

The true lawe of free monarchies
(Edinburgh, 1598). STC 14409

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<ornament>

THE
TRVE LAWE OF
free Monarchies:

OR,
THE RECIPROCK AND
MVTVALL DVETIE BE-
twixt a free King, and his
naturall Subiectes.

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AN ADVERTISEMENT
To the Reader.

ACCEPT, I praye you
(my deare coun-
trimen) as thank-
fully this pamphlet
that I offer vnto you, as louing<>
ly it is written for your weal.
I would be loath both to be fa-
schious, and fectlesse. And
therefore, if it be not senten-
tious, at least it is short. It may
be yee misse many things that
ye looke for in it. But for ex-
cuse thereof, consider rightly

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that I onely lay downe herein
the true groundes, to teach
you the right way, without
wasting time vpon refuting
the aduersaries. And yet I
trust, if ye will take narrow
tent, ye shal finde most of their
great gunnes payed home a-
gaine, either with contrarie
conclusions, or tacite objecti-
ons, suppose in a daigned
forme, and indirectly. For my
intention is to instruct, & not
irritat, if I may eschew it.
The profite I would wish you
to make of it is, as well so to

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frame all your actions accor-
ding to these grounds, as may
confirme you in the course of
honest and obedient subjectes
to your King in all times com-
ming, as also, when ye shal fal
in purpose with any that shall
praise or excuse the by-past
rebellions, that brake foorth
either in this cuntrie, or in a-
ny other, ye shall herewith be
armed against their Sirene
songs, laying their particular
examples to the square of
these groundes. Whereby ye
shall soundly keepe the course

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of righteous judgement, de-
cerning wisely of euery action
onely according to the quali-
tie thereof, & not according
to your prejudged conceits of
the committers. So shal ye, by
reaping profite to your selues,
turne my paine into pleasure.
But least the whole Pamph-

let runne out at the gaping
mouth of this Preface, if it
were any more enlarged; I end,
with committing you to God,
and me to your charitable
censures.

C. <Philopatris.>

Blr

THE TRVE LAWE
of free Monarchies:
OR
THE RECIPROCK AND
mutuall duetie betwixt a free King
and his naturall subiects.

AS there is not a thing so
necessarie to be knowne
by the people of anie
Lande, next the know-
ledge of their GOD, as
the right knowledge of
their alleageance, according to the
forme of gouernement established a-
mong them, especially in a *Monarchie*
(which forme of gouernement, as re-
sembling the Diuinitie, approcheth
nearest to perfection, as all the learned
& wise men from the beginning haue a-
greed vpon; Vnitie being the perfecti-
on of al things) So hath the ignorance,

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and (which is worse) the seduced o-
pinion of the multitude blynded by
them, who thinke themselues able to
teach and instruct the ignorants, pro-
cured the wrack and ouerthrow of sun-
drie flourishing common-wealthes;
and heaped heauie calamities, threat-
ning vtter destruction vpon others.
And the smiling successe, that vnlawful
rebellions haue oftentimes had against
Princes in ages past (such hath bin the
miserie, and iniquitie of the time) hath
by way of practize strengthned many

in their error: albeit there can not be a more deceivable argument, then to judge ay the justnes of the cause by the event thereof, as hereafter shall be proved more at length. And among others, no common-wealth, that euer hath bin since the beginning, hath had greater need of the true knowledge of this ground, then this our so long disordered, & distracted common wealth hath: the misknowledge hereof being the onely spring, from whence haue

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flowed so many endles calamities, miseries, and confusions, as is better felt by many, then the cause thereof well knowen, and deeply considered. The naturall zeale therefore, that I beare to this my natiue countrie, with the great pittie I haue to see the so-long disturbance thereof for lack of the true knowledge of this ground (as I haue said before) hath compelled me at last to break silence, to discharge my conscience to you my deare countrymen herein, that knowing the ground, from whence these your many endles troubles haue proceeded, aswell as ye haue alreadie too-long tasted the bitter fruites thereof, ye may by knowledge, and eschewing of the cause escape, and diuert the lamentable effects that euer necessarily follow thereupon. I haue chosen then onely to set downe in this shorte treatise the true groundes of the mutuall duetie, and alleageance betwixt a free and absolute *Monarche*, and his people; not to trouble your patience with

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answering the contrarie propositions, which some hath not bene ashamed to set downe in writ, to the poysoning of infinite number of simple soules, and their owne perpetuall, and well deserved infamie. For by answering them,

I could not haue eschewed whiles to pick, and byte wel saltly their persons: which would rather haue bred contentiousnesse among the readers (as they had liked, or misliked) then sounde instruction of the trueth. Which I proteste to him, that is the searcher of all hartes, is the onely marke that I shoote at herein.

First then, I will set downe the true groundes, whereupon I am to builde, out of the Scriptures, since *Monarchie* is the true paterne of Diuinitie, as I haue already saide: next, from the fundamental Laws of our owne kingdom, which nearest must concerne vs: thirdly, from the law of Nature, by diuers similitudes drawn out of the same: and will conclude syne by aunswering the

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most weightie and appearing incommodities that can be objected.

The princes duetie to his subjectes is so clearely set downe in many places of the Scriptures, and so openly confessed by all the good Princes, according to their oathe in their Coronation, as not needing to be long therein I shal as shortly as I can runne through it.

Kings are called *Gods* by the propheticall King Dauid,/1 because they sit vpon God his throane in the earth, and haue the count of their administration to giue vnto him. Their office is, *To minister Iustice and Iudgement to the people*, as the same Dauid sayth:/2 *To advance the good, and punishe the evill*, as he likewise sayth:/3 *To establish good lawes to his people, and procure obedience to the same*, as diuers good Kings of Iudah did:/4 *To procure the peace of the people*, as the same Dauid sayth:/5 *To decide al controversies that can arise among them*, as Salomon did:/6 *To be the minister of God*

/1 Psal. 82. 6. /2 Psal. 101. /3 Psal. 101.
/4 2. king. 18. 2. chron. 29. 2. king. 22. et 23.

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for the weale of him that doth well, and, as the minister of God, to take vengeance vpon them that do euil, as S. Paule saith./1 And finally, As a good Pastour, to go out and in before his people, as is saide in the first of Samuel:/2 That through the Princes prosperitie, the peoples peace may be procured, as Ieremie saith./3

And therefore in the Coronation of our owne Kings, as well as of euery Christian Monarche, they giue their Oath, first to maintaine the Religion presently professed within their countrie, according to their lawes, whereby it is established, and to punish all those that should presse to alter, or disturbe the profession thereof: And next, to maintayne all the lowable and good Laws made by their Predecessours: to see them put in execution, & the breakers, and violatours thereof, to be punished, according to the tenour of the same: And lastely, to mainteyne the whole Countrie, and euery state therein, in al their ancient priuiledges,

/1 Rom. 13. /2 1. Sam. 8. /3 Ier. 29.

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and liberties, aswell against al Forrayne enemies, as among themselues: And shortly to procure the weale, & flourishing of his people, not onely in mainteyning and putting to execution the old lowable laws of the countrie, and by establishing of new (as necessitie and euill manners will require) but by all other meanes possible to fore-see, and preuent all dangers, that are likely to fall vppon them, and to maynteyne concorde, wealth, and ciuilitie among them, as a louing Father, and carefull watchman, caring for them more then for himselfe, knowing himselfe to bee ordayned for them, and they not for

him; and therefore countable to that great God, who placed him as his lieutenant ouer them, vpon the peril of his soule to procure the weale of both soules and bodies, as far as in him lieth, of all them that are committed to his charge. And this oath in the Coronation is the cleerest ciuill and fundamentall law, whereby the Kinges office is properly defined.

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By the law of Nature the King becomes a naturall Father to all his Lieges at his Coronation. And as the Father of his fatherly duety is bounde to care for the nourishing, education, and vertuous gouernement of his children: euen so is the King bounde to care for all his subjects. As all the toyle, and paine, that the Father can take for his children, will be thought light and wel bestowed by him; so that the effect thereof redounde to their profite and weale: So ought the Prince to doe towards his people. As the kindly father ought to foresee all inconuenients & dangers that may aryse towards his children, and though with the hazarde of his owne person presse to preuente the same: So ought the King towards his people. As the Fathers wrath and correction vppon any of his children, that offendeth, ought to be by a fatherly chastizement seasoned with pittie, as long as there is any hope of amendment in them: So ought the King to-

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wardes any of his lieges that offendes in that measure. And shortly, as the Fathers chiefe joy ought to be in procuring his childrens well-fare, rejoycing at their weale, Sorrowing and pittying at their euill, to hazard for their saftie, trauel for their rest, wake for their sleepe; and in a worde, to think that his earth-

lie felicitie and life standeth and liueth more in them, nor in himself: So ought a good Prince think of his people.

As to the other branche of this mutuall, and reciprock bande, is the dutie and allegiance, that the Lieges owe to their King. The grounde whereof, I take out of the words of Samuel, dictated by Gods spirit, when God had giuen him commandement to heare the peoples voyce in choosing and anoynting them a King. And because that place of Scripture being well vnderstood is so pertinent for our purpose, I haue inserte herein the very words of the text.

9 *Now therefore harken to their voice:*

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howbeit yet testifie vnto them, & shew them the manner of the King, that shall raigne ouer them./1

10 *So Samuel told all the wordes of the Lord vnto the people that asked a King of him.*

11 *And he said: this shall be the manner of the King that shall raigne ouer you: he will take your sonnes, and appoynt them to his Charets, and to be his horse-men, and some shall run before his charet.*

12 *Also, he will make them his captaines ouer thousandes, and captaines ouer fifties, and to eare his ground, and to reape his haruest, and to make instruments of war, and the things that serue for his charets:*

13 *He will also take your daughters, and make them Apoticaries, and Cookes, and Bakers.*

14 *And he will take your fieldes, and your vineyardes, and your best Oliue trees, and giue them to his seruants.*

15 *And he will take the tenth of your seede, and of your vineyardes, and giue it to his Eunuches, and to his seruants.*

/1 1 Sam. 8 9

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16 And he wil take your men-seruants,
and your maide-seruants, and the chiefe of
your young men, and your asses, and put them
to his worke.

17 He will take the tenth of your sheep:
and ye shall be his seruants.

18 And yee shall cry out at that daye,
because of your King, whom ye haue chosen
you: and the Lorde God will not heare you
at that day.

19 But the people would not heare the
voyce of Samuel, but did say: Nay, but
there shalbe a King ouer vs.

20 And we also will be all like other
Nations, and our King shall iudge vs, and
go out before vs, and fight our battels.

That these words, and discourses of
Samuel were dited by Gods spirite, it
needes no further probation, but that
it is a place of Scripture; since the whole
Scripture is dited by that inspiration, as
Paule saieth: which ground no good
Christian will, or dare denie. Where-
vppon it must necessarily follow, that
these speeches proceeded not from a-

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ny ambition in Samuell, as one loath
to quite the reines that he so long had
ruled, and therefore desirous, by ma-
king odious the gouernement of a
King, to disswade the people from their
farther importunate crauing of one.
For, as the text proueth it playnely, he
then conueened them to giue them a
resolute grant of their demand, as God
by his owne Mouth commanded him
saying:

Harken to the voyce of the people.

And to presse to disswade them from
that, which he then came to grant vnto
them, were a thing verie impertinent
in a wiseman; much more in the Pro-
phet of the most high God. And like-
wise, it well appeared in all the course
of his life after, that his so long refusing
of their sute before came not of any

ambition in him: which he well proceeded in praying, & as it were importuning God for the weale of Saul. Yea, after God had declared his reprobation vnto him, yet he desisted not, while

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God himselfe was wrath at his praying, and discharged his farther sute in that errand. And that these wordes of Samuel were not vttered, as a propheticie of Saul their first Kinges defecti- on, it well appeareth, aswel because we heare no mention made in the Scripture of any his tirannie, and oppression (which, if it had bene, would not haue bene left vn- painted out therein, as well as his other faultes were, as in a true mirour of all the Kinges behaiours, whome it describeth) as likewise in respect that Saul was chosen by God for his vertue, & meet quallities to gouerne his people: whereas his defecti- on sprong after-hand from the corrup- tion of his own nature, & not through any default in God, whome they that think so would make as a step-father to his people, in making wilfully a choise of the vnmeetest for gouerning them, since the election of that King lay ab- solutelie and immediatly in Gods hand. But by the contrarie it is plaine,

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and euident, that this speech of Samu- el to the people was to prepare their hearts before the hand to the due obe- dience of that King, which God was to giue vnto them; and therefore opened vp vnto them, what might be the into- lerable qualities, that might fal in some of their Kings, therby preparing them to patience, not to resist to Gods ordi- nance; but as he would haue said. Since God hath granted your importunate sute in giuing you a king: as ye haue els committed an errour in shaking of

Gods yoke, and ouerhasty seeking of a king; so beware ye fall not into the next in casting off also rashly that yoke, which God at your earnest sute hath layde vpon you, how hard that euer it seeme to be. For as ye could not haue obteyned one without the permission and ordinance of God: so may ye no more, fro he be once set ouer you, shak him off without the same warrante. And therefore in time arme your selues with patience & humility, since he, that

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hath the only power to mak him, hath the only power to vn make him; & ye only to obey, bearing with these straits that I now fore shew you, as with the finger of God, which lyeth not in you to take off.

And will ye consider the very words of the text in order, as they are set downe, it shall plainely declare the obedience that the people owe to their King in all respects.

First, God commandeth Samuel to doe two things: the one, to graunte the people their sute in giuing them a king: the other, to forwarne them, what some Kings will doe vnto them, that they may not therafter in their grudging & murmuring say, when they shall feele the smartes here forespoken: We would neuer haue had a king of God, in case, when we craued him, he had let vs know how we would haue bin vsed by him, as now we find but ouerlate. And this is meant by these words:
Now therefore harken vnto their voice: how

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beit yet testifie vnto them, and shewe them the maner of the King that shall rule ouer them./1

And nexte, Samuel in execution of this commandement of God he likewise doth two things.

Firste, he declares vnto them, what pointes of justice & equitie their King wil break in his behauiour vnto them. And next, he putteth them out of hope, that, wearie as they will, they shall not haue leaue to shake off that yoke, which God through their importunitie hath layde vpon them. The poynts of Equitie that the King shall break vnto them are expressed in these words.

11 *He will take your sonnes, & appoynt them to his Charets, and to be his horsemen, and some shall run before his charet.*

12 *Also he will make them his Captaines ouer thousandes, and captaines ouer fifties, and to eare his ground, & to reape his haruest, and to make instruments of warre, and the things that serue for his charets.*

13 *He will also take your daughters, and*

/1 1. Sam. 8.

Clr

make them Apoticaries, and Cookes, and bakers.

The poynts of justice, that he shall break vnto them, are expressed in these wordes.

14 *He will take your fieldes, and your vineyardes, and your best Oliue trees, and giue them to his seruants.*

15 *And he will take the tenth of your seede, and of your vineyardes, and giue it to his Eunuches and to his seruants: And also the tenth of your sheepe.*

As if he would saye: The best and noblest of your bloud shal be compelled in slauish and seruile offices to serue him. And not content of his own patrimony he wil make vp a rent to his own vse out of your best landse, vineyards, orchards, & store of cattel: So as inuerting the law of natur, & office of a king, your persons, and the persons of your posteritie, together with your lands, & all that ye possesse shall serue his priuat vse, and inordinate appetite.

And as to the next poynt (which is

C1v

his fore-warning them, that, wearie as they will, they shall not haue leaue to shake off the yoke, which God through their importunitie hath layde vpon them) it is expressed in these words.

18 *And ye shall crie out at that daye, because of your King whom ye haue chosen you: and the Lorde wil not heare you at that day.*

As he would say: when ye shal finde these things in prooffe that now I forewarn you of, although you shal grudge and murmure: yet it shall not be lawful to you to cast it off, in respect it is not onely the ordinance of GOD; but also your selues haue chosen him vnto you, thereby renouncing for euer all priuiledges, by your willing consent, out of your handes, whereby in anie time thereafter ye would clayme, and call backe vnto your selues againe that power, which God shall not permit you to do. And for further taking away of all excuse, and retractation of this their contract, after their consent to

C2r

vnderlie this yoke with al the burthens that he hath declared vnto them; he craues their answer, and consent to his proposition: which appeareth by their answer, as it is expressed in these wordes.

19 *Nay, but there shalbe a King ouer vs.*

20 *And we also will be like all other nations: and our King shall iudge vs, and goe out before vs, and fight our battelles.*

As if they would haue said: Al your speeches, and hard conditions shal not skarre vs, but we will take the good and euill of it vpon vs, and we will be content to bear whatsoever burthen it shall please our King to lay vpon vs, as well as other nations doe. And for the good we will get of him in fighting our bat-

tels, we will more patiently beare any burthen that shall please him to lay on vs.

Now then, since the erection of this Kingdome and Monarchie among the Iewes, & the law thereof may, & ought to be a paterne to all Christian & well

C2v

founded Monarchies, as being founded by God himselfe, who by his Oracle, and out of his owne mouth gaue the law therof: what libertie can broyling spirites, and rebellious mindes claime justly to against any Christian Monarchie: since they can claime to no greater liberty on their part, nor the people of God might haue done, and no greater tyrannie was euer executed by any Prince or tyrant, whome they can object, nor was here fore-warned to the people of God, (and yet all rebellion countermanded vnto them) if tirannizing ouer mens persons, sonnes, daughters and seruants; redacting noble houses, and men, and women of noble blood, to slauishe and seruile offices; and extortion, and spoile of their landes and goods to the princes owne priuate vse and commoditie, and of his courteours, and seruantes, may be called a tyrannie?

And that this proposition grounded vpon the Scripture, may the more

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clearly appeare to be true by the practise oft prooued in the same booke, wee neuer reade, that euer the Prophets perswaded the people to rebell against the Prince, how wicked so euer he was.

When Samuel by Gods command pronounced to the same King Saul, that his kingdome was rent from him, and giuen to another (which in effect was a degrading of him) yet his next

action following that, was peaceably to
turne home, and with flouds of teares
to pray God to haue yet some compas-
sion vpon him./1

And Dauid, notwithstanding he
was inaugurate in that same degraded
Kings roome, not onely (when he was
cruelly persecuted, for no offence, but
good seruice done vnto him) woulde
not presume, hauing him in his power,
skantly, but with greate reuerence, to
touch the garment of the anoynted of
the Lord, & in his wordes blessed him:/2
but likewise, when one came to him,

/1 1. Sam. 15. /2 1. Sam. 24.

C3v

vanting himselfe vntruly to haue slaine
Saul, he, without <>forme of proces, or
tryall of his guilt, caused onely for guilt-
ines of his tongue put him to sodaine
death./1

And although there was neuer a
more monstrous persecutor, & Tirant
nor Achab was: yet all the rebellion,
that Elias euer raised against him, was
to flie to the wildernes: where, for fault
of sustentation, he was fed with the Cor-
bies. And I thinke no man will doubt
but Samuel, Dauid, & Elias had as
great power to perswade the people, if
they had liked to haue employed their
credit to vprores & rebellions against
these wicked Kings, as any of our sedi-
tious preachers in these daies of what-
soeuer religion, either in this country,
or in France, had, that busied them-
selues most to stirre vp rebellion vnder
cloake of religion. This farre the onely
loue of verity, I protest, without hatred
at their persons, hath moued me to be
some what satyrik.

1/ 2. Sam. 1.

C4r

And if any wil leane to the extraordinarie examples of degrading or killing of Kinges in the Scriptures, thereby to cloake the peoples rebellion, as by the deede of Iehu, and such like extraordinaries: I answere, besides that they want the like warrant that they had, if extraordinarie examples of the Scripture shall bee drawn in daylie practize; murther vnder traist, as in the persons of Ahud, & Iael; theft, as in the persons of the Isralites comming out of AEgypt; lying to their parents to the hurt of their brother, as in the person of Iacob, shal al be counted as lawfull and allowable vertues, as rebellion against princes. And to conclude, the practize through the whole scripture pro-ueth the peoples obedience giuen to that sentence in the law of God:

Thou shalt not raile vppon the Iudges, neither speake euill of the ruler of thy people.

To end then the ground of my proposition taken out of the Scripture, let

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two special, & notable examples, on vnder the law, another vnder the euangel, conclude this parte of my alledgeance. Vnder the lawe, Ieremy threatneth the people of God with vtter destruction for rebellion to Nebuchadnezzar the King of *Babel*:/1 who although hee was an Idolatrous persecutor, a forrain king a Tirant, and vsurper of their liberties; yet in respect they had once receaued and acknowledged him for their King, he not onely commandeth them to obey him, but euen to pray for his prosperity, adioyning the reason to it; because in his prosperity stood their peace.

And vnder the Euangel that King, whom Paull bids the *Romaines Obeye* and serue *for conscience sake*,/3 was Nero that bloody Tirant, an infamy to his age, and a monster to the world, being also an Idolatrous persecutor, as the King

of *Babell* was. If then Idolatrie and de-
fection from God, tyrannie ouer their
people, and persecution of the Saints,
for their profession sake, hindred not

/1 Ierem. 27. /2 Ierem. 29. /3 Rom. 13.

C5r

the spirit of God to command his peo-
ple vnder all hiest paine to giue them al
due and hartie obedience for consci-
ence sake, giuing to Cesar that which
was Caesars, and to God that which
was Gods, as Christ saieth, & that this
practise through out the booke of God
aggreeth with this law, which he made
in the erection of that Monarchie (as is
at length before deduced) what shame-
les presumption is it to any Christian
people now a daies to claime to that
vnlawfull libertie, which God refused
to his owne peculiar and chosen peo-
ple? Shortly then to take vp in two or
three sentences, grounded vpon al these
arguments, out of the Law of God the
duety, and allegeance of the people to
their lawful king, their obedience, I say,
ought to be to him, as to Gods Lieue-
tenant in earth, obeying his commands
in all thing, except directly against
God, as the commands of Gods Mini-
ster, acknowledging him a Iudge set
by GOD ouer them, hauing power

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to judge them, but to be judged onely
by GOD, whome to onelie hee must
giue count of his judgement; fearing
him as their iudge; louing him as
their father; praying for him as their
protector; for his continuance, if he be
good; for his amendment, if hee bee
wicked; following and obeying his
lawfull commandes; eschewing and
flying his fury in his vnlawfull, with-
out resistance, but by sobbes and teares
to God, according to that Sentence v-

sed in the primitiue church in the time of the persecution.

Preces, & Lachrymae sunt arma Ecclesiae.

Nowe, as for the descrybing the alleageance, that the lieges owe to their Natiue King, out of the fundamentall and ciuil lawe especially of this Countrie, as I promised, the ground must first be set downe of the first manner of establishing the lawes & forme of gouernement among vs: that the ground being first right layde, we may thereafter buyld rightly thereupon.

C6r

Although it be true (according to the affirmation of those that pryde themselves to be the scourges of Tyrantes) that in the first beginning of Kings rysing among Gentiles, in the time of the first aage, diuers common-wealthes & societies of men chosed out one among themselves, who for his vertues & valour, being more eminent then the rest, was chosen out by them, and set vp in that rowme, to mayntaine the weakest in their right, to throw downe oppressours, and to foster and continue the societie among men; which could not otherwise, but by vertue of that vnitie be wel done: yet these examples are nothing pertinent to vs; because our kingdome, and diuers other Monarchies are not in that case, but had their beginning in a far contrary fashion.

For as our Chronicles beare witness, this Ile, and especially our parte of it, being skantly inhabited, but by very few, and they as barbarous and skant of ciuilitie, as number, there

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comes our first King Fergys, with a great number with him, out of *Ireland*, which was long inhabited before vs, and making himselfe maister of the countrie, by his owne friendship, and

force, aswell of the *Ireland-men* that came with him, as of the country-men that willingly fell to him, he made himselfe King and Lord as well of the whole landes, as of the whole inhabitants within the same. Thereafter he and his successours, a long while after their being Kinges, made & established their lawes from time to time, and as the occasion required. So the trueth is directly contrarie in our state to the false affirmation of such seditious writers, as would perswade vs, that the Lawes and state of our countrie were established before the admitting of a King: where by the contrarie ye see it plainely proued, that a wise King coming in among barbares first established the estate and forme of gouernement, and thereafter made lawes by

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himself, and his successours according thereto.

The Kings therefore in *Scotland* were before any estates, or rankes of men within the same, before any Parliaments were holden, or lawes made: and by them was the lande distributed (which at the first was whole theirs) states erected and decerned, & formes of gouernment deuised & established. And so it followes of necessitie, that the Kings were the authors & makers of the lawes, and not the lawes of the Kings. And to proue this my assertion more clearly, it is euident by the rolles of our Chancellerie (which contayne our eldest & fundamentall laws) that the King is *Dominus omnium bonorum*, and *Dominus directus totius Domini*, the whole subjects being but his vassals, & from him holding al their lands as their ouer-lord, who according to good seruices done vnto him, changeth their holdings from tack to few, from ward to blanch, erecteth new baronies, and

vniteth olde, without aduise or authoritie of either Parliament, or any other subalterin judiciall seat. So as if wrong might be admitted in play (albeit I graunt wrong should be wrong in all persons) the King might haue a better colour for his pleasure, without further reason, to take the lande from his lieges, as ouer-lord of the whole, & do with it as pleaseth him, since all that they hold is of him: then, as foolish writers say, the people might vn-make the king, & put an other in his rowme. But either of them, as vnlawful, and against the ordinance of God, ought to be alike odious to be thought, much lesse put in practize.

And according to these fundamental laws already alledged, we dayly see that in the Parliament (which is nothing else but the head courte of the King, and his vassals) the lawes are but craued by his subjects, and onely made by him at their rogation, & with their aduise. For albeit the King make daily

statutes & ordinances, injoyning such paines thereto as he thinks meet, without any aduise of parliament or estates: yet it lies in the power of no Parliament, to make any kinde of law or statute, without his Scepter be to it, for giuing it the force of a law. And although diuers changes haue bene in other countries of the bloud Royall, and kingly house, the kingdome being reft by conquest from one to another, as in our neighbour countrie in *England*, (which was neuer in oures) yet the same ground of the Kings right ouer all the lande, and subjectes thereof remaineth alike in all other free Monarchies, as well as in this. For when the bastarde of *Normandie* came in *England*, and made himselfe King, was it

not by force, and with a mightie army?
Where he gaue the law, & took none,
changed the lawes, inuerted the order
of gouernement, set downe the straun-
gers his followers in many of the olde
possessours rowmes, as at this day well

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appeareth, a great part of the Gentle-
men in *England* being come of the
Norman bloud, and their old Lawes,
which to this daye they are ruled by,
are written in his language, and not in
theirs. And yet his successours haue
with greate happinesse enjoyed the
Crowne to this day. Whereof the like
was also done by all them that con-
quested them before.

And for conclusion of this poynte,
that the King is ouer-lorde ouer the
whole landes, it is likewise daiely pro-
ued by the Lawe of our hoordes, of
want of Heires, & of Bastardies. For if
a hoord be found vnder the earth, be-
cause it is no more in the keeping or
vse of any person, it of the law pertains
to the King. If a person, inheritour of a-
ny landes or goods, die without anie
sorte of heires, all his lands and goods
returne to the King. And if a bastarde
die vnrehabled without heires of his
bodie (which rehabling only lyes in
the Kinges handes) al that he hath like-

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wise returnes to the king. And as ye see
it manifest, that the King is ouer-Lord
of the whole land: so is he Maister o-
uer euery person that inhabiteth the
same, hauing power ouer the life, and
death of euery on of them. For althogh
a just Prince will not take the life of a-
ny of his subiects without a cleere law:
Yet the same lawes, whereby he taketh
them, are made by himselfe, or his pre-
decessors. And so the power flowes al-
waies from himselfe: as by dayly expe-

rience wee see, good and just Princes will from time to time make new lawes and statutes, adioyning the penalties to the breakers thereof: which before the law was made had bin no crime to the subiect to haue committed. Not that I denie the olde definition of a King, & of a law; which makes the King to bee a speaking lawe, and the lawe a dumbe King: for certainelie a King, that gouerns not by his lawe, can neither be countable to God for his administration, nor haue a happie and established raigne. For albeit it be true that I haue

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at length prooued, that the King is aboue the law, as both the author, and giuer of strength thereto; yet a good King will not onely delight to rule his subjects by the Law, but euen will conforme himselfe in his owne actions therunto, alwaies keeping that ground, that the health of the common-welth be his cheefe lawe. And where he sees the law doubtsome or rigorous, he may interpret, or mittigate the same: least otherwise *Summum ius* be *summa iniuria*. And therefore general lawes, made publikly in Parleme[n]te, may vppon knowne respectes to the King by his authoritie be mittigated, and suspended vpon causes onely knowne to him.

As likewise, although I haue saide a good King will frame all his actions to be according to the law: yet is hee not bound thereto but of his good wil, and for good example-giuing to his subjectes. For as in the Lawe of absteyning from eating of flesh in *Lentron*, the King will for examples sake make his owne house to obserue the law: yet no man

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will think he needes to take a licence to eate flesh. And although by our Lawes the bearing and wearing of hagbutts,

and pistolets be forbidden: yet no man can finde any fault in the King, for causing his traine vse them in any raid vpon the bordourers, or other malefactours or rebellious subjectes. So, as I haue alreadie saide, a good King, although he be aboue the lawe, will subject & frame his actions therto for examples sake to his subiects, and of his owne free will, but not as subiecte or bound thereto.

Since I haue so cleerly proued then out of the fundamental laws & practize of this country, what right & power a King hath ouer his land & subjects: it is easie to be vnderstood, what allegeance & obedience his lieges owe vnto him. I meane alwaies of such free Monarches, as our King is, & not of electiue Kings, and much lesse of such sorte of gouernours, as the Dukes of *Venice* are, whose Aristocratick, and limited gouernment is nothing like to free Monarchies: al-

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though the malice of some writers hath not bene ashamed to misknow any difference to be betuixt them. And if it be not lawful to any particular Lordes tenants or vassals, vppon whatsoever pretext, to controll and displace their master, and ouer-lord (as is cleerer nor the Sunne by all lawes of the world) how much lesse may the subjectes & vassals of their great ouer-lorde the King controll or displace him? And since in all inferiour judgements in the lande, the people may not vpon any respects displace their Magistrats, although but subaltern: for the people of a borough, can not displace their Prouost before the time of their election: nor in Ecclesiastical policy the flock can vpon any pretence displace the pastour, nor iudge of him: yea euen the poore schoolemaster cannot be displaced by his schollers: If these, I say (whereof some are but inferiour, subaltern, and temporall magi-

strates, and none of them equall in any sorte to the dignity of a King) can not be displaced for any occasion or pre-

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text by them that are ruled by them: how much les is it lawfull vpon any pretext to control or displace the great Pro- uost, and great Schoole-maister of the whol land: except, by inuerting the order of al law & reason, the commanded may be made to command their commander, the iudged to judge their Iudg, and they that are gouerned to gouerne their time about their lord & gouernor<>

And the agreement of the Lawe of nature in this our ground with the laws and constitutions of God, and man, alreadie alledged, wil by two similitudes easely appeare. The King towards his people is rightly compared to a father of children, and to a head of a bodie composed of diuers members. For as fathers the good Princes, & magistrates of the people of God acknowledged themselues to their subiectes. And for al other wel ruld common welthes, the stile of *Pater Patriae* was euer, & is commonly vsed to kings. And the proper office of a King towards his subiectes agrees very well with the office of the

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head towards the bodie, and all members thereof. For from the head, being the seate of judgement, proceedeth the care and foresight of guiding, and preventing all euill that may come to the bodie, or any parte thereof. The head cares for the bodie: so doth the King for his people. As the discourse and direction flowes from the head, and the execution according therunto belongs to the rest of the members, euerie one according to their office: so it is betwixt a wise Prince, and his people. As the judgement comming from the head may

not onely imploy the members, euerie
one in their owne office, as long as they
are able for it; but likewise, incase any
of them be affected with any infirmity,
must care & prouide for their remedy,
incase it be curable; and if other-wise,
gar cut them of for feare of infecting of
the rest: euen so is it betuixt the prince,
& his people. And as there is euer hope
of curing any diseased member by the di-
rection of the head, as long as it is whole;
but by the contrarie, if it be troubled, al

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the members are partakers of that paine
so is it betwixt the Prince & his people.

And now first for the fathers parte
(whose naturall loue to his children I
described in the firste parte of this my
discourse, speaking of the duety that
Kinges owe to their subjects) consider,
I pray you, what duty his children owe
to him, and whether, vpon any pretext
whatsoever, it wil not be thoght mon-
strous and vnnaturall to his sonnes to
rise vp against him, to controll him at
their appetite, and when they thinke
good to slay him, or to cut him off, and
adopt to themselues any other they
please in his roome. Or can any pretence
of wickednes or rigour on his parte be
a iust excuse for his children to put hand
into him? And although we see by the
course of nature that loue vseth to
descend more then to ascend: incase it
were true, that the father hated and
wronged the children neuer so much,
will any man endued with the leaste
sponke of reason thinke it lawfull for
them to meete him with the line? Yea,

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suppose the father were furiously fol-
lowing his sons with a drawen sword:
is it lawfull for them to turne, & strike
againe, or make any resistance but by
flight? I thinke surely, if there were no

more but the example of brute beasts, & vnreasonable creatures, it may serue well inough to qualifie and proue this my argument. We reade often the pietie, that the Storke haue to their old & decaied parentes. And generallie wee know, that ther are many sorts of beasts and foules, that with violence & manie bloody strokes will beat & bannish their yong ones from them, how soon they perceauē them to be able to fende themselues. But we neuer red or hard of any resistance on their parte, except among the vipers: which proues such persons, as ought to be reasonable creatures, and yet vnnaturally followe this example, to be endued with their viperous nature.

And for the similitude of the head & the body, it may very wel fall out that the head will be forced to garre cut of

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some rotten member (as I haue already said) to keepe the rest of the body in integritie. But what state the body can be in, if the head, for any infirmity that can fall to it, be cut off, I leaue it to the readers judgement.

So as (to conclude this parte) if the children may vpon any pretext, that can be imagined, lawfully rise vp against their father, cut him off, and choose any other whom they please in his rowme; & if the body, for the weale of it, may for any infirmitie that can be in the head strike it off: then I can not denie that the people may rebell, control, & displace, or cut off their King at their owne pleasure, and vpon respects mouing them. And whether these similitudes represent better the office of a King; or the offices of Maisters or Deacons of craftes, or Doctors in Physike (which jolly comparisons are vsed by such writers, as mayntaine the contrarie proposition) I leaue it also to the readers discretion.

And in case any doubttes might arise

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in any part of this treatise, I will (according to my promise) with the solution of foure principall and most weightie doubttes, that the aduersaries may object, conclud this discourse. And first it is casten vp by diuers, that employ their pennes vpon Apologies for rebellions and treasons, that euery man is borne to carrie such a naturall zeale & dutie to his common-wealth, as to his Mother; that seeing it so rent, & deadly wounded, as whiles it will be by wicked and tyrannous Kings, good Citizens wilbe forced, for the natural zeale and dutie they owe to their owne natiue countrie, to put their hande to work, for freeing their common-welth from such a* pest:

Whereunto I giue two answers.

First it is a sure Axiome in *Theologie*, that euil should not be done, that good may come of it. The wickednesse therefore of the King can neuer make them, that are ordayned to be judged by him, to become his judges. And if it be not lawfull to a private man to reuenge his

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priuate injurie vpon his priuate aduersarie (since God hath onely giuen the sworde to the Magistrate) how much lesse is it lawfull to the people, or any parte of them (who all are but priuate men, the authoritie being alwaies with the Magistrate, as I haue already proued) to take vpon them the vse of the sworde, whome to it belongs not, against the publick Magistrate, whome to onely it belongeth.

Nexste, in place of releeuing the common-wealth out of distresse (which is their onely excuse and colour) they shall heape double distresse and desolation vpon it: and so their rebellion

shall procure the contrarie effects that they pretend it for. For a King can not be imagined to be so vnrule and tyrannous, but the common-wealth will be kept in better order, notwithstanding thereof, by him, then it can be by his way-taking. For first, all suddaine mutations are perellous in common-wealthes, hope being thereby giuen to all bare men to set vp themselues, and

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flie with other mens feathers; the rains being loosed to all the insolencies that disordered people can committe by hope of impunitie, because of the loosenes of all things.

And next, it is certaine that a King can neuer be so monstrously vitious, but hee will generally fauour justice, and maintayne some order, except in the particulars, wherein his inordinate lustes and passions carrie him awaie: where by the contrary, no King being, nothing is vnlawfull to none: And so the olde opinion of the Philosophers prooues true, that better it is to liue in a common-wealth, where nothing is lawfull, then where all things are lawfull to all men: the common-wealth at that time resembling an vn-daunted yong horse, that hath casten his rider. For as the Diuine Poet Du Bartas sayeth: *Better it were to suffer same disorder in the estate, and some spots in the common wealth, then, in pretending to reforme vtterlie to ouer-throwe the Republicke.*

The second objection they grounde

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vpon the cursse, that hangs ouer the common-wealth, where a wicked king reyneth. And, say they, there can not be a more acceptable deed in the sight of GOD, nor more dutifull to their common-weale, then to free the countrie of such a cursse, & vindicat to them

their libertie, which is naturall to all creatures to craue.

Whereunto, for answere, I grant in deede that a wicked King is sent by GOD for a cursse to his people, and a plague for their sinnes. But that it is lawfull to them to shake off that cursse at their owne hande, which God hath layde on them, that I denie, and may so doe justly. Will any denie that the King of *Babell* was a cursse to the people of God, as was playnely fore-spoken and threatned vnto them in the propheticie of their captiutie? And what was Nero to the Christian Church in his time? And yet Ieremy, & Paul (as ye haue els hard) commanded them not onely to obey them, but hartely to pray for their welfare.

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pray for their welfare. It is certein then (as I haue already by the lawe of God sufficiently proued) that patience, earnest praiers to God, & amendement of their liues, are the only lawful meanes to moue God to relieue them of that heauie curse. And as for vindicating to themselues their owne libertie, what lawfull power haue they to reuoke to themselues againe those priuiledges, which by their owne consent before were so fully put out of their handes? for if a prince cannot justly bring back againe to himself the priuiledges once bestowed by him, or his predecessours vpon any state, or ranck of his subjects; how much lesse may the subjects reauce out of the Princes hand that superiority, which he & his Predecessors haue so long brooked ouer them?

But the vnhappy iniquitie of the time, which hath oft times giuen ouer good successe to their treasonable attempts, furnisheth them the ground of their thirde objection. For, saye they, the fortunat successe, that God hath so

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oft giuen to suche enterprises, proo-
ueth plainely by the practize that God
fauoured the iustnes of their quarrell.

To the which I answere, that it is true
indeed that all the successe of battels, as
well as other worldly things, lieth on-
ly in Gods hand. And herefore it is, that
in the Scripture he takes to himself the
stile of God of Hostes. But vppon that
Generall to conclude, that hee euer
giues victorie to the iuste quarrell,
would prooue the *Philistims*, and diuers
other neighbour enemies of the peo-
ple of GOD to haue oft times had
the just quarrell against the people
of GOD, in respect of the manie vic-
tories they obteyned againste them.
And by that same argument they had
also just quarrell against the Arke of
God. For they wan it in the field, and
kept it long prisoner in their country.
As likewise by all good writers, aswell
Theologues, as other, the Duells and
singular combattes are disallowed:
which are onely made vpon pretence,
that GOD will kythe thereby the ju-

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stice of the quarrell. For we must con-
sider that the innocent partie is not
innocent before God. And therefore
GOD will make oft times them that
haue the wrong side reuenge iustly
his quarrel, & when he hath done cast
his scourge in the fire: as he oft times
did to his owne people, stirring vp
& strengthening their enemies, while
they were humbled in his sight, and
then deliuered them in their handes.
So GOD, as the greate Iudge, may
justly punish his deputie, and for his
rebellion against him stirre vp his re-
bels to meete him with the like. And
when it is done, the part of the instru-
ment is no better, then the Diuels part
is in tempting & torturing such as God

committeth to him as his hangman to doe. Therefore, as I said in the beginning, it is oft times a very deceauable argument to judge of the cause by the euent.

And the last objection is grounded vpon the mutuall paction and adstipulation (as they call it) betwixt the king, and his people, at the time of his coro<>

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nation. For there, say they, there is a mutual paction, & contract bound vp, & sworn betuixt the King, & his people. Whervpon it followeth, that if the one part of the contract or the Indente be broken vpon the kings side, the people are no longer bound to keep their part of it, but are therby fred of their oath. For (say they) a contract betwixt two parties of all lawe frees the one partie, if the other breake vnto him.

As to this contract alledged made at the coronation of a King, although I denie any such contract to bee made then, especially containing such a clause irritant, as they alledge; yet I confesse, that a King at his coronation, or at the entry to his kingdom, willinglie promiseth to his people, to discharge honorably and truely the office giuen him by God ouer them. But presuming that thereafter he break his promise vnto them neuer so inexcusably, the question is, who shuld be judg of the break, giuing vnto them this contract were made to them neuer so sicker, according to their alledgeance. I thinke no man, that hath but the smallest entrance into the ciuill law, will

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doubt that of all law either ciuill, or municipal of any nation, a contract cannot be thought broken by the one partie, & so the other likewise to bee fred therefro: except that first a lawfull triall and cognition be had by the ordinary Iudge of the breakers therof. Or els euery man may be both party and iudge in his owne cause: which is absurd once to be thought. Now in this

contract (I say) betwixt the King and his people, God is doubtles the only judg, both because to him only the Kinge must make count of his administration (as is oft said before) as likewise by the oath in the coronation God is made judge & reuenger of the breakers. For in his presence, as onelie Iudge of oaths, al oaths ought to be made. Then, since God is the onely judge betwixt the two parties contractours, the cognition and reuenge must onely apperteine to him. It followes therfore of necessity, that God must first giue sentence vpon the king that breaketh, before the people can think themselues fred of their oth. What Iustice then is it, that the party shal be both Iudge & party, vsurping vpon himself the office of

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God, may by this argument <>easiyl appeare. And shall it lye in the hands of a headlesse multitude, when they please to weary of subjection, to caste of the yoke of gouernment that God hath laid vpon them; to Iudge and punish him, whome by they should be iudged & punished; and in that case, wherein by their violence they kythe themselues to bee most passionate parties, to vse the office of an vngratious Iudge or Arbiter? Nay, to speak truely of that case, as it standes betwixt the King, & his people, none of them ought to Iudge of the others break. For considering rightly the two parties at the time of their mutual promise, the king is the one party, & the whole people in one body are the other partie. And therefore, since it is certain, that a king, incase so it should fall out, that his people in one body had rebelled against him, he should not in that case, as thinking himself free of his promise & oth, become an vtter enemy, & practize the wrack of his whole people & natiue cuntry: althogh he ought justly to punish the principall authours & bellowes of that vniuersall rebellion: how

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much lesse then ought the people (that are alwaies subject vnto him, and naked of all authority on their part) presse to judge & ouer-throw him? otherwise the people, as the one partie contracter, shall no sooner challenge the King as breaker, but he as soon shal judge them as breakers: so as, the victors making the tyners the traitours (as our proverb is) the party shall ay become both Iudge & party in his own particular, as I haue already saide.

And it is here likewise to be noted, that the duty & allegeance, which the people sweareth to their prince, is not only bound to themselues, but likewise to their lawfull heires & posterity, the lineal succession of crownes being begun among the people of God, and happely continued in diuers Christian common-welthes. So as no objection either of heresie, or whatsoeuer priuate statute or law may free the people from their oath giuing to their King, & his succession, established by the olde fundamentall lawes of the kingdome. For, as he is their heritable ouer-lord, & so by byrth, not by any right in the coronation, com-

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meth to his crowne; it is a like vnlawfull (the crowne euer standing full) to displace him that succeedeth therto, as to eject the former. For at the very moment of the expiring of the King reigning, the nearest & lawfull heire entreth in his place. And so to refuse him, or intrude an other, is not to hold out vncomming in; but to expell, & put out their righteous king. And I trust at this time whole *France* acknowledgeth the superstitious rebellion of the Liguers, who, vpon pretence of heresie, by force of armes held so long out, to the greate desolation of their whole cuntrie, their natiue and righteous King from possessing of his owne crowne and naturall kingdome.

Not that by all this former discourse of mine, & Apologie for Kings, I meane, that whatsoeuer errorrs and intollerable abominations a souereigne Prince commit, he

ought to escape al punishment, as if there-
by the world wer only ordained for kings,
& they without controlment to turne it
vpside-down at their pleasure. But by the
contrary, by remitting them to God (who
is their only ordinary judge) I remit them

<catchwords> to the

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the sorest & sharpest Schoole-maister that
can be deuised for them. For the further a
king is preferred by God aboue all other
ranks and degrees of men, and the higher
that his seate is aboue theirs: the greater is
his obligation to his maker. And there-
fore, incase hee forget himselfe (his vn-
thankfulnes being in the same measure of
height) the sadder and sharper wil his cor-
rection be: & according to the greatnes of
the height he is in, the weight of his fal wil
recompence the same. For the further that
any person is obliged to God, his offence
becomes and growes so much the greater,
then it would be in another. *Ioues* thunder-
claps light oftner, and sorer vpon the high
and stately Oakes, then on the low & sup-
ple willow trees. And the highest benche is
sliddriest to sit vpon. Neither is it euer hard
that any King forgets himselfe towards
God, or in his vocation; but God with the
gretnes of the plague reuengeth the gretnes
of his ingratitude. <>Netiher thinke I by the
force & argument of this my discourse so
to perswade the people, that none will her-
after be raised vp, and rebel against wicked

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Princes. But, remitting to the Iustice and
prouidence of God to stirre vp such scour-
ges as pleaseth him, for punishment of wic-
ked kings (who made the very vermine &
filthy dust of the earth to bridle the insolen-
cy of proud *Pharaoh*) My onely purpose &
intention in this treatise is, to perswade, as
farre as lyeth in me, by these sure & infal-
lible groundes al such good Christian rea<>

ders, as beare not onely the naked name of a Christian, but kythe the fruits thereof in their daylie forme of life, to keepe their hearts & hands free from such monstrous and vnnaturall rebellions, whensoever the wickednesse of a Prince shall procure the same at Gods hands: that, when it shall please god to cast such scourges of princes, and Instruments of his furie, in the fire, ye may stand vp with clean hands, & vnspotted consciences, hauing proued your selues in all your actions true Christians towards God, and dutifull subjectes towards your King, hauing remitted the judgement and punishment of all his wronges to him, whom to onely of right it apperteyneth.

But crauing at God, and hoping that God

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shall continue his blessing with vs, in not sending such fearefull desolation, I hartely wish our kings behaiour so to be, & continue among vs, as our God in earth, & louing Father, indued with such properties as I described a King in the first parte of this Treatise: And that ye (my deare countrymen, & charitable readers) may presse by all means to procure the prosperity, & welfare of your King: that, as hee must on the one part think all his earthly felicitie and happinesse grounded vpon your weale, caring more for himselfe for your sake then for his owne, thinking himselfe onely ordained for your weale; such holy & happy emulation may arise betuixt him, and you, as his care for your quietnes, & your care for his honour and <>preseruattion may in all your actions daily striue together: that the Lande may thinke themselues blessed with such a King, and the King may thinke himselfe most happie in ruling ouer so louing and obedient subjectes.

FINIS.