *Communis Reip. sponsio*, because that word signifies as well, that, to which they have all betroth'd themselves, as, the securitie and stipulation which the State gives for every mans direction and assurance in all his civill actions. Since therefore we have in the first part thoroughly examined, whether this *Selfe homicide* be alwayes of necessitie against the law of nature, it deserves the first consideration in this second part, to inquire how farre humane Lawes have determin'd against it, before wee descend to the arguments of particular Authors, of whatsoever reverence or authoritie.

SECT. III.

And because in this disquisition, that law hath most force and value, which is most generall, and there is no law so generall, that it deserves the name of *Jus gentium*; or if there be, (a) it will bee the same, (as wee said before) as *Recta Ratio*, and so not differ from the law of Nature.

To

1. Of lawes, the Imperiall law ought first to be considered.

a *Dig. l. 1. T. 1.*
le. 9. *omnes.*

To my understanding, the Civill or Imperiall law, having had once the largest extent, and being not abandon'd now, in the reason, and essence, and nature thereof, but onely least the accepting of it should testifie some dependencie upon the Empire, we owe the first place in this consideration to that Law.

This therefore which we call the Civill Law, (for, though properly the Municipall Law of every Nation be her Civill Law, yet *Romes* Emperors esteeming the whole world to be one City, as her Bishops doe esteeme it one Diocesse, the *Romane* Law hath wonne the name of Civill Law, being a (b) decoction and composition of all the Regall Lawes, Decrees of the Senate, *Plebescites*, *Responsa Prudentum*, and Edicts of Emperors, from 1400. yeares before *Iustinian*, to so long time after, as the *Easterne* Emperors made them authentique; being of such largeness, as (c) *Iustinians* part thereof consists of 150000. of those distinctions which he calls verses, and is the summe and marrow of many millions, extracted from 2000. Volumes

This Law which is so abundant, that (d) almost all the points controverted betweene the *Romane* and the reformed Churches, may be decided and appointed by it. This Law, I say, which both by penalties, and Anathemae, hath wrought upon bodies, fortunes, and consciences, hath pronounced nothing against this *Selfe-homicide*, which we have now in disputation.

2 The reason of that law is not abolished, but our dependency upon it.

3 Why this is called civill Law.

4 Of the vastnes of the books from whence it is concocted, and and of the extent thereof.
b *Iustinian.ep. ad Trebonian.*
c *Iustinian epi. ad DD.de Fur. docend. arte.*

d *Wind. Theolog. Iur.*

5 Nothing in this law against our case.

It

5. Of the law
of Adrian.
Dig. lib. 48.
tit. 19. l. 3.
si quis aliquid.
§ Qui miles.

6. Dig. lib. 47.
tit. 1. l. 6.
Omne deli-
ctum.

It is true that of *Adrian* the Emperor, who was about 120. yeares after Christ, we finde one Rescript, in the body of the Law, [(d) *That if a Souldier do attempt to kill himselfe, and not effect it, except he offred it upon impatiencie of griefe, or sicknesse, or sorrow, or some other cause, capite plectatur.*] Which Rescript is repeated againe in another (e) Title, and there (though the other generall clause, or some other cause, might seeme to have reach'd farre inough,) are added esp. cially for excusing causes, [*wearinesse of life, madnesse, or shame.*] You see with what moderate gradations this Law proceeded, which being (as it seemes) to contend and wrestle with a thing customary, and naturally affected, extends not at all to punish it when it is done, as in many other crimes the Lawes doe, by confiscation, and by condemning the memory of the delinquent, and ignobling his race.

Nor embraces it all manners of doing it; (yea scarce any, considering how benignly, and favorably penall Lawes are to be interpreted:) Nor overtakes it all men, but onely such as being of present use, as well much disadvantage might grow to the Army, if sodainly any numbers of them should be suffered to turne upon this naturall and easie way of delivering themselves from painfull danger, as much dammage to the State, if those men matriculated for Souldiers, to whom there belong'd by the lawes, as many priviledges and immunities under the *Romane* Emperors, as e-
ver

ver did to the Clergy under their *Romane* Bishops, after they had thus maym'd themselves, and defrauded the State of their service, should by this inhærent character of Souldiership, enjoy all those advantages, which those Lawes afforded them.

There is (h) one law more in the body of the Civill Law, which seemes to reach farther, because it binds not it selfe to any one condition of men; which is, [*That if a man already accus'd, or taken in the manner, for any such crime, upon which his goods should be forfeited upon conviction, kill himselfe before judgement, his goods shall be forfeit;*] else not. For the Law addes her opinion of the fact. [*Non facti celeritas est obnoxia, sed conscientia metus*] And proceeds, [*Qui causam mortis habet, habeat successorem.*] So that that Law presumes there are just causes to worke such an effect. And upon the consideration of this Civill Law, I determin'd to bestow this first Distinction.

h Dig. l. 48. tit. 21. le. 3. Qui rei.

7 Of the other law for guilty men.

Distinction II.

SECT. 1.

THat which they call the Canon Law is of larger extent then this; for it reaches to bind the Princes themselves, at least by their acceptance and submission to it.

1 Of the Canon Law.

L

And

2 The largnes
of the subject,
and object
thereof.

3 Of *Codex
Canonum*, or
the body of
the law, in use
in the primi-
tive Church,
a *Dist. 10.*
certum est.

b *Dist. 10.*
vestrum.

4 Of the Ad-
ditions to this
Codex.

And as the subject of it, is greater, being people and Prince, so is the object, being the next and eternall life. Yea it is so vast and undetermin'd, as we know not in what books to seeke the limits thereof, nor by what rules to set the land-marks of her jurisdiction.

For, (for the booke,) it is evident that the Primitive Church had *Codicem Canonum*, which was inserted into the body of the *Romane Law*, and had no other subsistence, but as it was incorporated there. Thereupon (a) *Gelatinus* writes to *Theodorus* the *Goth*, King of *Italy*, to intreat him, that as by his authoritie the *Romane Law* was observed in Civill matters, so it might be still in Ecclesiastique. And after the expulsion of the *Goths*, (b) *Leo 4.* intreated and obtained the same from *Lotharius*. From this *Codex Canonum*, the Emperors determined and decreed in many Ecclesiastique causes; From this *Codex* the Councils after were governed in making their Canons: as wee may see particular Canons of this Booke cited, the booke being often call'd for in the Councils, and being then ordinarily named, *The body of the Canon Law*. This body consisted of the Canons of nine Councils authorized by the Emperors.

But for those immense additions growne to it since that time, of Bulls, and Decretall Letters of Popes, Decrees of suspicious and partiall and Schismarick Councils, (for nothing is more properly Schisme, and *Solutio continui*, than a rent betweene the Civill and Ecclesiastique State, which
occa-

occasion'd many of the later Councils,) the rags of Fathers decerpted and decocted by *Gratian*, and the glosses of these made also as authentique as the Text. I perceive not what title they have to bee of the body of the Canon Law, except where the Princes have incorporated and denizen'd them.

But least to quarrell with their authority now, might seeme in us a subter-fuge and shift to decline them, as though they were heavy against us, in this point which we have now in hand; wee will accept them as they are obtruded, and dissemble nothing, which in them seemes to resist this opinion, though in common entendment this law is likely to be severe against it, because the civill lawes content themselves ever with any excuse or colour in favour of the Delinquents, because when a fault is proved it punishes severely, but (c) the Canon Lawes which punish onely medicinally, and for the foules health, are apt to presume or beleve a guiltinesse, upon light evidence, because those punishments ever worke good effects, whether just or no.

SECT. II.

And first because heresie which is *læsa Majestas Divina*, of all crimes is the principall object of that Court, I say, that this proposition, is not by any thing extant in the Canon law, (and therefore not at all) hereticall, allowing to them their

5 Canon law apter to condemne then Civill, and why.

c *Palcotus de nothis c. 19.*

1 That this proposition is not hereticall.

a *Sinancha*
Enchirid. Iud:
tit. 24. nu. 2.
 2 A large definition of heresie.

largest definition of heresie; which is, (a) [*Any thing which is against Catholique faith, that is Scriptures rightly understood; Or the traditions and definitions of the Church, or generall Councils lawfully gathered, or definition of the sea Apostolique, or the common opinion of Fathers, in a matter of faith.*]

The proposition may perchance seeme to some so ill qualified, as it may be *male sonans*, or *temeraria*, or perchance *sapiens heresis*, for all these proceed from the indisposition and distempred taste of the apprehendor, which must not alwaies be idly flattered and pampred, but invited to the search and discovery of truth, who else being the greatest Prince in the world, should have no progresse, but be straightned in a wretched corner. First therefore, (to cast a glance upon every part of the definition of heresie) whether it be against the Scriptures rightly understood or no, will be more properly and naturally examined, when we come to the last part, which is of Divine law.

3 No definition of the Church in the point.

4 Nor Canon

5 Nor Bull.

b *Moral. Instit.*

to. 1. l. 2. c. 13.

6 Of the common opinion of Fathers, how it varies in times and places.

Next, there is no tradition nor definition of the Church in the point at all, much lesse as of a matter of faith, which is the second limbe of the definition.

No decree of any generall Council. No rescript or Bull of any Pope. And for the common opinion of the Fathers (besides that it can be no safe rule, because (b) as [*Azorius notes, Controversers often say on both sides, this is the common opinion; And certainly that is the common opinion*]

nion in one Age which is not in another; yea, in one Kingdome at the same time, which is not in another, though both be Catholik: As in Germany and France, by the common opinion Latreia is not due to the Crosse, in Spaine by the common opinion it is,] it cannot appeare, by the Canon law, that this is the common opinion of the Fathers; for (c) *Gratian* who onely of the Compilers of the Canon law toucheth the point, (as farre as either my reading or search hath spied out) cites but two Fathers, *Augustine*, and *Hierome*. Whereof the latter is of opinion, that there may be some cause to do it. But in the Canon law I finde no words, not onely to lay the infamous name of heresie upon it, but that affects it with the mark or stile of sinne, or condemnes the fact, by inflicting any punishment upon the offender.

I speake here of the Canon law, to which the Canonist will stand: which are the Decretall letters, and all the extravagants. For, of *Gratians Decret.* that learned and ingenious Bishop of *Tarracon*, hath taught us what we should thinke, when he sayes, [(d) *That he is scarce worth so much reprehension; who having nothing that is profitable or of use, except he borrows it, is admired of the ignorant, and laughed at of the learned,*] (e) [*who never saw the bookes of the Councils, nor the works of the Fathers, nor the Registers of the Popes letters.*] (f) *And whose compilation had not that confirmation from Eugenius 3, as is fastly attributed to it.*] Yet although *Gratian* have not so much authority, that

c 23. q. 5.
7 *Gratian* cites but two fathers, one of which is of our side.

8 Of that part of the Canon Law, to which Canonists will stand.

d *Anto. Augustin.* l. de emendat. *Gratian.* l. 1. dial. 1. de titulo.

9 A Cathol. Bishops censure of *Gratians Decret.*

e *Idem* dial. 4.
f *Idem* dial. 3.

by his inserting an imperiall law, or fragment of a Father, it should therefore be canoniz'd and grow into the body, and strength of the Canon law, (for then though that law were abrogated againe by the Emperour, it should still be alive and binde by a stronger obligation in the Canon, which (g) *Alb. Gentilis* proves to be against the common opinion.) yet by consent, thus much is afforded him, that places cited by him, have as much authority in him, as they had in the Author from whom he tooke them. And therefore when we come to handle the Reasons of particular Authors, we will pretermitt none whom *Gratian* hath cited, for that is their proper place.

SECT. III.

And in this Distinction where we handle the opinion of the Canon Law in the point (not because *Gratian* cites it, but because the Canons of all Councils are now usurped as Canon Law) we will consider (a) a Canon of the *Braccarense* Councell cited by him.

But first, (although he have it not) wee will not conceale the (b) *Antisidorense* Councell, (which was before the other, under *Gregor. 1. Anno 590.*) For as the Civill Lawes by limitation of persons and causes, gave some restraint and correction to this naturall desire of dying when we would, which they did out of a duty to finew and strengthen, as much as they were able

g *De libris juris Canon. c. 2.*

a What any Councils have done in this point.

a 23. q. 5. placuit.

b *Concill. Antisidor. sub Greg. 1. An. 590.*

able, the Doctrine of our blessed Saviour, who having determined all bloody sacrifices, enlightens us to another Doctrine, that to endure the miseries & afflictions of this life, was wholesome, and advantagious to us; the Councils also perceiving that this first ingrafted and inborne desire, needed all restraints, contributed their help.

This (c) Canon then hath these words, [*If any kill themselves, Istorum oblata non recipiantur.*] For it seemes, that Preaching and Catechizing had wrestled, and fought with their naturall appetite, and tamed them to a perplexity whether it might be done or no; and so thinking to make sure worke, in an indiscreet devotion, they gave oblations to the Church, to expiate the fault, if any were. These oblations the Councell forbids to bee accepted, not decreeing any thing of the point, as of matter of faith, but providing against an inconvenient practice.

Neither was it much obligatory, or considerable, what it had decreed, being onely (d) a Diocesan Councell, of one Bishoppe, and his Abbats, and whose Canons *Binnius* presents, because (though some of them be out of use, of which this may be one) yet they are (saies he) some discoverers of Antiquity.

The other Councell which (e) *Gratian* cites and besides which two I finde none) hath these words, [*For those that kill themselves, there shall be no commemoration at the oblation, nor shall they be brought to buriall with Psalmes.*] which intimates,

c Canon. 17.
3 The Council of *Antisid.* onely refused their oblations

3 This was but a Diocesan Councell.
d *Nota Binnij in Conc. Antisid. To. 2. fo. 955.*

e 23. q. 5. placit.
4 The *Braccan* Council inflicts two punishments.

as the language of the Canon Law is, *Canipam sepulturam.*

But the (f) glosse upon this doth evict from another Canon, that if the person were not under excommunication, it is not so; [*For we may communicate with him dead, with whom we may communicate living.*] Which shewes that his act of dying so, put him not into worse state in this respect. This answers the first punishment inflicted by that Canon. And for the second which is deniall of Cristian buriall, it is very rigorous to conclude a hainousnesse of the fact, from that, since the (g) true Canon Law denyes that to men slaine at Tilt, though it afford them, if they be not presently dead, all the Sacraments applyable in that extremitie, as Penance, Eucharist, and Uction.

So that, though since it denies buriall to men whom they esteeme in state and way of salvation, the Glosse here collectts reasonably, [*That this punishment reaches not to the dead, but onely to deterre the living;*] referring to this purpose an h) Epistle of Gregory, saying, [*So much as a sumptuous funerall profits a wicked man, so much a base, or none at all hurts a godly.*]

Lastly, that (i) *Clementine* which reckons up many causes for which Cristian buriall is denyed, amongst which one is a locall interdict, at what time the holyest man which dyes in that place cannot bee buried, which sometimes extends to whole Kingdomes, instructs us sufficiently

f 24. q. 2. *Sane quid.*

5 The first, not praying for them, is of them who did it when they were excommunicate.

g *Decret. l. 5. tit. 13. de tormentis.*

6 The second, which is deni- all of buriall, is not alwayes inflicted for offences; as appears in an interdict lo- call.

h 13. q. 2. *anim.*

i *Li. 3. tit. 7. de sepulchris. Eos qui.*

ently, that one may be subject to that punishment, (if it be any in that Law) and yet not guilty of such a crime as this is reputed to be.

And (k) the *Romans* in their Religious Discipline, refused solemne buriall, to any which perished by lightnings, (l) though they buried offenders in the towne, as they did Vestals and Emperours; because as their Dedication to God had delivered the Nunnes, and Sovereignty the Emperours from bondage of Law; so did Justice, to which they had made full satisfaction deliver offenders punished. And since both Saint *Hierome*, and the *Bracarense* Council, inflict the same punishments upon those *Catechumeni*, who although they had all other preparations, and degrees of maturity in the Christian Faith, yet departed out of this world without Baptisme, as they doe upon *Selfe murderers*, and so made them equall in punishment, and consequently in guiltinesse; I thinke it will ill become the Doctrines of our times, and the *Analogy* thereof, to pronounce so desperately of either of their damnations. *Sert. Senen. lib. 6. Annot. 7. p. 311.*

And here wee end our second Distinction of this second Part, which was allotted for the examination of the Canon Law.

k *Sylv. ad leg. Reg. c. 11.*

l *P. Mayut. de leg. Rom. 7 Romans buried such offenders as had satisfied the Law within the towne, as Vestals, and Emperors.*

Distinction III.

SECT. I.

1. Of the laws
of particular
Nations.

2. Of our law
of *Felo de se*.
Bract. f. 150.

3.

b. Plowd. Com.
Hales his case.
3. That this is
murder in our
law; And the
reasons which
entitle the
King.

OF Arguments of this Nature, which are conclusions deduced out of reason and discourse, next to these generall Lawes of the Empire, and of the Church, (which though it might seeme for the generality thereof, to have deserved the first place, we handled in the second roome, because the power thereof hath beene ever litigious and questionable,) I may justly ranke the Lawes of particular states.

By our Law therefore, as it hath not beene long in practise, (for (a) *Bracton* seemes not to know such a Law, when allowing an intire chapter to that title, he onely repeats the words in that Emperiall Law, which I cited before, and so admitts, (if he admit that Law, that exception, *Sine justa causa*) he which kills himselfe is reputed *felo de se*; and whether he be chargeable with any offence or no, he forfeits his goods; which devolving to the Kings Almoner, should on the Kings behalte be employed in pious and charitable uses.

And (b) it is not onely Homicide, but Murder, And yet the reasons alledged there, are but these, That the King hath lost a Subject, that his Peace is broken, and that it is of evill example.

Since

Since therefore, to my understanding, it hath no foundation in Naturall nor Emperiall Law, nor receives much strength from those reasons, but having by custome onely put on the nature of law, as most of our law hath, I beleeve it was first induced amongst us, because we exceeded in that naturall desire of dying so. For it is not a better understanding of nature, which hath reduced us from it; But the wisdome of Law-makers and observers of things fit for the institution and conservation of states.

For in ancient Common-wealths, the numbers of slaves were infinite, as ever both (c) in Rome and Athens, there were 10 slaves for one Citizen; and (d) Pliny sayes that in Augustus time, Isidorus had above 4000. And (e) Vedius Pollio so many, that he alwayes fed his fish in ponds with their blood; and since servitude hath worne out, yet the number of wretched men exceeds the happy (for every labourer is miserable and beastlike in respect of the idle abounding men;) It was therefore thought necessary by lawes, and by opinion of Religion, (as (f) Scavola is alleaged to have said, *Expetit in Religione Civitates falli*,) to take from these weary and macerated wretches, their ordinary and open escape, and ease, voluntary death.

And therefore it seemes to be so prohibited, as a (g) Lawyer sayes, hunting and usery is, [*Ne inescarentur homines*] and as (h) Mahomet to withdraw his Nation from wine, brought them

4 Our naturall desire to such dying, probably induced this law.

5 As in States abounding with slaves, the Law-makers quenched this desire.

c Bodin Rep. l.

1. c. 2. & l. 6.

c. 1.

d l. 33. c. 10.

e Schast. Med.

de Venat. Pisc.

et aucup. q. 41.

f Aug. de Civi.

Dei l. 4. c. 27.

6 Least it

should draw

too fast, as

Hunting and

Usury are;

and as wine

by Mahom.

g Pruckinan.

de Venat. Pisc.

& Aucup. c. 4.

h Pompon. de

Incantar. c. 10.

7 And as severe lawes against stealing

i B. *Dorotheus* doct. 11.

k *Binnius* to. 3. par. 2. f. 1476. An. 1237.

8 When a man is bound to steale.

9 *Scotus* opinion of day theeves.

l 4. Dist. 15.

q. 3.

m *Exod.* 22. 3.

to a religious believe, that in every grape there was a Devill.

As therefore amongst us a naturall disease of stealing, (for as all other, so this vice may as well abound in a Nation as in a particular man, and (i) *Dorotheus* relates at large, the sicknesse of one of his fryars, who could not abstaine from stealing, though he had no use of that which he stole) hath drawn from a (k) Councell holden at *London* under *Hen* 3. a Canon which excommunicates the Harbourers of Theeves (*quibus abundat Regio Anglia*, and mentions no other fault but this, and from the Custome, and Princes, and Parliaments severe Lawes against theft, then are justifiable by Nature, or the Jewes Judiciall Law, (for our Law hangs a man for stealing in extreame necessity, when not onely all things, to him, returne to their first community, but he is bound in conscience to steale, and were, in some opinions, (though others say he might neglect this priviledge) a *Selfe-murderer* if he stole not.

And (l) *Scotus* disputing against the Lawes of those Nations, which admit the death of a theife robbing by day, because (m) whoever kills such a theife, is expressly by Gods Law a murderer, ask where have you read an exception of such a theife from the Law, *Non occides*, or where have you seene a Bull fallen from Heaven to justifie such executions? So it may be, a naturall declination in our people to such a manner of death,

death, which weakned the state, might occasion severer Lawes, then the common ground of all Lawes seemes well to beare.

And therefore, as when the Emperour had made a Law, to cut off a common abuse of misdevout men, that no man might give any thing to the Clergy, no not by Testament, Saint *Hierome* said, I lament and grieve, but not that such a Law is made, but that our manners have deserved such a Law, so doe I in contemplation of these Lawes mourne, that the infirmity and sicknesse of our Nation should neede such Medicines.

The like must be said of the like Law in the Earldome of *Flaunders*; If it be true, (n) That they allow confiscation of goods, in onely five cases, whereof this is one; and so it is rankt with Treason, Heresie, Sedition, and forsaking the Army against the Turk, which be strong and urgent circumstances to reduce men from this desire.

SECT. II.

For wheresoever you finde many and severe Lawes against an offence it is not safe from thence to conclude an extreame enormity or hainousnesse in the fault, but a propensnesse of that people, at that time, to that fault. Thereupon (a) *Ignatius* and many others, even intire Councells, were forced to pronounce, that who-

M 3

soever

n *Tholosa. Syn*
l. 36. c. 22. nu
13. ex *Buteler*
in *summa ru-*
ralli.

10 Of such a
law in *Flau-*
ders.

1 Severe lawes
are arguments
of the peoples
inclination,
not of the hai-
nousnesse of
the fault.

a *Epist. ad*
Philip.

2 Sunday fast
extremly con-
demned there-
upon.

3 So Duells in
France.

4 So Bull-bai-
tings in *Spain*.

Navar. Manu.
li. 15. nu. 18.

5 Gentle laws
diminish not
the nature of
rape, nor
witchcraft.

b *Cap. 67.*

c *H. de his qui*
not. infam. l. 2.

s. 1. nu. 2.

6 Publique
benefit is the
rule of exten-
ding or re-
straining all
lawes by *Bar-
tol.*

7 If other
Nations con-
cur in like
lawes, it shews
their inclina-
tion to be ge-
nerall.

soever fasted upon Sundayes were Murderers of
Christ.

So in *France* the Lawes abound against Duells,
to which they are headlongly apt.

So are the resolutions of the Spanish Ca-
suits, and the Bulls of the Popes, iterated and
aggravated in that Nation, against there Bull-
bayting, to which they are so enor.mously addi-
ced, which yet of it selfe is no sinne, as *Navar*
retracting his opinion after 70 yeates holds at
last.

These severe lawes therefore do no more ag-
gravate a fault, then milde punishments dimi-
nish it. And no man thinks Rape a small fault,
though *Solon* punish it, if sh be a Virgin, and
freeborn, with so much money as would amount
to our five shillings: and the (b) *Salique* law
punishes a witch, which is convict to have eaten
a man, pecuniarily, and at no high price. And
therefore (c) *Bartolus* allowes that in cases of
publique profit or detriment, the Judges may
extend an odious and burdenous law beyond
the letter, and restraine a favourable and bene-
ficiall law, within it, though this be against the
Nature and common practise of both these
lawes.

If therefore our, and the Flemish law be se-
vere in punishing it, and that this argument have
the more strength, because more Nations con-
curre in such lawes, it may well from hence be
retorted, that every where men are inclinable
to

to it: which establisheth much our opinion, considering that none of those lawes, which prescribe Civill restraints from doing it, can make it sinne; and the act is not much discredited, if it be but therefore evill, because it is so forbidden, and binds the conscience no farther, but under the generall precept of obedience to the law, or to the forfeiture.

SECT. III.

It seemes also by the practise of the *Jewes*, (for (a) *Josephus* speaks of it, as of a thing in use) that they did not bury such as killed themselves, till the Sunne set. But though I know not upon what Law of theirs they grounded this, and I finde not by writers of either of their Policies since their dispersion, (for though they have no Magistracie, but bee under the Lawes of those places into which they are admitted, in all cases except where they be exempted by priviledg, yet they doe also testifie a particular detestation of some sins by *outward penances* among themselves, (b) as in theft, they binde, and whip, and en-joyne to publike confession, and in Adultery the offender sits a day in Winter in freezing water, and in Sommer upon an Anthill, or amongst hives of Bees naked, though, I say, I finde not by *Galatine*, *Sigonius*, *Buxdorfius*, nor *Molther*, that this was or is in use amongst them, yet because *Josephus*, though but Oratorily sayes it,

we

i The custon of the *Jewes*, and the law of the *Athenians* evict nothing a *De bello Jud* l. 3. c. 13.

b *Buxdor. Syn. Judais* c. 34.

we will accept it; and beleeve that it was upon the reason common almost to all Nations. to deterre men from doing it, and not to punish it being done. And of like use, that is, *in terrorem*, was also that Law of the *Athenians*, who cut off that hand after death which perpetrated that fact; which Law *Josephus* remembers in the same place.

S E C T. I I I I.

That reason which is grounded upon the Edict of *Tarquinius Priscus*, (a) who when this desire of Death raigned amongst his men like a contagion, cured it by an opprobrious hanging up their bodies, and exposing them to birds and beasts. And (b) upon that way of reducing the Virgins of *Milsum*, who when they had a wantonnesse of dying so, and did it for fashion, were by Decree dishonourably exhibited as a spectacle to the people naked, prevailes no farther then the argument before, and proves onely a watchfull solicitude in every State, by all meanes to avert men from this naturall love of ease, by which their strength in numbers would have been very much empaired. And thus wee determine this Distinction.

S E C T.

The reason
drawne from
remedies a-
gainst it,
proves no
more.

¹ *Pliny. li. 36.*

² *cap. 13.*

³ *A. Gellius*

li. 15. c. 10.

Distinct. I V.

WEe will now descend to those reasons which particular men have used for the detestation of this action. And first we will pay our debt to *Gratian*, in considering the places cited by him, and after, the other reasons of Divine Authors, if they bee not grounded upon places of Scriptures, which we repose for the last part, shall have there ventilation in this Distinction.

SECT. I.

The (a) first place then, is in an Epistle of Saint *Augustine* to *Donatus* the Heretique, who having beene apprehended by the Catholikes, fell from his Horte, and would have drown'd himselfe: and after complaines of violence used towards him, in matter of Religion, wherein he claimes the freedome of Election, and conscience. Saint *Augustine* answers, wee have power to endeavour to save thy soule against thy will, as it was lawfull to us, to save thy body so. If thou wert constrained to doe evill, yet thou oughtest not to kill thy selfe. Consider whether in the Scriptures, thou finde any of the faithfull that did so, when they suffered much

N

from

1. Of reasons used by particular men, being Divines.

1. Of S. *Augustine* and his Argument.
2 23. q. 5. *Duplicet.*

from them, who would have forced them to do things to their soules destruction.

2. Of St. *Aug.* comparatively with other Fathers.

3. Comparison of *Navar* and *Sotus*.

4. Jesuits often beholden to *Calvin* for expositions.

To speake a little of Saint *Augustine* in generall, because from him are derived almost all the reasons of others, he writing purposely thereof, from the 17 to the 27 Chapter of his first book *De Civitate Dei*, I say, as the Confessaries of these times, comparing *Navar* and *Sotus*, two of the greatest *Casuits*, yeeld sometimes that *Navar*, is the founder and learneded, but *Sotus* more usefull and applyable to practise Divinitie; So, though Saint *Augustine* for sharpe insight, and conclusive judgement, in exposition of places of Scripture, which he alwaies makes so liquid, and pervious, that he hath scarce been equalled therein, by any of all the Writers in the Church of God, except *Calvin* may have that honour, whom (where it concernes not points in Controversie,) I see the *Jesuits* themselves often follow, though they dare not name him, have a high degree and reverence due to him, yet in practise learning, and morall Divinity, he was of so nice, and refin'd, and rigorous a conscience, (perchance to redeeme his former licentiousnesse, as it fals out often in such Convertits, to be extreameley zealous) that for our direction in actions of this life, Saint *Hierome*, and some others, may bee thought sometimes fitter to adhere unto, then St. *Augustine*; Yet I say not this, as though wee needed this medicament for this place.

For

For I agree with Saint *Augustine* here, That neither to avoid occasion of sinne, nor for any other cause, wherein my selfe am meerely or principally interested, I may doe this act; which also serves justly for answer to the same zealous Father in the other place, (b) cited by *Gratian*; for with him I confesse, [*That he which kills himselfe, is so much the more guilty herein, as hee was guiltlesse of that fact for which hee killed himselfe.*]

Though, by the way, this may not passe so generally, but that it must admit the exception, which the (c) Rule of Law upon which it is grounded, carries with it, [*Nemo sine culpa puniendus, nisi subsit causa.*] And so, as Saint *Augustine*, we, with as much earnestnesse, say, [*Hoc asserimus, hoc dicimus, hoc omnibus modis approbamus. That neither to avoid temporall trouble, nor to remove from others occasion of sinne, nor to punish our owne past finnes, nor to prevent future, nor in a desire of the next life, (where these considerations are only, or principally) it can be lawfull for any man to kill himselfe.*] But neither Saint *Augustine* nor we deny, but that if there be cases, wherein the party is dis-interested, and only or primarily the glory of God is respected and advanced, it may be lawfull.

So that, as *Valens* the Emperour, having surpris'd *Jamblicus*, when his divining cock had described three letters of his name who should succede, slew all whose names were *Theodorus*,

N 2

Theodotes,

5. In this place we differ not from St. *Aug.*

6. Nor in the second.
b 22. q. 5. *St non.*

7. That then may be *Causa puniendi sine culpa.*
c *Reg. sur. 6.*

8. As *Valens* missed *Theodorus*; So did *Augustine* pre-termit the right cause.

Theodotes, or *Theodulus*, but escaped *Theodosius* who fulfilled the Prophecy, So Saint *Augustine* hath condemned those causes which we defend not, but hath omitted those wherein it is justifiable.

In which case being hard to be discern'd and distinguished from others arising from humane infirmity, if that rule which (d) *Antonius de Corduba*, gives in cases of simony, be as he sayes it is, a good guide in all perplexities, it will ease very much.

He sayes, because in the case of simony, many difficulties grow, because not onely by cleare and common judgements, temporall reward may be taken for spirituall offices, by way of gift, stipend, wages, almes, sustentation, or fulfilling the law or custome of that place, but also by some Doctors, even by way of price, and bargain, if not directly for the spirituall part thereof, yet for the labour necessarily annexed to it, because every Curate cannot distinguish in these cures, he bids him [*ever doe it, with an intention to doe it so, as God knowes it may be done, and as wise men know and would teach that it might be done:*

For thus saith he, humbly remitting our selves to the learned, which are our fathers instruction, what ever defect be in us, yet Saluamur in sine parentum]

And in this sort (e) *Pindarus* making an implicite prayer to God, that he would give him that which he knew to be best for him, died in that very petition.

Except

9 Of *Cordubensis* rule, how we must do in perplexities;
d *Ant. Cordub. de simonia* q. 27. *Editione. Hispan.*

10 How temporall reward may be taken for spirituall office.

Hesychius vita philosophorum.

11 Of *Pindarus* death praying for he knew not what.

Except therefore (f) Saint *Augustine* have that moderation in his resolution; That a better life never receives a man after a death whereof himselfe was guilty, we will be as bould with him, as (g) one who is more obliged to him then we, who repeating *Augustines* opinion, That the Devill could possess no body, except he entred into him by sinne, rejects the opinions, and saies, The holy Father speaks not, of what must of necessity be, but what for the most part uses to bee.

f *Vbi supra.*
 2 In our place we depart from St. *Aug.* upon the same reason as the Jesuit *Thyraus* doth.
 g *Thyra. Jesuit. de Dæmoniacis c. 31. nu. 428.*

SECT. II.

And in our case we ought (as I thinke rather to follow (a) Saint *Hieromes* temper, who in his exposition upon *Jonas*, (which I wonder why *Gratian* cited being so farre from his end and advantage) sayes, [*In persecution I may not kill my selfe, absque eo, ubi castitas periclitatur*] where I am so farre from agreeing with (b) *Gratian*, that [*Absque eo, is inclusively spoken, and amounts to this phrase, no not though*] as I thinke that good learned father, included in that word *Castitas*, all purity of Religion and manners; for to a man so rectified death comes ever, and every way seasonably and welcome. For [(c) *qualem mors invenit hominem, ita homo invenit mortem.*]

1 The place out of S. *Hierome* cited by *Gratian.*

a 23. q. 5. Non est,

b *Gloss. in locum supra.*

c *Idiotæ Con-templatio de morte.*

SECT. III.

From this place of Saint *Hierome*, I beleeve, and some other, which perchance I have not read, and some other places in others, of like charitable descent to this opinion. (a) *Lavater* having made his profit of all *Peters Martyrs* reasons almost against this act, and adding some of his owne, when they both handle the duties of *Saul*, confesseth that in this case of preserving Chastity, *Augustine*, *Chrysostome*, and *Lactantius*, and *Hierome* departed from their opinion who condemned this Act.

SECT. IIII.

Peter Martyr also presents one other reason, of which he seemes glad, and well contented in it, which is, That we may not hasten death, because *Mors malum*.

But it is not worthy of his gravity, especially so long after (a) *Clemens Alex.* had so thoroughly defeated that opinion.

But if it be *Malum*, it is but *Malum pœna*. And that is an evill of which God is Authour, and is not that (b) *Malum quo mali sumus*; neither doth it alwayes prove the patient to be evill, (though God for all that be alwaies iust,) for himselte said of the man borne blinde (c) [*Neither he, nor his parents have sinned.*]

And

1 *Lavater* confesses *Aug.*
Hie. Cry. and
Lactas. to be
of this opini-
on.

a *Lavater* in
Sant. Caulli.

1 Of *P. Mar.*
reason *Mors*
malum.

a *Stromat.* l. 4.
2 *Clement.*
hath long since
destroyed that
opinion.

3 Of *Malum*
pœna.

b *Aqui.* 1. q.
48. ar. 6. Con.

c *Jo.* 9. 3.

And of that *Malum pena*, which is esteemed the greatest in this life, of temporall afflictions, because of the neere danger of empairing our soule, which is to be possessed, (d) *Thyraeus*, from Saint *Hierome* and *Chrysostome* sayes, that it is not alwayes inflicted for sinne, but to manifest the glory of God,

And therefore the greatest evill which can be imagined, of this kinde of evill, which is [(e) *Damnation*, hath not so much *Rationem mali*, as the least sinne that drawes *Damnation*.]

Death therefore is an act of Gods justice, and when he is pleased to inflict it, he may chuse his Officer, and constitute my selfe as well as any other.

And if it were of the worst sort of evill, yet as (f) Saint *Augustine* sayes that [*in the Act of Marriage, there is Bonus usus mali, id est concupiscentia, quo malo male utuntur adulteri.*] And as good *Paulinus* prayses *Severus*, that (g) [*he having in Conjugio peccandi licentiam, departed not from his accustomed austerity,*] so may the same be said of death in some cases, as in *Martyrdome*.

For though *Martyr* urge farther, that death is called (h) Gods enemy, and is therefore evil, yea (i) *Musculus* sayes upon that place, [*It is often commended in Scriptures, because towards the faithfull God useth it to good ends, and makes it cooperari ad salutem.*] And by what authority can they so assuredly pronounce that it falls out never

4 Possessed men are not alwayes so afflicted for sin. d *Thyraeus de Daemon. c. 31.*

e *Aqui. 1. q. 48. ar. 6. Con.*

5 *Damnation* hath not so much *rationem mali* as the least sin.

6 If death were of the sorts of evill, yet there may be good use of it.

f *Aug. de bono Conjugii.*

g *Paulin. Severo exist. 1.*

7 How *Paul* calls Death Gods enemy.

h *1 Cor. 15. 20.*

i *Marlonat. in hunc locum.*

never in our case? Besides this, death hath lost much of her naturall malignity already, and is not now so ill, as at first she was naturally; for as (k) Calvin notes here, [*she is already so destroyed, that she is not lethalis, but molesta.*]

S E C T. V.

One reason more *Martyr* offers of his owne, which is, *Vita Donum*, life, because it is the gift of God may not be profused, but when we have agreed to him, that it may not be unthriftilly and prodigally cast away; how will he conclude from thence, such an ingratitude, as that I shall forsake Gods glory? and may in no case *ponere animam*? How will it follow from I must not alwaies, to I may never?

S E C T. VI.

Lavater after many other urges this reason; That because Judges are established, therefore no man should take Dominion over himselfe.

But in the Church of *England*, where auricular confession is not under precept, nor much in practise, (for that we admit it not at all, or refuse it so, as the *Waldenses* did, though (a) a reverend man say it, is more then I knew) who is judge of sin against which no civill law provides, or of which there is no evidence? May not I accuse and condemne my selfe to my selfe, and inflict

3 Death since Christ is not so evill as before.

4 Calvin in hunc locum.

1 Of Martyrs reason, *Vita donum.*

1 Of *Lavaters* reason of Judges.

2 Where confession is not in use, there is no exterior Judge of secret sinne.

3 *Hunfréd.*

Iesui. pa. 2. ad

Ratio. 3. Cam.

infect what penance I will for punishing the past, and avoiding like occasion of sinne?

Upon this reason depends that perplexed case, whether the Pope may not give himselfe absolution from Acts and Vowes, and partake his owne indulgences, although by the best opinion it is agreed, that to do so is an act of jurisdiction, which, by *Lavaters* rule, no man may exercise upon himselfe.

(b) The Emperiall lawes forbid in a generality any to be judge in his owne cause, but all Expositors, except Soveraignes. And in ordinary Judges, all agree with c) *Baldus* [*That in facto notorio if the dignity of the Judge be concerned, he is the proper Judge of it. And he sayes that it belongs to the Pretor to judge, whether such a cause belong to his judgement, or no.*] (d) And with a *Non obstante* even upon Naturall law, as the words of the priviledge are, *Theodorus* allowed Bishops to be Judges in their owne cause. (e) So [*if a sonne which had not bene Sui juris had bene made Consul, he might have emancipated himselfe, or authorized another to have adopted him.*]

And besides that, it appeares, that the Popes have exercised jurisdiction upon themselves, even before they were Popes, (for if *Iohn 22* having permission to chuse one Pope, chose himselfe, which deed *Naucles* relates and justifies) by Canonick rules it is plaine, that he may exercise jurisdiction upon himselfe in any case where there is not a distinction of persons enjoyed

3 Of the Popes jurisdiction over himselfe.

4 Of such jurisdiction in other persons by civill lawes.
b *C. d. l. 3. tit. 5. le. Generati.*
c *Bald. F. le. 5. de. judiciis.*
d *Filescus de Episc. auctorit. Ca. 1. s. 17.*

e *Dig. l. 1. tit. 7. le. 3. si Conf.*

f *Iob. 22. elected himselfe Pope.*
f *Volu. 2. Genera. 44.*

6. Jurisdiction over our selves is denyed us, because we are presumed favourable to our selves; Not in cases hurtfull to our selves.

g Heurnius de Philos. Barbar.

7. Even in cases hurtfull, we have such jurisdiction.

h Theod. a Nicce. l. 3. c. 3.

& 23.

8. Gregories oath in the great Scisme.

i Schlüsselburgius. Catul. Heretico, l. 13.

enjoyed *Jure Divino*, as in Baptisme: which will not be stretched to our case.

And certainly the reason of the Law, why none should be judge in his owne cause, is, because every one is presumed favourable towards himselfe. And therefore if it be dispensable in some cases beneficiall to a man, much more may it be in cases of inflicting punishment, in which none is imagined to be over-rigorous to himselfe.

And if man were by nature as slavish, as the [(g) *Esseni* by profession and rule, who had power of themselves in nothing, but *juvando & miserendo*] I see not, but when this becomes an act of advantage to our selves, we may have jurisdiction enough to doe it.

And what is more evident to prove, that in some cases derogatory and prejudiciall to us, we have this right over our selves, then that every man may *cedere suo jure*, And *Non uti privilegio*.

And (h) it was by all condemned in *Gregorie*, in the great Scisme, that after hee had promised to depart from the Papacie, by oath, in which was a clause, that he should neither aske, give, nor accept absolution from that oath, hee induced his Mendicants to preach, that it were deadly sinne in him to de-relinquish the Church. So also have many Kings departed from their Government, and despoiled them of their burden, at their pleasure. For, as (i) one sayes,

of

of the whole Church, it may bee said of every particular member; it was ever in Politicall bondage, but not in Spirituall.

So that, if there bee cases, wherein one may assuredly, or probaly, after just diligence used, conclude upon an illumination of the Spirit of God, or upon a ceasing of the reason of the Law at that time in him, that man is then *Sui Iuris*.

For though in cases where there is a proper Court, I am bound to it; yet, as Kings which are both Soveraignes, may therefore justly decide a cause by Warre, because there can bee no competent Judge between them; So in secret cases betweene the Spirit of God, and my conscience, of which there is not certainly constituted any exteriour Judge, we are our selves sufficient to doe all the Offices; and then delivered from all bondage, and restored to our naturall libertie, we are in the same condition as (k) Princes are, who if in the rigour of words they may not properly bee said to give themselves Priviledges, have yet one generall inherent Privilege, and when they will, they may declare, that in that particular case, they will not take a new, but exercise their old Priviledge.

SECT. VII.

And because (a) *Iosephus* hath one reason which

9. When a man becomes to be *sui juris*.

10. Warre is just betweene Soveraigne Kings, because they have no Judge.

k *Accacius de privileg. juris. l. 1. cap. 7.*

11. Princes give not themselves priviledges, but declare that in that case they will exercise their inherent priviledge.

Iosephus Reason of *Depositum*.

a *De bell. Iud. l. 3. ca. 13.*

which taste of Divinitie, we will consider it in this place. He sayes, our Soule is, *particula Dei*, and deposed and committed in trust to us, and we may not neglect or dishonour it, before he withdraw it. But we are still upon a safe ground, That whensoever I may justly depart with this life, it is by a Summons from God; and it cannot then be imputed to any corruption of my will; for, (b) *Velle non creditur, qui obsequitur Imperio*. Yet I expect not ever a particular inspiration, or new commission, such as they are forced to purchase for *Sampson*, and the rest; but that resident and inherent grace of God, by which he excites us to works of morrall, or higher vertues.

And so, when it is so called for againe, (c) it were a greater injustice in us to deny or withhold any thing, of which wee were *Depositaries*; then if we were Debtors; yea, (not to depart from *Iosephus* Allusion or Meraphor of *Depositum*. If it were a fault to let goe that of which I were *Depositary*, before it were truly called for, yet in *Conscientia errante*, I were excusable; for it (d) is [*Ex substantia depositi, ut depositarius tantum de dolo teneatur non de culpa.*] Yea, when (e) I have a secret from another, *Data fide*, I have this in all respects, in *Natura Depositum*; and yet no man doubts, but that I may in many cases, depart with this secret.

SECT.

b *Regula juris*
4.

c *Arist. Probl.*
Sect. 29. q. 2.
2. In these cases a depositarie cannot be accused *De culpa*, if he be *sine Dolo*.
3. A secret received, *Data fide*, is in *Natura depositi*.
d *Tholos. Syntag. l. 23. ca. 3.*
Nu. 17.
e *Soro de Reg. Secr. membr. 1.*
q. 1.

SECT. VIII.

There are many Metaphoricall and Similitudinarie Reasons, scattered amongst Authors, as in *Cicero* and *Macrobius*, made rather for illustration, then for argument or answer; which I will not stand to glean amongst them, since they are almost all bound up in one sheafe, in (a) that Oration of *Iosephus*. Or else will be fitly handled in those places of Scripture, which make some such allusions.

1. Of similitudinarie Reasons in Authors not Divine.

a *De Bello Iudaico*. l. 3. ca. 14.

SECT. IX.

Iosephus then in that Oration hath one Reason drawn from the custome of an Enemy. We esteeme them enemies, who attempt our lives, and shall we bee enemies to our selves? But besides that, in this place, *Iosephus* speakes to save his owne life, and may justly be thought to speak more *ex animo*, and dispassioned, wherein the (a) person of *Eleazar* hee perswades to kill themselves, there is neither certaine truth in the Assertion, nor in the Consequence. For do we esteeme God, or the Magistrate our enemy, when by them death is inflicted? And do not Martyrs, in whose death God is glorified, kisse the Executioners, and the Instruments of their death? Nor is it unlawfull, unnaturall, or unexpedient for us, in many cases, to be so much our

1. Of his reason of *Hofis*.

a *lib. 7. c. 28.*

owne Enemies, as to deny our selves many things agreeable to our sensitive nature, and to inflict upon our selves many things repugnant to it, as was abundantly shewed in the first part.

S E C T. X.

1. Of his reason of Servus.

In the same Oration he hath another allusive argument, [*That a Servant which runne away, is to be punished by the Law, though his Master be severe; much more if we runne away from so diligent a Master, as God is to us.*] But not to give strength or delight to this reason, by affording it a long or diligent answer; wee say, In our case the Servant runnes not from his Master, but to him, and at his call obeys his voyce. Yet it is as truely, as devoutly sayd, [*The devill is overcome by resisting, but the world, and the flesh by running away.*] And the farther, the better.

Bosquier. Conc.
7.

S E C T. XI.

Of his reason of a Pilot.

His last, which is of any taste, is [*That in a tempest, it were the part of an idle and treacherous Pylot, to sinke the Ship.*] But I say, if in a Tempest we must cast out the most precious ware aboard, to save the lives of the Passengers, and the Marchant who is damnified thereby, cannot impute this to any, nor remedie himselfe, how much more may I, when I am weather-beaten,
and

and in danger of betraying that precious soule which God hath embarked in me, put off this burdenous flesh, till his pleasure be that I shall resume it? For this is not to sinck the ship but to retire it to safe Harbour, and assured Anchor. And thus our fourth Distinction, which was to embrace the reasons proposed by particular Authors, whether Divine or Prophane, and as well Oblique and Metaphoricall, as Direct, shall here be determined.

Distinction V.

SECT. I.

ANother sort of Reasons is produced from grounds of *Morall Vertues*. Of which (a) *S. Thomas* proposeth two, which we limit for this Distinction; for that of *Saint Augustine*, That it is against *Fortitude*, hath another roome. First then *Aquinas* saies, it is against justice, and against Charity.

And the first in two respects, both because he steales from the Univerie, or from that State, to which his service is due, one person, and member of the body; and also, because he usurpes upon the right of God. But the first of these may as well be said of all who retyring themselves

1. Of *Aquin.*
two reasons,
from Justice
and Charity.
2 22. q. 64. ar.
5.

Of stealing
away himselfe
from the State.

selves from functions in the Common-wealth, defraud the State of their assistance, and attend only their owne ends, whether in this life, or the next.

3. Monastique retiring is, *in genere rei*, the same offence.

For certainly to doe even that, so intently, as we neglect our office of Society is, *in genere rei*, the same offence, as this.

4. The better opinion, that herein is no sinne against Justice.

But as there are many which follow *Aquinas* herein; So *Navar*, and *Sayr*, and others are upon better reason of opinion, that this can be no sinne against Justice.

5. I usurpe not upon his servant, but am his servant herein.

And for the second reason, This is not to usurpe upon Gods Authoritie, or to deale with another's servant; if I become his Servant, and his Delegate, and his Commissioner, in doing this, when he can be no other way so much glorified. And though the passage from this life to the next, bee not generally left to our free-will, and no body be properly Lord of his own life, yet (b) [*Though we have not Dominium, we have Usam, and it is lawfull for us, to lose that when we will.*]

b *Sayr. Thesau. Cas. Consc. l. 7. ca. 9. Nu. 19.*

6. Though we have not *Dominium*, wee have *Usam* of this life, and we leave that when we will.

Betweene which negative killing, and positive killing, how little and narrow a distance there is, and how contiguous they are, we shall see in another place.

7. The State is not Lord of our life, yet takes it away.

It therefore the reason why we may not dye thus, be, because we are not Lords of our own life, but only God, then the State cannot take away our life; for (c) [*That is no more Lord of our life, then we are,*] that is, she cannot doe

c *Sayr. l. 9. c. 7. Nu. 2.*

it,

it, but in cases where she is Gods Officer.

And if in this case, there were any injury done to the State, then certainly it were in the power of the State, to license a man to doe it, and he should upon such a license be excusable in conscience. For this, in the State, were but *Cedere in re suo*, which any may lawfully doe.

And lastly, if the State were injured in this, the State might lawfully recompence the damage, upon the heire and goods of the Delinquent; which, except in those places, where expresse Lawes allow it, cannot be done.

Yet, I thinke, the better opinion, (to judge by number of Authors) will be, That if that person be of necessary use to that State, there are in it some degrees of injustice; but yet no more, then if a Generall of much use, should retire into a Monasterie. But if we may safely take this resolution, That it is not against justice, we may ease our selves of all that labour which must bee spent upon the third part; for, since the foundation of that will be principally the Commandement, *Thou shalt not kill*; If this killing be not against Justice, it is no breach of any part of the *Decalogue*, and so no sinne.

If any should thinke, that it may be an injustice to our selves, (d) *Aquinas* in the same place cleares it. And if it were possible, for a man to injure himselfe, which is not, yet this injury might be oftentimes such an one, as *Cicero* sayes, his banishment was, [*Non modo non propul-*

P

sanda,

8. If injurie were herein done to the State, then by a license from the State, it might be lawfull.

9. And the State might recompence her damage upon the goods, or heire

10. In a man necessary there may be some injustice in this act.

d 22. q. 59. ar. 4. ad 3^m.

11. No man can doe injurie to himselfe.

sandi, sed emenda,] considering how much happiness might recompence it.

And whether it be against Charity or no, because Charity is not properly a Morall vertue, nor of this place, because many of those places of Scripture, which we must handle in the last part, are built upon this ground of Charitie, we will not examine, till we come thither. Here I will onely say, That though it be yet under Disputation, and questionable, whether this be against Charity, or no; this is certainly against Charity to pronounce so desperatly, as men use to doe, against them who fall into it.

SECT. II.

Of such reasons derived from the rules of Morall vertue, *Aristotle* insinuates two. For observing that this kinde of death caught men by two baits, *Ease* and *Honour*, Against them who would dy to avoide Miserie, (a) Hee teaches *Death to be the greatest misery which can fall upon us.* Which (not to examine how it can consist with the rest of his Doctrine) was to that purpose, the most slipperie and insinuating persuasion.

And then, that Honour and Fame might draw none, (b) he sayes, *It is Cowardlinesse, and Dejection, and an argument of an unsufferable and impatient minde.* But of the first of these we have spoken before, in answer to one of *P. Martyrs* reasons.

2. The question, whether it be against Charity, is episcopally to the third part.

Of *Aristotles* two reasons. Of Misery, & Paucanimity.

a *Arist. Eth.* l. 3. c. 6.

b *Cap. 7.*

reasons. And of the other we shall have occasion to say inough, when wee come to a place where Saint *Augustine* sayes the same thing, and so we may eate this Distinction of that businesse.

Infra fol. 249.

Distinct. V I.

SECT. I.

HAVING thus considered those Reasons, which in the best Authors are to be found, and thewed such Rules, as serue for the true understanding of them, and of all others which spring from the same, or like heads, before wee determine this Second Part, which is of the law of Reason; it shall bee requisite that wee also touch those Reasons, which on our part are by others, and may bee by us produced, by which this *Seife-homicide* may be delivered either *a toto*, or *a tanto*

1. Of Reasons to be made on the other part.

But not to stop long upon that Law and practise in the State of *Rome*, That any who had his causes allowed in the Senate, might kill himselfe; upon which (a) *Quintilian* frames a Case, That a Sonne who by Mathematicians Predictions, was first to kill many Enemies, and then his Father; having in the warres performed the first

2. Of the Law of Rome, of asking the Senate leave to kill himselfe.

a *Declam.* 4.

3. Of the case in *Quintilian*.

part, makes petition to the Senate, that before he come to performe the last part, he may be admitted to kill himselfe, and argues it for the Sonne, by many reasons appliable to his particular case, and to our maine question, I will hasten to our chiefe strength.

SECT. 11.

It may then give much light to this businesse, if we compare Desertion and Destruction, and consider where and wherein they differ. Certainly, in Almighty God, it is not the same thing to forsake and to destroy, because he owes us nothing; and ever in his forsakings there are degrees of Mercy, because hee might then justly destroy us, and may after at his good pleasure returne againe to us.

But betweene men who are mutuall Debtors, and naturally bound to one another, it is otherwise. For a Magistrate, or Minister that abandons his charge, and neglects it, destroys it. So sayes (a) *Agapetus* the Deacon to *Justinian* the Emperour, *Privati vitium est parare, principis omittere*. Yea, a private man which hinders not a mans wrong, (when it belongs to him to do it) offers it. (b) [*Fame morientem si non paveris, occidisti,*] saith *Ambrose*. And (c) [*That Clergie man which hinders not a manslaughter, if hee can, is thereby irregular.*] And he which to himselfe denies necessarie things, or exposes himselfe

1. Compari-
son of Deser-
tion and De-
struction.

2. Of Omissi-
ons equall to
Committings.

a *In admonito-
rio.*

b *Dist. 86. pas-
ce.*

c *Tabula Pa-
ris. censurarum.*

selfe inordinatly to such dangers as men use not to escape, kills himselfe. He that is as sure that this Medicine will recover him, as that this Poyson will destroy him, is as guilty if he forbear the Physicke, as if he swallow the Poyson. For what is this lesse, then to attend the ruine of a house, or inundation of a streame, or incursion of mad beasts? They which compare Omissions, and Committings, require no more to make them equall, but that we omit something which we could, and should doe.

SECT. III.

First, therefore in all Lawes, in such faults as are greatest, either in their owne nature, or in an irremediableness when they are done, all approaches, yea the very first step to them, hath the same guiltinesse, and is under the same punishment, as the fault it selfe. As in Treason and Heresie, the first consent is the absolute fault.

And (a) we have an example of a Woman burnt for petie Treason, for compassing the death of her husband, though it were not effected.

Homicide is one of those crying sins, and hath ever beene reckoned in *Atrocibus*. For though the (b) Athenians removed all *Dracoes* Lawes by disuse for their extreame severity, yet they retained those against *Homicide*.

And this *Homicide*, (c) saies *Tolet*, may be done five wayes, by 1. Commandement, by

P 3

2. Ad-

1. In great finnes, the first step imprints a guiltinesse, yet many steps to Self-homicide are lawfull.

a *Stanf. Ples de Cer. n. cap. Petie treason.*

b *Elian. l. 8. cap. 10.*

2. *Dracis* laws against Homicide were retained.

c *Precepto 5. 3. Tolets five Homicides.*

4. Foure of these were to be found in Adams first Homicide in Paradise.

c Peuchlin. de verbo & irifico. lib. 2. cap. 14.

2. Advise, by 3. Permission, by 4. Helpe, or by the fact it selfe.

And in the first and worst Homicide committed in Paradise, in which were employed all the persons in the world, which were able to conurre to evill, when though there was but one man, all the Millions which have been and shall be, were massacred at once. and himselfe too, as many of these kindes of Homicides were found, as was possible in so few persons. For as (c) one notes, [*The Serpent counsaied, the Woman helped, and Adam perpetrated,*] and wee may safely and reverently say) God permitted. If then every one of these be a kind of Homicide, no approach towards it can be lawfull, if any bee lawfull, that is not Homicide. Let us therefore consider how farre, and in how many of these waies *Selfe-homicide* may bee allowable.

SECT. IIII.

1. Of Tolets first & second way by Precept, and Advice, or option. a Barol. l. Non solum. F. de injuriis, c. Si mandato.

First therefore, though it be the common received opinion, (a) [*Mandatoem, & Manaatarium eidem pœna subji,*] Yet by the way of Precept, we cannot properly work upon our selves, because in this act, the same partie must be agent, and patient, and instrument.

Nor very properly by the second way of advise, yet so neere, we may come to the nature of it, that after discourse we may advise ly chuse one

part

part, and refuse the other, (for (b) *Cujus est uelle, ejus est & nolle*) and so we may wish to our selves, that which is naturally euill, I meane, *Malum pœna*; as the (c) *Eremite* by earnest prayer obtained of God, that he might be possessed of the Devill for certaine moneths, because he found in himselve an inclination to pride and securitie.

Thus certainly in some cases, we may without sinne wish Death; and that not onely for enjoying the sight of God, (for so (d) sayes a holy man, *Pro uisione Dei, nullies corpus nostrum morti dare optamus*) but even to be so delivered from the encumbrances of this life; for so it hath [*rationem boni*] (e) as *Peter Martyr* argues; and then, [(f) *Noue meliorem est Corruptio primae habitudinis.*]

This therefore we may wish; and yet it is so farre from being lawfull to wish any thing which were euill; that [(g) *It is sinne to wish, that any thing which is naturally euill, were not so, that so wee might then wish it, when it were discharged of that naturall illnesse.*]

Death it selfe therefore is not euill, nor is it euill to wish it, is it euill to further that with more actuall helpe, which we may lawfully wish to be done?

These two extreme Religions, which seem to a-vile secular Magistracie, and subject Monarchs either to an Ordinarie, or else to a Consistorie, accept willingly this saying, *Curse not the King, no not*

b Reg. Fur. 3.

2. We may wish *Malum pœna* to our selves, as the *Eremite* did to be possessed.

c *Sulpit. in uita Martini. Dialo.*

1.

3. Wee may wish death for wearinesse of this life.

d *Martialis ad Tholosanos.*

e *Coment. in Sam. l. 1. c. ult.*
f *Heptap. Pici. l. 7. Proem.*

4. It is sin to wish that euill were not so, that then wee might wish it.

g *Adrian. quodlib. 10. ar. 2.*

5. What wee may lawfully wish, we may lawfully further.

6. Of wishing the Princes death.

in thy heart; That is, wish not ill to him. Nor have I observed that the Authors of either distemper have in their Books allowed, that the Subject might wish the death of the Prince, but in the same cases, where he might contribute his actual helpe. For both Papists and Puritanes teaching that a lawfull King may become a tyrant, (which to my understanding cannot consist with the forme and right of an inheritable Monarchie.) Yet (h) one who pretends to go the middle way (and that is truely in this case, *Via Regia*, sayes, [*That as well wee, as the Romanists esteeme a King of another Religion a Tyrant.*] And [*That it is impossible to make such a King, but he must be a Tyrant, in the opinion of one side.*]

h *Saxonia de Imp. Author. Epistola.*
7. In some opinions, false Religio makes a Tyrant.

i *Lib. 2. ca. 36.*
8. Why an oth of fidelity to the Pope binds no man.

k *Declaration & Protestation des Doctes de France.*

Anno 1605.
9. Who is a Tyrant in these mens opinions.

And for his own opinion delivers [(i) *That no man can be bound by oath of fidelity to the Pope, upon this reason, because he is not indeed Vicarius Dei, as he presumed him, and swore him to be.*]

And conformably to this, (k) that book whose title and scope is of the foundation of matter of State in *France*, and (as it pretends in all *Christendome*) when after it hath enraged Subjects against Tyrants, it comes to declare what a Tyrant is, exemplifies in the King of *Spaine*, and upon such reasons, as any Malignitie equal to that Author, may cast upon what Prince it will.

And lastly, who ever shall well compare (l) *Beccariaes* booke, with *Bezæes*, (if that other be *Bezæes*) though they differ Diametrically in many

ny

Beccar. cont. lib. De. jure Magistrat.

ny things, yet by their collision and beating together, arise abundantly sparkes of this pestilent Doctrine, That as Tranquillity was, so now Religion is, the reason why wee admit Kings, and why they are none, when they neglect Religion; upon these Doctrines, I say, it is inferred, (m) [*That it is lawfull to wish the death of a Tyrant, or of a favourer of Heretiques, though he dye is mortall sinne.*] To wish therefore, and to doe, are naturally the same fault; and yet, though it be (n) [*a sinne to offer my selfe even to Martyrdome, only for wearinesse of life.*] (o) [*Or to wish death simply for Impaciencie, Anger, Shame, Povertie, or Misfortune;*] yea to wish heaven meerely for mine owne happinesse; yet certainly (p) *S. Paul* had some allowable reasons, to desire to be dissolved, and to be with *Christ*. And (q) *Calvine* by telling us upon what reason, and to what end he wished this, instructs us how we may wish the same. He sayes, *Paul* desired not death, for deaths sake, for that were against the sense of Nature, but he wished it, to be with *Christ*.

Now, (besides that, by his leave,) we desire many things which are against the sense of Nature, to grant that we may wish death to be in heaven, (though *Peter Martyr* before alledged, be of the same perswasion) is a larger scope, and somewhat more dangerous and slippery a graunt, then wee urge towards, because herein onely the interest and good of the party seeme

Q

to

m *Carbo. Cas. Conc. Summa Summarum. Tom. 3. lib. 3. cap. 9.*

n *Sylvest. verb. Martyr.*

o *Navar. Manual. Ca. 15. Nu. 11.*

p *Phil. 1. 23.*
 10 How death may be wished by *Calvine*.
 q *In 2 Cor. 5. 1 Marlorate.*

Supra.

9 *Emm. Sâ*
Aphor. Confes.
ver. Caritas.

11 How we
may wish
death to ano-
ther for our
owne advan-
tage.

12 *Ph. Neri*
consented to
the death of
one who wi-
shed his own
death.

13 *Vita Phil.*
Ner. fol. 284.

to be considered ; And yet (a) *Emanuel Sâ* ex-
tends it farther. [*That wee may wish sicknesse to*
one, for his correction ; and death for the good of the
State ; yea to our Enemy which is like to doe us much
harne for avoiding this our particular damage ; and
we may rejoyce at his death, even for that respect of
our owne delivery] All which will hold as well,
if we be urged with like reasons, to wish it to
our selves.

To conclude therefore this point , That it
may become lawfull to wish our owne death ;
I will onely relate an History, which though
it be but matter of fact (if it be so much) yet
it is of such a person, as his a^{ns} governe and
perswade, with very many, as farre as Rules.
(f) In the life of *Philip Neri*, who in our age
instituted the last Religion approved and esta-
blished in the Church of *Rome*, we read, that he
being entreated (as he was ordinarily in like de-
sperate cases,) to come to one *Paulus Maximus*
a youth of 14. who was then ready to expire
his soule by sicknesse, before he could perfite
his Sacrifice, and the office which hee had be-
gunne, before the message came to him, the
young man dyed. When hee had been dead a-
bout halfe an houre, *Neri* came, and after he
had used some lowd exclamations, the youth
revived againe, looked up, and talked in secret
with *Neri* a quarter of an houre. The discourse
ended, *Neri* gave him his choise, whether he
would live, or dye ; and when the boy wished
death,

death, he gave him leave to dy againe. Now, though it were a greater miracle, then any in that book; if any man should beleeve all that are in it, (for in it are attributed to *Nerius*, stranger things then the (t) book of Conformities imagined in *Saint Francis* (for I beleeve that Author purposed onely like *Xenophon* or *Plato*, or *Sir Thomas Moore*, to ideate and forme, then to write a credible History, though (u) *Sedulius* have defended it, with so much earnestnesse of late; yet thus much is established out of this, whether Fable or History, that their opinion, who authorised this book, is, that it was lawfull in *Maximus* to wish his own death, since a man of so much sanctity as *Nerius*, did approve and second, and accomplish that opinion of his.

t *Liber Conformi. Fran. & Christi.*

u *Sedulius Minor. advers. Alcor. Francis.*

S E C T. V.

The next species of *Homicide* in *Tolets* division, is *Permission*; which when it is toward our selves, is by the Schoole-men usually called *Defertion*, or *Dereliction*, and *Mors negativa*.

1 Of *Tolets* 3. species. by permission which is *Mors Negativa*.

Of which I perceive not any kinde to be more obnoxious, or indefensible then that which is so common with our *Delinquents*, to stand mute at the *Barre*. And though *Civill Lawes* which are often enforced to chuse of two evils, the least, that is to say, the least hurtfull to civility and society, and must admit sometimes particular mischief, rather then a generall inconvenience,

2 Of standing mute at the *Barre*.

nience, may excuse this; yet, since out of the law of Conscience, which can in no case come to be so entangled and perplexed, that it can be forced to chuse any thing naturally evill, no man hath as yet, to my knowledge, impugned this custome of ours, it seemes to me, that aswell our Church as our State, justifies this Desertion of our selves: and this, for so low and worldly a respect, as the saving of our temporall estate, or escaping the ignominy of another death.

But that we may the better discern the limits, how farre these Omissions, and Desertions, and Exposings of our selves, are allowed us; first I must interpret one (a) rule, [*That charity begins with it selfe, to bee understood onely in spirituall things.*] For I may not doe a sinne, to save (in the language of Schoole-men) the goods, or honour, or life, of the Pope; but for temporall things I must prefer others before my selfe, if a publique profit recompence my private Damage. (b) I must also lay down another rule, [*That as for my selfe, So for my neighbour whom I am bound to love as my selfe,*] I may expose goods, to safeguard honour, and honour, for life, and life for spirituall profit. And to these I must joyn a third rule, (c) [*That no man is at any time enforced to exercise his priviledge.*] [*For the written Law every man is bound to know, but (d) priviledges and exemptions from that Law, he may be excusably ignorant of, and in such ignorance transgresse them.*] Hereupon it is safely infer'd, that though every man have naturally

3 Three rules from *Sotus*, *Navar*, and *Mald.* to guide us in these Desertions of our selves.

2 *Soto. de reg. seret. membr. 1. q. 3.*

b *Navar. Manual.*

c *Sum. Maldo. q. 14. ar. 6.*

d *Acacius de privilegiis l. 1. cap. 9.*

rally this priviledge, to resist force with force, and be authoris'd by that, to lay violent hands, even upon the Popes life, as (e) *Gerson* exemplifies, or upon the Emperours, as (f) *Acacius*, when either of them exceeds the limits of their Magistracy, (for then the party becomes the Deputy, and Lieutenant to Nature, which is a common and equall Sovereigne to them all.)

Yet I may wayve this benefit, if I will, and even by a theefe, I may suffer my selfe to be killed, rather then kill him in that mortall sinne. (g) Which our Countryman *Sayr*, holds as the common opinion from *Setus*, *Navar*, *Cajetan*, and many others. And none, that I have seen excepts to it, in any other person then a Souldier, or such as hath the lives and dignities of others so enwrapped in theirs, as they cannot give away themselves, but by betraying others. And this Desertion seems to bee of Naturall reason, because it is to be found in all lawes; for even in the (h) *Alcorum* we read [*Vindicans non est reus, Patiens tamen optime facit.*]

And our law, which if a man kill another in his own necessary defence, punishes him with losse of goods, and delivers him from death, not by acquitall, but by way of pardon, seemes to me, to pronounce plainly, that it is not lawfull to defend my life by killing another; which is farther, then any of the others went. And when I compare our two lawes, That if I defend my selfe I am punished, and the other before mentioned,

e *Gerson.*
f *Acacius*
privile. l. 1

4 I may sit
a thiefe to
me.

g *Sayr The*
Cas. Conf.
cap. 9. nu. 1

h *Alcor. Al.*
ar. 52.

5 Of se defe
dendo in ou
law.

mentioned, That if I kill my selfe I am punished in the same manner, and measure; they seeme to me, to be somewhat perplexed and captious.

And as I may depart from my naturall priviledge of defending my selfe, so I may obtain from any extrinſique or accessory helpe, which is casually, or by providence (if God reveale not his will therein) presented unto me, (i) [for a man condemned to death, is not bound in conscience to redceme his life with money, though by the law of the place he might doe it. And though (k) Saint Thomas say, [That he which is condemned to dy, kills him selfe, if he apprehend not, an opportunity to escape by flight when it is presented, and likewise if he refuse meate, when he is condemned to be famished,] yet the (l) whole streame is against him, *Sorus, Navar, Cajetan*, and *Sayr*. And *Navar* adds, that in these dayes (and yet now it is not so likely to be *Symbolum Idolotricæ pravitatis*) a man is bound rather to famish, then to eat meat offred to Idols.

And therefore they say, that *Aquinas* his opinion, That a man is bound to use his priviledge for safegard of his life, is onely true then, when he doth not wayve it, for some end berter and worthier then our naturall life; of which sort all spirituall advantages are. So that in such cases they all agree, we may abandon and forsake our selves.

And we may step farther yet in this Deser-tion; for we may offer our selves for the good of our neighbour. For the temporall life cannot be

6 I am not bound to escape from prison if I can, nor to eate rather then starve.
i *Eman. Sa. Aphor. Confes. ver. Charitas.*

8 *Aquin. 2 2. 7. 69. ar. 4. ad 2.*

l *Sayr Thesau. Cas. Conf. l. 7. cap. 9.*

7 For ends berter then this life, we may neglect this.

8 I may give my life for another.

be more precious then our soule; which, in rigour is murdered by every sinne consented unto. Yet (m) *Chrysostome* sayes, [*No praise is enoughto give Sara for consenting to ly, and to submit herselfe to Adultery, for salvation of her husbands life*] I know (n) *Saint Augustine* is earnest against this.

But his earnestnesse is upon the matter of fact, for he denyes that either *Abraham* or *Sara* consented to any sinne; But when he (o) disputes *De jure*, whether *Sara* by *Abrahams* consent might expose her selfe, to save his life, and is much troubled with the example of one which was prisoner, for debt to the State, under *Acindinus* a Præfect, under *Constantius*, whose wife being solicited by a rich man, who would give so much as would discharge her husband, to possesse her own night, by her husbands consent, earned his liberty in that manner; at last he leaves it indifferent for any man to think it lawfull or unlawfull in such a necessity, though indeede his own opinion decline from it. (p) *Bonaventure* denies, that for the temporall good of another, I may offer willingly my life. But he grounds it upon the same reason that (q) *Augustine* doth; That we may not love another more then our selves, which in this case we seeme to doe.

But many of the Fathers, *Hierome*, *Ambrose*, and *Lactantius*, and many of the Schoole, as *Aquinas*, *Fra. Victoria*, *Sorus*, *Bannes*, and infinite are against

m *Chris. Ho*
32. in *Genes*

n *Aug. l. 2*
adver. faustul
cap. 33.

9 *Chrysostom*
opinion of *S*
rabs ly, and
Adultery.

And *St. Au*
of that wife
who prostit
ted her selfe
pay her hus
bands debt.

o *Ca. 27. 2*
primo: Deseri
Dom. in mon.

p *Bonavent.*
Dist. 29. q. 3

q *Aug. de*
mendacio. c. 6

10 That to
give my life
for another
not to prefer
another, as
Bonaventure
and *Aug. sa*
but to prefer
vertue befor
life.

against him: and answer Saint *Augustine* thus, That in that case, a man doth not prefer his friend before himselfe, but he prefers an Act of vertue, and of friendship, as things of more spirituall Nature, before his own temporall life.

But that for the spirituall good of another, a man should expose his own life, is an unresisted doctrine, and as (r) *Sayr* saies, [*It is sub præcepto,*] So (s) a Curate is bound to baptize, and to anoint in the plague time. Yea, it is an act of Vertue, though not of necessity, (as in the Curates case) (t) [*To visit a sick man, in such a time, though you bee a private man, and your end be not spirituall comfort.*

And we may yet proceed farther, for wee may lawfully dispossesse our selves of that, which was before afforded us, and without which we can have no hope to sustaine our lives. (u) As in a persecution, a private man, having food left sufficient only to sustaine one man, may give it to a publike person, and so perish. And only *Sotus* denyes, that in a shipwrack, if after wee have both beene in equall danger, I catch and possesse my selfe of any thing to sustaine me, I may give this to my Father, or to a Magistrate: against the strength of *Navar, Tolet, Fra. Victor.* and many others.

The farthest, and uttermost degree of this Desertion, is inordinate and indiscreete voluntary fasting, of which Saint *Hierome*, (as it is (x) related

1 For spirituall good is without question.

Sayr Thesau. af. Conf. l. 7. 9. nu. 17. Emanu Sa. Aphor. Con. verbo Charit. Idem verbo 10.

2 I may give another that without which cannot live.

1 *Aquin. 22. 1. 32. ar. 6.*

Sotus.

13 I may over-fast my selfe.

(x) related into the Canons) sayes, [*That by such an immoderate innocence, and indiscreete singing of Psalmes, and Offices, a man looseth his dignity, and incurreth the note of madnesse,*] And upon this place (y) Navar sayes, That Saint Hierome pronounceth, an [*Indiscreete fasting which shortens the life, if the party perceive that it worketh that effect, though it be without intention to shorten his life, and that he doe it, to be the better able to satisfie God, yet it is a Selfe-Homicide.*] And (z) hee adds in another place, [*speaking of the same purpose, It makes no difference whether thou be long in killing thy selfe, or doe it at once*]

And (a) so *Cassianus* sayes expressly, [*That that Friar killed himselfe, which having vowed in his journey, to eat nothing except God gave him meat immediately, refused to eat, when theeves accustomed to kill passengers by that place, came and presented him bread.*] And yet, though he saies he killed himselfe, he imputes nothing to him but Indiscretion. And therefore saith (b) one, [*Our Saviour Christ exceeded not 40. dayes in his fast, Ne sui Homicida videretur.*] And he interprets that word, (d) *Esuriit*, [*That then he perceived his body to languish and suffer detriment by fasting*] For, if he had not hungred till then, his fasting had had no vertue. So that he gave over, when he found the state of his body impaired by fasting, yet pursuing and imitating the superstition of the Philosophers, who taught that (e) [*Dum corpus augemus, mortaliore efficimur,*] And that (e) [*Per tenuita-*

x *De Consecr. Dist. 5. Non Mediocriter*

y *Navar ex Dist. 5. de cons. This in Saint Hieroms opinion is Self-homicide.*

z *Soto de tege. secret mem. 1. q. 3. ex Hieron a Cas. Collatione 2. c. 6.*

15 *Of the Friar whom Cassianus calls a Selfe-Homicide for refusing bread from a theefe, upon a vow. Of Christs fast.*

b *Bosquier Cove. 17. c Idem Cove. 18.*

16 *Of Philosophers inordinate fasts. d Porphir. de Abstia. An. i.*

e *Idem de occasionibus.*

Supra.

17 Of the devils threatening S. Francis for fasting.

f *Cap. de Austeritate.*

8 Examples of long fasts.

g *Middendor. de Academiis fol. 298.*

h *Lilius Gyr. Dialog. 17.*

19 Reasons, effects, and obligations, to rigorous fasts.

i *Sayr Tbesaur. Caf. Conf. l. 3. cap. 7. n. 13.*

k *Azor. Mor. Inst. pa. 1. l. 7. cap. 33.*

l *Bosqui. Coue. 17.*

tem assimilamur Deo,] How much the writers in the Romane Church suffer, and obliquely adhort these inordinate Fasts, and other disciplines, appears by that which I cited out of *Clarus Bonarscius* before, and wheresoever they have occasion to speake thereof.

And in no one thing more, then that they inculcate so often, [*That it was the practise of the Devill, to appeare to Saint Francis, and cry out to him, that no man which kills himselfe with such maceration, could be saved,*] which (f) *Bonaventure* relates in his life.

Whatsoever hath beene done by others, they teach, we ought to exceede. And since (g) [*The Monkes in Prester John his Dominions, fast strictly fifty dayes, and stand all that time to the chinne in water*] Since they finde in (h) *Abbas Vrsperg*, a maid that fasted two year and a halfe after she had received the body of our blessed Saviour.

— And an *Eremit* 22. yeares, without receiving any thing, they say no fast can be too severe, which is undertaken to reduce our body to a *tameness*. Yea, (i) [*though that be already perfectly effected, yet a man is bound to the fasts enjoined.*] For (k) [*Fasting, without charity, doth wash away sinne.*] By this rigor of fasting, they seeme sure, that our Saviour watched all those 40 dayes: because (l) [*Qui dormit, prandet.*] And as it is not likely that *Moses* slept in his 40 dayes conversation with God, so is it unlikely that *Christ* did lesse then he. And so *Saint Francis* is extoll'd

by

by them, for observing three Lents every year, which (m) Saint Hierome so much detests in the *Montanists*. And though their ends were divers, yet this shewes, that to some ends, these enormous witherings of our bodies are allowable. Upon which reason (n) *Fohn Baptists* austerity is so much dignified; And (o) Saint *Peters* feeding upon Lupins; And (p) Saint *Mathewes* living without flesh. And not onely the Empe-
 rour *Iustinians* choise, (q) [*Who in an extreme sicknesse in Lent, would take nothing but herbs, and salt, and water,*] but also the (r) *Carthusian* Rule, by which though it appeare that flesh would save the Patients life, hee may not eat it. And by the (f) Apostolicall constitutions, (which *Turrianus* extols so much, that by them he confutes much of the Reformed Churches doctrine) [*A man must fast to death, rather then receive any meat, from an Excommunicate person.*] And in another Chapter, (t) [*If any thing be in a case of extreame necessity accepted from such a person, it may bee bestowed in full, that so their Almes may be burnt, and consumed to ashes, but not in meate to nourish our selves withall.*]

So, to determine this Section of *Desertion*, since we may wayve our defence which Law gives, by putting our selves upon a Jurie; and which Nature gives, to repell force with force, since I may without flying, or eating when I have meanes, attend an Executioner, or Famine, since I may offer my life, even for anothers tempo-

m *Hier. Epist. ad Marcell.*

n *Mat. 3. 4.*
 o *Greg. Naz. Oratio, de Cura pauperum.*

p *Clem. Alex. l. 2. adag. c. 1.*

q *Procop. Gaz. l. 1. de adificiis Iustiniani.*

r *Sayr. Thesau. Cas. Conf. l. 7. c. 9. N. 30.*

f *Clem. Apostol. Constit. l. 4. cap. 7.*

t *Ibid. cap. 9.*

20 Corollary of this Section of *Desertion.*

rall good, since I must doe it for his Spirituall, since I may give another my board in a Shipwracke, and so drowne, since I may hasten my arrivall to heaven, by consuming penances, it is a wayward and unnoble stubbornesse in argument, to say still, I must not kill my selfe, but I may let my selfe dye; since of Affirmations and Denyals, of Omissions and Committings, of Enjoying and Prohibitory Commands, ever the one implies and enwraps the other. And if the matter shall bee resolved and governed only by an outward act, and ever by that; if I forbear to swimme in a river and so perish, because there is no act, I shall not be guilty, and I shall bee guilty if I discharge a Pistoll upon my selfe, which I knew not to be charged, nor intended harme, because there is an act.

u *Mariana de Rege, l. 1. cap. 7.*

Of which latter opinion (u) *Mariana* the Jesuite seemes to be, as we shall have occasion to note, in the next Member and *species of Homicide*, which is, *Assistance*.

SECT. VI.

z Of another degree of *Homicide*, by *Mutilation*, which is not in *Tolets* Division.

But before we come to that, we must, though it be not, nor naturally could be delivered in *Tolets* Division; consider another species of *Homicide*, which is *Mutilation* or *Maiming*.

For, though in Civill Courts, it be not subject to like penaltie, yet if it bee accompanied with the same Malignitie, it is in conscience the

the same sinne, especially towards our selves; because it violates the same reason, which is, that none may usurpe upon the bodie over which he hath no Dominion.

Upon which reason, it is also unlawfull for us to deliver our selves into bondage; (which I mention here, because it ariseth from the same ground, and I am loath to afford it a particular Section. Yet (a) holy *Paulinus*, a Confessor, and Bishop of *Nola*, then whom I find no man celebrated with more fame of sanctitie and integrity, to redeeme a Widowes Sonne, delivered himselfe as a slave to the *Vandals*, and was exported from *Italy* to *Afrique*; and this, as I thinke, when hee was necessary to that place, being then there Bishop; for that was but five yeares before his death.

But to returne to Mutilation, (b) it is cleare by the Canons, that towards irregularity, it works as much, and amounts as farre, to have maymed, as to have killed.

And (c) in a Councell at *London*, Anno 1075 one Canon forbids a Clergy man, to bee present at judgement of death, or of Mutilation. And amongst the (d) Apostles Canons this is one, [He that gelds himselfe cannot be a Clerke, because he is an Homicide of himselfe, and an enemy to Gods creature. [(e) And to geld, is to maim in our Law.]

So in the next Canon it is said, [(f) A Clerk which gelds himselfe must be deposed, Quia homicida

2 Of delivering ones selfe into bondage.

a *Baron. Martirol, Junii 2.*

b *Tabula Paris. irregularit.*

3 By divers Canons it is all one fault.

c *Binius To. 2.*

pa. 2. fo. 1280.

d *Can. Apost. Can. 21.*

e *Stanf. Plees del Coron.*

f *Canon. 23.*

g Canon. 23.

h *Calv. in Mat.*
19.4. *Marlorate.*

4 Of *Calvins*
argument a-
gainst divorce,
upon the
ground of
Mutilation.

5 The exam-
ple of Saint
Mark to escape
Priesthood.

i *Hier. Prolog.*
in Marcum.

k *Mat. 19. 12.*

l *Orat. vero*
Anto. & com-
modo Philoso-
phis.

m *Sayr Thef.*
Cas. Conf. 1. 7.
cap. 9.

6 In what ca-
ses it is cleare
that a man
may mayme
himselſe.

1 Of *Tolets*
fourth way, by
actual helping

cida ſui.] (g) *And a Lay man muſt for that fault be excommunicated three yeares, quia vitæ ſuæ poſuit infidias.]* It was therefore eſteemed equivalent to killing.

And (h) *Calvine*, eſteemed it ſo hainous, that he builds his Argument againſt Divorce upon this ground, [*God made them one Body, and it is in no caſe lawfull, for a man to teare his owne body.*] But if this be ſo lawfull as Divorces are lawfull, certainly this peremptorie ſentence againſt it, muſt admit ſome modification.

Without doubt, beſides the examples of holy men who have done it, to diſable themſelves from taking the burden of Priesthood, of which (i) *Saint Marke* the Evangelist was one, who to that end cut off his thombe. And beſides, that as our Saviour ſaid, (k) [*Many ſhould geld themſelves for the Kingdome of heaven.*] So (l) *Athenagoras*, 50 yeares after Chriſt, ſaies, [*that many did practiſe it.*] It is doubted by none, [But (m) *that a man unjuſtly detained to a certaine execution, may cut off that limbe by which he is tyed, if he have no other way to eſcape; or being encompaſſed with doggs, he may cut off a hand, and caſt it to them, to entertaine them while he eſcape.*

SECT. VII.

The laſt ſpecies of *Homicide*, on this ſide, the laſt act, is an actuall helping and concurrence to it. And every ſtep and degree conducing purpoſely

posely to that end, is as justly by Judges of Consciencs, called *Homicide*, as (a) *Ardoinus* recknoning up all poysons, which have a naturall malignity and affection to destroy mans body, forbears not a Flea, though it never kill, because it endeavours it, and doth all the hurt it can; and he is diligent in assigning preservatives and restoratives against it.

And (b) so to that *Amalekite*, which told *David* he helped *Saul* to dy, when hee found him too weake to pierce himselfe, *David* pronounced judgement of death, for (saith hee) thine owne mouth hath confessed, *That thou hast kill'd the Lords Anointed.*

Certainely, (c) *Mariana* the Jesuite, whom I named before) esteemes this actuall concurrence to ones death, as heavy as the act it selfe; yea, as it seemes, though the party bee ignorant thereof. For, after hee concluded how an Hereticall King may be poisoned, he is diligent in this prescription, [*That the King bee not constrained to take the poyson himselfe, but that some other may administer it to him: And that therefore it be prepared. and conveyed in some other way then meate or drinke, because else, saith he, either willingly or ignorantly he shall kill himselfe.*] So that hee provides, that that King who must dye under the finnes of Tyranny and Heresie, must yet be defended from concurring to his owne death, though ignorantly, as though this were a greater sinne.

a *Ardoinus de venenis* l. 8. c. 20
Ardoinus reckons a Flea amongst poysons because it would kill.

b 2 *Sam.* 1. 16.
2 *David* condemned the *Amalekite*, who said, he helped *Saul* to dye.

c *Mariana de Rege.* l. 1. c. 7.
3 *Marianaes* opinion, that a King drinking poyson, prepared and ministred by another, he being ignorant, is a *Selfe-homicide.*

Since

Since therefore this hastning of our death by such an act, is the same, as the intire *Selfe-homicide*, let us consider how farre irreproved Custome, and example, and Law doth either allow or command it.

For that it is allowable, it seemes to me some prooffe. [(d) *That before any man accuses him, a Malefactor may go. and declare his fault to the Iudge.*]

Though amongst *Italian* relations, (e) that in *Sanfovine* concerning *England* have many marks and impressions of malice, yet of that custome, which hee falsely sayes to bee observed here, [*That men condemned to be hanged are ever accompanied to their Executions by all their kinred, who then hang at their feet, to hasten their ende; And that when a Patient is abandoned by the Physicians, his neereſt kinsman strangles him with a pillow.*]

Of this, I say, that Author had thus much ground, that ordinarily at Executions, men, out of a Charitie, as they thinke, doe so; and women which are desperate of sicke persons recovery, use to take the pillow from under them, and so give them leave to dye sooner. Have they any more the Dominion over these bodies, then the person himselfe? Or if a man were able to doe these Offices to himselfe, might he not doe it? Or might he not with a safe conscience put so much waights in his pockets, as should countervaile their stretchings? I speake but comparatively; might not he doe it as well as they?

d *Sotus de teg. Secret. Memb. 1. q. 2.*

4 A Malefactor unaccused, may accuse himselfe. e *Sanfovin. de Gover.*

5 Of *Sanfovinus* relation of our customes at Executions, and withdrawing the pillow in desperate cases.

For

For to my understanding such an act, either in Executioner or by-stander, is no way justifiable; for it is both an injury to the party, whom a sudden pardon might redeeme, and to the Justice, who hath appointed a painfull death to deterre others. (f) The breaking of legs in Crucified men, which was done to hasten death, was not allowed but upon Petition. And the Law might be much defrauded, if such violence might be used, where the breaking of the halter delivered the Prisoner from death; as in some places it doth; and (g) good opinions concurre, that it is to doe ever without doubt, whatsoever is for ease, or escaping painfull passage out of this life; in such cases, a man may more allowably doe by his owne act, then a stranger may. For Law of Nature enclines and excuses him, but they are by many Lawes forbidden to hasten his death; for they are no otherwayes interessed in it, then as parts of the whole body of the State, and so it concernes them, that Justice be executed. Yet we see, this, and the other of withdrawing the pillowes, is ordinarily done, and esteemed a pious office. The *Athenian* Executions were ever by the hand of the offender, in judgements of poyson.

And in (h) that law of Purgation assigned by God, to ease a man on whom the spirit of a lousie was come, the Woman was to take the water of curses and bitternesse, which should make her infamous, and her belly swell, and

S

her

6 O. breaking leggs of men at executions: And of breakinge the halter.

f *Iohn 19.*

g *Lucas depenna l. 1. c. de deser. et occult. Iohan. de Ant. Soliloq. 5. Optine. in D: leg. Imperium.*

h *Num: 5. 7 Of the purgations assigned by Moses in cases of jealousy.*

Of formes of purgation called *Vulgares*.
i 2. q. 5. *consultuisti*.

k *Tholos. Syn.*
l: 48 : c: 15.
n: 7.

l *Greg. Turo. Hist. Francor.*
l: 1 : c: :
9 *Charlemaine* brought in a new purgation. And *Britius* a B. another being acquitted before

m *Lamb. de legibus prisca Anglorum.*

10 With us both kindes of *Ordalium*, by water, and fire lasted till K. *Iohns* time.

11 In al these, and in battaile the party himselfe affitted to his payne.

her thighs to rot. And those formes of Purgation, which were called *Vulgares*, lasted long, even in the Church; For there is nothing extant against them, till (i) *Stephen* the fift, Anno 885.

And not onely (k) *Charles* the great, in whom the Church acknowledged Piety enough, induced one forme severer then the rest, which was to walke upon 9 burning Harrows. But (l) *Britius* a Bishop, being but callumniated by the people extrajudicially, to have got his *Laundresse* with child, after his innocence had prevailed so farre with God, that the childe of 30 daies age, being adjured in the name of Christ, had acquitted him, did not admit, but chose and extort a forme of Purgation, to carry burning coales upon his head. With us, (m) both the species of *Ordalium* lasted evidently till King *Iohns* time.

And though into that of boyling water men were forced to goe, yet that was but for the meaner sort; but to carry the three pound weight of red hot Iron, which was for the Purgation of the persons of better qualitie, was an act, as all the former were, in which a man must of necessitie doe some thing actually himselfe, and bee the Executioner of his owne Judgement; which as long as these formes of Purgation, and the other by Battell, were lawfull, was lawfull also to be done.

And in *S. Dorotheus*, who every where professes

fesses a love to that obedience, which himselfe calles indiscreet, you shall reade many prayfes given to men, who did not onely forsake themselves, but actually further their destruction; though not effectually; which makes no difference, if it be in dangers, which usually men escape not. (n) He prayeth one Fryar, who being by his Abbat commanded to returne that night, the waters being risen, committed himselfe to a raging torrent, in such an obedience.

And another, who being bid by his Abbat, to goe into the Towne, where he doubted hee should fall into some tentation, by some spectacle, went but with this protestation, *That he hoped not in the protection of God, but in him who sent him.* But the most naturall to our present purpose is this; (o) That a holy old man seeing his servant mistake poyson for honey, and put it into his broth, ate it neverthelisse without chiding; and when the servant perceived it, and exclaimed, Sir, I have kill'd you, answered, it is all one, for if God would have had mee eat honey, he would have directed thy hand to honey.

Of the holynesse of *Joseph of Arimathæa*, we have testimony enough; (p) who being sent by the Apostles to preach the Gospel, amongst other persecutions, was constrained to drinke poyson: in which there must of necessity be such an act, as we dispute of now.

How much did [(q) *Saint Andrew* contribute

12 Three examples of actual helpers to their own destruction in *S. Dorothe.*

n *B: Dorothe. doctrinã l. de Renunciacione.*

o *Idem Doct: 7. de accus. sui ipsius.*

p *Supplement: Chron. an. Chr. 3.*

13. Of *Joseph of Arimathæa* his drinkinge poyson.

q *Navarmanca: l. n. 28.*

14. Of Saint Andrew and Saint Lawr.

t. Controv. 3.

15. *Casuiſts* not clear whether a condemned man may doe the laſt act to his death.

l. *Relect. de Homicid. n. 30. in reſp. ad 8.*

16. But unto Curates and Priests ſometimes it is *ſub præcepto*, even without condemnation.

t. *Sayr Sum. Sacram. pœnit. cap 32.*

to his owne Crucifying? How much Saint Laurence to his broyling, when he called to the Tyrant, *This ſide is enough, turne the other, and then eat?*]

[(r) *Magni quod faciunt, præcipiunt,*] ſayes, *Quintillian.* And theſe acts of men, otherwiſe eſteemed holy, may ever be good warrants and examples to us, when the cauſe is not prejudged by any greater authoritie, as Scripture, or Councils, nor that very act accused by any Author.

But to ſtay no longer upon Examples, amongſt *Casuiſts* I obſerve the greater number to deny, that it is lawfull for a man condemned, to doe the laſt and immediate act conducing to death, as the drinking of poyſon; But the acts ſomewhat more removed, they agree he may doe.

And even this act of drinking poyſon, (s) *Fra. a Victoria* defends, to be lawfull. So that amongſt them it is not clear, but that a man may do it. Yea, in very many caſes, it is not onely lawfull to doe as much, without any condemnation, but it is neceſſary, and by their rules, ſinnefull to omit it. For Curates muſt goe to infected houſes, to miniſter the Sacraments. And (t) if a Priest enter a wood, where three waite to kill him, and one of them repeating that purpoſe meet him, and by way of Confession *ſub Sigillo*, diſcover the fault, the Priest is bound to goe forward to a certaine death into a wood, rather then by returning to let the others know, that he knew it by confeſſion. So peremptory is their Doctrine, how ever their practice be, againſt revealing

ling Confessions. And though perchance this seeme a wanton case, framed upon impossible concurrences, as (u) *Soto* esteemes of it, yet the reason may have use; That though self-preservation be Divine Naturall Law, and the seale of Confession but Divine Positive Law, yet because circumstances are not alike, in this, a publique good shall be preferred before his private life. So that we may doe some Acts our selves, which conduceth probably, yea certainly, as farre as humane knowledge can reach, to our destruction: which is the neereft step to the last act of doing it intirely our selves.

u *De reg. Sec. memb. 3. q. 4.*

SECT. VIII.

Of which last act, as we spoke whilst we considered the Law of Nature, and must againe when we come to understand those places of Scripture, which seeme to ayme towards it, so before wee conclude this part, of the Law of Reason, we may fitly present such deductions, comparisons, and consequences, as may justly seeme in reason, to annihilate or diminish this fault. Of which, because most will be grounded, either upon the conscience of the Doer, or upon the Churches opinion of the fact when it is done, wee will onely consider how farre an erring Conscience may justifie any act, and then produce some examples of persons guilty of this, and yet canonized by the Church, by admission

1. Of *Tolets* last *Species* of Homicide which is the act it selfe.

2. How farre an erring conscience may justifie.

a Diog. Laert.
lib. 8.

3 Pythagoras
conscience.

b Azor. Inst.
Mor. p. 1. l. 2.
cap. 8.

into the Martyrologe, and assigning them their Feasts, and Offices, and Vigils, and like religious Celebrations. Therefore to make no use of (a) *Pythagorus* example, who rather then hee would offend his Philosophicall conscience, and either tread upon the Beanes himselfe, or suffer his Scholers to speake before their time, delivered up himselfe, and forty of them to his Enemies sword. And to avoide the ambages and multiforme entangling of Schoolemen; herein we will follow that which is delivered for the common opinion; which is, (b) that not onely a conscience which errs justly probably and *Bona fide*, that is, after all Morall industry and diligence hath beene used, (yet I meane not exquisite diligence, but such as is proportionall to the person, and his quality, and to the knowledge which that man is bound to have of that thing, at that time) is bound to doe according to that mis-information, and mis-perswasion so contracted. But also, if it erre negligently, or otherwise viciously, and *mala fide*, as long as that error remaines and resides in it, a man is bound not to doe against his conscience.

In the first case, if one in his conscience thinke that hee ought to lye, to save an innocent, or that he ought to steale to save a famished man, he is a Homicide if he lye not, or steale not.

And in the second case, though he be not bound to any Act, yet it is lawful to him then, to omit any thing necessary otherwise. And this obligation

obligation which our Conscience casts upon us, is of stronger hold, and of straighter band, then the precept of any Superiour, whether Law, or person; and is so much *juris naturalis*, as it cannot be infringed nor altered, *beneficio divina indulgentia*, to use their owne words. Which Doctrin, as it is every where to be gathered among the *Casuits*, so is it well collected and amassed, and argued, and confirmed, especially by *Azorius*. If then a man after convenient and requisite diligence, despoiled of all humane affections, and self-interest, and [*Sancto bona impatientia igne exardens*,] as *Paulinus* speaks; do in his conscience beleve that he is invited by the Spirit of God to doe such an act as *Jonas*, *Abraham*, and perchance *Sampson* was, who can by these rules condemne this to be sinne? And therefore I doubt there was some haste and præcepitation in (c) *Cassianus* his judgement, though otherwise, a very just esteemer and valuer of works of devotion and obedience; who pronounces that that apparition of an Angell, to *Hero* an Eremit, after 50 yeares so intente and earnest attending of Gods service, and religious negligence of himselfe, that he would scarce intermit Easter day, from his strict fasting, and being now (d) *Victoriarum conscientia plenus*, (as the Panegyrique saies) was an illusion of the Devill to make him destroy himselfe. Yet *Hero* being drawn out of the Well into which he had cast himselfe, and living three dayes after, persisted in a devout acknowledgement

Epist. 3. Sever.
lib. 1.

c *Cassian. Col-*
lat. 2. cap. 5.

4 Of the apparition to *Hero* an Eremit by which he killed himselfe: out of *Cassianus*.
d *Nazarus Constantio.*

ledgement that it was the Spirit of God, which sollicitated him to that, and dyed in so constant an assurance and alacrity, that *Paphnutius* the Abbat, though at first in some suspence, did not number him *inter Biathanatos*, which were persons reputed vitiously to have killed themselves.

Nor may it be necessarily concluded, that this act was therefore evill, if it appeared to be from the Devill. For (e) *Wierus*, tells us of a maid whom the Devill perswaded to goe such a Pilgrimage, and at such an Altar, to hear a Masse, for recovery of her health.

Certainly if as (f) *Vasquez* holds, [*it be not Idolatry to worship the Devill in an Apparition, which I thinke to be God*] it can be no offence to believe him, after I have used all meanes to discern and distinguish : For not onely those Rules which are delivered ordinarily to know him by, are apparantly false, which are a difference in his hands or feet, or some notable deformity by hornes, or a tayle, of which (g) *Binsfeldius* seems confident of the first, and (h) *Menghi* of the second. But that Rule that God alwaies infuseth or commands good things, if it be understood of that which is good, in the common and naturall course is not alwaies safe, for it held not in *Abraham*, nor the *Israelites* case. Therefore though *Vasquez* his first excuse, That such a worship is not Idolatry, because by reason of our immediate relation to God, we never arrest nor stop upon the Devill by the way, will

doe

5 The Devill sometimes sollicitates to good. e *Wier.l. 5. c. 1.*

f *Vasq. de ador. l. 3. disp. 1. cap. 5.*

6 By *Vasquez* it is not Idolatry to worship God in the Divell.

7 Rules to distinguish the spirits by marks are false.

g *Binsfeld. de confes. sagarum, f. 67.*

Menghi fustis Dæmonum, cap. 8.

8 So is the Rule, That good Angels alwaies move to good ordinarily.

doe no good in our case of beleeving, yet his other will, which he hath in the same place, That there may be an invincible ignorance, and that in that any exterior act whatsoever, proceeding from a sincere and pure intention of the mind, is an act of true Religion. For saferlier then the (i) Panegyrick could say to *Constantine*, [*Sua cuique Prudentia Deus est*] may we say of every mans conscience thus rectified. If therefore they will still turn in their circle, and say, God concurs to no evill, we say nothing is so evill, but that it becomes good, if God command it, and that this is not so naturally evill, that it requires a speciall commission from God ; but as it becomes good, if he commands it, so it becomes indifferent, if he remove the reasons with which the precept against it was conditioned. If they returne to *S. Augustins* two reasons against *Donatus*, whereof the first was, [*we have authority to save thy body against thy will,*] And the second, [*None of the faithfull ever did this act*] we are thereby hastned to the other consideration, how they which have done it, have been esteemed of by the Catholique Church.

But to speake a little in passing of Saint *Augustines* second reason, (for the first hath very little force, since though it may be lawfull to preserve a man willing to die, yet it is not alwaies of merit, nor obligatory ; And therefore (k) *Ignatius* doth so earnestly dehort the *Romans* from endeavouring to succour him. And (l) *Corona*

T

Civica

9. As in adoration, so in this case, invincible ignorance may excuse.

i Inc. *Constant*

Supra.

10. Of Saint *Aug.* his first reason to *Donatus*, that we may save one against his will.

k *Ignatius ep: ad Romanos.*

l *Ant. August. Episc. Tarrac: de leg. Roman. cap. 44.*

11. Of his second of examples; and of his escape if *Donatus* had produced examples.
m De civitate Dei l. 18. cap. 38. et lib. 2. cont. Gaudent. cap. 23.
 12 Divorce in Rome, and in Jurie long without example.
n. A: Gellius l: 4. cap. 3.
 o *Serarius de Rabbin. et Herodibus cap. 17.*
 13. S. *August. schollers* in this point of examples, as stubborn as *Aristotles*, for the heavens inalterableness, though the reason of both be ceased.
 p *Keplerus de Stella Serpent. cap. 23.*

Civica which was given to any which had rescued a Citizen in the warres, was not given though he produced witnesses of the fact, except the person so rescued confessed that he received a benefit thereby;) why doth *S. Augustine* referre *Donatus* in that second reason, to examples. For if *Donatus* had produced any (as out of credible and authentique History he might very many, and out of Scriptures Canonick in (m) *S. Augustines* opinion, he might have alledged the example *Eleazar*, and of *Rafis*,) Saint *Augustine* was ever provided for this retrait, That it was a speciall inspiration, and not to be drawn into consequence or imitation.

Had it been a good Argument in *Rome* for 500. yeeres, that Divorce was not lawfull, because (n) no example was of it? Or almost for 2000. That a woman might not sue it against her Husband, because (o) till *Herods* daughter there was no example of it? But now when the Church hath thus long persevered, in not only justifying but solemnizing many examples hereof, are not Saint *Augustines* Disciples guilty of the same pertinacy which is imputed to *Aristotles* followers, (p) who defending the Heavens to be inalterable, because in so many ages nothing had been observed to have been altered, his Schollers stubbornly maintain his Proposition still, though by many experiences of new Stars, the reason which moved *Aristotle* seems now to be utterly defeated?

Thus

Thus much being spoken by the way of Saint *Augustine*, and having purposely sepos'd the examples recorded in the Scriptures, for our third part, we will consider some Examples registred in the Ecclesiastick History.

The Church whose dignity and constancy it becomes well, that that Rule of her owne Law, be ever justly said of her self, (q) [*Quod si mel placuit amplius displicere non potest*] where new reasons do not interpose, (r) celebrates upon the 9. of *February* the Birth, (that is the death, of the Virgin and Martyr *Appollonia*; who, after the persecutors had beat out her teeth, and vexed her with many other tortures, when she was presented to the fire, being inflamed with a more burning fire of the Holy Ghost, broke from the Officers hands, and leapt into the fire.

For this act of hers many Advocates rise up for her, and say, that either the History is not certain, (yet the Authors are *Beda*, *Ussuardus*, *Ado*, and (as *Barronius* sayes) *Latinorum cateri*) Or else, (s) says *Sayr*, you must answer that she was brought very neer the fire, and as good as thrown in: Or else that she was provoked to it by divine inspiration. But, but that another divine inspiration, which is true Charity, moved the beholder then to beleeve, and the Church ever since to acknowledge, that she did therein a Noble and Christian act, to the speciall glory of God, this act of hers, as well as any other, might have been calumniated to have been done, out of wea-

q *Sextus Reg. Iur: quod semel.*

r *Baron. Martyrolog.*

14. Of the Martyr *Appollonia*.

15 Of answers in her excuse.

s *Sayr. Thesaur. Cas. Conf. l. 9. c. 7. num. 11.*

rinesse of life, or fear of relapse, or hast to Heaven, or ambition of Martyrdome.

t *Baron. Mart.*
16. Of the
Martyr *Pelag-
gia.*

17. Though
her History be
very uncertain
the Church
seems glad of
occasion to ce-
lebrate so no-
ble a fact.

18. *Augustins*
testimonie of
her.

u *August. de*
Civitate Dei l.
1. cap. 26.

x *De Virg. l. 3.*
19 *Ambrose*
meditation
upon her.

The memory of (t) *Pelagia*, as of a virgin and Martyr, is celebrated the ninth of *June*. And though the History of this woman suffer some perplexity, and giue occasion of doubting the truth thereof, (for *Ambrose* says, That she and her Mother drown'd themselves, and *Chrysostome* that they flung themselves downe from a house top. And *Baronius* saw this knot to be so hard to un-entangle, that he says, [*Quid ad hac dicamus, non habemus*]) yet the Church, as I said, celebrates the Act, as though it were glad to take any occasion, of approving such a courage in such a cause, which was but preservation of Chastity. [(u) *Their Martyrdome saith Saint Augustine was ever in the Catholique Church frequented Veneratione Celeberrima.*]

And (x) *Saint Ambrose*, when his sister *Marcellina*, consulted him directly upon the point, what might be thought of them who kill themselves in such cases, and then it is agreed by all that the opinions of the Fathers are especially to be valued, when they speake of a matter, not incidently or casually, but directly and deliberately) answers thus, [*We have an example of such a Martyrdome in Pelagia*] And then he presents her in this religious meditation, [*Let us die, if we may have leave, or if we be denied leave, yet let us die. God cannot be offended with this when we use it but for a remedy,*] and our faith takes away all offence.

Here

Here is no difficulty : for who is willing to dye, & cannot, since there are so many waies to death? I will not trust my hand least it strike not home: nor my breast, least it withdraw it selfe : I will leave no escape to my flesh, for we can dye with our own weapons, and without the benefit of an Executioner.

And then having drest her selfe as a Bride, and going to the water, Here, sayes she, let us be baptized; this is the Baptisme where finnes are forgiven, and where a kingdome is purchased : and this is the baptisme after which none finnes. This water regenerates; this makes us virgines, this opens heaven, defends the feeble, delivers from death, and makes us Martyrs. Onely we pray to God, that this water scatter us not, but reserve us to one funerall. Then entred they as in a dance, hand in hand, where the torrent was deepest, and most violent. And thus dyed, (as their mother upon the bank called them) [*These Prelates of virginities, Captaines of Chastitie, and companions in Martyrdome.*]

And before *Ambrose*, we finde (y) *Eusebius* to have been of the same perswasion, who thus produces the Mother encouraging them, [*You know how I have brought you up, in the feare of God, and shall your nakednesse, which the publ. ke ayre hath not had leave to see, now be prostituted in the Stewes? Have not so little faith in God, as to feare death, Despise not Chastity so much, as to live with shame, but with a pure and chaste death condemne this world.*

29. *Eusebius*
his Oration i-
magind in the
person of her
mother.

y *Eusebius*
Eccles. Histor:
l. 8. cap. 4.

2. *Plin. paneg. Trajan.*

21. *S. August.*
first of any
doubted their
fact, and did
seeke shifts to
defend it which
it needed not.

22. *S. August.*
example hath
drawne *Pedra-*
ca to the same
shift, of special
divine instinct
in a like case.

And so, deluding their Keepers, as though they withdrew for naturall necessities, they drowned themselves.] All Authors of that time are so profuse in the praise of this fact, that it is just to say thereof, as (2) *Pliny* sayes of *Nervaes* adopting *Trajan*, [It was impossible it should have pleased all when it was done, except it had pleased all before it was done.]

For no Author, that I have lighted upon, diminished the glory of these and such other, untill *Saint Augustine* out of his most zealous and startling tenderesse of conscience, began to seeke out some waies, how these *Selfe-homicides* might be justified, because he doubted that this act naturally was not exempt from taxation. And yet ever hee brings himselfe to such perplexitie, as either he must defend it, and call in question, the authority of a generall consonance of all times and Authors, or retire to that poore and improbable defence, that it was done by Divine instinct. Which can very hardly be admitted in this case, where not their Religion but onely their Chastitie was solicited and attempted.

Nor can *Saint Ambrose*, or *Eusebius* be drawn to that opinion of especiall Divine instinct, because speaking *ex animo*, though in the mothers person, they incite them to it with reasons from Morrall vertues.

Yet *Saint Augustines* example, (as it prevailes very much, and very justly for the most part) hath

hath drawne many others since to the like interpretation of the like acts. For when the kingdom of *Naples* came to bee devided betweene *Ferdinand* the fifth, and *Lewis* the twelfth, the French Army being admitted into *Capua*, upon condition to do no violence, amongst many outrages, a virgin not able to escap the fury of a licentious Souldier, offered for ranlome to lead him to treasure: and so tooke advantage of a place in the wall, to fling her selfe into the River. [Which act, (a) sayes *Pedraça*, we must beleewe to be done by Divine inspiration, because God loves chastity now as well as ever he did.] Which escape every side may finde easie, if being pressed with reason they may say, as *Peter Martyr* doth of the *Egyptian* Midwives, and of *Rahab*, and such, (b) [If they did lye, they did it, impulsu Dei.]

But as our custome hitherto hath been, let us depart from Examples to Rules; though concurrence of Examples, and either an expresse or interpretative approbation of them, much more such a dignifying of them, as this, of the whole Church, and of Catholike Authors approved by that Church, bee equivalent to a Rule. And to ease the Reader, and to continue my first resolution of not descending into many particulars, I will onely present one Rule, but so pregnant, that from it many may be derived; by which, not onely a man may, but must doe the whole and intire action of killing himselfe; which is, to preserve the seale of Confession.

For

a *Pedraça*
Cas. de consc. 5.
præc. Hispanica
Editio.

23. So says *P.*
Martyr of the
Midwives and
of *Rahabs* lye.

b In *Jud* 3.

4. To pre-
erve the seale
of confession
aman may be
bound to kill
himselfe.

c Io: de Lap.

Cas. Missales

c. 6: art. 5.

d Ibid.

e Sotus de reg.

secre. memb:

3. q. 4.

For though (c) the Rule in generall bee, [That if a Spider fall into the Chalice, the Wine may be changed, because, *Nihil abominabile debet sumi occasione hujus Sacramenti.*] And so (d) it may, if the Priest after Consecration come to the knowledge that the Wine is poysoned, [*Ne calix vita vertatur in mortem*,] Yet (e) if hee know this by Confession, from his assistant, or any other, and cannot by any diversion, nor disguise, escape the discovering, that this was confessed to him, without drinking it, if it bee poyson, he must drinke it.

But because men of more abundant reading, active discourse, and conclusive judgement, will easily provide themselves of more Reasons and Examples, to this purpose; it shall satisfie me, to have awakened them thus much, and shewed them a marke to direct their Meditations upon. And so I may proceed to the third Part, which is of the Law of God.

The

The Third Part.
OF THE
LAW OF GOD.

Distinction I.

SECT. I.

THat light which issues from the Moone, doth best represent and expresse that which in our selves we call the light of Nature ; for as that in the Moone is permanent and ever there, and yet it is unequall, various, pale, and languishing, So is our light of Nature changeable. For being at the first kindling at full, it wayned presently, and by departing further and further from God, declined by generall sinne, to almost a totall Eclipse: till God comming neerer to us, first by the Law, and then by Grace, enlightned and repayred it againe, conveniently to his ends, for further exercise of his Mercy and Justice. And then those Artificiall Lights, which our selves make for our use and service here, as Fires, Tapers,

V

and

† An induction to the handlinge of these places of scripture.

and such resemble the light of Reason, as wee have in our Second part accepted that Word. For though the light of these Fires and Tapers be not so naturall, as the Moone, yet because they are more domestique, and obedient to us, wee distinguish particular objects better by them, then by the Moone; So by the Arguments, and Deductions, and Conclusions, which our selves beget and produce, as being more serviceable and under us, because they are our creatures; particular cases are made more cleare and evident to us; for these we can be bold withall, and put them to any office, and examine, and prove their truth, or likelihood, and make them answer as long as wee will aske; whereas the light of Nature, with a solemne and supercilious Majestie, will speake but once, and give no Reason, nor endure Examination.

But because of these two kindes of light, the first is to weak, and the other false, (for onely colour is the object of sight, and we not trust candlelight to discern Colours) we have therefore the Sunne, which is the Fountaine and Treasure of all created light, for an Embleme of that third best light of our understanding, which is the Word of God. (a) *Mandatum lucerna, & Lex lux,*] sayes Solomon. But yet (b) as weak credulous men, thinke sometimes they see two or three Sunnes, when they see none but Meteors, or other apparance; so are many transported with like facilitie or dazeling, that for
some

a Prov. 6.

b Plin: l. 2:

cap 31.

some opinions which they maintaine, they think they have the light and authority of Scripture, when, God knowes, truth, which is the light of Scriptures, is Divine truely under them, and removed in the farthest distance that can bee. If any small place of Scripture, mis-appeare to them to bee of use for justifying any opinion of theirs; then (as the Word of God hath that precious nature of gold, that a little quantity thereof, by reason of a faithfull tenacity and ductilenesse, will be brought to cover 10000. times as much of any other Metall,) they extend it so farre, and labour, and beat it, to such a thinnesse, as it is scarce any longer the Word of God, only to give their other reasons a little tincture and colour of gold, though they have lost all the waight and estimation

But since the Scripture it self teaches, (c) [*That no Prophecie in the Scripture, is of private interpretation,*] the whole Church may not be bound and concluded by the fancie of one, or of a few, who being content to enslumber themselves in an opinion, and lazy prejudice, dreame arguments to establish, and authorize that.

A (d) professed interpreter of Dreames, tells us, [*That no Dreame of a private man may be interpreted to signifie a publike businesse.*] This I say, because of those places of Scriptures, which are alledged for the Doctrin which we now examine, scarce any one, (except the Precept, *Thou shalt not kill*) is offered by any two Authors. But to

c 2. Pet. 1:
20.

d Artemidorus
de somn. Interp.
l: 1. cap. 2.

2. Why I forbear to name them who cite these places of Scripture.

3. If any oppose an answer what I intreat of him.

e *Marc.* 1. 17.
4. Why Clergy men may fish, or hunt but not with doggs.
f *Ex Dist.* 86.
Esa.

one, one place, to another, another seemes directly to governe in the point, and to me, (to allow Truth her naturall and comely boldnesse) no place, but that seemes to looke towards it.

And therefore in going over all those sentences, which I have gathered from many Authors, and presenting convenient answers and interpretations thereof, I will forbear the names of those Authors, who produced them so impertinently, least I should seeme to discover their nakednesse, or insinuat them even of prevarication.

If any Divine shall thinke the cause, or persons injured herein, and esteeme me so much worth the reducing to the other opinion, as to apply an answer hereunto, with the same Charitie which provoked me, and which, I thanke God hath accompanied me from the beginning, I beseech him, to take thus much advantage from me and my instruction, that he will doe it without bitternesse. He shall see the way the better, and shew it the better, and saile through it the better, if he raise no stormes.

Such men, (e) as they are [*Fishers of men,*] so may they also hunt us into their nets, for our good. But there is perchance, some mystique interpretation belonging to that (f) Canon which allowes Clergy men to hunt; for they may doe it by Nets and Snares, but not by Dogges; for clamour and bitings are forbidden them.

And

And I have been sorry to see, that even *Beza* himselfe, writing against an Adversary, and a cause equally and extreamly obnoxious, onely by allowing too much fuell to his zeale, enraged against the man, and neglecting, or but prescribing in the cause, hath with lesse thoroughnesse and satisfaction, then either became his learning and watchfulnesse, or answered his use and custome, given an answer to *Ochius* booke of *Polygamy*.

5. Of *Beza's* answer to *Ochius* Polygamy.

Distinction II.

SECT. I.

IN all the Iudiciall, in all the Ceremoniall Law delivered by *Moses*, who was the most particular in his Lawes of any other, there is no abomination, no mention of this *Selfe-Homicide*. He teacheth what we shall, and shall not, eat, and weare, and speake, and yet nothing against this.

1. No place offered out of Iudiciall nor Ceremoniall law.

SECT. II.

But the first place that I find offered against it is, in *Genesis*. [*I will require your bloud wherein your lives are, at the hand of every beast will I require*

Of the place in *Gen. 9. 5.*

quire it ; and at the hand of man, even at the hand of a mans brother will I require the life of man ; who so sheddeth mans blood , by man shall his blood be shed.]

a. We are not bound to accept the interpretations of the Rabbins.

a Buxdorfius Synag. Judaica ex Rabbi Isaac cap : 1. fol. 62.

b Lyra in hunc locum.

3. Of Lyra and of Sâ his Hebraïsmes.

c Ema. Sâ Not : in univers : Script.

And this place a very learned man of the Reformed Church, sayes, the Jewes understand of *Selfe-homicide*. But shall wee put our selves under the Jewes yoake, (a) [That if we finde in the Rabbins, things contrary to Nature, wee must dare to accuse nothing but our owne weakenesse, because their word is Gods Word, and if they contradict one another, yet both are from God.]

(b) Lyra who seldome departs from the Jewes, in matters not controverted between them, and us, toucheth upon no such exposition ; yet hee expounds it more then one way , and with liberty enough, and farre straying.

And (c) *Emanuel Sâ*, who in his notes is more curious, and superstitious, in restoring all the Hebraïsmes, and oftentimes their interpretations, then perchance that Church would desire at his hands, offers at no other sence then the words present. Nor can *Selfe-homicide* fall within the commination and punishment of that Law ; for how can the Magistrate shed his blood, who hath killed himselfe ?

SECT. III.

The next is in *Deuteronomie* : [I kill, and I give life.] Out of which is concluded, that all authority

Of the place in Deuter. 33. 39.

thority of life and death is from God, and none in our selves.

But shall we therefore dare to condemne utterly, all those states and governments, where Fathers, Husbands, and Masters, had jurisdiction over Children, wives, and servants lives? If we dare, yet how shall we defend any Magistracy, if this be so strictly accepted? and if it admit exceptions, why may not our case be within those?

Howsoever that this place is incongruously brought, appears by the next words, [*There is not any that can deliver from my hand*] or this being a Verse of that divine poem, which God himselfe made and delivered *Moses*, as a stronger and more slippery insinuation and impression into the *Israelites* hearts, then the language of any Law would make, expresses onely that the mercies and judgements of God, are safe and removed from any humane hinderance, or interruption. So (a) in another gratulatory Song made by *Samuels* mother, the same words are repeated, [*The Lord killeth and maketh alive,*] and this because God had given her a son, when she was past hope. That place also in *Tobit* (b) is fitly paraleld with this, [*He leadeth to hell, and bringeth up, nor is there any that can avoid his hand.*] And can these two places be detorted to their purpose, That none but God may have jurisdiction over our temporall life? Or (c) that place of the book of *Wisdom*, which is also ever joyned, as of the same signification with these, [*for thou hast the power of life,*
and

4. Jurisdiction of Parents, Husbands, Masters, and Magistrates, must consist with this place.

5. This place must be interpreted, as the other places of Scripture which have the same word, from which no conclusion can be wrested against this fact.

a 1. Sam: 2. 6.

b Tob: 13. 2.

c Sap: 16. 13.

and death] which is spoken of his miraculous curing by the Brazen Serpent. So that all these foure places have one respect and ayme, and none of them look towards our question.

SECT. IIII.

In the order of the Divine books, the next place is produced out of *Job*, [*Militia est vita hominis super terram.*] for, though our translation give it thus, [*Is there not an appointed time to man upon earth?*] yet the Latine Text is thus cited to this purpose, by some not addicted to the Vulgar Edition, because it seems in Latine better to afford an argument against *Self-homicide*. Fortherupon they infer, that we may not depart at our own pleasure from the battell. But because onely the Metaphor and not the extending of it, nor inference upon it, is taken out of the Scripture, it brings no strong obligation with it, nor deserves much earnestnesse in the answer, yet to follow him a little in his Allusion, a) [*A Souldier may by Law, be ignorant of the Law, and is not much accusable if he transgresse it.*] And by (b) another Law, if [*a Souldier whose presence is necessary for the safeguard of the Army, may be absent causa Reipub. and being absent, his absence shall be interpreted to be so.*] And (c) even to those which killed themselves in the Army, we noted before in the second part, That the lawes were not severe, if they had any colour of just cause: So that this figurative argument

1. Of the place of *Iob* 7. 1.

2. Why they cite this place in Latine.

a *Digest. li: 22. tit: 6. le: 9.*

b *L. 4. tit: 6. leg: 44.*

3. Of souldiers priviledges of absence by law.

c *Supra.*

gument profits then nothing, especially being taken from this place where the scope of *Job* was to prove that our felicity and end upon which our actions are bent, is not in this life, but as wars work to peace, so we labour here to death, to that happines which we shall have after. And therefore whosoever were author of that letter which hath (d) Christs name to *Abgarus*, doth not make Christ say, that when he hath done that for which he was sent hither, he will come to him, and take his offer of halfe his Kingdome, but that when he hath done, he will returne to him which sent him: That is he will die, so that if either side have advantage by this place of *Job*, we have it.

S E C T. V.

And by the other place of *Job* much more, which is, [*Therefore my soule chuseth rather to be angled, and to die, then to be in my bones.*] Hereupon they infer, That if it might have been lawfull to die so, *Job* would have done it. But believes that the wretched poverty and feebleness in this manner of Negative arguments, *Job* did it, therefore he might not do it, we may perceive by the whole frame of the History, that God had chosen him for another use, and an example of extream patience. So that for any thing it appears in *Jobs* case, he might not lawfully do it, because he could propose nothing but

4. *Jobs* scope is, that as wars work to peace. So here we only labour to Death.

d *Euseb. l. 1. cap. 13.*

5. Of Christ letter to King *Abgarus.*

1. Of the place *Job* 7 15.

2. Why this was not lawfull to *Job.*

his own ease. Yet *Job* whose sanctity I thinke it sacrilege to diminish, whether he were a person or personate, in their confession strayed thus farre towards killing himselfe, as to wish his death, and curse his birth; for his whole third Chapter is a bitter and malignant invective against it, and a violent wishing of his own death.

(a) *Sextus Senensis* gives an answer for him so literal, as it can admit or reach to no sense, which is, [*That cursing his birth day which then was past, he cursed nothing*]

And (b) *Saint Gregory* gives an answer so mysticall, as no sense can reach to it, which is, [*That there is a second birth into Sinne in this world, and Job cursed his entrance into that.*] And so because these words might bee readily taken for an inordinate wishing of death; *Gregory* provides them also a mysticall interpretation, for the Latine reading it thus, [*Suspendium elegit anima mea,*] he says, [*This was Suspendium spirituale, which was but an elevation of the minde, as S. Paul said, Christo crucifixus sum cruci*] But besides that this escape will not serve, when the Originall word is considered, and that the next verse is, *Desperavi, nequicquam ultra vivam*] in the twentieth verse, he chides God by the name of [*Thou preserver of men*] as being angry that he preserved him, [*Being now a burthen to himselfe, and would not leave him alone, whilst he might swallow his spittle.*] And he ends that Charter thus [*If thou seekest me in the morning, I shall not be found.*] This I say

3 His words seeme to shew some steps toward a purpose of *Selfe-homicide.*

4. *Sex: Sen: and Grego-ries* exposition thereof.

a *Sex: Sen: Bibliot. Sanct. lib: 8. Heres. 10.*

b *Greg. Mor: l: 4. cap. 6.*

Gal: 2.

say, onely to show that one whom none hath exceeded in holines, may without any detortion of his words, be argued to have stept farre towards a purpose of killing himselfe. Who list to give any other construction to his words shall not displease me, nor impaire the strength of our Proposition.

And though I confesse, I have not read any to expound these words of *Iob* directly thus, and though I know the opinion in generall of his despairing, be thus much discredited, that it is held by the *Anabaptists*, yet, besides that, it is not just nor ingenuous, to condemn all that a condemned man says, (for even a leprous man may have one hand clean to take and give withall. And *S. Hier.* is inexcusable, in that point of his slippery zeal, in his behaviour towards *Vigilantius*, yea the *Trent* Councell it selfe is obnoxious therein, for condemning Names of Authors, and not Books. Besides this I say, the *Anabaptists* differ from me in their end and purpose, for they impute despaire to *Iob*, onely to infirme the Authority of the booke, which scismatically they labour to rent from the Canon of Scripture: But I justly with the consent of all Christian Churches admitting it for such, say, that *Iob* might keep his sanctity, and the Book his Dignity, and yet he might have a purpose to kill himselfe.

For very many reverend Authors in the Reformed Church, not rashly to be forsaken, have imputed to our most blessed Saviour, as near ap-

5. Wherin I differ from the *Anabapt.* who affirme that *Iob* despaired.

6. *S. Hierome* and the *Trent* Councell erre in condemning all which a condemned man saith.

7. Of them which impute despayre unto Christ.

proaches, to a more dangerous kind of despaire, then we impute to *Iob*, without diminishing him, or his Scriptures.

SECT. VI.

I finde also another place of *Iob* obtruded. [*Skin for skin, and all that ever a man hath will he give for life.*] From which words they argue a Naturall love in us to this life.

Let it be true, (though the Devill say it, for the words are his) that our sensitive Nature is too indulgent to this life, (though I feare I have offended and surfitted you in the first Part with Examples of meer Naturall and Sensitive men, which have chosen death,) yet will that prove that our Reasonable Nature may in no case correct that enormity? This is as strong against Gods outward calling us to him by sicknesse, or persecution, as against any such inward motions.

SECT. VII.

As improperly, and unprofitably to their ends and purpose, do they offer that place of *Ecclesiasticus*, [*Non est sensus supra sensum salutis Corporis,*] which I place here, though out of Order, because of the affinity betweene this place, and the last, and that one answer, is, at least, enough for them both. For, though this place may

1. Of the place *Iob*. 2. 4.

1. Of the place *Eccel.* 20. 16.

may prove that wee naturally love this body, (yet it is not of the safety of the body, as if all men desired that the body might live, but it is of bodily health whilst it doth live,) yet it proves not, that wee may in no case abandon it.

2. This place is not of safety, but of health.

SECT. VIII.

The most proper, and direct, and strongest place is the Commandement; for that is of Morall Law, [*Thou shalt not kill;*] and this place is cited by all to this purpose.

1. Of the place *Exodus* 20.

But I must have leave to depart from (a) *S. Augustines* opinion here, who thinks that this Commandement is more earnestly bent upon a mans selfe, then upon another; because here is no addition, and in the other, there is, [*Against thy Neighbour;*] for certainly, I am as much forbid by that Commandement to accuse my selfe falsely, as my Neighbour, though onely he be named. And by this I am as much forbid to kill my neighbour as my selfe, though none be named. So, as it is within the circuit of the Command, it may also bee within the exceptions thereof. For though the words be generall, *Thou shalt not kill,* we may kill beasts; Magistrates may kill men; and a private man in a just warre, may not onely kill, contrary to the sound of this Commandement, but hee may kill his Father, contrary to another.

2. *23. 9: 5. Si non licet.*

2. *S. August.* thinks this law to concerne ones self more directly then another.

3. This law hath many exceptions.

c. Lawes of the first Table are *strictioris vinculi*, then of the later.

5. A case wherein it is probable that a man must kill himself.

a *Acatius de privil. l. c. 3.*

b *Narr. Manual. cap. 15. n. 2.*

c *Supra.*

When two naturall Lawes contrary to one another occurre, we are bound to that which is *strictioris vinculi*.

As all Lawes concerning the Honour of God, and Faith, are in respect of the second Table, which is directed upon our Neighbour by Charity. If therefore there could bee a necessity, that I must doe an act of Idolatry, or kill, I were bound to the later.

By which Rule, If perchance a publique exemplary person, which had a just assurance that his example would governe the people, should be forced by a Tyrant, to doe an act of Idolatry, (although by circumstances he might satisfie his owne conscience, that he sinned not in doing it,) and so scandalize and endanger them, if the matter were so carried and disguised, that by no way he could let them know, that he did it by constraint, but voluntarily, I say, perchance he were better kill himselfe.

It is a safe Rule, [(a) *Iuri Divino derogari non potest, nisi ipsa derogatio juri Divino constet.*] But since it is not thought a violating of that Rule, [(b) *To kill by publique Authority or in a just Warre, or defence of his life, or of anothers,*] why may not our case be as safe and innocent?

If any importune me to shew this Priviledge, or exemption of this case from the Commandment, I may with (c) *Sotus* retort it, and call for their priviledge to kill a Day-thiefe, or any man in defence of another.

And

And as these Lawes may be mediately and secondarily deduced from the conformity of other Lawes, and from a generall Authority which God hath afforded all Soveraignes, to provide as necessities arise. So may our case bee derived as well from that necessary obligation which lyes alwayes upon us, of preferring Gods glorie above all humane respects. So that we cannot be put to shew, or pleade any exemption, but when such a case arises, wee say that that case never was within the reach of that Law. Which is also true of all the other which we called exemptions before.

For, whatsoever might have beene done before the Law, (as this might, if it be neither against Nature, nor Justice, from both which we make account that wee have acquitted it,) upon that, this Commandement never fell, nor extended to it.

SECT. IX.

I have found also a place urged out of the Booke of *Wisdom*, which is, [*Seeke not death in the error of your life.*] Which being ever coupled with another place in *Deuteronomie*, by collation of the two places it appeares, That that which is forbidden there, is Idolatry, and by Death is meant the *Second Death*, or the way to it.

And so this Distinction which was intended for

6 As Lawes against Daytheeves may be deduced from the Law of God authorizing Princes, so may this from the Commandement, of preferring Gods glory.

7 Whatsoever might have beene done before the Law, this Law forbids not.

1 Of the place Sap. 1. 12.

Deut. 24. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

for the places cited from the Books of the old Testament, shall here have an end; and to the next we allow those of the New.

Distinct. III.

SECT. I.

OF which the first that I have observed is in *Matthew* when the Devil tempts Christ thus, [*If thou be the Son of God, cast thy self downe.*] With all Expositors I confesse, this was a temptation to vain glory, and therefore most appliabl to our case, where we make account, that we work somewhat to the service of God, and advancement of his glory, when we allow this to be done; and it is a very slippery passage, and a devout man were out of the nature of devotion, likelier to erre that way, then a worldly, but that the hand of God is extended to the protection of such.

But directly this place will not shake, nor attempt our proposition, for though Christ would not satisfie the Devill, nor discover himselfe, yet he did as much when it conduced to his owne ends, as the Devill tempted him to in this place, or the other; both in changing the species and nature

1. OF the place *Matt.* 4. 6.

2. Christ, where it conduced to his owne ends, did as much as the Devill did tempt him to, in this place.

nature of water into Wine, and in exposing himselfe to certaine danger when he walked upon the waters. Christ refused no difficultie, nor abstained from Miracles, when he knew he profited the beholders; nor doe I say, that in any other case, then when we are probably and excusably assured, that it isto a good end, this may be lawfull to us.

SECT. II.

The next place is in the Acts of the Apostles. [The keeper of the prison drew out his Sword, and would have killed himselfe, supposing the Prisoners had beene gone; But Paul cryed, Doe thy selfe no harme, for we are all here.] To which I say, That by the same Spirit by which Paul being in the inner Prison in the darke, knew what the Keeper thought, and what hee was about to doe without, hee knew also Gods purpose to be glorified in the conversion of him and his Family; and therefore did not onely reclaime him from that purpose, which was inordinate, and for his owne sake, to escape punishment, (in which yet wee may observe how presently Mans nature inclines him to this remedy) but also forbears to to make his benefit of this Miracle, and to escape away: and so, though he rescue the Keeper, he betrayes himselfe.

And therefore Calvin upon this place makes to himselfe this objection, [That Paul seeing all

1. Of the place Acts 16. 17.

2. S. Paul knew Gods purpose of baptising the keeper.

3. Els saith Calvin, he had frustrated Gods way to give him an escape by the keepers death.

his hope of escape to consist in the death of the Keeper, neglected that way of liberty which God offered him, when he restrained the Keeper from killing himselfe.] And he answers it onely thus, [That hee had a conscience and insight into Gods purpose and decree herein.] For otherwise, if he had not had that (which very few attaine to have) it seemes he ought to have permitted the keeper to proceed, to facilitate thereby his way of escaping.

S E C T. III.

Which also inferres some answer to another place of Saint Paul, where hee delivers and discharges himselfe, and his fellow Apostles, of having taught this Doctrine, [That a man might doe evil, that good might come thereof.] And consequently it is well and by just Collection pronounced that he forbids that Doctrine.

And we also humbly subscribe to that Rule, and accept it so, as Saint Paul intends it; that is, in things which Nature, and not Circumstance makes evil. And in these also, when any such circumstance doth make them evil, as another circumstance to the contrary doth not præponderate and over-rule this. This therefore we must have liberty to enlighten with a larger discourse.

Of the evils which seeme to us to bee of punishment, of which kind Death is, God ever makes others his executioners; for the
greatest

1. Of the
place Rom. 3.
8.

2. How Paul
forbids evil to
be done for
good.

3. God al-
ways inflicteth
Malum pœna by
Instruments.

greatest of all, though it be spirituall, which is Induration, is not so wrought by God himselfe immediately, as his spirituall comforts are, but Occasionally, and by Desertion.

Sometimes in these God imployes his Angels, sometime the Magistrate, sometimes our selves. Yet all which God doth in this life by any of these, is but Physicke: for (a) even ex-cæcation and induration is sent to further Salvation in some, and inflicted medicinally. And these ministers and instruments of his, are our Physitians, and wee may not refuse any bitterness, no not that which is naturally poyson, being wholesomely corrected by them. For as in (b) Cramps which are contortions of the Sinewes, or in Tetars, which are rigors and stiffenesses in the Muscles, wee may procure to our selfe a fever to thaw them, or we may procure them in a burning feaver, to condense and attemper our bloud againe, so in all rebellions and disobediences of our flesh, wee may minister to our selves such corrections and remedies, as the Magistrate might, if the fact were evident. But, because though for prevention of evill, wee may doe all the offices of a Magistrate upon our selves, in such secret cases, but whether we have that authority to doe it after or no, especially in Capital matters, is disputable, and at this time, wee need not affirme it precisely, I will examine the largeness of that power no farther now.

4. Induration it self is sometime medicinall.

a *Aqui. 12. q. 79. ar. 4. con.*

b *Hippocrat. Aphor. l. 2. 38.*

5. Wee may correct in our selves one disease by another.

6. In things evill in such sence as *Paul* taketh them here, Popes dayly doe dispence.

c *Dist. 34. le- stor gloss.*

d *Bodinus Damon. l. c5.*

e *Windek de consens. et dis- sens. leg. et Can. ca. 11.*

7. So doe the Civill Laws. f *Cod. tit. de malef. l. 4. S. eorum.*

g *Paracel. l. de morb. cad.*

h *Dist. 14. cap. Duo mala.*

i *Dist. ead. cap. Nerui.*

k *Nav. Mar. c. 17. num. 263.*

8 So do Canons.

l *Bellar. de Amis. grat. & stat. peccat. l. 2. c. 3. ex Hug. de viat. & Tho.*

9 So doth God occasion lesse sin to avoid greater.

But descend to that kinde of evill, which must of necessity be understood in this place of *Paul*: which is, that we account naturally evill. And even in that, the Bishops of *Rome* have exercised their power, (c) to dispence with *Bigamy*, which is in their doctrine directly against Gods Commandement, and therefore naturally evill. So did (d) *Nicholas* the fift, dispense with a Bishop in *Germany*, to consult with Witches, for recovery of his health; and it were easie to amasse many cases of like boldnesse.

In like manner (e) the Imperiall Law tollerates *Vsurie*, *Prescription*, *Mala fidei*, and *Deceit ad Medium*, and expressely allowes (f) *Witchcraft*, to good purposes. [*Conformably to which Law, Paracelsus sayes, It is all one whether God or the Devill cure, so the Patient be well.*]

And so the (g) *Canons* have prescribed certain rules of doing evill, when we are overtaken with perplexities, to chuse the least, of which (h) *S. Gregory* gives a naturall example, [*That a man attempted upon a high wall, and forced to leape it, would take the lowest place of the wall.*]

And agreeably to all these, the (k) *Casuisst* say [*That in extreame necessitie, I sinne not if I induce a man to lend me mony upon usury; And the reason is, because I incline him to a lesse sinne, which is usury, when else he should be a homicide, by not relieving me.*] And in this fashio (l) God him selfe is said to work evill in us, because when our heart is full of evill purposes, he governs and disposes

disposes us rather to this then to that evill, wherin though all the vitiousnesse be ours, and evill, yet the order is from God, and good. Yea, he doth positively encline one to some certain evill thus, That he doth infuse into a man some good thoughts, by which, he, out of his vitiousnesse takes occasion to thinke he were better doe some other sinne then that which he intended. Since therefore all these lawes and practises concur in this, that we sometime doe such evill, not onely for expresse and positive good, but to avoid greater evill, all which seems to be against this doctrine of S. Paul.

And since, whatsoever any humane power may dispence withall in us, we, in extrema necessity, in impossibility of recourse to better counsell, in an erring conscience, and in many such cases, may dispence with our selves, (for that Canon of *duo mala*, leaves it to our naturall reason, to judge, and value, and compare, and distinguish betweene those two evils which shall concur.)

And since for all this, it is certaine, that no such dispensation from another, or from my selfe, doth so alter the nature of the thing, that it becomes thereby the more or the lesse evill, to mee there appears no other interpretation safe, but this, That there is no externall act naturally evill; and that circumstances condition them, and give them their nature; as scandall makes an indifferent thing hai-

9. What any other may dispence withall in us, in extremity we may dispence with in our selves. *Supra.*

10. Yet noe such dispensation changeth the nature of things, therefore that particular was never naturally evill

11. The Law
it self is nei-
ther good nor
evill.

12. As *Picus*
notes compa-
ring it to the
firmament.
m *Heptapl.* l.
7. *proem.*

n *Ezech.* 20.
25.

13. What e-
vill *Paul* for-
bids, and why.

nous at that time; which, if some person go out of the roome, or winke, is not so.

The Law it selfe, which is given us as a light, that we might not stumble, and by which we see, not what is evill naturally (for that we see naturally, and that was so even, to us, before the law declared it) but what would bee evill (that is produce evill effects,) if we did it at that time, and so circumstanced, is not absolutely good, but in such measure, and in such respects, as that which it forbids is evill. And therefore (m) *Picus* comparing the Law, to the firmament, (as *Moses* accepts the word) as he observes, that the second day, when God made the firmament, he did not say, that it was good, as he did of every other days work; and yet it was not evill, (for then saith *Picus*, it could not have received the lunn, as if it had beene good, it had not needed it.) So he reprehends the *Manichees*, for saying that the Law was evill, yet he sticks to that of (n) *Ezechiel*, That it was not good. That evill therefore which by this place of *S. Paul*, is forbidden, is either Acts of infidelity, which no dispensation can deliver from the reach of the Law, or els, such acts as being by our nature, and reason, and approbation of nations reputed evill, or declared by law or custome to be such, because of there ordinary evill effects, doe cast a guiltines upon the doer, ordinarily, and for the most part, and ever except his case be exempt and priviledged. This moved

moved *Chrystome*, (whom I cited before) to think a ly, and a consent to adultery, not evill in *Sarah*: and this rectified *S. Augustines* squeamishnes so farre, as to leave us at liberty, to think what we would of that wifes act, which to pay her husbands debt, let out her self one night. For if any of these things had been once evill naturally, they could never recover of that sicknesse, but (as I insinuated before) as those things which we call miracles, were written in the history of Gods purpose, as exactly, and were as certainty to come to passe, as the rising and setting of the sunne, and as naturally, *in tota compagine natura*, (for there is no interlining in that book of God:) So in that his eternall Register where he foresees all our acts, he hath preferued and defended, from that ordinary corruption of evill purpose, of inexcusable ignorance, of scandall, and of such other iniquations of indifferent things, (as he is said to have done our *B. Lady* from originall sinne in her inanimation,) Some of those acts of ours, which to those whodoe not studiously distinguish circumstances, or see not the doers conscience, and testimony of Gods spirit, may at the first tast have some of the brackishnes of sin. Such was (o) *Moses* killing of the *Egyptians*; for which there appears no especiall calling from God. But because this falls not often: *S. Paul* would not embolden us, to do any of those things which are customarily reputed evill.

But

Supra.

14. Nothing which is once evill can ever recover of that

Supra.

15. Three acts were in God's decree preferued from those stains which make things evill, so as miracles were written in his book of nature, though not in our copy, and so, as our *Lady* is said to be preferu'd from originall sinne.

o *Exod. 2. 12.*
16. Such was *Moses* killing the *Egyptian*.

17. If this place be taken of all kind of evill, it must admit exception, as well as the Decalogu.

18. Otherwise the application which *Bellarmin.* and others make of it will be intollerable.
p. *De cul. sanct.*
l. 4. cap. 7.

But if others be delighted with the more ordinary interpretation of this place, that it speaks of all that which we call sinne, I will not refute that interpretation, so they make not the Apostles rule, (though in this place this be not given properly and exactly for a rule,) more strickt than the morall præcepts of the *Decalogue* it self, in which, as in all rules there are naturally included and incorporated some exceptions, which if they allow in this, they are still at the beginning; for this case may fall within those exceptions.

Otherwise, that the generall application of this rule, is not proper, as by infinite other places, so it appears evidently by that in (p) *Bellarmin.*, where he says, that by reason of this rule, a man may not with neglecting a poore neighbour, adorne a church; Yet there are a great many cases, wherein we may neglect this poore neighbour; and therefore that is not naturally evill. And certainly whosoever is delighted with such arguments, and such an application of this text, would not only have objected this rule to *Lot*, when he offered his Daughters, (for there it might have colour) but would have joyned with *Judas*, when the woman anointed Christ; and have told her, that although the office which shee did were good, yet the wast which shee made first, was evill, and against this rule.

SECT.

SECT. IIII.

The same Apostle doth in divers other places use this phrase, *That we are the Temples of the Holy Ghost*; And from thence is argued, that it is an unlawfull Sacrilege to demolish or to deface those Temples. But wee are so the Temples of God, as we are his Images: that is, by his residing in our hearts.

And who may doubt, but that the blessed Soules of the departed, are still his Temples, and Images? Even amongst heathens, those Temples which were consecrated to their gods, might in cases of publique good or harme, be demolished, and yet the ground remaine sacred.

And in the two first places, is onely a Dehortation from polluting our hearts, which are Gods Temples, with Idolatry, or other sinne. In the other place he calles our materiall body, the temple: and he makes it to us an argument that we should flye from fornication, because therein wee trespas against our owne body. And so here arises a double argument, that we may not doe injurie to our owne body, neither as it is ours, nor as it is Gods.

In the first of these then, he layes, [*A Fornicator sinnes against his body*]; for as hee sayd two verses before, [*Hee makes himselfe one body with an Harlot*], and so hee diminishes the dig-
Z
nity

Of the places
 2 Cor. 6. 16.
 1 Cor. .16.
 & 6. 16.

19 The dead are still his Temples, and Images.
Silvius Com. ad leges.

20 Heathens temples might be demolished, yet the soile remaine sacred.

21 Pauls reason is in Cases where we avile our selves: here wee advance our selves.

nity of his owne person. But is it so, in our Case? When he withdrawes and purges it from all corruptions, and delivers it from all the iniquations, and venime, and maligne Machinations of his, and Gods adversaries, and prepares it by Gods insinuation and concurrence, to that glory, which without death, cannot bee attained.

a *Verf. 19.*
22 That our body is not our own, how it is to be understood here in *Paul.*

Is it a lesse dignitie, that himselfe bee the Priest of God, and that himselfe be the Sacrifice of God, then that he be the Temple? But sayes *Paul*, [(a) *Your body is the Temple of God, and you are not your owne.*] But saies *Calvine* here, you are not so your owne, that you may live at your owne will, or abuse your body with pollutions and uncleannesse. Our body is so much our owne, as we may use it to Gods glory, and it is so little our owne, as when hee is pleased to have it, we doe well in resigning it to him, by what Officer soever he accept it, whether by Angell, Sicknesse, Persecution, Magistrate, or our selves. Onely bee carefull of this last lesson, in which hee amasses and gathers all his former Doctrine, [(b) *Glorifie God in your body, and in your spirits, for they are his.*]

b *Verf. 20.*

SECT. V.

1 Of the place
Ephes. 4. 15. 16

The place of the *Ephesians* hath some affinity with this; which is, [*But let us follow the truth*

in love, and in all things grow up into him, which is the head, that is Christ, till we are all met together, unto a perfect man.] By which wee receive the honour to be one body with Christ our head, which is (a) after more expressly declared, [*We are Members of his body, of his flesh, and of his bone.*] And therefore, they say, that to withdraw our selves, which are limmes of him, is not onely homicide of our selves, who cannot live without him, but a Paricide towards him, who is our common Father.

a Cap. 5. v. 30.

But as in Fencing, Passion layes a man as open, as unskilfulnesse, and a troubled desire to hitt, makes one not onely misse, but receive a wound; so out of an inordinate fervour, to strike home, hee which alledgeth this place, overreacheth to his owne danger; for onely this is taught herein, that all our growth and vegetation flowes from our head, Christ. And that he hath chosen to himselfe for the perfection of his body, limmes proportionall thereunto, and that, as a soule through all the body, so this care must live, and dwell in every part, that it be ever ready to doe his proper function, and also to succour those other parts, for whose reliefe or sustentation it is framed, and planted in the body. So that herein there is no litterall construction to be admitted, as though the body of Christ could be imperfited, by the removing of any man. For, as from a tree, some leaves passe their naturall course and season, and

fall againe being withered by age, and some fruits are gathered unripe, and some ripe, and some branches which in a storme fall off, are carryed to the fire ; So in this body of Christ, the Church, (I meane that which is visible) all these are also fulfilled and performed, and yet the body suffers no maims, much lesse the head any detriment.

2 This place gives arguments to all which spare not themselves for reliefe of others.

This place therefore is so farre from giving encouragement to any particular man to be carefull of his owne well being, as the Expositors (of what perswasion soever in controverted points) accept from hence an argument, that for the establishing, and sustentation of the whole body, a man is bound to depart with all respects to himselfe, and give his life to strengthen them which are weake.

And this place, as a common Conduit head hath afforded justification for Martyrdomes, for pestilent visitations, and for all those Deser-tions of our selves, and of our naturall right of preserving our selves, which wee had occasion to insist upon before.

SECT. VI.

1. Of the place Eph. 5.

As therefore that construction doth well consist with those words, so doth it also with the words in the next Chapter, [*No man ever hated his owne flesh, but nourished it, &c.*] Of which Hate, because we are to speake when wee come
to

to Christs Commandement of Hating our life, we will here onely say, with (a) *Marlorate* upon this place, [*He hates not his flesh, who hates the desires thereof, and would subject it to the Spirit: no more then a Goldsmith hates that gold, which hee casts into a furnace to purifie, and reduce to a better fashion*] And, because out of the Armory of Scripture I have not found that they take any better weapons, nor any more, we may here end this Distinction.

2. *Marlor. in hunc locum.*

2. How *Marlor.* expounds this hate.

Distinction IV.

SECT. I.

IN the next our busines is, to try of what force and prooffe their armes are against their adversaries forces. Of which we shall oppose two sorts; The first naturall and assured Subjects, which are, Reasons arising naturally from places of Scripture, and these, in this distinction; The other, Examples, as Auxiliaries. For though we rely not upon them, yet we have this advantage in that kind, that our aduersaries can make no use, nor profit of Examples. And therefore that answer which both *Peter Martyr*, and *Lavater* from him make, that we must not live by examples, and that if examples proved

1. Of places of scriptures on the other part.

2. We may, but our adversaries may not make use of examples. to which the answer of *Martyr* and *Lavater* is weak.

3. The Nature, degrees, and effects of Charity.

4. S. August. pourtraite of her.

a *De natura et gratia cap. ult.*

5. Of her highest perfection, beyond that which P. Lombard observed out of Aug.

b *Lomb. l. 3. Dist. 3.*

c *In epist. Io. tract. 5.*

any thing they had the stronger side, (that is, there have beene more men which have not killed themselves, then which have,) may well seeme from peremptorinesse, and lazinesse, and impossibility of better defence, to have too much allay, to be currant. To prepare us therefore to a right understanding, and application of these places of scriprure, we must arrest a while vpon the nature, and degrees, and effects of charity; the mother, and forme of all vertue; which shall not onely lead us to heaven, (for faith opens us the doore) but shall continue with us when we are there, when both Faith, and Hope, are spent and uselesse.

We shall no where find a better pourtrait of charity, then that which S. *Augustine* hath drawne: she loves not that which should not be loved; she neglects not that which should be loved; she bestows not more love upon that, which deserves lesse; nor doth she equally love more and lesse worthines; nor upon equall worthines, bestow more and lesse love. (a) To this charity the same blessed and happy Father, proportions this growth. [*Inchoated, increased, growne great, and perfected, and this last is, saith he, when in respect of it, we contemne this life.*] And yet he acknowledgeth a higher charity then this. For (b) P. Lombard allowing charity this growth, [*beginning, proficient, perfect, more, and most perfect.*] he cites (c) S. *Augustine* who calls [*that perfect charity to be ready*

die to dy for another.] But when he comes to that, then which none can be greater, he says then, the Apostle came to (d) *cupio dissolvi*.

For as [(e) one may love God with all his heart, and yet he may grow in that, and love God more with all his heart, for (f) the first was commanded in the Law, and yet (g) counsaile of perfection was given to him, who saia that he had fulfilled the first commandment,] So as S. Augustine found a degree above that charity, which made a man *paratum ponere* which is *cupere*, so there is a degree above that, which is to doe it.

This is that vertue, by which (h) Martyrdome, which is not such of it self, becomes an act of highest perfection.

And this is that vertue, which (i) assureth any suffering which proceeds from it to be infallibly accompanied with the grace of God. Upon assurednes therefore, and testimony of a rectified conscience, that we have a charitable purpose, let us consider how farre we may adventure upon authority of Scripture in this matter which we have in hand.

SECT. II.

First therefore by the frame and working of Saint Pauls argument to the Corinthians, [*Though I give my body that I be burned, and have not love, it profiteth nothing.*] These two things appeare evidently.

First,

d Phil. 1.23

e Serarius triheresi. l. 1. ca. 8.

f Deut. 6. 5.

g Mat. 5.

6. He who loves God with all his heart, may love him more

h Aquin. 22. q. 124. ar. 3.

i Aquin. 22.

q. 136. ar. 3.

7. Any suffering in charity hath infallibly the grace of God. By Aquin.

1. Of the place 1 Cor. 13. 4.

2. By this in common reputation, that was a degree of perfection to dye so. And charity made it acceptable.

3. *Paul* speaks of a thing which might lawfully be done, for such are all his gradations in this argument.

4. *Tongues of Angels* in what sence in this place.

Calvin.

5. Speech in the *Asse*, understanding of mysteries in *Judas*, miraculous faith make not the possessor the better.

First, That in a generall notion and common reputation, it was esteem'd a high degree of perfection to dye so, and therefore not against the Law of Nature. And secondly, by this exception, (*without Charity*) it appears, that with Charity it might well and profitably be done.

For the first, if any thinke that the Apostle here takes example of an impossible thing, as when it is sayd, [*If an Angel from heaven teach other doctrine,*] he will, I thinke, correct himselfe, if he consider the former verses, and the Apostles progresse in his argument; wherein to dignifie Charity, the most that hee can, hee undervalues all other gifts, which were there ambitiously affected.

For Eloquence he sayes, it is nothing to have all Languages, no not of Angels; which is not put literally, for they have none; but to expresse a high degree of Eloquence, as *Calvine* sayes here. Or, as *Lyra* sayes, by language of Angels is meant, the desire of communicating our conceptions to one another. And then he adds, That knowledge of Mysteries and Prophecies, is also nothing; which was also much affected. And for Miraculous Faith, it is also nothing.

For the first of these gifts, doth not make a man better; for *Balams Asse* could speake, and was still an Asse. And the second *Judas* had, and the *Pharisees*. And the third is so small a matter, that as much as a *graine of Mustersseed* is
enough

enough to remove mountaines. All these therefore were faisable things, and were sometimes done. So also, after he had passed through the gifts of knowledge, and gifts of utterance, hee presents the gifts of working in the same manner; and therefore, as he sayes, *If I feed the poore with all my goods,* (which he presents as a harder thing then either of the other, (for in the other God gives me, but here I give other) yet possible to be done.) So he presents the last, *If I give my body,* as the hardest of all, and yet, as all the rest, sometimes to be done.

That which I observed secondly to arise from this argument, was, That with Charity such a death might be acceptable. And though I know the *Donatists* are said to have made this use of these words, yet, because the intent and end conditions every action, and infuses the poyson, or the nourishment which they which follow suck from thence, and we know that the *Donatists* rigorously and tyrannously racked and deformed thus much from this place, That they might present themselves to others promiscuously to bee killed, and if that were denied to them, they might kill themselves, and them who refused it.

Yet, I say, I doubt not but thus much may naturally be collected from hence, that by this word, *If I give my body,* is insinuated somewhat more then a prompt and willing yeelding of it, when I am enforced to it, by the

A a

perfe-

6 How I differ from the *Donatists* arguing from this place, that in charity self-homicide was alwaies lawfull.

7 To give my Body, is more then to let it be taken.

Metaph. in Ni-
ceph. Martyr.

8 How Nice-
phorus the mar-
tyre, gave his
body in *Sapri-
tius* his roome,
who recanted.

persecuting Magistrate.

And that these words will justify the fact of the Martyr *Nicephorus*, being then in perfect Charity. Whose case was, That having had some enmitie with *Sapritius*, who was brought to the place where he was to receive the bloody crowne of Martyredome, he fell downe to *Sapritius*, and begged from him then, a pardon of all former bitteresses, But *Sapritius* elated with the glory of Martyredome, refused him; but was presently punished; for his faith coold, and he recanted, and lived. And *Nicephorus* standing by, stepped into his roome, and cryed, I am also a Christian, and so provoked the Magistrate to execute him; least from the faintnesse of *Sapritius*, the cause might have received a wound, or a scorne. And this I take to bee *Giving of his body*.

9 There may be a case that a man bound to give his body, cannot doe it otherwise then by *selfe-homicide*.

Of which, as there may be such necessitie for confirming of weaker Christians, that a man may be bound to doe it, as in this case, is very probable. So there may bee cases in men very exemplary, and in the cunning and subtile carriage of the Pefecutor, as one can no other way give his body for testimony of Gods truth, to which he may then be bound, but by doing it himselfe.

SECT.

SECT. III.

As therefore Naturally and Customarily men thought it good to dye so, and that such a death with charity was acceptable, so is it generally said by Christ, [*That the good Shepherd doth give his life for his sheepe.*] Which is a justifying and approbation of our inclination thereunto. For to say, The good doe it, is to say, They which doe it are good.

And as we are all sheep of one fold, so in many cases, we are all shepherds of one another, and owe one another this dutie, of giving our temporall lives, for anothers spirituall advantage; yea, for his temporall. For (a) that I may abstaine from purging my selfe, when anothers crime is imputed to me, is grounded upon such another (b) Text as this, where it is said, *The greatest love, is to bestow his life for his friend.* In which, and all of this kind, we must remember, that we are commanded to doe it so, as Christ did it; and how Christ gave his body, we shall have another place to consider.

SECT. IV.

Hereupon because Saint Peters zeale so forward, and carried him so high, that hee would dye for the Shepherd; for so he saies, [*I will lay downe my life, for thy sake.*] And this, as all

1 Of the places
Joh. 10. 11. &
Joh. 15. 13.

2 I need not
purge my selfe,
when anothers
crime is im-
puted to me.

3 *Sot. de reg.*
Secret. Memb.
1. q. 3.

b Joh. 15. 13.

1 Of the place
Ioh. 13. 37.

2 *Peters* readinesse was naturall. *Pauls* deliberate.

2 *Cor.* 12.15.

1 Of the place
Ioh. 10.15.

2 Why *Christ* saies this in the present time.

2 *Act.* 15.26.

3 Of the abundant charity of *Christ*.

Expositors say, was meerely and purely out of naturall affection, without examination of his owne strength to performe it; but presently and roundly Nature carryed him to that promise. And upon a more deliberate and orderly resolution, *Saint Paul* witnesseth of himselfe such a willingnesse to dye for his brethren, [*I will be gladly bestowed for your soules.*]

S E C T. V.

A Christian nature rests not in knowing thus much, That we may doe it, That Charitie makes it good, That the good doe it, and that wee must alwaies promise, that is, encline to doe it, and doe something towards it, but will have the perfect fulnesse of doing it in the resolution and doctrine, and example of our blessed Saviour, who saies, *de facto*, [*I lay down my life for my sheepe.*] And saith *Masculus*, hee useth the present word, because hee was ready to doe it; and as (a) *Paul* and *Barnabas*, men yet alive; are said to have laid downe their lives for *Christ*.] But I rather thinke, (because exposing to danger, is not properly call'd a dying,) that *Christ* said this now, because his Passion was begun; for all his conversations here were degrees of exinanition.

To expresse the abundant and overflowing charitie of our Saviour, all words are defective; for if we could expresse all which he did, that
came

came not neere to that which he would doe, if need were. It is observed by (b) one, I (confesse, too credulous an Authour, but yet one that administers good and wholesome incitements to Devotion,) That Christ going to *Emmaus* spake of his Passion so sleightly, as though he had in three dayes forgot all that he had suffered for us.

And that Christ in an apparition to Saint *Charles*, sayes, that he would be content to dy againe, if need were.

Yea, to (c) Saint *Brigit* he said, [*That for any one soule he would suffer as much in every limme, as he had suffered for all the world in his whole body.*]

And (d) this is noted for an extreame high degree of Charity, out of *Anselme*, that his B. Mother said, [*Rather then he should not have been Crucified, shee would have done it with her owne hands.*]

And certainly his charity was not inferiour to hers; He did as much as any could be willing to doe. And therefore, as himself said, [*No man can take away my soule*] And [*I have power to lay it down;*] So without doubt, no man did take it away, nor was there any other then his own will, the cause of his dying at that time; many Martyrs having hanged upon Crosses many days alive: And the theeves were yet alive; And therefore (e) *Pilate* wondred to heare that Christ was dead. [*His Soule, saith (f) S. Aug.*

b *De Suidone. pa. 1. Nota in Ca. 11.*

4 Of his speech going to *Emmaus*.

5 Of his Apparition to Saint *Charles*.

c *Revel. Brigit. l. 1. ca. 59.*

6 Of the Revelation to St. *Brigit*.

d *Suidon. p. 1. Not. in Ca. 16.*

7 Of his Mothers Charity.

8 That none could take away his soule.

9 His owne will the onely cause of his dying so soone, by St. *Aug.*

10 And by *Aquin*, because he had all his strength.

e *Mar. 15.*

f *De Trinit. l. 1. cap. 13.*

l. 1. cap. 13.

g 3. q. 47. ar.
1. ad 2.

h Mat. 27.
50.

11. And by
Marl. because
he bowed his
head, and it
fell not, as
ours in death.

i Luc. 18.

33.
12 How it is
true that the
Jewes put him
to death.

13. Of Aquin.
and Syluesters
opinion of
him.

k 2. q. 47. ar.
1. Con.

l Verbo matri-
monium.

14. Christ
was so the
cause of his
death, as he is
of his wetting,
which might
and doth not
shut the win-
dow in raine
by Aquin.

15. Who imi-
tated Christ
in this actuall
emission of
the soule.

m Aquin. supr.
Iob. cap, 21.

did not leave his body constrained, but because he would, and when he would, and how he would.] Of which (g) S. Thomas produces this symptome, That he had yet his bodies nature in her full strength, because at the last moment he was able to cry with a loud voice. And (h) Marlorate gathers it upon this, that whereas our heads decline after our death by the slacknesse of the sinews and muscles, Christ did first of himself bow downe his head, and then give up the ghost. So, though it be truly said (i) [*After they have scourged him, they will put him to death,*] yet it is said so, because maliciously and purpose ly to kill him they inflicted those paines upon him; which would in time have killed him, but yet nothing which they had done occasioned his death so soone.

And therefore (k) S. Thomas, a man neither of unholy thoughts, nor of bold or irreligious or scandalous phrase or elocution, (yet I adventure not so farre in his behalte as (l) Syluester doth, [*that it is impossible that hee should have spoken any thing against faith or good manners,*] forbeares not to say, [*That Christ was so much the cause of his death, as he is of his wetting, which might and would not shut the window, when the raine beats in.*]

This actuall emission of his soule, which is death, and which was his own act, and before his naturall time, (m) (which his best beloved Apostle could imitate, who also died when he would, and went into his grave, and there gave

up

up the Ghost, and buried himselfe, which is reported but of very (n) few others, and by no very credible Authors,) we find thus celebrated, (o) That that is a brave death, which is accepted unconstrained, and that it is an Heroique Act of Fortitude, if a man when an urgent occasion is presented, expose himselfe to a certaine and assured death, as he did.

And it is there said, that Christ did so, as *Saul* did, who thought it foule, and dishonourable to dye by the hand of an Enemy. And that *Apollonia*, and others who prevented the fury of Executioners, and cast themselves into the fire, did therein immitate this act of our Saviour, of giving up his soule, before hee was constrained to do it. So that if the act of our blessed Saviour, in whom there was no more required for death, but that he should wil that his soule should goe out, were the same as *Sauls*, and these Martyrs actuall furtherance, which could not dye without that, then wee are taught that all those places, of *Giving up our bodies to death*, and of *Laying downe the soule*, signifie more then a yeelding to death when it comes.

SECT. VI.

And to my understanding there is a further degree of alacrity, and propensensse to such a death, expressed in that phrase of *John*, [*Hee that hateth his life in this world, shall keepe it unto life*

1 *Sophro. pra*
spir. cap. 90
de pter. Ance
Et Suriva To
1. feb. de Sever
Raven.
m Sind. Not
in c. 21. ad G

16. Vpon what reasons this fashion of dying in Christ is calld Heroique, and by like epithites.

17. Christ is said to have done herein as *Saul* and *Apol.* and such.

1 Of the places
Iohn 12. 25.
and *Luc. 14.*
26.

a Heb. 11. 35.

b In Ioh. 12.

25.

2. Iesuites apply particularly this hate.

c Reg. Iesuit. Constit. spirit. 8.

3. If the other place, noe man hates his owne flesh, be against homicide; This must be for it.

4. S. August. denies that this place justifies the Donatists. but not in all cases.

1. Of the place
1. Iohn 3. 16.

life eternall. And in that of Luke, [*Except he hate his owne life, he cannot be my Disciple.*] Such a lothnesse to live is that which is spoken of in the Hebrews, (a [*Somewere rack'd, and would not bee delivered, that they might receive a better Resurrection.*])

This place (b) *Calvine* interprets of a readinesse to dye, and expresses it elegantly, To carrie our life in our hands, offering it to God for a Sacrifice. And this (c) the Jesuits in their rule extend thus farre, [*Let every one thinke that this was said directly to him, Hate thy life.*]

And they who in the other place, accept this phrase, *No man hateth his owne flesh*, to yeeld an argument against *Selfe-homicide* in any case, must also allow that the same hate being commanded here, authorises that act in some case.

And Saint *Augustine* apprehending the strength of this place, denies that by the authoritie of it, the *Donatists* can justify their *Selfe-homicide* when they list to dye, but yet in these cases which are exempt from his rules; this place may encourage a man not to neglect the honour of God, onely upon this reason, that no body else will take his life.

SECT. VII.

And therefore the holy ghost proceeds more directly in the first Epistle of Saint *Iohn*, and shews us a necessary duty, [*Because he laid downe his*

his life for us, therefore we ought to lay downe our lives for our brethren.] All these places work us to a true understanding of charity, and to a contempt of this life, in respect of it.

And as these informe us how ready we must be, So all those places which direct us by the example of Christ, to doe it as he did, shew, that in cases when our lives must be given, we neede not ever attend extrinsique force of others, but as he did in perfect charity, so we in such degrees of it, as this life, and our nature are capable of, must dy by our owne will, rather then his glory be neglected, whensoever, (a) as Paul saith, Christ may be magnified in our bodies, or the spirituall good of such another as wee are bound to advance, doth importune it.

2. All these places direct us to do it, as Christ did it, unconstrained.

a Phil. 1. 20.

S E C T. VIII.

To which readines of dying for his bretheren, Saint Paul had so accustomed himself, and made it his nature, that but for his generall resolution of doing that ever which should promote their happines, he could scarce have obtain'd of himself leave to live. For, at first he says, he knew not which to wish, life or, death, (and therefore generally without some circumstance incline or avert us, they are equal to our nature.) Then after much perplexity, he was resolved, and desired to be loose, and to be with Christ; (therefore a holy man may wish it.) But yet he corrected

1. Of the place Phil 1. 23.

2 Of S. Pauls gradations to this wish; and his correcting of it.

that againe, because saith he, [*To abide in the flesh, is more needfull for you.*] And therefore charity must be the rule of our wishes, and actions in this point.

SECT. IX.

1 Of the place
Gal. 4. 15.

2. This was
more then *vitam*
profundere
by *Calvin.*

There is another place to the *Galatians*, which though it reach not to death, yet it proves that holy men may be ready to expresse their loves to another, by violence to themselves. For he saith, [*If it had bene possible, you would have plucked out your own eies, and given me:*] And *Calvin* saith, [*this was more then vitam profundere.*] And this readines *Saint Paul* reprehends not in them.

SECT. X.

1 Of the place
Rom. 9. 3.

But of the highest degrees of compassionate charity for others, is that of the Apostle, in contemplation of the *Jewes* dereliction, [*I would wish my selfe to be seperated from Christ, for my brethren.*

2 1 *Cor. 16.*

22.

2. That this
Anathema was
damnation.

The bitteresse of which *Anathema*, himself teaches us to understand, when in (a) another place, he wishes the same, [*To those which love not Jesus Christ.* And this fearefull wish which charitic excused in him, was utter damnation, as all Expositors say.

And though I beleeve with *Calvine*, that at
this

this time, in a zealous fury he remembered not deliberately his own election, and therefore cannot in that respect, be said to have resisted the will of God, yet it remains, as an argument to us, That Charitie will recompence, and justify many excesles, which seeme unnaturall, and irregular, and enormous transportations.

SECT. XI.

As in this Apostle of the *Gentiles*, so in the Law-giver of the *Jewes*, the like compassion wrought the like effect; and more. For *Moses* rested not in wishing, but face to face argued with God, [*If thou pardon them, thy mercie shall appeare, but if thou wilt not, I pray thee blot my name out of the booke which thou hast written.*]

I know, that many out of a reasonable Collection, that it became *Moses* to bee reposed, and dispassioned, and of ordinate affections in his conversation with God, are of opinion, that he strayed no further in this wish, and imprecation, then to be content that his name should bee blotted out of the Scriptures, and so to lose the honour of being known to posterity for a remarkable instrument of Gods power and mercie.

But, since a naturall infirmity could worke so much upon Christ, in whom there may be suspected no inordinatenesse of affections, as to divert him a little, and make him slip a faint wish of escaping the Cup; why might not a brave

3. That he considered not his election at that time.

1 Of the place
Exod. 32. 32.

2. That this imprecation was not only to be blotted out of the history of the scriptures.

3. It was stranger that Christ should admit such a slip downward as to wish an escape from death, then that *Moses* should have such an exaltation upward as to save his nation by perishing. Yet both without inordinatenes.

and noble zeale, exalt *Moses* so much, as to desire to restore such a Nation to the love of God, by his owne destruction.

For, as certainly the first of these was without sinne, so the other might be, out of an habituall assurednesse of his salvation, as (a) *Paulinus* sayes, to *Amandus*, [*Thou maist bee bold in thy prayers to God for mee, to say, forgive him, or blot out me, for thou canst not bee blotted out; Instans delere non potest Iustitia.*] And thus retaining ever in our minds, that our example is *Christ*, and that he dyed not constrained, it shall suffice to have learned by these places, that in *Charitie* men may dye so, and have done, and ought to doe. The last thing which remaines yet, is to consider the Examples reported in the Scriptures: which cannot possesse us long; because a few Rules will include many examples; and those few rules which are applyable to these Histories, have been often iterated already; and, for other Rules, which may enlighten and governe us in all occurrences, for many Reasons I respite to a maturer deliberation and discourse.

a *Pont. Paul.*
ad Amand.
Epist. 2.

4. How by
Paulinus a just
man may safely
say to God,
Dele me,

Distinct.

Distinct. V.

SECT. I.

AS when I entred into the examination of places of Scriptures, it seemed to me to have some weight, that in all the Judiciall and Ceremoniall Law, there was no abomination of *Selfe-homicide*.

So doth it, That in relating the Histories of them who killed themselves, the phrase of Scripture never diminishes them by any aspersion or or imputation for that fact, if they were otherwise vertuous, nor aggravates thereby their former wickednesse, if they were wicked.

For my part, I am content to submit my self to that Rule, which is delivered from (a) *Irenæus*, [*That those things which the Scripture doth not reprehend, but simply lay downe, it becomes not us to accuse; nor to make our selves more diligent then God, but if any thing seeme to us irregular, our endeavour must be, to serch out the Type, and signification thereof.*]

Neither shall I, for all this, be in danger of (b) *Bezæes* answer to that Argument of *Ochius*, That though some of the Patriarches lived unreprehended in Polygamie, it concluded nothing, because (saith *Beza*) The silence of Scripture in

B b 3

(c) *Facebs*

1. Of examples in Scriptures.

2. The phrase of Scriptures, never imputes this act to any as a sin, when it relates the history.

a *Schulter. Medul. patr. pag. 1. in l. 4. Irenæi.*

3. *Irenæus* forbids us to accuse where God doth not.

4. *Bezæes* answer to *Ochius* reason, that some Patriarches lived in polygamie reacheth not our case.

b *Beza de polyg. fo. 7.*

c Gen. 29.
d Gen. 19.
e 2 Sam. 9. 2.

§ For it is not evident, that this is sinne, by any other place of the Law; which was in all his cases. And here many examples concur.

f *Acacius de privileg. l. i. c. 3*

1 Of Acts which were not fully self-murders, but approaches.
a 1 Reg. 20. 35

(c) *Jacobs* Incest, and in (d) *Lots*, and in (e) *Dauids* unjust judgement; For *Siba* doth not deliver them from guiltinesse and transgression therein.

For our case differs from all others, both because this act is not from any place of the Law evicted to be sinne. And because here is a concurrence of Examples, of this fact without any reprehension: So that that answer is so farre short from reaching us, that it reached not home to that argument of *Ochius* against which it was opposed. And if in debating these Examples, it be found, that some very reverend Authors, have concluded impenitence, and consequently utter desertion on Gods part, and so eternall perishing; the circumstances as they appeared to him then, may have made his judgement just; but for any other thereupon to apply that case to others, will not be safe. For (f) [*Though a Judgemay in causa versanti interpret the Law, that Interpretation makes not Law.*]

SECT. II.

As therefore in the former Distinctions wee spoke of some approaches to the act of self-killing, so will wee in this pause a very little upon two such steps. (a) The first shalbe of the prophet in the book of *Kings*, [*who had a stranger strike him, and because he would not pronounce a heavy judgement upon him, which was presently*

sently executed. And then he importuned another to doe it, who did it thoroughly, for he wounded him with the stroke.] This was, to common understanding an unnaturall thing, that so holy a man should make such meanes to have his body violated; and so it seems the first apprehended it, however it pleased God to enlighten the second. This I produce not as though the prophet inclin'd to it of his owne disposition, for it is expressly in the text, that God commanded him to doe it.

But because this is the only place in all the scriptures, where those which offer, or desirously admit violence to their owne bodies, are said to have done it, by the expresse motion of God, I collect from it, that it is not without some boldness, if others affirme without authority of the text, that the death of *Samson* and others, had the same foundation, when it appears by this, that God when he would have it understood so, is pleased to deliver it plainly and expressly.

SECT. III.

The next before we come to those who entirely killed themselves, is *Ionas*, who by often wishing his own death, and moving the marriners to cast him out into the sea, made many steps towards the very act. I know that it is everie where said, that those words, (a) [*Take mee,*
and

2 Of the Prophet who punished him who would not strike him

3 That when God invites men to such violence, hee sayes so plainly. And therefore such particular invitations may not be presumed, where they are not expressed.

1 Of *Ionas*.

a 1. 12.

b Proem. in
Com. in Iona.

Verf. 14.

43.

9.

c Lyra prolog.
in Iona.

2 Why Saint
Hier. calls on-
ly Ionas, of all
the Prophets,
Holy.

and cast me into the Sea.] proceeded from a prophetic spirit; And (b) St. Hierome saith [that in this prophetic spirit, he foresaw that the Ninivites would repent, and so his preaching would be discredited.] But if this be so, must he not also in the same Prophetic Spirit see, that their repentance must be occasioned by his going thither and preaching there? And if this persuading to his destruction, being now innocent in their understanding; for they prayed, [Lay not innocent blood upon us.] were from Divine motion, shall we dare to impute also to like motions and spirit, his angry importuning of death? [Take I beseech thee, my life from me, for it is better for me, to dye then to live.] And after he wished from his heart to dye, and laid, [I doe well to be angry unto the death.]

(c) St. Hierome calls him *Sanctum Ionam*; and when Lyra observes that he had not done so, to any of the other Prophets, he concludes, that this testimony needed most in *Ionas*, who by his many reluctations against Gods will, might else fall into some suspition of eternall perishing. Which since we must be far from fearing in so eminent and exemplary a type of Christ, and yet have no ground to admit any such particular impulsion of Gods Spirit, as Hierome and Lyra pronounce him holy, for all these reluctations; so may we esteeme him advised, and ordinate, and rectified, for all these approaches, which in wishing and consenting he made to his owne death.

SECT.

SECT. IV.

Of those which in the Scriptures are registered to have killed themselves, *Samson* is the first. A man so exemplar, that not onely the times before him had him in Prophecy, (a) (for of him it is said,) [*Dan shall judge his people,*] and the times after him more consummately in *Christ*, of whom he was a Figure, but even in his own time, other nations may seeme to have had some Type, or Copy of him, in *Hercules*.

His fact of selfe-killing is celebrated by the Church to everlasting memory, as the act of a Martyr; and as very many others in their Homilies and expositions.

So that renowned (b) *Paulinus* sayes, [*God send me the death of Sampson, and Sampsons blindnesse, that I may live to God, and looke to God.*]

And this generall applause and concurrence in the praise of the fact, hath made many think, or at least write, that he purposed not to kill himselfe: being loath either to depart from their opinion who extoll him, or to admit any thing which may countenance that manner of dying. Of which perswasion (c) two very learned men labour to seeme to be.

But, besides that such an exposing of himselfe to unevitable danger, is the same fault as

C c

Selfe-

1. Of *Samson*
Judg. 16.

2. *Pererius* in
Gen. 49. 16.

2. The church
celebrates him
as a Martyr.

b. *Paul. Sever.*
Epist. 4.

3. *Paulinus* wi-
shes such a
death.

4. They which
deny that he
meant to kill
himselfe, are
cofuted by the
text.

c. *Fran. de*
Vit. in relect.
de Hom. Greg.
Valent. tom. 3.
disp. 5. q. 8. p.

2.

d *Jud.* 16. 30.

5 They which say he did not intend his own death principally say the same as we. *Supra.*

6 That Saint *Aug.* his answer to this fact, that it was by speciall instinct, hath no ground in the history. *e Aug. de civit. Dei cap. 12.*

f *Sayr Thesau. Cas. Consc. l. 7. cap. 9. Nu. 9.*
g *Pedr. pr. 5. Hisp.*

7 Of *Sayr*'s reasons in confirmation of *August.* that *Samson* pray'd.

Selfe-homicide, when there is any fault in it, the very Text is against them; for *Samson* dyed with these words in his mouth, (d) [*Let mee lose my life with the Philistims.*]

And though sometimes these Authors adde, That hee intended not his owne death principally, but accidentally (as *Calvine* also sayes, that *Saint Paul* did not desire death for death's sake, but to be with Christ,) this can remove no man from our side; for wee say the same, that this may be done onely, when the honour of God may bee promoted by that way, and no other.

Therefore to justifie this fact in *Samson*, (e) *Saint Augustine* equally zealous of *Samsons* honour, and his own conscience, builds still upon his old foundation, [*That this was by the speciall inspiration from God.*] Which, because it appears not in the History, nor lyes in proofe, may with the same easinesse be refused, as it is presented.

To give strength to this opinion of *Augustine*, (f) our Countreyman *Sayr* presents one reason preceding the fact, and (g) *Pedra* the Spaniard, another subsequent.

The first is that hee prepared himselfe to it by Prayer. But in this prayer, you may observe much humanity, and weakenesse and selfe-respect. [*O Lord, saith he, I beseech thee, strengthen me at this time onely, that I may be avenged of the Philistims for my two eyes.*

The

The second reason is, that because hee effected that which he desired, it is to be presumed, that God restored him his strength to that end, which he asked it. But, besides that in the text it appeares, that (h) his haire before that time, was begunne to be growne out againe, and so his strength somewhat renewed; doth this prove any impulsion, and incitement, and prevention of the holy Ghost, to that particular act, or rather only an habituall accompanying and awaking him, to such actions by which God might be honoured and glorified, whensoever any occasion should be presented?

When therefore he felt his strength in part refreshed, and had by Prayer intreated the perfecting thereof, seeing they tooke continuall occasion from his dejection to scorne and reproach his God, burning with an equall fervour to revenge their double fault, and to remove the wretched occasion thereof, he had (i) as a very subtile Author sayes, the same reason to kill himselfe, which hee had to kill them, and the same authoritie, and the same priviledge, and safeguard from sinne.

And he dyed, as the same man sayes, with the same zeale as Christ, unconstrained; for (k) *In this manner of dying, as much as in any thing els, he was a Type of Christ.*

8. Of Pedr. his reason, that it was against the work of God, because it was done as it was desired.

h v. 22.

9 That he had as much reason, and authority to kill himselfe as to kill the Philistims, and that it was only the glory of God.

i Fra. Georg. probl. 438.

10. Samson in this manner of dying was a type of Christ. k Perer. in Gen. 49. 16.

SECT. V.

1 Of *Saul*
1 *Sam. ult.*

2. Whether
the Amalekite
did help to kill
Saul.

a 1. *Sam. ult.*
b 2. *Sam. 1.*
c *Antiq. l. 7.*
cap. 15
d *Hist. Schol.*

3. Whether
Saul be saved
or no.

e 1 *Cro. 10.*
13.

The next example is *Saul*. And whether he did perfect and consummat the act of killing himself, or the *Amalekite* contribute his help, it makes no difference to our purpose; But that the latter was true, may wel enough consist with the relation of the history in the (a) first place, and it appears to be the more likely and probable out of the (b) second: And by (c) *Iosephus* it is absolutely so delivered; And the (d) scholastique history saith also, that *Saul* was too weake to force the sword through his body.

Two things use to be disputed of *Saul*. Whether hee were saved or no; And whether if hee perished, it was for impenitence testified or presumed by this act of his. The *Jews* are generally indulgent to him: And the *Christians* generally severe upon this reason, that it is said of him, (e) [*Saul dyed for his transgressions against the Lord, and his word, and asking counsaile of a witch.*] But this doth not necessarily conclude an impenitence, or a second death. For the *Jews* say, That beleeving the sentence of *Samuel* in the apparitions, and accepting that decree as from God, he repented his former life, and then presented and delivered up himselfe and his sonnes, conformably to the revealed will of God, there in the field to be sacrificed.

ficed to him: understanding *Samuells* words you shall be with me, to be spoken, not generally of the state of the dead, but of the state of the just, because both *Samuel* himself was so, and so was *Jonathan*, whose condition in this promise of being with *Samuel*, was the same as his Fathers. And therefore saith *Lyra*, [all Jews and some Christians agree, that least by his reproach dishonour might redound upon God, a good and zealous man may kill himself, as *Samson* did, and the *Virgins*.] And he addeth, [If other reasons were not sufficient to excuse *Saul*, this also might justly be applied to him, that he did it by divine instinct.]

Out of which I observe these two things, that he presumes there are other reasons sufficient in some cases, whether they were in *Sauls* case or no. And then the reason upon which *Lyra* presumes he dyed well, [because the contrary is not declared in Scriptures, nor determined by the Church.] And *Saul* hath a good testimony of sanctity in this act, from (f) *Mallonius*, [That as *Christ* died when he would, so did *Saul*, thinking it dishonourable to dye by the hand of his, and Gods enemies.] That argument which *Burgensis* bringeth to the contrary, suffereth more force and violence in being brought in, then it giveth strength to his opinion. It is, [That if the fact were justifiable in *Saul*, it had beene so too in the *Amalekite*, if his profession to *David* were true, That he had killed *Saul*, and consequently *David* unjust in that execution.] But, besides that, that

Lyra.

4. In what cases the Jews, and *Lyra* confess that a man may kill himselfe.

5. *Lyra's* reasons why *Saul* is to be presumed to have dyed well.

f Note in *Sindou. c. 21. Nu. 6.*

6. *Burgensis* reason to the contrary, that if *Saul* were excusable, the *Amalekite* was so too.

Amalekite had no conscience, nor inward knowledge of *Sauls* just reasons, nor other warrant but his commandment, which might, and was to him likely to proceed from *Sauls* infirmities, it might well appeare to *David*, by his coming to tell him the newes, that he had humane respects in doing it, and a purpose onely to deserve well of *David*. And when both Judge and prisoner are innocent, oft times the Executioner may be a Murtherer.

7. Of *Sauls*
Armor-bearer

And such humane respects of wearinesse and despaire, and shame, and feare, and fidelity to his Master, and amazement, and such, stand in the way between *Sauls* Armour-bearer and all excuses, to our understandings. For though the phrase of Scripture impute nothing to him for that fact of killing himselfe, yet I have found none that offer any particular excuse in his defence.

SECT. VI.

1. Of *Achitophel*. 2 *Sam.*
15.

vers. 14.

2 He set his house in order,
And he was buried.

Neither doe I finde any thing to excuse *Achitophels* death; though (as I said of the other) the History doe not accuse that particular fact. The Text calles his counsaile good, and it seems he was not transported with passion, because he set his house in order; And he was buried in his Fathers grave, when *Absalon* slaine by anothers hand was cast into a pit.

But if it were upon a meere dispute of his
owne

owne disgrace, or feare of ill successe, or upon any selfe respect, without proposing Gods glorie, and he repented not, he perished.

SECT. VII.

Of *Judas*, the most sinnefull instrument of the most mercifull Worke, the common, (though not generall) opinion is, that he killed himselfe; but whether by hanging, or no, is more controverted.

For from the words in the (a) *Acts*, [*That he threw himselfe downe headlong, and burst asunder, and his bowels gushed out.*] (b) *Euthymius* thinks, That he was rescued whilst he hanged, and carryed away, and that after that hee killed himselfe by throwing himselfe headlong.

And (c) *Brentius* leaves that indifferent to us, to thinke what we will thereof. But it seemes by (d) *Oecumenius*, that he did not only overlive this hanging, but that he grew to so enormous a bignesse, and burden to himselfe, that he was not able to withdraw himselfe out of a Coaches way, but had his guts crushed out so; which he receives from *Papias* the Disciple to Saint *Iohn*, whose times cannot be thought ignorant, or incurious of *Judas* History.

And it is there said further, that by others it was said, that being swolne to that vastnesse, and corrupted with vermine, hee laid himselfe down

1 Of *Judas*.
Mat. 27. 5.
Act. 1. 18.

2 *Act.* 1. 18.

q *Euthym.* in
Com. in *Mat.*

c *Brent.* in
Act. 1. 18.

d *Oecum.* in
Collect. *Act.*
Apost.

2. He dyed
not by hang-
ing himselfe, in
the opinion of
Euthymius,
Oecum. *Papias*
S. Iohns dis-
ciple. and
Theoph.

e *Theophilact*
in *Mat.* 7.

3. By what
meanes many
places of scri-
ptures have
beene other-
wise accepted,
then they in-
tend.

down upon his field, and there his guts broke out. And this (e) *Theophilact* followes.

And it falls out very often, that some one Father, of strong reputation and authority in his time, doth snatch and swallow some probable interpretation of Scripture: and then digesting it into his Homilies, and applying it in dehortations, and encouragements, as the occasions and diseases of his Auditory, or his age require, and imagining thereupon delightfull and figurative insinuations, and setting it to the Musique of his stile, (as every man which is accustomed to these Meditations, shall often finde in himselfe such a spirituall wantonnesse, and devout straying into such delicacies,) that sense which was but probable, growes necessary, and those who succeed, had rather enjoy his wit, then vexe their owne; as often times we are loath to change or leave off a counterfeit stone, by reason of the well setting thereof.

By this meanes, I thinke, it became so generally to be beleevd, that the fruit which *Eve* eat, was an Apple; And that *Lots* wife was turned to a pillar of Salt; And that *Absalon* was hanged by the haire of the head; And that *Iephthe* killed his Daughter; And many other such, which grew currant, not from an evidence in the Text, but because such an acceptation, was most usefull, and applyable. Of this number, *Iudas* case might be.

But

But if it were not, that act of killing himselfe, is not added to his faults in any place of Scriptures; no not in those (f) two Psalmes of particular accusations, and bitter imprecations against him, as they are ordinarily taken to be Prophetically purposed and directed.

And even of this man, whose sinne, if any can exceed mercy, was such, *Origen* durst hope, not out of his erroneous compassion, and sinnefull charity, by which he thinks that even the Devill shall be saved, but out of *Judas* repentance. He sayes, (g) [*The Devill led him to the sinne, and then induced him to that sorrowfulnesse which swallowed him.*] But speaking of his repentance, he sayes, [(h) *Those words, when Judas saw that he was condemned, belong to Judas himselfe, for Christ was not then condemned. And upon this conscience and consideration, began his repentance. [For, it may be, saith Origen, that Satan which had entred into him, staid with him till Christ was betray'd, and then left him, and thereupon repentance followed.]*] And perchance, sayes he, he went to prevent, and goe before his Master, who was to dye, and so to meet him with his naked soule, that he might gaine Mercy by his confession and prayers.]

And (i) *Calvine*, (though his purpose be, to enervate and maim, (or at least, declare it to be so defective,) that repentance which is admitted for sufficient in the *Romane Church*, sayes that [*In Judas there was perfect contrition of heart,*

D d

Con-

4 *Judas* not accused of this in the story, nor in the two propheticall Psalmes of him. f *Psal. 69. et 109.*

5 *Origen's* opinion of his repentance.

g *Ex not. Em. Sa in Mat. 27.*

h *Aquin. cate-na aurea.*

i *In Mat. 27.*

4.
6. *Calvin* acknowledges all degrees of repentance which the *Romane Church* requireth, to salvation, to have beene in *Judas*.

Confession of the mouth, and satisfaction for the money.]

k 23. q. 5.
Tu dixisti. glos.

7 Petilianus
his opinion of
his Martyr-
dome.

1 Ibid. Si non
licet.

8. Iudas act.
had some de-
grees of justice
by S. Aug.

But (k) *Petilian*, against whom *Saint Augustine* writes, proceeded further in justification of *Iudas* last act, then any. For hee said, [*That is suffering death when hee repented, and so was a Confessor, hee became a Martyr.*] Which opinion being pronounced singularly and undefensibly, (l) *Saint Augustine* answers as choleriquely, [*Laquem talibus reliquit.*] Yet *Saint Augustine* himselfe confesseth, that an innocent man, should more have sinned in such an act, then *Iudas* did, because in his execution there were some degrees of justice.

But of his actuall impenitence I purposed not to speake, nor of his repentance, but onely to observe to you, that this last fact is not imputed to him, nor repentance said to be precluded thereby.

SECT.

S E C T. VIII.

For the Passive action of *Eleazar*, none denies, but that that endangering of himselfe, was an act of Vertue: yet it was a forsaking and exposing himselfe to certaine Destruction.

For every Elephant had thirty two men upon him: and was guarded with one thousand Foot, and five hundred Horse: And this which he slew, was in his opinion, the Kings Elephant, and therefore the better provided.

Howsoever hee might hope to escape before the very act of killing the Elephant, by creeping under it, was a direct killing of himselfe, as expressly as *Samson* pulling down the house.

And the reasons of this action, are rendered in the Text to have been, To deliver his people, and to get a perpetuall name.

And this fact doth Saint *Ambrose* extoll by many glorious circumstances; As [That hee slung away his Target, which might have sheltered him, That despising death, he forced into the midst of the Army, and Inclusus ruina, magis quam oppressus, suo est sepultus Triumpho; And that by death he begot peace, as the heire of his valour.]

1. Of *Eleazar*
Macab. 1. 6.
46. *Jos. Ant.*
12. 15.

2. All confesse that an act of vertue.

3. The destruction was certaine.

4. He did as much to his owne death as *Samson*.

5. The reasons of his act in the text,

6. *S. Ambrose* his extolling thereof.

a *Cajet. in 16. Iud.*

7. *Cajetanus* his reason for *Eleazers* justification, applicable to very many other cases of *Self-homicide*.

And as very many Schoolemen have intended and exercised their wits in the praise of this action, So (a) *Cajetan* gives such a reason thereof, as is applyable to very many *Self-homicides*. [That to expose our selves to certaine death, if our first end be not our owne death, but common good, it is lawfull. For, saith hee, Our actions which bee Morally good or bad, must bee judged to bee such, by the first reason which moves them, not by any accident, or concomitance, accompanying, or succeeding them, though necessarily.] And this resolution of *Cajetan*, will include many Cases, and instances, which are headlongly by intemperate censures condemned.

S E C T. IX.

1. *Rafis Mac.*
2. 14.
3. His reasons in the text.

The fall of *Rafis*, which is the last Example, is thus reported. [*Hee was besieged and fired; willing to dye manfully, and escape reproach, unworthy of his House, hee fell upon his Sword; for haste, hee mist his stroke, and threw himselfe from the Castle wall; yet rose up againe, and ranne to a high Rocke, tooke out his owne bowells, and threw them among the people, calling upon the Lord of life and spirit, and so died.*]

2 *Aquin. 22. q. 64. ar. 5.*

Which Act the Text accuseth not; nor doth St. (a) *Thomas* accuse it of any thing else, but that

it

it was Cowardinesse. Which also (b) *Aristotle* imputes to this manner of dying, as wee said (c) before.

But either he spoke at that time, serviceably and advantagiously to the point which hee had then in hand; or else hee spoke, *ut plurimum*, because for the most part infirmities provoke men to this act.

For (d) *S. Augustine* who argues as earnestly as *Aristotle*, that this is not greatnesse of minde, confesseth yet, that in *Cleombrotus* it was: who onely upon reading *Plato* his *Phædo*, killed himselfe; for, saith *Augustine*: [*When no calamitie urged him, no crime, either true or imputed, nothing but greatnesse of minde moved him, to apprehend death, and to breake the sweet bands of this life.*] And though he adde, [*That it was done rather Magnè than Benè;*] yet by this, that which wee seeke now is in Confession, that sometimes there is in this act, Greatnesse and Courage. Which upon the same reason which moved *Aristotle*, and all the rest, which is, to quench in men their naturall love to it, he is loth to afford in too many cases.

For hee (e) sayes [*That, except Lucrece, it is not easie to finde any example worth the prescribing, or imitating, but Cato: Not because hee onely did it, but because being reputed learned and honest, men might justly thinke, that that was well done, and might well bee done againe, which hee did.*] Yet for all this, hee is loth to let *Catoes* act passe with so

b *Aristotelis Ethic. l. 3. c. 7.*
c *Supra fo. 130*
3. Whether it be pusillanimity, as *Aqui. August. and Aristot.* says.

d *August. de civit. Dei l. 1. c. 22.*

4. *S. Aug.* confesses that to have beene greatnes of mind, in *Cleombrotus*.

e c. 23.
5. How much great examples governe.

much approbation, For hee addes, [That yet many of his learned friends thought it a weaknesse to let him dye so.] And this hee doth because when men have before them the precedent of a brave example, they contend no further, then what he did, not why.

For it is truely said, (f) Examples doe not stoppe, nor consist in the Degree where they begunne, but grow, and no man thinkes that unworthy for him, which profiteth another.] Yet, Saint *Augustine* though upon this reason loth to give glory to many examples, allows all greatnesse and praise to *Regulus*, (g) of whom we spoke before: though, to my understanding there are in it many impressions of falsehood, and of ostentation, from all which *Catoes* history is delivered.

And, to end this point, whether it be alwayes pusillanimity, *Laertius* says (h) [That in *Antisthenes the philosopher*, videbatur firme mollius, that lying extreame sick, and *Diogenes* asking him, if he lacked a freind, (meaning to kill him,) and offering him also his dagger, to doe it himselfe, the *Philosopher* said he desired an end of paine, but not of life.]

As therefore this fact of *Rasis*, may have proceeded from greatnesse, So is it by *Lyra* excused from all sin, by reasons applyable to many other. For he sayes, [Either to escape torment, by which probably a man might be seduced to Idolatry, or take away occasion of making them

f. *Vell. Patenc.
de morte Grac.*

g. *Supra*

h. *Diog. Laer.
l. 6.*

6. That it was reputed cowardlines in *Antisthenes* extremely sick not to kill himself.

7. Vpon what reasons *Lyra* excuseth this and like actions.

Conclusion.

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them reproach God in him, a man may kill himselfe; For, saith hee, Both these cases, *Ordinatur in Deum.*]

And this (i) *Francis a Victoria* allowes as the more probable opinion.] And (k) *Sotus*, and (l) *Valentia*, follow *Thomas* his opinion herein; And *Burgensis* condemnes it upon this presumption, That hee could not doe this for love of the common good, because this could not redeeme his people, being already captive. So that his accusing him helps us thus much, that if by his death hee could have redeemed them, hee might lawfully have done it.

i Relect. de homicid. resp. ad ult. argum. k Sotus l. 2. de just. q. 3. ar. 8. l Valen. 10. 3. disp. 5. q. 8. 8 Burgensis reasons confesses he might have had just causes.

Conclusion.

AND this is as farre as I allowed my discourse to progesse in this way: forbidding it earnestly all darke and dangerous Secessions and divertings into points of our Freewill, and of Gods Destiny: though allowing many ordinary contingencies, to be under our Election, it may yet seem reasonable, that our maine periods, of Birth, of Death, and of chief alterati-

1. Why I refrained discours of destinie herein.

alterations in this life be more immediately wrought upon by Gods determination. It is usefully said, and appliable to good purpose (though (a) by a wicked man, and with intention to crosse *Moses*,) [*That man was made of shadow, and the Devil of fire.*] For as shadow is not darknes, but grosser light, so is mans understanding in these mysteries, not blind but clouded. And as fire doth not always give light (for that is accidentall, and it must have aire to work upon,) but it burneth naturally, so that desire of knowledge which the Devil kindles in us, (as he doth as willingly bring bellows to inflame a heart curious of knowledge, as he doth more ashes to stupifie and bury deeper, a slumbering understanding) doth not alwaies give us light, but it always burnes us, and imprints upon our judgment stigmaticall marks, and at last seares up our conscience.

If then reasons which differ from me, and my reasons be otherwise equall, yet theirs have this disadvantage, that they fight with themselves and suffer a Civill Warre of contradiction. For many of their reasons incline us to a love of this life, and a horror of death, and yet they say often, that wee are too much addicted to that naturally. But it is well noted by (b) *Alcuinus*, (and I thinke from *Saint Augustine*) [*That though there bee foure things which wee must love, yet there is no precept given upon any more then two, God and our neighbour.*] So that the other which concernes

a *Alcor. Azo.*
65.

2. Man made of shadow and the devill of fire by the *Alcoran.*

3. Our adversaries reasons contradict one another.

b *Aluin. Ep.*

23.

4 No precept given to love our selves.

Conclusion.

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concerne our selves, may be pretermitted in some occasions.

But because of the benefits of death, enough hath been occasionally interserted before, having presented (c) *Cyprians* encouragement to it, who out of a contemplation that the whole frame of the world decayed and languished, cries to us, [Nutant parietes, *the walls and the roose shake, and would'st not thou goe out? Thou art tyred in a pilgrimage, and would'st thou not goe home?*] I will end with applying (d) *Ausonius* thanks to the Emperour, to death, which deserveth it better, [Thou providest that thy benefits, and the good which thou bringest shall not be transitory, and that the ills from which thou deliverest us, shall never returne.] Since therefore because death hath a little bitterness, but medicinall, and a little allay, but to make it of more use, they would utterly recline & avert our nature from it, (as (e) *Paracelsus* says, of that foule contagious disease which then had invaded mankind in a few places, and since overflown in all, that for punishment of generall licentiousnes, God first inflicted that disease, and when the disease would not reduce us, he sent a second worse affliction, which was ignorant, and torturing Physitians.

So I may say of this case, that in punishment of *Adams* sinne, God cast upon us an infectious death, and since hath sent us a worse plague of men, which accompanie it with so much hor-
rour and affrightment, that it can scarce be made

E e

whol-

5 Encouragements to contempt of death
c *Cypr. Serm. de mortalitate.*

d *Gratiar. act. de conf.*

e *Chyrurgia mag. de ulcer.*

Aphor. l. 2.
38.

6. Why I ab-
staine from
particular di-
rections.

g *Ennodius ad
Celul.*

7. Laws for-
bid ordinarie
men to cure
by extraordi-
ry meanes,
yet the Kings
of *England*,
and *France*, &
Spaine cure so.

h *Paracelsus
Chyurg. Mag.
traß. 2. cap. 8.
et de transf. cap.
10.*

i *Pet. Pomp.
de iucant. c. 4.*

wholsome and agreeable to us. That which (f) *Hippocrates* admitted in cases of much profit, and small danger, they teach with too much liberty, [That worse meat may be given to a patient, so it be pleasanter, and worse drink, so it be more acceptable.] But though I thought it therefore needfull, to oppose this defensative, as well to re-encourage men to a just contempt of this life, and to restore them to their nature, which is a desire of supream happiness in the next life by the losse of this, as also to rectify, and wash again their fame, who religiously assuring themselves that in some cases, when wee were destitute of other meanes, we might be to our selves the stewards of Gods benefits, and the Ministers of his mercifull Iustice, had yet, being, (g) as *Ennodius* says) Innocent within themselves, incurred *damnum opinionis*, yet (as I said before) I abstained purposely from extending this discourse to particular rules, or instances, both because I dare not professe my self a Maister in so curious a science, and because the limits are obscure, and steepy, and slippery, and narrow, and every errour deadly, except where a competent dilligence being fore-used, a mistaking in our conscience may provide an excuse.

As to cure diseases by touch, or by charme, (both which one (h) excellent Chirurgian, and one (i) excellent philosopher, are of opinion may be done, because what vertue soever the heavens infuse into any creature, man, who is *AI*, is capable of,

of, and being borne when that vertue is exacted, may receive a like impression, or may give it to a word, or character made at that instant, if he can understand the time) though these, I say be forbidden by divers Lawes, out of a Just prejudice that vulgar owners of such a vertue, would mis-employ, it, yet none mislikes that the Kings of *England & France*, should cure one sicknesse by such meanes, nor (k) that the Kings of *Spaine*, should dispossess Dæmoniaque persons so, because Kings are justly presumed to use all their power to the glory of God; So is it fit, that this priviledge of which we speak should be contracted and restrained.

For, that is certainly true of this, which (l) *Cassianus* saith of a ly, [*That it hath the nature of Ellebore, wholsome in desperate diseases, but otherwise poyson.*] though I dare not averre with him, [*That we are in desperate diseases, whensoever we are in ingenti lucro, aut damno, et in humilitate, ad evitandam gloriam.*] Howsoever *Cassianus* mistake that, and we this, yet (m) as he, and *Origen*, and *Chrysostome*, and *Hierome*, are excused for following *Platoes* opinion, that a ly might have the nature of medicine, and be admitted in many cases, because in their time the church had not declared her self in that point, nor pronounced that a ly was naturally ill, by the same reason am I excusable in this Paradox. Against the reasons whereof, and against charity, if prejudice, or contempt of my weaknes, or mi-devotion

k *Cassianus*
cat. glo. mun.
par. 5. consider.
 1.

l *Cassian. l. 17*
cap. 17. ad 25.
As Hier. Orig.
Chrysof. and
Cassianus are
 excused for fol-
 lowing *Plato*
 in the tolerati-
 on of a ly, be-
 cause the
 church had
 not then pro-
 nounced, so
 may it be in
 this.

m *Observat.*
in Cassian. in
fine l. fo. 740.

*Conclusion.**Cornelius Celsus sent. 15.*

tion have so precluded any, that they have not
 beene pleased to tast and digest them, I must
 leave them to their drowsines still, and bid them
 enjoy the favour of that indulgent Physician,
Qui non concoxit, dormiat.

FINIS.

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