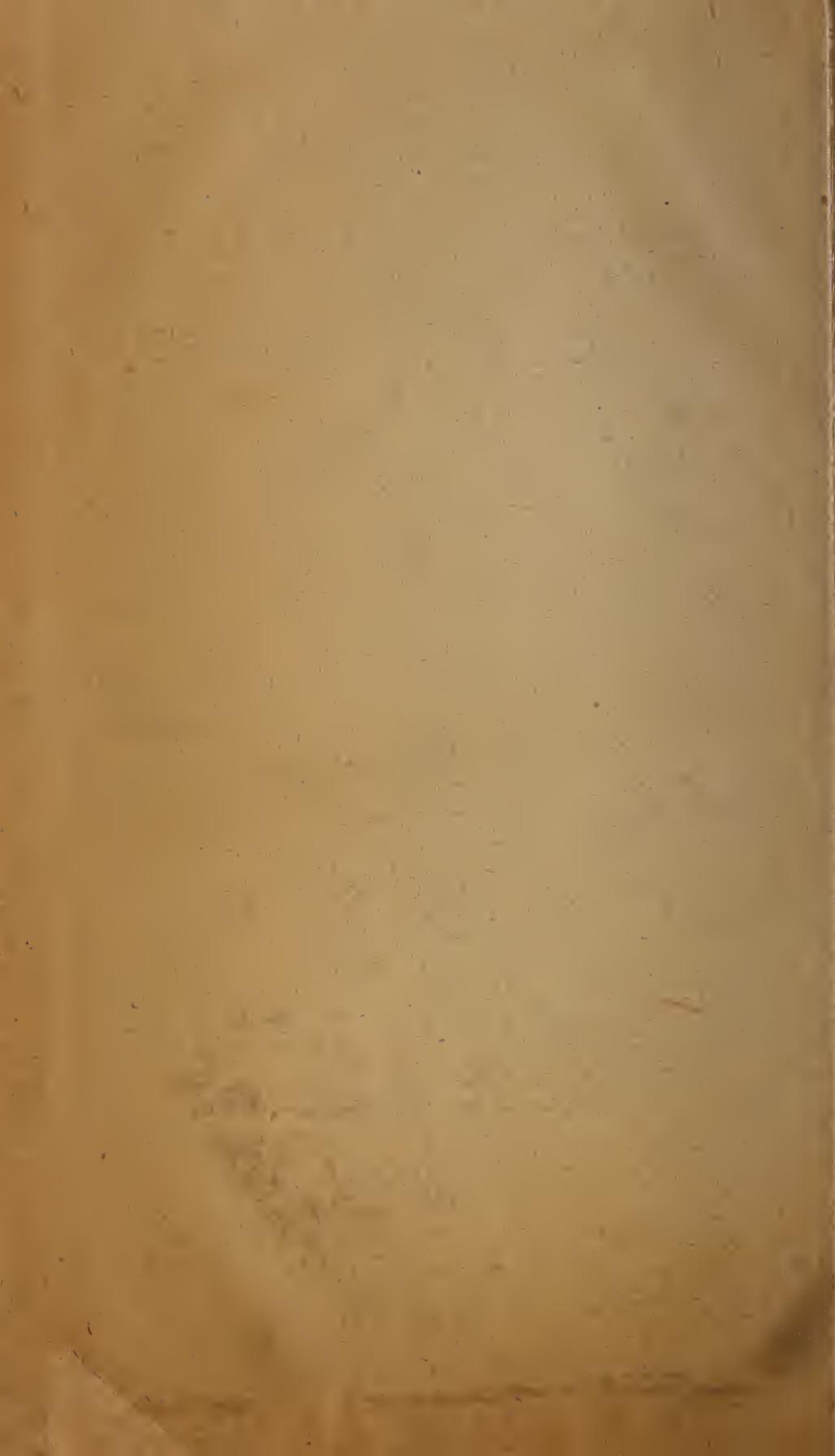




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# ORIGINES HEBRÆÆ:

## THE ANTIQUITIES OF THE HEBREW REPUBLICK.

IN FOUR BOOKS.

- I. The Idolatry of the *Hebrews*, <sup>\*</sup> 5229.57
- II. The Ceremonial and Judicial Laws. 73
- III. The Arts and Sciences, professed by the *Hebrews*.
- IV. The Canon and Writers of the Old Testament, and the Apochryphal Books; with an Account of the Translation of the *Septuagint*, the Version of *Aquila the Jew*, and the *Targum*, or *Chaldee Paraphrases*.

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By **THO. LEWIS, M. A.**

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V O L. III. 715

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L O N D O N:

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144.383

PREFACE

The following is a list of the names of the authors of the papers in this volume. The names are arranged in alphabetical order of the authors' surnames. The names of the authors of the papers which are not included in this list are given in the margin of the text of the papers. The names of the authors of the papers which are not included in this list are given in the margin of the text of the papers.



T H E  
P R E F A C E.

**I** Have nothing to offer in Defence of the two Volumes that follow, but that my first Inquiries into the *Antiquities of the Hebrews* were received with that Favour, which gave me sufficient Encouragement to persue the Work; and I have (I thank God) finished it with this Satisfaction to my self, that I have done my utmost, to do Justice to a Subject so divine and useful, and have endeavour'd to recommend the Study of the Holy Scriptures, which without Exception, must be acceptable to all Persons, who have a due Esteem, either for true Learning, or Piety. Those who value the former, and are well acquainted with it, will readily give their Suffrage here, and proclaim to the  
A World,

World, that *Scripture Learning* exceeds all others; that the Original of most Arts and Sciences is to be derived hence, and that a Library without the Bible, is an imperfect Thing. And such as have a Sense of the latter, will be as forward to assert the Pre-eminence of these Writings; for here is the Source of all Religion, and no Man can be Devout and Pious, who is a Stranger to them. How meanly soever I have performed this Task, I believe verily, that some who turn over these Pages, will from them be inspired with a proper Regard and Reverence, with an intire Love and Veneration of the holy Writ, and be persuaded to converse more intimately with it themselves, and encourage others to follow their Example. This would, in a short Time, make a great Change in the World, and the Bible it self, would be read in the Lives and Behaviour of Mankind. The understanding of the Scriptures would be esteemed the highest Accomplishment; and though many Refinements have been attempted in Philosophy and Religion, it would appear evidently, that the Sacred Volume was alone sufficient for us, if all the Books and Libraries in the World were destroyed.

What

What is now Published, is divided into four Books: The *First* contains the History of the false Worships, or Idolatry of the *Jews*, a Subject very Curious, and that comprehends great Variety of Matter; wherein many learned Men have been employed among Foreigners, as well as in our own Nation. The great Mr. *Selden* has written an excellent Tract upon the *Syrian Gods*, and *Gerard Vossius* has a large Work upon *Idolatry*, which I conceive would have been a much better Piece, had the Author thought fit to intermix less of Philosophy with the rest. My Business has been to avoid the Errors of others, but especially to go in search after Truth; and the nearest resemblance to Truth, with all possible Precaution. I greatly reverence the Labours of learned Men, and consider them as Fathers and Teachers, from whom I have freely borrowed whatever served my Designs; notwithstanding which, I judge it possible to extend our Discoveries further; for in Matters of this Nature, the most Learned are not always the most Successful, and in Conjectures, a certain Quickness and Penetration, are, at least, as necessary as Learning. As therefore I have always been forward to receive Instructions from others, so I have been some-

times obliged in particular Passages, to make use of my own Conjectures, where I conceived the antient Opinions could not take Place.

The *Second* Book principally treats of the *Ceremonial* and *Judicial* Laws. It may seem, perhaps, that this Part might have been finished with much more Ease than the former, because of the Assistance that might have been expected from the Books of *Moses*, not to speak of the Observations of modern Authors; and the Commentaries and Glosses of the *Talmudists*, who have made this Point, the chief Foundation of their Religion and Learning. But I certainly found as much Trouble in this, as in any other Part of the Work; for to separate and digest those Laws under their proper Heads; to examine the Sentiments of Expositors, among *Jews* and *Christians*, and to discover the Appearance of Truth among such Variety of Opinions, was really difficult and laborious.

The Arts and Sciences, practised and studied by the *Hebrews*, are chiefly included in the *Third* Book. This indeed was an unbeaten Road, never that I know of, attempted wholly by one Writer, though for what I have collected, I am obliged to many eminent Authors, who have professedly treated of  
the

the *Antiquities* of the *Jewish* Nation. Perhaps, this Part of the Work may not afford equal Delight with the other Books ; but I was resolved, as far as I was able, to exhaust the Subject, and am satisfied, that my Endeavours in this Place, will be of Use to younger Students in sacred Learning, and Candidates in Theology ; though I can promise no great Advantage to Proficients, who are of a higher Character.

I have inquired in the *Fourth* Book, into the Canon of the holy Scriptures, which contain the whole System of the *Jewish* Religion ; and have offered to evince the Truth and Certainty of those Writings, to the unbelieving Part of Mankind. I have laid down the several Divisions and Orders, wherein the Books of the Old Testament were ranged by the *Jewish* Church, have given an Account of the Authors that compiled them, and of the Language wherein they were written. The Design of the Atheism and Infidelity which now reigns, is to strike at the Genuineness and Authority of *these Scriptures* ; for as long as the Bible is looked upon as the Word of God, and of divine Inspiration, it will be a lasting Testimony against the Principles of these Apostates ; who, if they demand a present Miracle, to confirm their Faith, may

only behold the People of the *Jews* for more than sixteen hundred Years, wandring and dispersed into all Corners of the Earth, despised, hated, and persecuted by all Nations; and tho' mingled and confounded with them, still distinguished in their Laws, Customs, and Religion, remaining a standing Evidence of divine Vengeance, upon *Unbelief*, and an indelible Monument of the Truth of *Christianity*.



T H E



T H E  
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THE  
ANTIQUITIES  
OF THE  
*Hebrew Republick.*

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VOL. III.

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BOOK V.

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CHAP. I.

*The Rise and Ceremonies of Idolatry  
among the Hebrews.*



BEFORE the Destruction of the first Temple by the *Babylonians*, the *Hebrew Nation* was often over-run by Idolatry, but it was scarce so much as heard of after their Return from the Captivity, though it was succeeded by a more pernicious Practice, which was a violent and superstitious Zeal for their corrupt

Vol. III.                      B                      Tradi-

Book V. Traditions. Before the Captivity they had no Synagogues for publick Worship, no Places to resort to for Instruction, unless the Tabernacle, the Proseucha's, the Temple, the Cities of the *Levites*, or the Schools of the Prophets, and therefore through Ignorance they were easily seduced into the Idolatrous Usages of the neighbouring Nations; but when they were recalled from *Babylon* they had Synagogues erected in every City, where the Law was constantly read, and from the Time of the Persecution by *Antiochus*, they had the Writings of the Prophets delivered and explained to them, by which means they were secured from mistaking the proper Object of their Worship, and continued in a commendable Obedience to the Institutions of *Moses*.

So various are the Thoughts of Commentators concerning the Beginning of Idolatry, that it is difficult to fix the Time when it first appeared.

Tract. de Idol.  
c. 5.

*Maimonides* gives this Account, (which is likewise followed by many learned Christians) That in the Days of *Moses*, Men began to consider that God created the Stars, and the Host of Heaven to govern the World, therefore they built Temples and offered Sacrifices to them; and *Enos* himself was concerned in this Delusion. And this Opinion is defended by a Passage in Scripture, where it is said, *To Seth there was born a Son, and they called his Name Enos, then began Men to call upon the Name of the Lord*: Which Remark of *Moses* is expounded by Mr. *Selden*, to signify, then

Gen. iv 26.

De Dis Syris,  
Prolegom. 3.

Levit. ix. 12.

was there Profanation by invoking the Name of the Lord; for the Word which we translate *Began*, in another Place of Scripture signifies *Profaned*, so that by this Construction the Meaning is, that the most holy Name which belongeth to the Creator, and Possessor of Heaven and Earth, was now impiously given unto Creatures; but this Interpretation is opposed with much Judgment by Expositors of Note, who either content themselves with the marginal Translation in our Bibles,

then

then Men began to call themselves by the Name of *the Lord*, in Distinction from the Posterity of *Cain*, or else imagined that God was now first called upon by the Name of *Jehovah*, or that some Improvements were made in the Offices of Religion; for the *Arabian* Christians represent this *Enos* as an excellent Governor, who, while he lived, preserved his Family in good order, and when he died called them all together, and gave them a Charge to keep God's Commands, and not to have any Correspondence with the Children of *Cain*, who had vilely corrupted themselves upon the Earth.

It is certain that *Terah*, the Father of *Abraham*, Josh. xxiv. 2 was an Idolater, and as *Suidas* asserts, was a Statuary, and a Maker of Images, which he declared to be Gods; and *Abraham* himself, as most imagine, was educated in the same Idolatry; and, according to *Maimonides*, was converted to the Worship of the Creator in the forty eighth Year of his Age. In *Egypt* the *Israelites* were corrupted in their Religion, and in the Wilderness they prostituted themselves to the Worship of Images; under the Government of *Joshua* they privately served strange Gods, and under the Judges, by their Familiarity and Inter-marriages with the People of *Canaan*, they publickly adored the Gods of *Syria* and *Palestine*, and the neighbouring Countries, whom they never wholly abandoned till their City and Temple were destroyed by the *Chaldeans*. Ezek. xx. 7, 8

Many and different were the Ceremonies made use of in the Exercise of Idolatry: There was bowing the Knee, and Prostration; and Kissing the Idol was likewise an Act of Worship. This Rite was performed several Ways, either by applying their Mouth immediately to the Image (as *Cicero* against *Verres* relates of the Image of *Hercules*) or kissing their Hand before the Image, and then stretching it out, as it were, throwing the Kiss to it, or by kissing the right Hand, and

fometimes the Feet of the Image it self. Incense was burnt, and Sacrifices offered to these false Gods; and the Worshippers would partake of those sacrificial Feasts in Token of their Communion with the Deity to whom the Victim was offered, and these Festivities were usually attended with Drunkenness and horrid Debaucheries; for nothing inticed Men to Idolatry more than those filthy Pleasures that were a Part of that Worship: These *fœderal* Entertainments were always attended with Musick and Dancing, and other Expressions of Joy; and sometimes a Table was furnished with choicest Provision, and set before the Idol it self.

Ezek. viii. 17.

There is an idolatrous Rite mentioned by *Ezekiel*, called, *The putting the Branch to the Nose*; which has given great Trouble to learned Men, but the most reasonable Exposition is, that the Worshipper, with a Wand in his Hand, would touch the Idol, and then apply the Stick to his Nose and Mouth, in Token of Worship and Adoration.

It was an antient Custom for Women to prostitute their Bodies in Honour of *Venus* and *Priapus*, and such filthy Deities; and they were solemnly consecrated to such impure Services. And this Idolatry was practised in the Days of *Moses*, as appears from the History of those who committed Fornication with the Daughters of *Moab*, who exposed themselves in Veneration to *Baal Peor*. Those consecrated Whores were famous in old Times among the *Phœnicians*, *Babylonians*, and other Nations: And *Strabo* relates, that at *Corinth* there was a Temple so richly endowed that it maintained above a thousand of these religious Prostitutes, who were dedicated to the Goddesses for the Use of Sea-faring Men, who arrived in great Numbers at this Port, and easily parted with their Money.

Geograph. lib.  
8.

Deut. xxiii. 18.

The Law of *Moses* has provided, that no Man should prostitute his Daughter to cause her to be a Whore,

Whore, which Injunction without Doubt forbids the exposing their Daughters as a Piece of Religion to the Service of such filthy Deities, as were worshipped in these Days by Acts of Uncleanness in their Temples; for it is scarce to be supposed, that any Man would prostitute his Daughter to be a common Strumpet, though he might possibly overlook the Lewdness to which she had given up her self. What the *Rabbins* make of these Words, that a Man prostitutes his Daughter, who did not provide her an Husband when she was marriageable, or married her to an old Man, is a fanciful Interpretation, and not to be admitted. If such a Harlot should presume to offer to God, what she had gotten by this Kind of Prostitution, it was not to be received, but refused as abominable; for this was a Custom among the Idolatrous Nations, as appears by a great many of their Writers, who record, that they were used to dedicate some Part of what they received, for the Use of their Bodies, at the Temple of their pretended *Deities*; particularly *Herodotus* mentions it, as practised among the antient *Babylonians*.

Chap. I.

Lev. xix. 29.

Lib. I.

There is another Prohibition following this, which forbids *the Price of a Dog to be brought into the House of the Lord*: It is difficult to find out, why the Price of a Whore and of a Dog are associated in the same Law, unless it be in Opposition to some prophane Rites among the *Egyptians*, who, as they had Harlots sacred to *Isis*, so a Dog was the Symbol of one of their principal Deities, under the Name of *Anubis*. If this Idolatry was so old as the Days of *Moses*, which it is certain prevail'd afterward, this may be a probable Reason, why God would not accept so much as the Price for which a Dog was sold or exchanged: For Example (says *Maimonides*,) If a Man gave a Lamb for a fine Dog, God would by no means admit of that Lamb to be offered as a Victim upon his Altar. It was likewise the Business of these vile Women, to weave Hangings for the Grove

2 Kings  
xxiii, 7.

Book V. of the Goddess *Astarte*; they were a Kind of Curtains that encompassed the Image, and made a Tabernacle or Habitation for it; into those Tents the Worshippers went, and committed all Manner of Lewdness; for it seems they had not arrived at such a Degree of Impudence, as not to seek for Privacy in their Filthiness.

But the most execrable Rite of Idolatry was the Consecration of *Men* to Impurity and unnatural Prostitution, who exposed their Bodies to be abused in Honour of the Deities they worshipped; These *Sodomites* had a House erected joining to the Temple at *Jerusalem*, that was sacred, and set apart for such flagitious Mixtures. This Impiety, by the Law of *Moses*, was Capital; and tho' the Kind of Death is not mentioned, yet it is probable it was by Burning, because the impure *Sodomites* were consumed by Fire.

The Groves and high Places devoted to Idolatry, had Priests fixed in Attendance upon them: they were clothed in black Vestments, which was the Habit worn by all who sacrificed to the infernal Gods, and was contrary to the Garments of the *Hebrew* Priesthood, which were white, and worn by all who had no Defect, and whose Genealogies were clear and undisputed. Among the *Egyptians*, *Osiris*, or the Sun, was represented by a black Ox covered with a black Silk Garment, which was the Reason the Priests of the Idol were clothed with a Vestment of that Colour.

Another Ceremony of Idolatry, was to dance about the Altar after the Manner of the ancient *Salij*, and the Priests would run about as Men in an Extacy, with a prophetic Fury, which put them into strange and disorderly Motions; and when they were possessed with this Impulse, they were used to slash themselves with Knives and other Instruments till the Blood gushed out.

Book 3. p. 629. Mr. *Mede* has a peculiar Notion, that *Baalam* Levit. xix. 28. being the deify'd Souls of dead Men, therefore the Prophets of *Baal* cut themselves in his Wor-  
ship,

ship, because this was a funeral Rite, and for that Reason retained in the Service of such Gods, in token that they were no more than Men canonized after Death. 'Tis certain, that the Law of *Moses* forbids any cutting in the Flesh for the Dead, in Imitation of the Heathen, who observed this savage Rite to pacify the infernal Spirits, and make them propitious to departed Souls; *Huetius* conceives, that the Law of *Solon's*, which was transcrib'd by the *Romans* into the twelve Tables, that Women in Mourning should not scratch their Cheeks, had its Original from this Prohibition in the Law of *Moses*.

Chap. I.



Demonstr. E-  
vangel. Prop. 4.  
c. xii.

The Idolaters, who worshipped the Stars and Planets, particularly the *Arabians*, in Imitation of *Bacchus*, used to cut their Hair equal behind and before, to make their Head in the Form of an Hemisphere; they likewise shaved the Hair of their Beards. In Opposition to which Practices, the Law enjoyned, that the *Hebrews* should suffer the Hair of their Head to grow, and not presume to mar the Corners of their Beards.

Levit. xix. 27.

Nor were they to print any Mark on them; which was a Custom among the Heathens, that they might be known to belong to such a particular God. They used, says a *Rabbi*, to devote themselves to their Gods by Notes or Signs, signifying they were their Servants redeemed with their Price, and stamp'd with their Mark; these Impressions were made with a hot Iron, in their Hands, Foreheads, or Necks, or they were prick'd with a Needle dipp'd in *Glaustum*, which made blue Spots in their Skin, as the Manner was among the *Arabians*; and they expressed either the Name of the God to whose Service they were consecrated, or else by a proper Character denoted whom they honoured; as a Thunder-bolt signified they were devoted to *Jupiter*, a Spear or Helmet to *Mars*, a Trident to *Neptune*; and these were Signs (or Sacraments as we may call them) whereby they were solemnly addicted to the Worship of these

Levi, Precept.  
257.

Book V.



Deities. The Priests of the *Syrian* Goddess, according to *Lucian*, were all marked, some in their Wrists, others in their Necks, from whence all the *Assyrians* carry such Brands or Marks in their Flesh; and so are the *Jews*, that were initiated in the *Egyptian* Rites, said by the Author of the third Book of *Maccabees*, to be stigmatized with the Leaves of Ivy, which were the *Insignia* of *Bacchus*. From this antient Practice it is probable, that *Christians* have derived the unjustifiable Custom of Printing the *Jerusalem* Cross upon the Arms of those who go to visit our Saviour's Sepulchre. I shall add no more, but that the *Jews* were so inclined to receive such a Badge as this, that they made no Scruple to print the Name of their own God in their Flesh, as appears by that Canon mentioned by the learned *Schickard*; *If any Man write the Name of God upon his Flesh, let him neither wash nor anoint in that Place.*

Misphat. Hamel, c. ii. Theorem 5.

## C H A P. II.

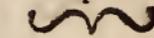
*The Punishments appointed for Idolatry and Blasphemy, by the Levitical Law.*

Exod. xx. 3, 4, &c.

**M**ANY and severe are the Injunctions of the *Mosaic* Law against the Worship of Idols, and the Service of strange Gods; the Lord *Jehovah* alone was to be the Object of their Belief and Adoration, who had a peculiar Right to their Homage and Obedience, by conducting them out of the Land of *Egypt*, and delivering them from the Servitude under which they groaned; and this (as the *Hebrews* speak) was the great Foundation of the Law, for whoever confessed any other God, denied the whole Law. No other God was to be worshipped with him, who was jealous of his Honour, and would not suffer

suffer any Corrivall or Consort, in that which was proper to himself. They were to make no Image to represent him, nor set up a Statue of what ever Materials, in any Place of divine Worship; they were not so much as to look upon an Idol, much less to enquire after what Manner the *Gentiles* worshipped their Gods, and what religious Rites they used towards them; they were not allowed to make molten Deities for others, and by Consequence not for themselves, from whence came that Observation among them: He that makes to himself an Idol violates a double Precept. First, in *making it*, and then, in making it *to himself*. They were forbidden so much as simply to name the Gods of other Nations, especially to call them by such Appellations as attribute to them any Divinity, and this Precept obliged Men and Women in all Places and at all times; and Beating was the Punishment inflicted for its Violation.

Chap. 2.



Levit. xix. 4.

Deut. xii. 30.

Exod. xxiii. 13.

All Society with Idolaters was forbidden, lest they should infect the *Hebrews* with their Infidelity, of which there was the greater Danger, because they were too prone to follow the *Pagan* Customs; none of the seven Nations of *Canaan* were allowed to exercise their heathenish Worship among them, nor was any *Gentile* admitted to dwell with them, unless he renounced his Idolatry; they were not to sell him a Spot of Land, nor suffer him to hire a House, only, as some of the *Rabbins* expound it, he might come and traffick in the Country; though others of a more rigid Opinion, will not suffer him to pass through the Land when they had Power to hinder 't.

Exod. xxiii. 32.

Among the *Jews*, there was a constant Succession of Prophets to instruct them in the Law, and preserve them in the true Worship; if one of these pretended to a Revelation from God by Vision or by Dream, with a Design to seduce them into Idolatry, and offer'd to demonstrate the Legality

Deut. xiii. 1.

of

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of such a Practice, by foretelling something, and the Event confirms the Prediction, so that he seems to be a true Prophet; yet he was to be abhor'd as a Liar, (because God could not contradict himself, by persuading Men to give his Worship to another) he was to be brought before the great *Sanhedrim*, who alone had the Judgment of a lying Prophet, to be sentenced, upon good Proof of the Fact, and to be put to Death by Strangling. This was the Punishment of an open Seducer; but the secret Advocates for Idolatry, whether a Wife, a Brother, a Son, or Daughter, or the dearest Friend, were executed by Stoning; they were summoned before the Court of Twenty-three, and upon their Tryal the Evidence was to dissemble nothing that made against them, no one was to intercede for them, to say any thing in their Favour, nor to assist them to defend themselves, but they were prosecuted to Death without Mercy, as Traytors against the Majesty of God: The Criminal was immediately executed after the Sentence was pronounced, the Accuser was to throw the first Stone at him, together with the Witnesses, and then the People were to assist at the Execution. But the Difficulty in this Case seems to be, how to prove a Man Guilty, who enticed another *secretly* (as the Law speaks) and not before Evidence? To this the *Jews* say, that he who was enticed was to dispose some Persons secretly, near to the Place of their next Meeting, who might hear the whole Conversation, and give full Testimony of it in the Court before the Judges: Yet, if upon Admonition the Man desisted from his Enticement, and resolved himself not to worship other Gods, upon his Repentance, the Evidence was not obliged to inform against him. A private Person that apostatized from his Religion, and fell into Idolatry, was tried in one of the lower Courts, upon the Testimony of two Witnesses at least, and upon Conviction, was to die by Stoning;

Deut. ver. 6.

Ibid. xvii. 2.

ning; and the more to confirm the Truth of their Testimony, the Witnesses were appointed to be the first Executioners of the Sentence. Chap. 2.

The End of this Severity, was to preserve the Body of the People from the Contagion of Idolatry: But if the Infection was spread into a *City*, or a considerable Part of it, there was still the more Danger, and more exemplary Punishments were to be used, in order to secure the Country about from being drawn away from their Allegiance. Upon Information that some profligate Persons had withdrawn themselves from the Service of God at the Tabernacle, and seduced the Inhabitants into strange Worship, the great *Sanhedrim*, who only could take Cognizance of this Crime, were immediately to send some, on whose Fidelity they could rely, to examine the Truth of the Report concerning the Defection; these were to use their utmost Care and Diligence in this Inquisition, for it was a Matter of great Importance, that neither the Innocent should suffer, nor the Apostates go unpunished. But the Punishment being so dreadful there was the more Exactness used to be certain of the Crime; and there were a great many Temperaments (as Mr. *Selden* calls them) found by the *Jewish* Lawyers (partly from the nicest Interpretation of every Syllable in the Precept, and partly from the pretended Tradition of their Elders,) whereby they mitigated the Sharpness of this Law; for they would not proceed upon it to destroy a *City*, though they found them Idolaters, unless the Seducers were two or more, and those also Men, not Women, because the Law here speaks of *certain Men* in the plural Number, as if their forsaking God was not a Crime, whether they were persuaded to it or not, by others. They say also, it was not to be a meer Town or Village, but a *City*, because the Words here are, *In one of thy Cities*; in which there were more than a hundred Houses; if there were fewer, it was no *City* in their Account, and so escaped. They

who

Deut. xiii. 12.

de Synedr. 1. 3.

c. v.



who seduced a City, also were to be of the same City, because it is said, these Men of *Belial* are gone out *from among you*; all which are Subtilties and Evasions, that carry no Conviction along with them: But there are other Temperaments of this Law, which have a better Foundation in Reason. As *First*, That a City was not to be destroyed, unless the major Part of the Inhabitants were fallen off to serve other Gods. And *Secondly*, that the Law speaks only of lesser Cities, not of those that were so large, that the greatest Part of the Tribe lived in it; for God never permitted, that a whole Tribe should be cut off by the Senate. *Thirdly*, they might not destroy any of the six Cities of Refuge, because they had no Right in them, and the Words of the Law are, *In one of the Cities, which the Lord hath given thee to dwell in*, whereas these were given for a further Purpose. And *Fourthly*, some add, not a *frontier* Town, because it is said, *in the midst of thee* (so the Words are in the *Hebrew*, which we translate *among you*) to which they subjoin a better Reason, that by the Destruction of such a City, the Country would have been exposed to the Incurfions of the *Gentiles*. And *Lastly*, they except *Jerusalem* from this Law, because God there kept his Residence, and (as *Maimonides* will have it) it was not distributed to any particular Tribe. But if that City was exempted from the Judgment of Men, the Sentence was executed upon it by the divine Vengeance; for the Temple and all the Houses of the City, were for their Idolatry consumed with Fire by the *Babylonians*.

Jerem. lii. 13.

If the Inquisitors commissioned by the *Sanhedrim* found, upon due Examination, that there was an evident Proof of their Guilt, they were to make their Report to the Court, who upon full Satisfaction that the whole City, or the greatest Part of them, were fallen to Idolatry, sent two Men of extraordinary Wisdom, (who were Candidates for the Senatorial Dignity) to admonish them,  
and

and by Arguments endeavour to reduce them to the true Worship. If they prevailed, they were pardoned, and all farther Proceedings ceased: But if they continued obstinate, the *Sanhedrim* commanded the People to raise an Army and besiege the Place; and if they were opposed, to enter it by Force. When the City was taken, several Courts were appointed to try the Guilty, and whoever had been admonished, and was afterwards proved guilty, by two Witnesses, was set aside: If they proved to be the lesser Part of the City, they were stoned, (according to the Law against single Apostates) the rest being freed from Punishment: But if they were the Majority, they were sent to the great *Sanhedrim* who adjudged them to be cut off by the Sword, with their Wives, their Children, and their Cattle. Thus the whole City was punished if there was an universal Defection. Such as belong'd to the City, and abhor'd the Idolatry of the rest, it is supposed, withdrew themselves and their Effects before Sentence was pronounced against so wicked a Place; but the Goods of the Idolaters, wherever they were found, were to be burnt; they were brought together into the Market-place, if there was one, or into some spacious Place, where all the Spoil and the Householdstuff (not the smallest Part being reserved to their own use) was set on fire, as a cursed Thing, and consumed. The City it self was to be reduced to Ashes, the Ground was for ever to lye waste; and whosoever offered to erect any Building there, was to be beaten for his Presumption. Thus was God appeased, who was highly incensed by such a Wickedness. The Punishment indeed was very terrible, but very necessary, because the Crime was of so high a Nature, that it struck at the very Foundation of their Religion and Government.

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 Exod. xxiv.14.

The Sin of *Blasphemy* was punished by Stoning: The Criminal was convicted by the Judicial Process of the *Sanhedrim*, and thence was he led to execution without the Camp, the Witnessess were first to lay their Hands upon his Head, which was a particular Ceremony in this Case; for Hands were laid upon the Head of no Offender condemned by the great Court, but upon a Blasphemer only. By the Use of this Rite they declared that they had given a true Testimony against him, and thought him worthy of the Death he was condemned to suffer, and withal they used this Form, *Let thy Blood be upon thy own Head, which thou hast brought upon thy self by thy own Guilt*; then they took off their Hands, and he was stoned to Death by all the Congregation. The *Rabbins* are not agreed in the Definition of this Sin; yet it is generally conceived to mean a speaking contemptuously of God and his Attributes, and a bold Attempt to subvert the established Principles and Foundations of their Religion.

Exod. xxiii.19.

There is a Precept in the *Mosaic Law*, forbidding the *seething a Kid*, or a Lamb, in its Mother's Milk. This was an idolatrous Rite in use among the Gentiles, especially when they gathered the Fruits of the Earth, to implore the Gods to be the more propitious to them. All the Trees and Fields (says our most learned Dr. *Cudworth* from a *Karaite* Writer) and Gardens were sprinkled with the Broth of such a Kid after a magical Manner to make them more fruitful in the following Year. Nothing could be more contrary to Nature, (and therefore more agreeable to the Institutions of the Devil) than to boil a young Creature in the Milk of its Mother; some Remains of which Custom we find even among the *Romans* themselves, who propitiated *Sylvanus*, by offering him Milk, and *Faunus* with a Kid, and every one knows that both these were used in the Solemnities of *Bacchus*.

## C H A P. III.

*The various Kinds of Idolatry, the  
Worshipping of Angels, the Sun,  
Moon and Stars, and the Adoration  
of Dæmons.*

**T**HE Writers of the *Jews*, who have treated upon the Subject of Idolatry, commonly explain it into three Kinds, according to the different Objects of Adoration, and make it consist in the worshipping of Angels, of the Host of Heaven Sun Moon and Stars, and of Devils.

It is difficult to determine, whether the old *Hebrews* offered divine Homage to Angels, and there is but one Passage in Scripture, that I know of, which seems to charge them with such a Practice. In the Form of Benediction, which *Jacob* used upon the Sons of *Joseph*, he invokes an Angel. *The Angel which redeemed me from all Evil, bless the Lads.* The *Rabbins* in glossing upon this Text observe, that the Prayers of their Ancestors were not directly addressed to Angels, but it was really God they invoked when they prayed to them; they only go to them as to the King, by his Ministers, and as one that presents his Petition to the first Officer of the Crown, yet still looks to the King as the Source and Spring of his Happiness and Favours that he has received. But this Exposition is refuted by others, who remark, that *Jacob*, after he had directly applied himself to God, and begged of him both temporal and eternal Blessings or his two Grandsons, then addressed himself to the *Angel*, to obtain of him, that he would keep them from all Evil; from whence they conclude, that *Jacob*

Chap. 3.



Gen. xlviii. 16.

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*acob* addressed his Prayers directly to the Angel, to whom he ascribed the Power of preserving from Evil, whilst he left to God the Privilege of bestowing all that was good; and if the Prayer of the Patriarch was *implicitly* addressed to God as the Fountain of Goodness, yet he certainly prayed explicitly to the Angel: But notwithstanding this Dispute, the best Expositors among Christians, deny that this Invocation of *Jacob* implies any thing like a Prayer to the Angel. Some indeed conceive, that the Angel in this Place is the second Person in the *Trinity*; an Opinion refuted by others, who more justly say, that *Jacob* intended no more than a Desire that his Children might enjoy the angelical Protection by the special Favour of God to them; for it is such an Expression as that of *David* to a contrary Purpose, *Let the Angel of the Lord persecute them*, where no one will say he prays to an Angel, though his Words are exactly like those of *Jacob*.

Psal. xxxv. 6.

In Mat. v.

St. *Jerome* in explaining the Reproach that our Saviour cast upon the *Jews*, for their swearing by the Creatures, concludes, that he charges them with swearing by the Angels, and paying divine Honours to them. The Authority of that Father has seduced even Protestants, who have not observed, that the Text has no Regard to Angels, but speaks of the City of the great King, and of the Gift upon the Altar. The Worshipping of Angels would be very antient, if our Saviour had so early condemn'd it; but St. *Jerome* is grossly deceiv'd in a Matter so plain and evident; so that his Testimony ought no more to be alledged, because it is absolutely false.

The *Jewish* Rabbins of a modern Date, have openly protested, that they offer no Worship to Angels, nor do they serve them as Mediators and Intercessors. In their Catechism, there is an *Anathema* pronounced against all that shall petition for any thing to an Angel or any other celestial Power. *Maimonides* reckons as the sixth Article of

In Tract. Sanhedr. c. xi.

of Faith, that God alone is to be adored, magnified, celebrated, and praised. We are not to invoke the Angels or their Chiefs, such as *Gabriel* and *Michael*, says the famous *Kimchi*; *Abraham* our Father is long since dead. The Father knows not his Son, but whilst he is alive: God alone is that Father that lives for ever, and redeems us from all Misery, and Calamity.

The most antient Idolatry of all other, seems to have been the Worship of the Sun and Moon, and the rest of the celestial Bodies, called *the Host of Heaven*. The Splendor of these great Luminaries prevail'd upon Mankind to believe, that they were the Tabernacles or Habitations of Intelligences, which animated those Orbs in the *same* Manner, as the Soul of Man animates his Body, and were the Causes of all their Motions, and that these Intelligences were of a middle Nature between God and them, and therefore they were thought the properest Beings to undertake the Office of Mediators between God and Mankind. They are called *Dæmons* in the *Pagan* Theology, and are said by *Plato* to be Reporters and Carriers In Sympos. from Men to the Gods, and again, from the Gods to Men, of the Supplications and Prayers of the one, and of the Injunctions and Demands of Devotion, from the other. To make this Idolatry the more reasonable, some of the Philosophers have asserted, that the Sun particularly, is indued with Understanding, and therefore is called by *Proclus*, *the King of intellectual Fire*, to distinguish it from other Fires, which are without Intelligence: And from thence, in one of the Coyns of *Caracalla*, there is over the Sun, surrounded with Rays, the Word *Providentia*. The *Hebrews*, from the Beginning of their Republick, had accustomed themselves to this Worship, and after the Appearance of Christianity, it was difficult to extirpate the Practice of it; for the *Essenes* (the best Sect among the *Jews*) seem to be inclined to this Superstition: Some indeed excuse them, as if they

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only admired the Sun, as the most excellent Work of God, which they expressed by some Kind of Adoration; but *Josephus* expressly asserts, that in the Morning, they directed to him certain Prayers, as if they beseeched him to rise; and this was so deeply impressed upon some who professed Christianity, that the Followers of *Basilides* and the *Manichees*, called the Sun and Moon by the Name of Gods, and sometimes prophanely applied the Name of *Christ* to the Sun. No wonder therefore, that *Julian* the Apostate should say, that God produced out of himself, the Sun the greatest God, in all Things like unto himself, for which he quotes *Plato* in his famous Oration in Praise of the Sun, where he says, the same Sun has filled the Heaven with innumerable other Gods; the whole Heaven is full of Gods from the Sun.

The Planets being nearest the Earth of all the heavenly Bodies, were generally looked upon to have the greatest Influence upon this World, and therefore they were made choice of by the Heathens to mediate for them to the supreme God, and, accordingly, they paid divine Worship to them. They were first adored by their Tabernacles, and after by Images: These sacred Tabernacles were the Orbs themselves, in which they supposed the Intelligences made their Abodes; and when they paid their Devotions to any one of them, they directed their Worship towards the Planet, in which they supposed he dwelt. These idolatrous Rites were strictly forbidden to the *Hebrews*, and the Law gives this Reason, because all Nations of the World enjoy the Benefit of the Sun, Moon and Stars, as well as they; and therefore God alone was to be adored, who appointed those Luminaries for the Service of his Creatures. It is an Opinion that prevails generally with the *Jews*, that God has distributed the Nations of the Universe under the Government of several Stars, which Stars are under the immediate Direction of Angels, but the *Jews* under the Direction of God alone,

Deut. iv. 19.

alone, and not subject to any Planet. But this Construction has no Foundation at all, much less can we suppose, that God ordained, that the Nations of the World should worship the heavenly Host, lest they should be Atheists, as *Justin Martyr* conceived, unless he means, that God for their Sins delivered them up to this Impiety, which perhaps is no improbable Conjecture.

It is difficult to come at Satisfaction, concerning the *Demonology* of the antient *Hebrews*, and therefore it will be hard to explain, what is meant by the Worshipping of *Devils*, which is the last Species of Idolatry, according to the Division of the *Rabbins*. The latter *Jews* have fallen into infinite Superstition about the Origine, the Nature, the Fall, and Punishment of wicked Spirits, but the more sensible of them believe, that the Angels created in a State of Innocence, fell from it through a Kind of Jealousy for Man, and their Revolt from God, which comes nearest to the Account of *Moses*: It is certain, that the *Israelites* among other Acts of Worship, offered Sa-  
Deut. xxxii. 17.  
 crifice to Devils. The Word in the *Hebrew*, signifies *Destroyers* (as the Devil is called in the Book of *Revelation*,) as Spirits delighting in Mischiefe,  
Rev. ix. 11.  
 and leading those that worship them into Perdition. They are called *Dæmons* by the *Seventy*, because they lead Men into the Impiety of worshipping other Gods, either themselves, or some other Beings, which they persuade their Votaries, had some Dignity in them.

Besides these *Dæmons* of an angelick Nature, that were never joined to a mortal Body, there were others who are called *Dii animales*, *Soul-Gods*, or the deified Souls of Men after Death. This Way of Canonization is of great Antiquity, and was practised by the Heathens in the Beginning of the *Hebrew* Government, and gave occasion to a Kind of Idolatry, which the People fell into in Imitation of the Nations about them. *Hesiod* takes notice of this Superstition,

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Lib. 5.

and asserts, that when those happy Men of the first and golden Age of the World, were departed this Life, great *Jupiter* promoted them to be *Demons*, that is, Keepers and Protectors, or Patrons of earthly Mortals, and Overseers of their good and evil Works. And *Plato*, in his *Republick*, would have all those who die valiantly in the Field, to be made *Demons*, and the Oracle to be consulted how they should be buried and honoured; and accordingly, ever afterwards, their Sepulchres to be served and adored as the Sepulchres of *Demons*. In like Manner should be done to all, who in their Life-time excelled in Virtue, whether they died through Age, or otherwise.

The first that was ever deified or reputed a God after Death was *Baal* (or, in the *Chaldee* Dialect, *Bel*) the first King of *Babel* after *Nimrod*, from whence, in after Times, all other *Demons* were called *Baalim*, in the Manner that all the *Roman* Emperors, after the first, were called *Cæsars*, because the first was called by that Name. *Plutarch* observes, that *Demons* are sometimes called by the Names of those celestial Gods, whose Ministers and Proctors they are, and from whom they receive their Power and Divinity, as *Apollo's* *Demon* *Apollo*, *Jupiter's* *Demon* *Jupiter*: And the same Author asserts, that the Souls of Men took Degrees after Death; first they commenced Heroes, who were as Probationers to a *Demonship*; then after a sufficient Time they were advanced to *Demons*, and after that, if they deserved well, they were raised to a more sublime Degree; however it be, it is certain, that *Demons* and Heroes differ but in more and less Antiquity, the more antient Heroes being called *Demons*, and the younger *Demons* were known by the Name of *Heroes*.

There was yet another Species of *Demons*, as learned Men have imagined, to which the *Israelites* offered Sacrifice, and these were a Sort of  
evil

De defect.  
Orac.

evil Spirits that appeared especially in desert Places, in the Form of Goats, who in Scripture are called *Seirim*, which properly signifies *Goats*. From whence arose the Opinion that the *Hebrews* really sacrificed to these Creatures, as some of the *Egyptians* did, who held Goats to be sacred Animals: But it is doubted, whether the *Egyptians* were really guilty of such Idolatry in the Days of *Moses*. It seems more reasonable to believe, the old *Hebrews* worshipped the *Demons* adored by the antient *Zabii*, who appeared in the Shape of Goats; and this Practice was universally spread in the Time of *Moses*, which occasioned, that this Kind of Idolatry was so strictly forbidden in his Injunctions.

Chap. 4.



## C H A P. IV.

*The Consecration of Hills, Woods and Groves: The Adoration of Pillars and Images.*

**I**T is certain, that the antient Heathens thought it unlawful to erect Temples to their Gods, because they conceived no Temple could be spacious enough for the Sun, which was their principal Deity. From hence came that Saying among them, *The whole World is a Temple for the Sun*; and when After-times had introduced the building of Temples, they judged it improper to confine the supposed Infinities of their Deities within Walls; and therefore the God *Terminus*, and many others, were worshipped in Temples open roofed, for which Reason they made choice of Hills and Mountains, as the most convenient Places for Idolatry; for here they conceived their Sacrifices were more acceptable than in Valleys, because, says *Lucian*, Men were then

Alex. ab.  
Alex. I. 2.  
c. 22.

Book 5.



nearer to the Gods, and so the more readily obtained Audience.

As the Number of their Gods increased, so these consecrated Hills were multiplied, from which their Gods and Goddeses took their Names, as *Mercurius Cyllenius*, *Venus Erycina*, *Jupiter Capitolinus*. At length to beautify these holy Hills, the Places of their idolatrous Worship, they surrounded them with Trees, that their impure Rites might be celebrated with greater Solemnity, and hence came the Consecration of Woods and Groves, from which their Idols had their Denomination. At last some select Trees began to be consecrated to this or that Deity, and, to attract Devotion, the Heathens trimmed them up with Ribbons, adorned them with Lights, and made Vows to them, and hung upon them the Spoils of their Enemies; so that Travellers were used to stop when they were to pass by them, as if they had been the Tabernacle and Habitation of some particular God. These were the Temples of the Gods, saith *Pliny*, and even now the simple People, after the antient Rites, dedicate to a Deity such Trees as excel the rest; nor do we more adore the Images glittering with Gold and Ivory, than we do the Groves, and the solemn Silence therein. And then he reckons what Trees were peculiarly sacred to *Jupiter*, *Apollo*, *Minerva*, and other Gods, concluding that several of them, such as the *Sylvani*, *Fauni*, and some of their Nymphs had their Names from the Woods. This was a Thing so notorious, that in their most sacred Solemnities they were used to present the Gods whom they worshipped with a Crown, or a Garland, made of Boughs, and Leaves of such Trees, in which they were thought to delight, as to *Jupiter* a Crown of *Oak*, to *Apollo* of *Laurel*, to *Minerva* of *Olive*, to *Venus* of *Myrtle*.

Deut. vii. 3.

This Superstition infected the *Hebrews* in common with other Nations, notwithstanding they were commanded by the Law of *Moses*, not only

to avoid, but to extirpate this Kind of Idolatry wherever they found it, by cutting down their consecrated Woods and Groves, that no Monument of those impure Places might be left in the Country, nor no Shades afford a Covering to Images and Altars erected to false Gods: And this Prohibition was not restrained to the Land of *Canaan*, which was taken from the old Inhabitants, upon the Account of their Idolatry, but extended to all the Countries they should conquer, lest by Imitation they should be infected with the Impieties of the People they had subdued, and be seduced from their Obedience to those Laws by which God designed they should be governed.

Chap. 4.



Exod. xxxiv. 13.

The *Hebrews* had not only their Idols upon *Ira. lvii. 8.*

Hills and Mountains, but they worshipped a Sort of *Penates* which they placed sometimes behind the Doors of their private Houses, and adored as Domestick Deities. And the Prophet *Hosea* charges the *Israelites* with going a whoring after the Gods they had set up in their Corn Floors, and in their Wine-presses; in short, there was scarce a private Room, or a High-Way, or a Corner of a Street where there was not some Idolatrous Image, which in the wicked Times of their Government was set up by profane Princes and Persons, in order to destroy the established Religion, and corrupt the Devotion of the People. The Effigies likewise of some God was engraven and worn in Rings, in the Nature of Amulets, in which they vainly fancied there was some Power to preserve them from Mischiefs and Misfortune. *Maimonides* mentions such idolatrous Rings as were utterly unlawful to be used, and Vessels marked with the Image of the Sun, the Moon, or *Dagon*, which were accounted Symbols of Divinity among the Heathens. *De Idolol. c. 7.*

The most ancient Monuments of Idolatry among the *Gentiles*, were consecrated *Pillars*, or Columns, which the *Hebrews* were forbidden to

Lev. xxvi. 1.

Book V.



erect, as Objects of divine Homage and Adoration. These were rude Stones without the Representation of Men or any other Creatures, and may signify any other Work; an Altar, for Instance, set up for sacred Purposes, and the Exercise of religious Rites. The sovereign celestial Gods were worshipped in the Sun, Moon, and Stars, wherein they were thought to dwell, but the petty Deities, the Dæmons, were at first adored in plain simple Columns, in which, after a solemn Dedication, they were supposed to keep their Residence. This Practice is conceived to arise from an Imitation of *Jacob*, who took a Stone and set it up for a Pillar, as a Monument of the divine Mercy to him, and to preserve the Memory of the Vision which he had seen. This Stone was held in great Veneration in future Times, and by the *Jews* removed to *Jerusalem*; after the Destruction of which, by *Titus*, they were indulg'd (upon that Day when it was taken, which was the only Day they were permitted to come thither) with great Lamentation and Expressions of Sorrow, to go anoint this Stone. From the Word *Bethel*, the Place where the Pillar was erected, came the Word *Betylia* among the Heathen, which signified rude Stones, which they worshipped, either as Symbols of Divinity, or as true Gods animated by some heavenly Power. The learned *Bochart* asserts, that the *Phenicians*, at least as the *Jews* think, first worshipped this very Stone which *Jacob* anointed, and afterward consecrated others, which they called *Betylia* or *Betyli*, in Memory of this Stone anointed at *Bethel*. It is certain, that this idolatrous Custom, came very early into the World, which gave Occasion to *Moses*, not only to forbid the erecting of such Pillars, but to command them to be broken down and destroyed, wherever they were found, because in his Time, they were converted to profane Uses.

Gen. xxviii. 18.

Vossius de Idol.  
l. 6. c. 38.L. 2. Canaan,  
c. ii.

The Worshipping of *Images* had the same Foundation with the Adoring of Pillars; for Images, as Mr. *Mede* observes, were the Bodies for Dæmons to animate and dwell in. The making of these Idols is strictly prohibited, and it is supposed, they included not only protuberant Statues made of Wood or Stone, and other Materials, but also the Pictures of the Stars, or Birds, or Men, or Beasts, or Fishes, lest they should prove the Instruments of Idolatry. The second Commandment in the Decalogue, is thus understood by *Origen*, who asserts, that there was not so much as a Picture-Drawer, or a Maker of Statues, in their Common-wealth. This Opinion he derived, in all likelyhood, from the *Jews*, who from the Time of the *Maccabees* to the Destruction of *Jerusalem*, thought they were forbidden by this Law, to make an Image or Figure of any living Creature, especially of a Man. *Josephus* relates, that all the *Roman* Governours before *Pilate*, were used to carry Ensigns in *Jerusalem* without the Image of *Cæsar* in them, because their Law forbade the making of Images; and when *Vitellius* was to lead the *Roman* Army through *Judea* against the *Arabians*, with Images in their Ensigns, the People ran to meet him, beseeching him to forbear it, for it was not consonant to the Laws of their Country, to see Images brought into it. But whether this was the antient Exposition of the Law is much to be questioned. The *Talmudists* think it was unlawful to make any Figures of celestial Bodies, either prominent or plain, tho' it were only upon the Account of Ornament, but as for Animals, they might make prominent Statues of them, except only of Men, the Images of whom, they might draw upon a Plain. These Distinctions are look'd upon, as not sufficiently supported; and the common Opinion is, that *Moses* did not intend to forbid the very making of an Image, but that they should not

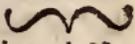
Book V. be made for the Uses of Religion, or set up in any Place of divine Worship.

It is not to be doubted, but that the first Images were made of very mean Materials, and it is probable, that the first Statues were made of Potter's Clay, well burnt, like our earthen Vessels; and what confirms this Opinion is, that these Statues had their Beginning at *Babylon*, the Place where the working of Clay or Earth, was first practised, as well as the Burning of it, as is evident from the Tower of *Babel* made of Brick-work. That these earthen Gods might appear the more beautiful to the Eye, they were sometimes painted with Vermilion; next to this, they chose Wood, which is the easiest for Carving, for the Materials of their Gods. This is manifest from the several Passages in the Prophets, where they upbraid the *Jews* with their wooden Gods; *He heweth him down Cedars, and taketh the Cypress and the Oak: Part thereof he will take to burn and warm himself, with Part thereof he eateth Flesh, and the Residue thereof he maketh a God, and fall-eth down unto it.* But the *Eastern Nations* did not continue long in this Simplicity, for they affected a singular Magnificence and Respect in the precious Materials of their Idols. Thus we find the *Hebrews* made their Calf of the best of Metals, and the Scripture frequently Reproaches the *Pagans* with the Idols of Gold and Silver, which indeed were more frequent in the *Eastern*, than in any other Parts of the World.

*Deut. iv. 16, 17* The Prohibition in the Law of *Moses*, concerning the Worship of Images, is very particular; for as it was forbidden to represent God in a human Shape, which was common among the Heathens, so they were not to make the Figure of any Beast, or Bird, or Insect; for in the Shape of such Creatures, the *Gentiles* represented their Gods, or some of their Qualities, for not only Oxen were sacred to *Apis*, and Rams to *Jupiter Ammon*, but Hawks and Eagles, and even Beetles, were consecrated

erated to other Deities. No Image of a Serpent was allowed, because they had been often used as Symbols of Divinity, nor of a Fish, which was one of the Deities of the *Syrians*. If they saw any Images (as they must needs do in other Countries) the *Hebrews* were obliged to use no Gesture before them, that signified any Degree of Reverence or Honour, either by Prostration, by bowing their Bodies, or kissing their Hands, much less to offer Sacrifice, to make Vows, to burn Incense, to consecrate Temples to them, to swear by them, or to light Candles before them.

Chap. 4.

  
Cicero de Nat.  
Deor. lib. 3.

The Punishment attending upon this Sin, was the Destruction and Ruin of themselves and Families. Idolatry was understood to be a Kind of high Treason against the Sovereign of Heaven and Earth, and therefore God threatens to pursue the Guilty with his Vengeance in their Posterity. It is an Observation of *Maimonides*, that visiting the Iniquity of the Fathers upon the Children, is denounced only against the Sin of Idolatry, and to the fourth Generation is only mentioned, because the most a Man can live to see of his Seed is the fourth Generation; accordingly God orders, says he, that if any City prove Idolaters, the Inhabitants should be destroyed utterly, and all that was therein; Fathers, Children, Grandchildren, great Grandchildren, and the new-born Infants were all killed for the Sin of their Parents. The same Rabbi judiciously remarks, that in the whole Law of *Moses*, and in the Books of the Prophets, we shall never find these Words, *Fury*, *Anger*, *Indignation*, *Jealousie*, attributed to God, but when they relate to Idolatry; nor any Man called an Enemy to God, an Adversary, an Hater of him, but only Idolaters, from whence it appears, that the Worshipers of Images were always included under that Denomination; not that they thought these Images to be Gods (for no Man in the World ever thought a Statue to be the Creator of Heaven and Earth, or the Go-

Exod. xx. 5.

More Nevocia  
P. 1. c. lii.

vernour

Book V. vernour of the World) but esteemed them only as Messengers and Mediators between God and Men. This was a Law so well known to the antient Heathens, that the best Men among them would suffer no Images to be set up in their Temples; in particular, *Numa* forbad this to the *Romans*, which he learn'd, as *Clemens Alexandrinus* conceives, from the Institutions of *Moses*; inso-much, that for the Space of a hundred and seventy Years, though the *Romans* built Temples, yet they made no Image, neither Statue, nor so much as a Picture, and the Reason is thus given by *Plutarch* in the Life of that Prince, because they thought it a great Crime to represent the most excellent Being by such mean Things, and that God was to be apprehended only by the Mind.

Deut. vii. 5.

The *Hebrews* by the Law of *Moses* were obliged to destroy all the Images they found, such as were molten were to be broken down, and such as were graven were to be consumed with Fire, that no Incentive to Idolatry might remain, nor any Monument of profane Worship be left in the Countries they had subdued. To see this done was properly the Business of the supreme Governour, as the learned *Grotius* observes; for tho' out of private Places, it belonged to the Lord of the Place, or, if he were negligent, to the King, to remove Idols, yet none but the supreme Power might remove them out of publick Places, or such Persons who were delegated thereby to that Office. After the Idols were defaced, the

De Imper. Sum.  
Potest. Circa  
Sacra. C. 8. § 3.

Deut. vii. 25, 26.

*Jews* were forbidden to employ any of the Gold or Silver to their own Use, lest they should be seduced into a Conceit that there was something sacred in it, and so tempted to worship it; nor were they to bring it into their Houses, to be applied to any private Purpose for Advantage, it being one of their affirmative Precepts, that no Man should seek the least Profit or Benefit from any Thing belonging to an Idol; but they were to look upon it, not only as useles and unprofitable, but

but as hateful and execrable ; and therefore ( under the Penalty of Stoning ) it was to be intirely consumed and destroyed. These Injunctions tended highly to the Security of the true Religion, which taught them to have every Thing contrary to it, in the utmost Abhorrence, infomuch ( as *Maimonides* interprets this Precept ) that if a Man broke such Images, or melted them down, and then sold the Silver and Gold, he committed an Abomination, and the Price of this being mingled with their other Riches, proved the Rust of them all. Of this the *Jews* were so sensible, after they had severely smarted for their Idolatry, that they thought it unlawful to use any Vessel that had been employed in sacrificing to a false God ; nay, to warm themselves with the Wood of a Grove, after it was cut down, or to sit under the Shadow of it, for Coolness sake, while it was standing, or so much as to use the Ashes of the Wood that was left after the Grove was burnt.

Chap. 5.



More Nevoch,  
P. 3. c. 37.

C H A P. V.

*The Worshipping of the Brasen Serpent.*

**N**Otwithstanding the Severity of the Law against the making of Images, yet, as *Justin Martyr* observes in his Book against *Trypho*, it must be somewhat mysterious, that God, in the Case of the *Brasen Serpent*, should command an Image to be made, for which, he says, one of the *Jews* confessed, he never could hear a Reason from any of their Doctors ; nor is it possible, says the same Father, to be understood, till they believe in *Christ*, and him crucified, whose Victory over the Devils, by his Cross and Passion, was in this Type most lively represented. This was an Image of polished Brass, in the Form of one of those flaming

Book V. flaming Serpents who bit the People, which, though not followed with immediate Death, yet made an Inflammation, and such Ulcers, as some conceive, were incurable. This Figure was set upon a Pole, so high that every one in the Camp might see it; and whoever was bitten, when he look'd up to it, and (as the *Jews* speak) directed his Heart to God, was cured of the Wound. They had so much Understanding generally, as to say, that the mere Beholding of it had no Effect, for the Author of the Book of *Wisdom* observes, he that turned himself towards it, was not healed by the Thing which he saw, but by thee that art the Saviour of all; and therefore it was a superstitious Conceit to fancy that this Serpent was a Sort of *Talisman*, made to receive I know not what Influence from the Stars.

Chap. xvi. 7.

To be cured and restored to perfect Health, by looking upon this Image, according to the *Jews*, advanced the Dignity of the Miracle, because naturally it would have made the Inflammation the greater; for they observe that those, who are bit by venomous Beasts, and follow the Prescriptions of Physicians, must not behold the Image of the Beast by whom they were bitten: But this was commanded by God, that the *Israelites* might know that their Disease and their Medicine came from him, who made that, whose Aspect was pernicious, become a Remedy, and a Means of their Preservation. The Lifting-up of the *Brasen Serpent* was a Thing so well known to all the neighbouring Nations, that as *Tavernier* relates in his Travels, the Fame of it, in all Probability, was carried into *India*, where they still set up an Idol in the Form of a wreathed Serpent upon a Perch six or seven Foot high, which they devoutly worship, and solemnly carrying it along with them in their Travels, prepare it every Morning for the Company to pay their Adorations to it.

P. 28.

This

This *Brasen Serpent* was preserved as a Monument of the divine Mercy, but in Process of Time became an Instrument of Idolatry. When this Superstition began, is difficult to determine; but the best Account is given by *David Kimchi* in the following Manner. From the Time that the Kings of *Israel* did Evil, and the Children of *Israel* followed Idolatry, till the Reign of *Hezekiah*, they offered Incense to it; for it being written in the Law of *Moses*, *whoever looks upon it shall live*, they fancied, they might obtain Blessings by its Mediation, and therefore thought it worthy to be worshipped. It had been kept from the Days of *Moses*, in memory of a Miracle, just as the Pot of Manna also was: And *Asa* and *Jehosaphat* did not extirpate it, when they rooted out Idolatry, because in their Reign they did not observe that the People worshipped this Serpent, or burnt Incense to it; and therefore they left it as a Memorial. But *Hezekiah* thought fit to take it quite away, when he abolished other Idolatry, because in the Time of his Father they adored it as an Idol; and though pious People among them accounted it only as a Memorial of a wonderful Work, yet he judged it better to abolish it, though the Memory of the Miracle should happen to be lost, than suffer it to remain, and leave the *Israelites* in Danger to commit Idolatry hereafter with it. Our learned Dr. *Jackson* observes, that the pious *Hezekiah* was moved with the greater Indignation against the Worship of this Image, because in Truth it never was a Type of our Saviour, but a Figure of his grand Enemy, and therefore he expressed such Detestation of it, as not only to break it in Pieces, to grind it to Powder, and scatter it in the Air, that no superstitious Relick might remain of it, but to fix upon it the Name of *Nebubstan*, the Signification of which Word though not to be found in our *Lexicons*, yet in our *English* Language is conceived to import no less than *Satan*, the foul *Fiend*, or the old *Dra-*

Humiliation of  
the Son of God.  
c. 31.

Book V. *gon.* There is a Fable among the *Jews*, that some Fragments of the Brazen Serpent remained till the Time of *Jofiah*; and at this Day, as *Sigonius* relates in his History of *Italy*, they pretend to shew this Serpent intire at the Church of *St. Ambrose* in *Milan*: But the wiser *Romanists* are ashamed of this Imposture, and confess it is not the Figure made by *Moses*, (which was broken and never restored) but another devised in Imitation of it.

## C H A P. VI.

*The Idolatry of the Golden Calf.*

Exod. xxxii  
1, 2, &c.

THE *Molten Calf* was another Object of idolatrous Worship among the *Hebrews*. They had hitherto been conducted through the Wilderness by a Pillar of Cloud and Fire, that went before them, but that Cloud now covering the Mount where *Moses* was, and not removing at all from thence, they imagined that it would no longer be their Guide, and therefore they applied to *Aaron* as supreme Governor of their Affairs, to make for them a Sacred Sign, or Symbol, as other Nations had, that might represent God in a visible Manner. They said to *Aaron*, say the *Jews*, We find that the *Egyptians* extol their Gods, they sing and chant before them, for they behold them with their Eyes; make us such Gods as theirs are, that we may see them before us. They desired, saith a Rabbi, a sensible Object of divine Worship, not with any Intention to deny God who brought them out of *Egypt*, but that something in the Place of God might stand before them when they declared his wonderful Works. *Aaron*, after great Debate and Importunity, complied with their Demand; for it is not credible, he would immediately consent

In Pirke Elie-  
ser. c. 45.  
Jehudah in Lib.  
Cofsi, P. 1. 9  
97.

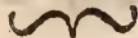
sent to so impious a Fact as this is without the least Argument against it. This is so improbable, that the *Jews* have invented this Story, that *Hur* having rebuked the People for this Attempt, they fell upon him and killed him, which frightened *Aaron* into a speedy Compliance. Chap. 6.

The Materials of this Idol were golden Ear-Rings of the People, worn in those Eastern Countries, by Men as well as Women, and probably they were some of the Jewels which they borrowed of the *Egyptians*. These they presented as an Offering to *Aaron*, who put them in a Bag, and then, having a Mould, cast them into it, and made a *Golden Calf*.

This Image was no bigger than a Calf, though it had an Head like an Ox; and some imagine that *Aaron* with a graving Tool, made the same Marks upon it as were upon the *Egyptian Apis*, which was a Cow that had a Spot upon her right Side like a Crescent, (as some Writers observe) and a square white Spot in her Forehead. But others think it more reasonable, that the Calf coming rough out of the Mould, he only polished it with a proper Tool; for though *Apis* was in great Honour among the *Egyptians*, yet it was a living Cow, and not the Image of one which they had in such Veneration. Therefore Mr. *Selden* takes it to be more probable, th at this golden Calf, or Ox, or Bullock, (for so the *Psalmist* differently calls it) was made in Imitation of that golden Ox that represented *Osiris*; for the *Egyptians* had a mighty Veneration for the River *Nile*, called in Hebrew *Sichor* (from whence came *Siris*, and for the Dog-Star (called *Siris* likewise) at whose Rising the River began to swell, and for the Sun (which was principally intended by this Name) to whom, both the Bull at *Heliopolis*, and the Ox at *Memphis* were solemnly consecrated.

It is difficult to discover the Reason, that induced *Aaron* to represent God in this Figure; many are of Opinion, that he imitated the *E-*

De Dis Syris.  
Synt. 1. c. 4.  
Psa. cvi. 19.  
20.



*gyptians* among whom he had long lived, which to me appears unlikely, since he had seen the Judgments executed by God against all their Deities. Nor is it probable that he would make such a Representation of the Divinity as was in Use among a Nation, from whose Slavery they had lately been deliver'd; and further, what Reason is there to imagine, that the *Israelites* themselves could be inclined to believe, that their God was like any thing which that People worshipped, who abhorred the Sacrifices which the God of *Israel* required. Their Conjecture seems to be more reasonable, who say, that *Aaron* in making this Calf, took his Pattern from some Part of the *Shechinah*, which appeared to him and the Elders of *Israel*, (when they eat before [God] attended with the Angels; some of which called *Cherubims*, they think appeared with the Faces of Oxen. But as there is no Mention in that Place of Cherubims, nor of Angels appearing in any Shape whatsoever, and *Moses* expressly says, the *Israelites* saw no Manner of Similitude on the

Exod. xxiv.  
30.

Deut. iv. 15.

Day when the Lord spake to them in *Horeb*, (and therefore in all probability, *Aaron* and the Elders saw none afterwards) so it is supposed, there is no Evidence, that the heavenly Ministers at any Time appeared in this Shape, till the *Shechinah* departed from the Temple in the Days of *Ezekiel*. It is therefore imagined, that *Aaron* made Choice of an Ox to be the Symbol of the divine Presence, in hope, that the People would never be so stupid as to worship it, but only to put them in Mind of the divine Power represented by it; for the Head of an Ox was antiently an Emblem of Strength, and Horns were a common Sign of kingly Power, which made the Christian Fathers perhaps, when they spake of this Calf, or Ox of *Aaron*, mention only its Head; because *Moses*, (says *Lactantius*) went up to the Mount and staid there forty Days, they made themselves the Figure of a Bullock's

Instit. l. 4. c. 20.

Head

Head, called *Apis* in *Egypt*, to be carried before them; not because he imagined that *Aaron* made only the Head, but because this was the principal Part whereby God was represented.

When the Idol of the Calf was formed, the People cryed out, that it was a proper Image or Symbol of the divine Majesty, which had deliver'd them from the Bondage of *Egypt*, and *Aaron*, at their Request, set it apart by a solemn Rite of Consecration; he built an Altar, offered Sacrifices, and kept a solemn Feast in Honour of it, and as at this Time, *Moses* had not prescribed any Rules for their Sacrifices, 'tis probable, that they sacrificed after the Manner of the Nations, and likely, after the Custom of the *Egyptians*. This mock Dedication was solemnized with Musick, Dancing, and Songs, and some imagine, that after they had eaten and drunk liberally, they committed Fornication, and all Manner of Lasciviousness, after the Manner of the Heathen Worshippers.

*Moses* upon his Return from the Mount, was an Eye-Witness of these abominable Festivities in the Camp, and being seized with a divine Impulse, he threw the Idol into the Fire, and melted it down, so that though the Matter remained, yet the outward Form and Shape of it was destroyed; he then filed it down to Powder, and grated it into Dust as small as Flour, and strawed it upon the Water of the Brook that descended out of the Mount. So that the People having no other Water, were obliged, when they were thirsty, to drink it with this Mixture. The *Jews* fancy, that the Dust of the Calf was thrown into the Brook, in order to discover those that were guilty of Idolatry, for upon such it had the same Effect with the Water of Jealousie, it made their Bellies swell, and their Beards, as some have fabled, turn yellow, but this Conjecture has no Support. The Design was to convince them, how vile a thing this Idol was, which was gone into their Draught, and mixed with their Excrements.

Book V.

The Excuse made by *Aaron*, when he was questioned about his Behaviour in this Matter, has given some Trouble to Expositors, for he seems to urge in his Defence, that he threw the Gold into the Fire without any ill Intention, and without meddling any further with it, out it came in the Form of a Calf, which made our Dr. *Jackson* think it more than probable, that there was some magical or dæmoniacal Skill practised in the sudden molting of this Idol, which very much increased the Peoples Superstition to it; for what else, says he, would *Aaron* mean by these Words, *I cast it into the Fire, and there came out this Calf*, than, that there was some secret invisible Operation whereby it was moulded into this Form in an Instant, which raised the Peoples Devotion to it. This learned Man falls into the Opinion of some *Jews* who go a great deal further, and imagine, that the Devil enter'd into the Idol, and made it roar like a Bull, to carry a greater Awe and Terror with it. But these seem to be Conceits invented for the Excuse of *Aaron*, who in the History is said plainly to have made this molten Calf, which he could not have done without designing it, and running the Gold into a Mould of this Figure. The *Jews* to this Day are very solicitous to palliate this Idolatry of their Ancestors, but with little Success, as appears from a Proverb for many Ages received among them. That *all the Miseries that have befallen them, are Morsels of the golden Calf.*

C H A P.

## C H A P. VII.

*The Golden Calves erected by Jeroboam at Dan and Bethel.*

THE Calves set up by *Jeroboam* have so near 1 Kings xii. 20, &c. a Relation to that of the Wilderness, that this seems to be a proper Place to give an Account of them ; for the Idolatry was altogether the same both in its Form and Matter, tho' the Cause be somewhat different. The History of this Transaction is thus related in Scripture. God to punish *Solomon*, for having turned his Heart to the Idols of his foreign Women, suffered that flourishing State which he had governed as King, to be torn to pieces at the Beginning of the Reign of *Rehoboam* his Son ; *Jeroboam* one of his Ministers, having found Means to make ten of the Tribes revolt against him, which remained thus divided from the rest till the Destruction of the whole Country by the Kings of *Assyria* and *Chaldea*. This revolted Prince, when he was fixed upon the Throne, easily foresaw, that he would soon lose both his Crown and Subjects, if he suffered the People, who were particularly bound to go up to *Jerusalem*, at the great Festivals, to perform their Worship in that Place. The Splendor and Magnificence of the Temple, the Majesty of Religion, the Address of the Priests concerned to bring back the Schismatics, and the Threatnings and Power of the King, he was afraid, would ruin his Designs. And therefore to prevent these Inconveniences, he made two Calves of Gold, and set them up, the one in *Dan* and the other in *Bethel*, the first being on the *North* Side, and the second to the *South* of the Frontiers of *Judaea* ; where he commanded his Subjects to offer their Sacrifices and

Book V. Devotions. *Bethel* was, in the general Opinion, esteem'd as a sacred Place, having been consecrated by *Jacob*, when God appeared to him there more than once, and *Dan* had been famous for the *Teraphim* of *Micah* unto which there was a publick Resort of the People: For these Reasons it is supposed, he waded his royal City which was *Shechem*, and chose these two Places for the Residence of the divine Majesty, for so he pretended, that these Calves represented the true God who brought their Fathers out of *Egypt*, whom he did not forsake, but worship in these Symbols of his Presence.

It is observed, by the learned *Bochart*, that one Egg is not more like to another, than these Calves were to that which was made by *Aaron* in the Wilderness, only, as the *Jews* say, till the Time of *Jeroboam* the *Jews* sucked but one Calf, but from that Time they sucked two: And this Idolatry, it is probable, came likewise from *Egypt*, where *Jeroboam* had lived a considerable Time with the King of *Tosakim*, whilst he was banished the Court of *Solomon* and his Country. These Calves are spoken of by the Prophet *Hosea* in the feminine Gender, who calls them *Heifers*, or *young Cows*; The Septuagint say, *Jeroboam* made two golden *Heifers*, and so does *Josephus*, he made two *Heifers* of Gold, and consecrated to them two Temples. But most of the antient Interpreters conceive, that the Historians made use of this Expression signifying a Female, only to render the Worship of the Idols the more contemptible; and say, that these Calves were made in Imitation of the *Egyptians*, who had a Couple of Oxen which they worshipped; *Apis* at *Memphis*, the Metropolis of the upper *Egypt*, and *Mnevis* at *Hierapolis*, which was the chief City of the lower.

The Leader of the Rebels, as well as the Idolaters in the Wilderness, proclaimed before the Idols upon the Feast of their Consecration; *These are thy Gods, O Israel, which brought thee*

Hof. x. 15.  
1 Kings xii.  
28.

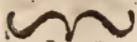
Antiq. 1. 8.  
c. iii.

out of the Land of Egypt, as if he had said, God is every where in his Essence, and cannot be included in any Place; he dwells among you here as well as at *Jerusalem*, and if you enquire any Symbols of his Presence, behold here they are in these Calves which I have set up; for they could not be so stupid as to believe, that the Idols taken just before out of the Furnace, had been their Deliverers so many Ages before. It is evident, that the Worship of these Calves was not looked upon by the sacred Writers, and by the Prophets, as an absolute *Pagan* Idolatry, but only as a Schism, which was indeed very criminal in it self, but did not come up to the Degree of a total Apostacy; for the History of the Revolt of the ten Tribes introduces *Jeroboam* speaking not like a Person whose Intention was to make the People change their Religion, but as representing to them, that the true God being every where, was not confined to any certain Place, and therefore they might pay their Devotions to him, as well in *Dan* and *Bethel*, as at *Jerusalem*.

The Worship offered before these Images, it is supposed, was in Imitation of the Ceremonies of the *Mosaic* Law, or had it been otherwise, God would have reproached them with it by his Prophets, which, that he did, does nowhere appear: It is only to be observed, that *Jeroboam* alter'd the Day of the Feast of the seventh Month (being the Feast of Tabernacles) which instead of its being celebrated upon the fifteenth Day of the seventh Month, he transferr'd to the fifteenth Day of the following Month. So says the Text, *he offered upon the Altar that he had made in Bethel, the fifteenth Day of the eighth Month, in the Month which he had devised of his own Heart, and ordained a Feast, and offered upon the Altar, and burnt Incense.* Had he introduced any other Alterations, they would questionless have been mentioned in the History,

*I Kings xii. 33.*

Book V.



2 Kings xvii.  
37, 38.

The sacred Writ says, *in the Month he had devised*, but does not say, he devised the Feast, or Ceremonies of the Feast, which is generally believed he appointed to be celebrated every Year at *Bethel*, in the same Manner as the Feast of *Tabernacles* was at *Jerusalem*; but the most forcible Argument to prove, that he made no Alteration in the Worship, is thus stated: *Shalmaneser* the King of *Affyria* having carried into Captivity the ten Tribes, sent into their Country a Colony of *Affyrians* and *Chaldeans*, who carry'd along with them their Idols, and worshipped them; but the King being informed they were devoured by Lions, because they did not worship the God of the Country, he commanded one of the Priests whom they brought from *Samaria* to be carried thither, and he dwelt in *Bethel*, and taught them how they should fear the Lord. This Expedient succeeded so well, that the Inhabitants were no more a Prey to the wild Beasts, which is thought a convincing Argument, that the *Samaritans* worshipped the true God, who had put them in Possession of that Country, and that it was by the same Manner of Worship they had received from *Moses*, otherwise this Worship could not have been prevailing with God to withdraw the Lions from among them.

The Priests of the Family of *Aaron*, and the *Levites*, who had their Cities and Abodes among the ten revolted Tribes, to avoid joining in the Schism, retired most of them into the Dominions of the King of *Judah*, which proving a great additional Strength to the House of *David*, gave *Jeroboam* an Opportunity of seizing their Cities and Estates, whereby he eased the People of paying their Tythes, there being none to demand them, so he gratified them by making Priests out of every Tribe and Family, even in the extreme Part of the Country. Thus as he transferred the Kingdom from the House of *David*, so he removed

removed the Priesthood from the Family of *Aaron*, and let it loose, that any body might be admitted to that honourable Employment. This raised his Popularity, and, no doubt, ingratiated him with the *Israelites*; and it is supposed, as he had Priests, so he had *Levites* also of the same Stamp; that is, some to serve under the Priests as they did, but in Opposition to the established Rule, these lower Officers always minister'd in black Vestments. The Pontificate and Supremacy over this schismatical Priesthood, he reserved in his own Hands; for the Temple he erected to inclose his Calves, and the Altars he built for Sacrifices, he consecrated himself, and presumed to perform the highest Part of the Priests Office, which was to burn Incense. These Idols were at length destroyed by the Kings of *Affyria*; the Calf in *Bethel* was carried to *Babylon*, with other Spoils, by *Shalmaneser*, and the other in *Dan* was seized by *Tiglab-Pileser*, about ten Years before, in the Invasion which he made upon *Galilee*, in which Province the City stood.

C H A P. VIII.

*Gideon's Ephod.*

**T**H E *Ephod* made by *Gideon* with the Spoil Judges viii. of the *Midianites*, became after his Death an <sup>22, &c.</sup> Object of Idolatry. It is supposed to have been a long Vest, much like the Ephod of the High-priest, made of Purple, Gold, Crimson and fine Linen, and splendidly adorned with precious Stones; but the Use of this Ephod is not so easy to discover. *St. Austin* believed it was made in Imitation of the Quest. L. 7. Ephod of the High-priest, and by it must be understood all the Vessels of the Holy-place, as if *Gideon* had made the *Ephod*, and all belonging to

Book V.

to it, that is, a Tabernacle, and all the holy Vessels; so that himself and Family, and all the *Israelites* sacrificed in *Ophrah*, near the Tabernacle which he had built. Thus they did not worship the Idols, but worshipped God in another Place and another Tabernacle, and served him with other Vessels than the holy Vessels he had appointed, which was a plain Rebellion: But this Father is singular in this Opinion; and I find that of the *Jews* carries much more probability in it, that *Gideon* made this *Ephod* for a Monument of his Victory over the *Midianites*. It was, says a *Rabbi*, to be a Monument of the great Deliverance of *Israel*, and to shew how great was the Strength of their vanquished Enemies, that great Mass of Gold which was in the *Ephod* being made only with the Ear-Rings of the Prisoners. This is much more probable, and it is possible that *Gideon* might have a pious and devout Intention in setting up this Trophy, in memory of his miraculous Destruction of two hundred thousand of his Enemies, by three hundred Men only armed with empty Pitchers and Lamps in them.

Jarchi in  
Locum.

But this Conjecture is found not to be well supported in every Part of it, for the *Rabbi* above pretends that *Gideon* put into this *Ephod* all the Gold that was taken from the *Midianites*, to shew how great was the Multitude of the subdued Enemies, when of their Ear-Rings alone, so great a Piece of Work was made. The Weight of those Rings was a thousand seven hundred Shekels. The *Hebrew* Shekel weighed about four Drachms, or half an Ounce; if you reduce seventeen hundred half Ounces into Pounds, the whole will amount to forty two, or forty three Pounds of Gold. Now it is hard to conceive how much Gold could come into one Garment, the Ground of which was certainly Scarlet, Purple, and fine Linen. Besides, there were other Rings, Boxes of Perfumes, Collars, and many

many more Particulars of greater Weight, perhaps than the Ear-Rings, which all seem to have been put into the *Ephod*. And St. *Austin* supposes it to be of massy Gold, because the Text saith, *Gideon set it up*; as if it were meant by it, that this Garment stood up of it self, because it was not Cloth or Stuff, but a melted Matter into the Form of a Garment, or Cloak: But the most easy Interpretation is this, That *Gideon* took part of the Spoils, and made of them the *Ephod* to preserve the Memory of his Victory, and reserved the rest for the Use of his House, which from that Time was a rich and considerable Family in *Israel*; for the Reader may observe, that it is said, *He made an Ephod thereof*, that is, out of this Offering, not that it was all spent upon it.

If it be inquired, why *Gideon* should chuse a kind of Raiment for a Monument, and not have erected a Pillar, or caused some huge Heap of Stones, to be rais'd, which, being the Practice of those times, might have preserved the Memory of his Victory? It is supposed by some, that instead of setting up a Pillar, and hanging up Trophies, he chose to make an *Ephod* as a Reason that he ascribed his Success only to God, and triumphed in nothing but only the Restoration of the true Religion, which he accomplish'd by his Victories: Besides, this *Ephod*, or *Gown* of *Gideon's*, is thought to be the Signal of Battle, and military Ensign to the Armies, under which the Soldiers met: If it be so, 'tis not to be wonder'd if *Gideon*, to preserve the Memory of the Defeat of the *Midianites* made choice of that which was the Signal and Standard under which the Soldiers had fought.

But how this *Ephod* of *Gideon* became an Idol, and perverted to the purposes of false Worship, is not so easy to determine; the most favourable Opinion is, that the People, after his Death, returned to Idolatry, and had this Fancy among others,

Book V.



x Sam. xxi. 9.

others, that God would answer them where this *Ephod* was, as well as at the Tabernacle in *Shiloh*; but others suppose that *Gideon* having consecrated to God this *Ephod*, as a standing Monument of his Victory, his Religion required that this Piece so consecrated should be laid up in the Tabernacle, as the general Custom was among all Nations, that the Gifts made to the Gods were usually brought into their Temples, to hang there. The Sword of *Goliath* was accordingly placed in the Tabernacle, and *David* found it there. This *Ephod* therefore should have been in *Shiloh* where the Service of God was then settled, but from a Principle of Vanity he set up this consecrated *Ephod* in his own Town; however, both he and all the People looked upon it as a precious Remain dedicated to that God who had so wonderfully delivered them from the Hand of *Midian*, and probably he celebrated, in the very Place where he set this *Ephod*, some solemn Feast of Thanksgiving, for so great a Victory, of which this *Ephod* was a Monument, and built a Tabernacle, or a Temple for it: For the Scripture does not say, he put it in his House, but in his City, which may signify that he raised a Building to put it in, and built an Altar for it, where he offered Sacrifice and celebrated such Feasts as he appointed; and probably he looked upon it as a Symbol of the Divine Presence, much like to the Ark of God, or the *Ephod* of the High-priest: And the People met there, not only upon the festival Days, but also at other Times, to perform their Devotion to the Honour of God; for it cannot be supposed that *Gideon* should be guilty either of committing himself, or suffering others to commit such an Instance of Idolatry, as to worship that Cloth of Scarlet and Gold, which he had caused to be woven. This Worship proved unacceptable, and occasioned the Ruin of himself and Family; for though it was not strictly idolatrous, yet it was schismatical,

God

God having appointed the Tabernacle for the Place of his Worship, and therefore the Sacrifices made, and the Feasts celebrated any where else, could not be acceptable, though possibly, for some Time, they might be indulged by him.

Chap. 9.

## CHAP. IX.

### *Micah's Images, and Teraphim.*

IT is commonly said by the *Jews*, that Idolatry was introduced into *Israel* by a Woman: Judges xvii. 7, &c. This Person was a rich Widow, the Mother of one *Micah* an *Ephramite*; she had, it seems, devoted, or consecrated to a holy Use, a Sum of Money amounting to eleven hundred Shekels of Silver; but before it was applied to the Purpose she designed, she was robbed of it by her own Son, who after some time ingenuously confessed the Theft, and restored the Money. She immediately forgave the Fraud, and delivered the Money to him again, who by her Direction and for the Convenience of himself and Family, contrived a Place for divine Worship, at his own Home, in Imitation of the House of God at *Shiloh*, and provided Furniture that he thought proper for the Uses of Devotion. Accordingly two hundred Shekels he applied for the making a graven Image, and a molten Image, that he might make some Resemblance of God whereby to worship him at his own House, without the Trouble, upon all Occasions, of going up to the Tabernacle; for he did not intend to forsake the God of *Israel*, but only to pay Adoration to him by an Image. It is not certain whether this Silver was melted by the Founder, and then the Images were made of it, or that for this Sum of Money the Images were sold, made perhaps of Brass, and silvered

Book V.



vered over; and this is more probable, because they would have been very small, if they had been made only of two hundred Shekels. Some have imagined, that these Figures were a Representation of the two Cherubims which covered the Ark; but this seems to be a wild Conjecture; for these Images were of different Kinds, the one graven and the other molten, but it is certain the Cherubims were both alike.

That the divine Service in his House might, in some Measure, resemble the holy Offices of the Tabernacle, he makes with the rest of the Money an Ephod, as a sacerdotal Garment for the Priest to wear whom he designed to appoint; and set up an Oracle or *Teraphim*, by which the Priest in his Ephod and other Habilliments, should enquire of God; for they were a Sort of Images whereby the *Eastern* People consulted the Deity, and hoped to receive Answers from him. His eldest Son he ordained for his Priest, and then having met with a young *Levite*, that was begging about the Country, he took him into his House, promised him a yearly Salary of ten Shekels, and a Winter and Summer Suit of Clothes, and with great Presumption consecrated him a Priest, who by the Law was absolutely incapable of the priestly Office; but this Chapel was robbed by a Party of the Tribe of *Dan*, who violently carried away the Furniture of it, and inticed the Priest along with them; the Images, the Ephod, and the *Teraphim*, they set up in the City of *Dan*, where afterwards, *Je- roboam*, fixed one of his Calves, and there they continued till the Ark of God was taken by the *Philistines*.

Judges xviii. 31

It is to be observed here, that this false Worship continued in this Place, notwithstanding the Zeal of many Judges who were good Men and great Reformers, but could not extend their Authority to the very Skirts of the Country, where Idolatry still lurked in this Corner of the

the

the Land. But God made Use of the *Philistines* as Instruments to put an End to it, for when they destroyed *Shiloh*, where the true House of God was, they subverted this *House of Gods*, as it is called, which they esteemed as a Resemblance of it. And perhaps, as the Ark was brought into the Field against the *Philistines*, so the *Danites* brought these Images with the Ephod and Teraphim, and the Priest who was slain with *Hophni* and *Phinehas*, or, as *Huetius* conceives, carried Captive into the Land of the *Philistines*, with a great many other *Israelites*. But this Place remained still so famous, for the Resort of People thither to worship, that when *Jeroboam* set up his golden Calves, he erected one of them here in *Dan*, as another in *Bethel*; where there having been a real Appearance of God in ancient Time to *Jacob*, the People were easily made to believe there had been the like in *Dan*, in the Time here mentioned.

## C H A P. X.

### *The Samaritan Temple upon Mount Gerizim.*

THE Defection or Schism of the ten Tribes, is sufficiently related in the sacred Writings, and may properly be divided into three Periods; The *First*, From the Time of *Jeroboam* to the Transportation of the ten Tribes by *Shalmaneser*; the *Second*, From the Time of their Transportation, to their return from their Captivity; and the *Third*, From their Return to the Appearance of Christ. *Jeroboam* chose *Shechem* for the Place of his Residence, which from thence, was transferred by his Successors to *Samaria*, and has given the Origin to the Name of the *Samaritans*. The Places appointed for

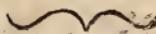
Book V. for their Worship were *Dan*, and *Bethel*, where they set up their golden Calves, and established a Kind of Devotion in Resemblance of the divine Service perform'd at the Temple at *Jerusalem*. But as this *Samaritan* Worship was not the same with that of *Jerusalem*, but different in Ceremonials, and intermixed besides with some *Pagan* Ceremonies, it is doubted, whether this was a simple Schism in the first Period, or an actual Herefy and Idolatry.

The second Period takes its Beginning with the Time of the carrying away of the ten Tribes into Captivity. After which the Kings of *Affyria*, in order to re-people the Country, sent thither Colonies of Men of divers Nations and different Idolatries; and so the Country fell into a Medley of Religion, in some Things resembling the *Jewish*, and in others the Worship of the Heathen. For their Idolatries the Vengeance of God sent Lyons among them, who having devoured some of them, because they worshipped not the God of that Country, they address'd themselves to the King of *Affyria*, who sent them a Priest to instruct them in the Service of the true God, which they embraced, yet not so as to abandon altogether their ancient Idolatry, which Mixture of God's Service and the Worship of Idols, continued thus till the Return of the *Jews* out of their Captivity.

2 Kings, c. 17.

The Governours of *Samaria* did all, what in them lay, to obstruct the Re-edifying of the Temple at *Jerusalem*, which prov'd the Occasion of that mortal Hatred between the *Jews* and *Samaritans*, which continues to this Day. Nevertheless, the *Jews* intermarrying with the *Samaritan* Women, and by Degrees contracting a more intimate Correspondence with them, by the mutual Intermixture of these two People, the divine Worship was, in process of Time, in some measure, purged from their former Errors, and the *Samaritans* banished Idolatry from among them. Among those who had married

ried a *Samaritan*, was one *Manasseh*, who espoused the Daughter of *Sanballat*. The Story is fully related by *Josephus* to this Purpose.

Chap. 10.  
  
 Antiq. l. ix. c. 8.

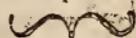
*Manasses* the Brother of *Jaddua* the High-priest had married *Nicasso* the Daughter of *Sanballat*, which thing the Elders of the *Jews* resenting as a Violation of their Laws, and as an Introduction to strange Marriages, they urged that either he should put away his Wife, or be degraded from the Priesthood; and accordingly *Jaddua* his Brother drove him away from the Altar, that he should not sacrifice. Upon this *Manasses* addressing himself to his Father-in-Law *Sanballat*, tells him, that it was true indeed that he loved his Daughter *Nicasso* most dearly, but he would not lose his Function for her Sake, it being hereditary to him by Descent, and honourable among his Nation. To this *Sanballat* replied, that he could devise such a Course, as that he should not only continue to enjoy his Priesthood, but also obtain a High-priesthood, and be made a Primate and Metropolitan of a whole Country, upon Condition that he would keep his Daughter, and not put her away; for he would build a Temple upon Mount *Gerizim* over *Sichem*, like the Temple at *Jerusalem*, and this by the Consent of *Darius*, who was now Monarch of the *Persian* Empire. *Manasses* embraced such Hopes and Promises, and remained with his Father-in-Law, thinking to obtain a High-priesthood from the King: And whereas many of the Priests and People at *Jerusalem* were intricated in the like Marriages, they fell away to *Manasses*, and *Sanballat* provided them Lands, Houses and Subsistence: But *Darius* the King being overthrown by *Alexander* the Great, *Sanballat* revolted to the Conqueror, did him Homage, and submitted himself and his Dominions to him; and having now a proper Opportunity he made his Petition, and obtained it, of building this his Temple. That which forwarded his Request was, that *Jaddua* the High-priest at *Jerusalem*

Book V. had incurred *Alexander's* Displeasure for denying him Help and Assistance at the Siege of *Tyre*. *Sanballat* pleaded, that he had a Son-in-Law, named *Manasses*, Brother to *Jaddua*, to whom very many of the *Jews* were well affected, and had recourse; and might he but have Liberty to build a Temple in Mount *Gerizim*, it would be a great Weakening to *Jaddua*, for by that means the People would have a fair Invitation to revolt from him. *Alexander* easily condescended to his Request, and so he set about the Building with all possible Expedition. When it was finished it made a great Apostacy at *Jerusalem*, for many that were accused and indicted for eating forbidden Meats, for violating the Sabbath, or for other Crimes, fled away from *Jerusalem* to *Sichem* and to Mount *Gerizim*, and that became a common Sanctuary for Offenders. Thus far the Historian. This Temple was five Years a building, after the Model of that at *Jerusalem*, and remained standing about two hundred Years, when it was laid desolate by *Hircanus*, King of the *Jews*, about an hundred and thirty Years before the Nativity of Christ. It is difficult to determine, whether this Temple was afterwards rebuilt.

## C H A P. XI.

### *The Principles of the Samaritans.*

THE religious Principles of the old *Samaritans* have been mentioned in general, in the Beginning of these *Antiquities*, but in this Place they ought more particularly to be explained. It must be observed therefore that the *Samaritans* received no other Scripture but the Pentateuch, rejecting the Prophets and all other Books that are in the *Jewish* Canon. The five Books of *Moses* they have still among them, written in the old



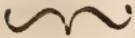
old Hebrew and Phœnician Character, which was in Use before the *Babylonish* Captivity, from whence they boast, that theirs is the true authentick Copy, and that the Copy made by *Ezra* was a Transcript from theirs. This *Samaritan* Pentateuch has occasioned great Disputes among learned Men, some placing its Antiquity long before the Captivity of *Babylon*, and others insisting that it was introduced among the *Samaritans*, by *Manasseh*, and the apostate *Jews* that followed him; and because the old *Phœnician* Character was that only which the *Samaritans* were used to, they caused this Law for their Sakes to be written out in that Character, and in this they have retained it ever since. That great Critick, Father *Simon* seems to have cleared this Difficulty, and delivers his Sentiments in this Manner.

Critical Hist.  
of the Old Test.  
B. I. c. 10.

There happened, under *Rehoboam* the Son of *Solomon*, a Schism among the *Israelites*, which divided them into two Kingdoms; one of these Kingdoms was called *Judab*, and contained those who remained at *Jerusalem*, stedfast to *Rehoboam*, and the Family of *David*; the others preserved the antient Name of *Israelites*, and left *Jerusalem* under the Conduct of *Jeroboam*. The Capital of their Kingdom was *Samaria*, whence they have been called *Samaritans*. This Schism having weaken'd the Republick of the *Hebrews*; *Salmannassar* King of *Affyria* conquered *Samaria*; and sent all the People captive into remote Countries, and at the same time planted in their Places Colonies of *Babylonians*, *Cutbeans* and other Idolaters; but these finding themselves devoured by Lyons and other Beasts, demanded an *Israelitish* Priest to teach them the Law and Customs of the Country they came to inhabit, which was granted them; and this Priest taught them the Law of *Moses*, and it is probable that he brought them a Copy of the Law he was to teach them.

As the ten Tribes who followed *Jeroboam's* Side did not make an entire Apostacy from the

Book V.



Religion of the *Hebrews*, they had without doubt preserved the Law of *Moses*; and it is this Law which the Priest, sent by *Salmanassar*, taught the Inhabitants of this new Colony, who were no more troubled with the Beasts, which before devoured them. 'Tis true, the People retained something of their old Idolatry; but that hindered not but that they also observed the Law of *Moses*, and offered Sacrifices according to the Ceremonies of this Law, though they offered others according to their antient Superstition. However it was with these *Samaritans*, it is certain, that they who are now so called have the five Books of *Moses* writ in the *Hebrew* Tongue, and in the antient *Hebrew* Characters, which are now called *Samaritan*; they have preserved nothing of their Idolatry, on the contrary, they observe the Law of *Moses*, more after the Letter than the *Jews*, and the Explanation of the Glosses contained in the *Talmud*, and which the *Jews* exactly follow, are altogether unknown to them. They have no other canonical Books but the Pentateuch, because all the other sacred Books which are in the *Jewish* Canon were certainly not published in the Time when they made their Schism, and that is the Reason that they acknowledge nothing for divine and authentick, but the Law of *Moses*.

We cannot certainly be assured that the *Cuthians* and other People, who came to inhabit *Samaria*, had Copies of the Law, because the Priest, who was sent to them, might have taught them it with the Ceremonies of *Moses*, without giving them Copies of a Law which they could not have understood, it being written in a Language which was altogether strange to them, and in Characters of which they had no Knowledge; but when they had quitted their antient Idolatry, and had built a Temple on the Mountain *Gazim*, where they offered Sacrifices as the *Jews* did at *Jerusalem*, it was necessary, they should have

have the five Books of *Moses*, and the Agreement that is between their antient Copy and that of the *Jews*, makes me think that at that time they did but copy that of the *Jews*, and that the Differences which are at present, proceed from Transcribers, excepting some Words which have been changed on Purpose to maintain their own Opinions and Prejudices.

As for the antient *Hebrew* Characters which are pretended to be kept by the *Samaritans*, one cannot from thence certainly conclude that they have preserved the antient *Hebrew* Copy of the Law: As soon as they had a Temple and the Books of *Moses*, they writ them in their ordinary Characters, as they yet write the *Arabick* in these antient *Samaritan* Letters: This Custom has likewise spread it self over other Nations of the *Levant*; and we see that the *Syrians*, whether *Jacobites*, or *Maronites*, or *Nestorians*, write the *Arabian* Language in *Syriack* Characters: The *Jews* of *Constantinople* likewise write the *Persian*, the *Arabick*, the *Vulgar Greek*, and the *Spanish*, in *Hebrew* Characters, as appears from two *Tetraple Pentateuchs* which they have printed in all those Languages at *Constantinople*. The *German Jews* likewise often write the *High Dutch* in *Hebrew* Characters, wherefore the Characters alone are not a sufficient Proof to shew, that the *Samaritans* having preserved the antient Manner of writing which was used before the Captivity, have likewise preserved the antient Books without any Change. Upon the whole, we may conclude that the *Samaritans* not having faithfully translated the *Hebrew* Text in some Places, we ought to have recourse to the *Jewish* Copy, which nevertheless hinders us not from correcting sometimes the *Hebrew* Text of the *Jews* by the *Samaritan*. They are two Copies from the same Original, each of which having its Failures and Perfections, the one may properly serve to assist the other. So much is judiciously observed by the *French Critick*.

Book V.



Besides the Pentateuch in the original *Hebrew*, the *Samaritans* have also another in the Language that was vulgarly spoken among them; for as the *Jews*, after the *Babylonish* Captivity, degenerated in their Language, from the *Hebrew* to the *Babylonish* Dialect, so the *Samaritans* did the same: Whether this happened by their bringing this Dialect out of *Assyria* with them, when they first came to plant in *Samaria*, or that they first fell into it by conforming themselves to the Speech of those *Phœnician* and *Syrian* Nations, who lived next them, or else had it from the Mixture of those *Jews* who revolted to them with *Manassch*, is difficult to determine; and therefore as the *Jews*, for the sake of the Vulgar among them, who understood nothing but the vulgar Language, were forc'd to make *Chaldee* Versions of the Scriptures, which they call the *Targums* or *Chaldee* Paraphrases, so the *Samaritans* were forced for the same Reason, to do the same Thing, and to make a Version of their Pentateuch into the vulgar *Samaritan*, which is called the *Samaritan* Version. This Translation is not made like the *Chaldee* among the *Jews*, by way of Paraphrase, but generally by an exact rendring of the Text Word for Word. Not but there are some Variations and Additions, which either happened by the Errors of the Transcribers, or were designedly inserted by the *Samaritans*, the better to support their Cause against the *Jews*.

Another Difference in Religion, between the *Samaritans* and the *Jews*, relates to the Receiving of Traditions, which are strenuously embraced by the *Jews*, but rejected by the *Samaritans*, who abide firmly by the written Word; but what engaged them in the most violent Contests, was the Dispute concerning the Place where they ought to worship, the one contending for the Temple at *Jerusalem*, and the other for that upon Mount *Gerizim*: Here, the *Samaritans* urge, were Altars erected, and Sacrifices offered by

*Abraham*

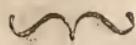
*Abraham* and *Jacob*, and therefore this Hill was appointed by God himself, to be the Place of Blessing, when the *Israelites* came out of *Egypt*, and accordingly *Joshua*, when he enter'd the Land of *Canaan*, caused the divine Blessing to be declared upon it; here likewise, he built an Altar upon it of twelve Stones, when he had passed the River *Jordan*, in Obedience to what God had commanded by *Moses*: And this, they contend, is the very Altar upon which they still sacrifice on that Mountain to this Day. But to defend this last Part of the Argument, and thereby reconcile the greater Veneration to Mount *Gerizim*, they have been guilty of great Prevarication in corrupting the Text; for whereas the Command is, that they should set up the Altar upon Mount *Ebal*, they have made a sacrilegious Change in the Text, and instead of Mount *Ebal*, have inserted Mount *Gerizim*, the better to support their Cause by it. These Mountains are in the Tribe of *Ephraim*, near *Samaria*, and in the Valley between them lyeth *Sichem*; but St. *Jerom* asserts positively, that neither of them were the *Gerizim* and *Ebal* of the holy Scriptures; for these, he contends, were too small Hills lying near *Fericho*; but this Opinion receives no Countenance from learned Men.

The *Jews* accuse the *Samaritans* of two Instances of Idolatry committed in this Place; the first, that they worshipped the Image of a Dove, and the other, that they paid divine Adoration to certain Teraphims or Idol Gods, that were hid under that Mountain. The first Accusation (says the *Samaritan* Chronicle) is founded upon this, that in the Time of *Adrian*, a Figure of a Pigeon was set upon this Mountain, which made it self heard, when any *Samaritan* came there to worship: But it is more probable, that this Charge was first occasion'd by the Idolatry of the *Affyrians*; for that People having adored *Semiramis* under the Image of a Dove, the *Jews*

Chap. II.

Deut. xxvii. 2.

Deut. xxvii. 4.



reproach'd the *Samaritans*, as Worshippers of the same Image, because they descended from them, and possibly they were so while they worshipp'd there other Gods with the God of *Israel*, but never afterwards. As to the second Charge it is true, that *Jacob* buried the *Teraphim*, or Idol Gods, that *Rachel* had stolen, under the Oak in *Shechem*, which they suppose to have been at the Foot of Mount *Gerizim*, and from hence, because the *Samaritans* worshipp'd in that Place, the *Jews* suggest, that the *Samaritans* worshipp'd there upon the Account of these Idols, and paid Adoration to them: But both these Charges are malicious Calumnies; for after the Law of *Moses* had been brought among them by *Manasseh*, the *Samaritans* zealously worshipp'd the true God, and as sincerely abhorred Idolatry, as the most rigorous of the *Jews*, and so continue to this Day.

## C H A P. XII.

### *The Samaritan Creed.*

**T**O omit nothing that concerns the Religion of the *Samaritans*, I have two Things to subjoin before I conclude this Subject, which, tho' not strictly relating to the old Professors among that Sect, will yet be of Use to a more exact Discovery of their Principles. The *First*, Is a Confession of Faith, sent by *Eleazar* the High-priest, in the Name of the Synagogue of *Sichem*, to the great *Scaliger*, who applied to him for that Purpose; the other is a Letter sent from the *Samaritans* at *Shechem*, to their Brethren in *England*, by the Hands of Dr. *Huntington*, sometime Chaplain to the *Turkey Company* at *Aleppo*, and afterwards Bishop of *Rapho* in *Ireland*, who

it seems, had informed them, that there were some of the Sect of the *Samaritans* then abiding in *London*.

Chap. 12.



*The Samaritan Creed.*

1. The *Samaritans* observe the Sabbath with all the Exactness required in *Exodus*; for none of them goes out of the Place where he is on the Sabbath Day, but only go to the Synagogue, where they read the Law, and sing God's Praises. They do not lie that Night with their Wives, and neither kindle nor order Fire to be kindled; whereas the *Jews* transgress the Sabbath in all these Points: For they go out of Town, have Fire made, lie with their Wives, and even do not wash themselves after it.

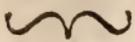
2. They hold the Passover to be their first Festival; they begin at Sun-set, by the Sacrifice enjoyn'd for that Purpose in *Exodus*; but they sacrifice no where but on Mount *Gerizim*, where they read the Law, and offer Prayers to God, after which the Priest dismisses the whole Congregation with a Blessing.

3. They celebrate for seven Days together the Feast of the Harvest, but they do not agree with the *Jews*, concerning the Day that it ought to begin; for these reckon the next Day after the Solemnity of the Passover; whereas the *Samaritans* reckon fifty Days, beginning the next Day after the Sabbath, which happens in the Week of the unleavened Bread, and the next Day after the seventh Sabbath following, the Feast of the Harvest begins.

4. They observe the Feast of Expiation the Tenth of the seventh Month; they employ the four and twenty Hours of the Day in Prayers to God, and singing his Praises, and Fasting. For all except sucking Children fast, whereas the *Jews* except Children under seven Years of Age.

5. The

Book V.



5. The fifteenth of the same Month, they celebrate the Feast of the Tabernacles upon the same Mount *Gerizim*.

6. They never defer Circumcision farther than the eighth Day, as it is commanded in *Genesis*, whereas the *Jews* defer it sometimes longer.

7. They are oblig'd to wash themselves in the Morning, when they have lain with their Wives, or have been sullied in the Night by some Uncleaness, and all Vessels that may become unclean become so, when they touch them before they have washed.

8. They take away the Fat from Sacrifices, and give the Priests the Shoulder, the Jaws, and the Belly.

9. They never marry their Neices as the *Jews* do, and have but one Wife, whereas the *Jews* may have many.

10. They believe in God, in *Moses*, and in Mount *Gerizim*. Whereas, say they, the *Jews* put their trust in others, we do nothing but what is expressly commanded in the Law by the Lord, who made use of the Ministry of *Moses*; but the *Jews* swerve from what the Lord hath commanded in the Law, to observe what their Fathers and Doctors have invented.

Anno 1590.

*Eleazar* added to this, that they reckoned a hundred twenty two High-priests from *Aaron* to their Time; they have a Catalogue and Succession of them. They believe themselves to be of the Posterity of *Joseph* by *Ephraim*, and that all their High-priests descend from *Phinehas*; whereas the *Jews* have not one of that Family. They boast that they have preserved the *Hebrew* Characters, which God made use of to promulgate his Law; whereas the *Jews* have a Way of Writing from *Exra*, which is cursed for ever. And indeed, instead of looking upon *Exra* as the Restorer of the Law, they curse him as an Impostor, who hath laid aside their old Characters to use new ones in their room; and

and authorized several Books that were written to support the Posterity of *David*.

Chap. 13.

Several Attempts have been made to convert these *Samaritans*; but they have been oppressed instead of being made *Christians*, and they are reduced to a small Number rather by Misery, than by the Multitude of those that have been converted. Nay, they seem more stubbornly wedded to their Sect than the *Jews*, tho' these adhere very stily to the Law of *Moses*. At least *Nicon*, who lived after the twelfth Century, setting down the Formalities used at the Reception of Hereticks, observes, that if a *Jew* had a Mind to be converted, to avoid the Punishment or Payment of what he ow'd, he was to purifie himself, and satisfy his Creditors before he was admitted. But as for the *Samaritans*, they were not received before they had been instructed two Years, and they were required to fast ten or fifteen Days before they professed the Christian Religion, and to be Morning and Evening at Prayers, and to learn some Psalms: Others were not used with so much Rigor. The Term of two Years that were enjoined to the *Samaritan* Profelytes, is an Argument that they were suspected, and the Reason why they were so, was, that they had often deceived the *Christians* by their pretended Conversion.

Coreler.  
Monum.

T. 3. P. 422.

C H A P. XIII.

*A Letter of the Samaritans at Sichern,  
to their Brethren in England.*

**I**N the Name of the Almighty adorable God,  
in the Name of the great Lord, who is by  
himself, our God, the God of our Fathers,  
*Abraham, Isaac, and Jacob*, who has said in his  
Law, I am the God of *Bethel*, the supreme God,  
Lord

Book V. Lord of Heaven and Earth, God Almighty, who has sent *Moses* the Son of *Amram* commissioned with his Laws, and by his Means has revealed the Holiness of Mount *Gerizim*, and of the House of God.

We salute you, O Synagogue of *Israel*, the People of our Lord and Master, who has chosen this People above all Nations of the Earth, for you are a People holy to the Lord. We call our selves *Samaritans*, and we assure you, our Brethren in *Israel*, that we are extremely devoted to *Moses* the Prophet, and to the holy Law. We observe the Sabbath, as God has commanded. For on that Day, no body moves out of his Place, except it be to pay his Devotions at the House of the Lord. As all those who sought God went to the Tabernacle of Witness, we do nothing there but read the Law, praise God, and pay him our Thanksgivings; and whereas the *Jews* ride on Horse-back, go out of the City, light Fires on that Day, and lye with their Wives, we separate our selves the Night of the Sabbath, and light no Fire. The *Jews* don't wash for every kind of Pollution, but we do, and purifie our selves thereby. We pray to God Evening and Morning, according to the Command he has given us, You shall offer me a Lamb in the Morning, and another Lamb between the two Evenings. We lie upon the Ground when we worship God, before Mount *Gerizim*, the House of God.

We have seven solemn Feasts wherein we assemble; The *First*, Is the Feast of the Passover, at the Time that our Fathers came out of *Egypt*. We sacrifice the Lamb the fourteenth Day of the first Month, at Evening, a little before Sun-setting, and eat it roasted with unleavened Bread, and bitter Herbs. We make this Sacrifice only upon Mount *Gerizim*, and we prepare it on the first Day of the Month *Nizan*, according to the *Greeks*. We reckon seven Days for the Feast  
of

of unleavened Bread, on six whereof, we eat Bread without Leaven: On the seventh we go early at break of Day to Mount *Gerizim*, to celebrate the Feast and read the Law. When Prayers are ended the Priest gives the Blessing to the People from the Top of the eternal Mountain. We do not begin to reckon the fifty Days of the Feast of Harvest like the *Jews*, from the Morrow of the Feast of the Passover, but we reckon them from the Day following the Sabbath that happens in the Feast of unleavened Bread, till the Morrow of the seventh Sabbath, on which we celebrate the Feast of the Harvest upon *Gerizim*: We celebrate also the seventh Month, which begins with the Feast of Trumpets. Ten Days after is that of *Propitiations*, in which we sing Hymns, and say Prayers, from one Day to the other Night and Day. The Women and Children fast as well as the Men, and we dispense with none but those that suck, whereas the *Jews* dispense with all under seven Years old. We observe the Feast of Tabernacles upon Mount *Gerizim* the fifteenth of the seventh Month. We set up Tabernacles according to the Order given us by God, Ye shall take the Boughs of goodly Trees, Branches of Palm-Trees, and the Boughs of thick Trees, and Willows of the Brook. We spend seven Days in Joy under these Tents, and on the Eighth we end the Feast of the Lord with an Hymn.

Chap. 13.



Levit. xxiii. 40.

We very circumspectly observe, whether the Conjunction of the Sun and Moon happens in the Night, or in the Day before Noon. If it happens before Noon, that Day is the first of the Month; but if it happens at twelve a-Clock or a little after, we delay the Beginning of the Month till the Morrow. If the Conjunction be Lunary, the Month continues twenty nine Days, but thirty, if it be Solary. If the new Moon falls on the Eleventh of the Month *Adar*

of

Book V. of the *Greeks*, we intercalate a Month, and we reckon thirteen that Year; and the Month that immediately follows is the first Month of that Year. But if the Month begins on the Twelfth of *Adar*, or some Days after, then that is the first Month of the Year, and we reckon but twelve; for the Week of unleavened Bread must be in the Month *Nizan*. The *Jews* reckon otherwise than we. We begin the Sabatick Year and the Jubilee from the first Day of the seventh Month.

We sprinkle the Water of Separation the third and fourth Day upon all that are defiled by the Contact of Women; and we sprinkle it seven Days upon the Woman that has an Issue upon her. The Woman who is delivered of a Boy separates only forty one Days, and eighty if it be a Girl. The Circumcision is exactly made the eighth Day after the Birth, without deferring it one single Day, as do the *Jews*. We purify ourselves from the Defilements contracted in Sleep; and we touch none of the unclean Things specified in the Law, without washing in clean Water. We offer to God the Fat of the Victim, and give the Priest the Shoulder, the Jaws, and the Ventricle.

It is not lawful for us to marry a Niece or Cousin, as is done by the *Jews*. We believe in *Moses* and in Mount *Gerizim*. We have Priests of the Race of *Levi*, descended in a right Line from *Aaron* and *Phineas*. We are all of the Tribe of *Joseph* by *Ephraim*, *Manasses*, and of the Tribe of *Levi*. Our Habitation is in the holy City of *Sichem* and at *Gaza*. We have a Copy of the Law written in the Time of Grace, in which we read these Words. *I Abishai the Son of Phineas, the Son of Elcazar, the Son of Aaron, have written this Copy at the Door of the Tabernacle, in the thirteenth Year of the People of Israel's Entrance into the Land of Canaan upon its Frontiers.* We read this Law in *Hebrew*, which  
is

is the holy Tongue, and do nothing but according to the Commands of God, given us by *Moses*, the Son of *Amram*, our Prophet, upon whom is Peace for ever and ever. Chap. 13.

We give you notice, that are our Brethren Children of *Israel*, that *R. Huntington*, an Uncircumcised, is arrived here from *Europe*, and has acquainted us, that you are a great People, composed of Men pure and holy, like our selves, and that you have sent him to desire of us a Copy of the Law, to whom we would not give Credit till he had written before us some Characters of the holy Language, in order to assure you that we have the same *Mosaick* Religion that you profess. If we had not been willing to oblige you, we should not have sent a Copy of the Law by the Hands of the Uncircumcised, for that is a Shame to us: Nevertheless we have committed it to him with two other little Books, that we might not absolutely deny your Request. We also conjure you in the Name of the living God not to deny ours, and to tell us what Religion you are of; tell us what is the Language you speak, the City you live in, the King that governs you, and what Religion he professes? Have ye any Priests of the Race of *Phineas*? Have ye only one Priest? In the Name of God tell us the Truth, without any Shadow of Dissimulation, and send us a Copy of the Law, as we have sent you ours. Send us also some learned Men, some Prophets, some Persons of Repute, and especially some Descendant of *Phineas*; for know that God has chosen us Children of *Israel* to be his People, and to live at *Gerizim*, according to what he has said, *You shall seek their Habitation, and shall go there.* He has said also, *You shall keep three Feasts every Year, the Males shall rejoyce three times a Year before the Lord.* Know also, that all the Prophets are buried in the Territories at *Sechem*, our Father *Joseph*, *Eleazar*, *Ithamar*, *Phineas*, *Joshua*, *Caleb*, the seventy Elders, *Eldad* and *Medad*. If

If you are willing to oblige us, acquaint us whether you are devoted to *Moses* and his Law, to *Gerizim* and the House of God; and send us some Persons without being concerned about the Length of the Journey. Do not intrust a *Jew*, for they hate us; if you send us any Deputy, give us notice by some Friend. If ye have the Book of *Joshua*, and any Liturgy, send up that also. Tell us what your Law is; as for us we call the Law what begins with the first Word of *Genesis* and ends with the last of *Deuteronomy*. Cause all this to be copied for us in the holy Tongue, and tell by what Name you go. We adjure you by the Name of the Living God, not to suffer a Year to run over your Heads without giving us an Answer. In the mean time we bless God, the Lord of Heaven and Earth, and we implore his Mercy and his Justice to instruct you in all that can please him, and to guide you in the good Way, *Amen*: May he preserve you, and deliver you from the Hands of your Enemies, and gather you together from your Dispersions, into the Land of your Fathers, through the Merits of *Moses*.

We add, that this is our Faith. We believe in God, in *Moses* his Servant, in the holy Law, in Mount *Gerizim* the House of God, and in the Day of Vengeance and Peace. Blessed for ever be our God, and let his Peace rest upon *Moses* the Son of *Amram*, the righteous, perfect, pure and faithful Prophet.

We have written this Letter at *Sichem*, near *Gerizim*, the fifteenth Day of the sixth Month, which is the twenty seventh of the Lunary Month, in the six hundred and eleventh Year of the Creation of the World, according to the *Greeks*, the second from the Year of Rest. This Year the seventh Month will begin the fourth of *Elul*, according to the *Greeks*; and the next Year is the three thousand four hundred and eleventh  
from

from the Entrance into the Land of *Canaan*, God be blessed. Chap. 14.

May this Letter, by the Help of God, arrive into the City of *England*, to the Synagogue of the *Samaritan* Children of *Israel*, whom God preserve.

It is written by the Synagogue of *Israel* dwelling at *Sichem*. *Mechab* the Son of *Jacob*, a Descendant of *Ephraim*, the Son of *Joseph*, was the Secretary.

C H A P. XIV.

*A Schismatical Temple built by Onias in Egypt.*

**A** B O U T a hundred and sixty Years before the Birth of *Christ*, there was another Schismatical Temple built in *Egypt* by *Onias*, a fugitive Priest, who being disappointed of the Pontificate at *Jerusalem*, to which he had a Right by Succession, was protected by *Ptolomy Philometor* and his Queen, and had the principal Management of the Government during the latter End of that Prince's Reign. His Power and Interest with the King he made use of to obtain Leave for the Building of a Temple in *Egypt*, after the Model of that at *Jerusalem*, with a Grant for himself and his Descendants to officiate always as High-priest in it. For this Purpose he wrote a Letter to *Ptolomy* and *Cleopatra* his Queen, which is related by *Josephus* in this Manner.

*During the time that I was employed in your Wars, and by Gods favourable Assistance have done you many Services, I have visited Cœlosyria and Phœnicia; I have been in the City of Leontopolis in the Territories of Heliopolis; I have also seen many other Places wherein the Jews have*

Book V.



*Temples against all manner of Right, which is the reason that they agree not among themselves; which is what has happened among the Egyptians through the Multitude of Temples, and the great Diversity of Religions; and having found out a very convenient Place near a Castle called Bubastis, in the Plain, where there is sufficient of all Sorts of Materials for Building, and of Beasts fit for Sacrifice, I beseech you that it may be lawful for me to purify the Temple that is levelled in that Place with the Ground, and dedicated to no sacred Power; and that in the Room of it, it may be lawful for me to raise a Temple in Honour of the highest God, according to the Pattern, and the same Dimensions of that Temple which is in Jerusalem, for the Preservation and Prosperity both of you, your Queen and Children; and to the Intent that those Jews, who dwell in Egypt, may assemble and serve God in it; for the more they are united among themselves, the more readily they will be disposed to your Service. For to this Effect is the Prophecy of Isaiah which saith thus, There shall be a Temple of our Lord God in Egypt. And many other things has the Prophet foretold concerning this Place.*

Isaiah xix. 18,  
19.

The Answer to this Letter is thus recorded by the same Historian.

*King Ptolomy and Queen Cleopatra, to Onias the High-priest, Health. We have perused your Letter, by which you request of us to give you Leave to cleanse the Temple that is defaced at Leontopolis under the Praefecture of Heliopolis, in the Place called Bubastis, in the Plain. We are much surprized that a Temple built in a Place so unclean, and full of execrable Beasts, should be agreeable to a God; but since you inform us that the Prophet Isaiah did long ago foretel the same, we give you Leave, if it may be done according to the Law, and with this Condition, that we commit no Sin against the Deity.*

The

The learned *Cumæus* has curiously remarked upon this Occasion, that *Onias* sent a Letter to *Ptolomy* and *Gleopatra*, wherein he accuses his Countrymen because they had built Sanctuaries in the *Phœnician* Cities, and other Places, contrary to the Law; being himself guilty of no less a Crime, having built a Temple at *Heliopolis*, pretending the Authority of the Prophet *Isaiab* to countenance his ambitious Enterprize. This, says he, could not be done without Violation of the Ceremonies; for it is thus decreed among the Constitutions of the antient *Jews*, which *Rabbi Moses*, the *Egyptian* delivers thus. If one has transgressed the Law, and built another House besides the Sanctuary at *Jerusalem*, it is not indeed to be accounted a Temple of Idols, but the Priest that has served there can never sacrifice at the Sanctuary of God which is at *Jerusalem*. Nay, the Vessels which he has used no Man shall apply to the Offices of the true Sanctuary, but they must be hid.

Chap. 14.

De Rep. Hebr.  
l. 1. c. 8.L. 8. in Hal.  
Biath. c. ult.

It must be observed, that the Prediction in *Isaiab*, was introduced by *Onias*, not only to influence the King in his Favour; but to reconcile the *Jews* to this new Scheme, whose fixed Principle it was, that *Jerusalem* was the only Place appointed for divine Worship, and that it was criminal to offer Sacrifice but at the Temple. The Prophecy runs thus: *In that Day shall five Cities in the Land of Egypt speak the Language of Canaan, and swear to the Lord of Hosts, and shall be called the City of Destruction. In that Day there shall be an Altar unto the Lord in the midst of the Land of Egypt, and a Pillar at the Border thereof unto the Lord.* This Prophecy (which had regard only to the future State of the Gospel in that Country) was perverted by *Onias*, as if it respected the Times he lived in, and he prevailed with all the *Jews* that were in *Egypt*, to receive it in that Acceptation; and indeed this Temple in *Egypt* was al-

Book V. ways more favourably thought of by the *Jews* in *Palestine*, than that of the *Samaritans* upon Mount *Gerizim*.

His Design being approved by the King and the *Jews* in *Egypt*, he immediately set about the Building, in the Place before-mentioned; which was about twenty four Miles from *Memphis*, where had formerly stood an old Temple of *Bubas*, which is another Name for *Isis* the great Goddess of the *Egyptians*. This Fabrick was wholly neglected and demolished; and therefore *Onias*, having removed the Ruins, raised his new Temple upon the same Spot. He made it exactly after the Pattern of that at *Jerusalem*, tho' not altogether so high and magnificent; and there he placed an Altar for burnt Offerings, an Altar of Incense, a Shew-bread Table, and all other Utensils necessary for the *Jewish* Service; only instead of the golden Candlestick of seven Branches, there was a Lamp which hung before the Altar by a golden Chain, from the Roof of the House. The *Area* of the Temple was surrounded with a high Wall of Brick, and the Gates were of Stone: He placed Priests and *Levites*, who had as much Zeal and Devotion as himself, to officiate in the Service, who were plentifully maintained by a large Revenue settled by the King; and from that Time the divine Worship was carried on in the same Manner and Order as in the Temple at *Jerusalem*; till at last this Temple was, at first, shut up, and afterwards wholly destroyed by the Command of *Vespasian* the *Roman* Emperor, after it had stood about two hundred twenty four, but according to *Josephus*, three hundred thirty and three Years.



## C H A P. XV.

*The Gods of the Canaanites or Syrians ;  
Baal-Peor, Chemosh.*

**M**R. *Selden*, in his learned Treatise of the Syrian Gods, takes Notice of a Goddess whom he calls *Good Fortune*, as the first Idol mentioned in Scripture, and worshipped by the *Hebrews* : This Opinion is founded upon what *Zilpah* said when she was delivered of *Gad* one of the Sons of *Jacob*, *Behold a Troop cometh*, which the *Hebrew Writers* generally expound by *Good Fortune* ; for so it seems, that *Gad* may signify in the Original ; but the Exposition which renders it, *I am come in a lucky Hour*, or as *St. Chrysostom*, *I have obtained my Desire*, is esteemed a more just Interpretation, and meets with better Reception from the best Expositors.

Syntag. Prim.  
c. I.  
Gen. i. 30.

In Gen. Hom. }  
56.

With this supposed Deity, there is another joyned by the Prophet *Isaiab* called *Meni*, you prepare a Table for *Gad*, and furnish the drink Offerings unto *Meni* ; but many of the learned *Hebrews* will not allow this Text to speak of a Deity, but think that the Prophet does here only upbraid the *Israelites* with their Licentiousness. By *Gad* they mean a *Troop*, and by *Meni* they understand a *Number* ; and thus *Abarbinel* interprets it in his Commentary upon this Place. Ye forget, says he, my holy Mountain, because this Mountain was desolate and none mourned for it. All your Care is to feast together, to kill Beasts and eat their Flesh, and to make rich compound Liquors ; because you prepare a Table for your *Society*, to give them wherewithall to eat till they are full, and you fill your mix'd Liquors for *Meni*, that is, you offer many Cups of this

Chap. lxxv. xi.

Book V. this delicious Wine, according to your *Number*  
 of Guests.

Numb. xxv. 1,  
2. &c.

The *Hebrews* were soon perverted to Idolatry, by the Imitation of the *Canaanites*, or *Syrians* among whom they dwelt, and fell into the Worship of a filthy Deity called *Baal Peor*, or *Baal Phegor*, a God of the *Moabites* and *Midianites*. They were seduced into this Corruption by the Women of those People, who inticed them by their Charms, but refused to comply with their Desires, unless they would eat of their Sacrifices, worship their Idols, and profess themselves Votaries of their Religion. This God of the *Moabites* is, by some, supposed to be the great *Baal* of the *Eastern Nations*, and the *Jupiter* of the *Greeks* and *Romans*, and that he was called *Phegor*, from the Mountain in which he was worshipped, as *Jupiter* took the Name of *Olympius*, from Mount *Olympus*, and *Dodonaus*, from the Forest *Dodona*. It is certain there was in the Country of the *Moabites* a high Hill called *Pehor*, as appears by the History of *Balak* and *Balaam*: But it is most probable, that the Hill took its Name from the God, and not the God from the Hill; who is often called *Pehor* simply, which is an Argument that it was his proper Name, by which he was distinguished from the other *Baals*; I mean the other Gods of the neighbouring Nations.

Numb. xxiii.  
28.

Syntag. prim.  
C. 5.  
Psal. cvi.

It was the Opinion of Mr. *Selden*, that *Baal Phegor* is the same with *Pluto*, which he grounded upon these Words: *They joined themselves unto Baal Pheor, and ate the Sacrifices of the Dead*. By which Sacrifices, he means such as were offered to the infernal Gods. But that is no sure Foundation for this Conjecture; for by the Dead we ought to understand, the Gods that were taken from among Men; for it was confessed by the Heathens themselves, that most

of their Deities had been Mortals who lived upon the Earth. Chap. 15.

The constant Tradition among the antient and modern *Hebrews*, was, that this Idol was an obscene Deity, whose Figure, and the Manner of Worshipping it, was filthy and abominable. This Opinion is supposed to be founded upon the Words of the Prophet *Hosea*; *They went to Baal Pehor, and separated themselves unto their Shame*: Chap. ix. 10.  
 From whence they collect, that this God was served by an obscene Act, which required his Worshipers to be uncover'd before him. The Adoration, says *Maimonides*, made to this Idol called *Pehor*, consisted in discovering the secret Parts before it. The Law therefore commanded the Priests to wear Drawers when they sacrificed, and forbad them to get up to the Altar by Steps, lest their Nakedness should happen to be uncovered. *Solomon Iarchi* goes further, and says, that *Baal Pehor* was so called, *eo quod distendebant coram eo foramen podicis & stercus offerebant*; but this is a ridiculous and groundless Fancy, it being altogether inconsistent with human Reason, that the Devil, who affected divine Honours, should delight in so shameful and filthy an Adoration. More Nevochi. p. 3. C. 4. 6.

*St. Jerom* received it by Tradition from the antient *Jews*, That this *Baal Phegor* was the *Priapus* of the *Greeks* and *Romans*, and commenting upon *Hosea*, he has these Words, *Ipsi autem educti ex Egypto fornicati sunt cum Midianitis, & ingressi sunt ad Baal Phegor Idolum Moabitarum, quem nos Priapum possumus appellare. Denique interpretatur Baal Phegor Idolum tentiginem habens, id est, in summitate pellem ut turpitudinem membri virilis ostenderet.* This Idol, as the same Father observes, was principally worshipped by Women, *colentibus maxime femi-* 1. Kings xv. 13.  
*nis Baal Phegor, ob obsceni magnitudinem, quem nos Priapum possumus appellare.* For the Reformation

Book V.  ation made by the good King *Afa* is thus render'd by the vulgar Latin: *Afa* removed his Mother *Maacab*, that she might be no longer High-priestess in the Sacrifices of *Priapus*, and in the Grove which she had consecrated to him, he destroyed his Cave, and burnt that obscene Idol at the Brook *Cedron*. The Word we translate Idol in this Place, is *Mipheletseth*, which imports something of Horror, either because it was a Figure of a frightful Aspect, or brought dreadful Judgments upon its Worshippers. The modern *Jews* are of Opinion it is a general Name for all Idols, because it brings a Terror upon those that serve them; but it is more probable, that it was the Name of a particular Idol, it being only given to that of *Maacab*. The *Talmudists* own it to be an obscene Figure, *imago virilis membri cui quotidie inequitabat*. It may be added upon this Subject, that this God of the *Moabites* having given Name to one of their Mountains called *Pebor*, is an Argument, that he was worshipped on that Mountain, and therefore that he was a *Rural God*; and such was

Lib. I. Eleg. I. *Priapus*, called *Agricola* by *Tibullus* and *Ovid*.

*Libatum agricolam ponitur ante Deum.*

It is evident further, that Fornication was in a Manner consecrated to this filthy Deity; the *Israelites* joining themselves into *Baal Peor*, and at the same time committing Whoredom with the Daughters of *Moab*; which may be said likewise of *Priapus*, who was made *membrostior equo*, only to signify his Lasciviousness; and therefore in those infamous Epigrams called *Priapœia* or *Lusus in Priapum*, he is called *Deus salax*.

Epig. 14.

*Huc huc quisquis es in Dei falacis  
Diverti grave ne puta sacellum.*

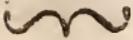
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And the Poet does, even there, encourage one to defile himself before he goes into the Temple; Witness these Words he adds: Chap. 15.

*Et si nocte fuit puella tecum,  
Hac re, quod metuas adire non est.*

This obscene Idol is suppos'd to go under another Name, and was called *Chemos*, a Word which in the Hebrew Language signifies *contrectatus*, or handled, and that agrees well with *Priatus pater contrectationum nocturnarum*, and was represented, *contrectans membrum virile obscenum lava tenens*. Others are of Opinion, that the God *Saturn* was worshipped under this Appellation. This Image, according to St. *Ferom*, was placed in a Temple upon Mount *Nebo*, which signifies *Prophecy*, from whence it is collected, that this was the Place where the God of the *Moabites* pronounced his Oracles. This Mountain was over against the Hill *Peor*, therefore the Temple upon it could not be the same with that upon the Mountain of *Baal-Peor*, but they were two Temples devoted to the same abominable Deity. To this Idol *Solomon* erected an Altar upon the Mount of *Olives*.

1 Kings, xi. 7.



## C H A P. XVI.

*The Gods of the Ammonites, Milcom, Adrammelech, Hanammelech, Chiun.*

THE *Ammonites* were Brothers of the *Moabites* Lot's Children, and the Offspring of his incestuous Conversation with his Daughters. *Moab* was the Son of the Elder, as *Ammon* of the younger Sister. Therefore having spoken of the Gods of the *Moabites*, those of the *Ammonites* come next of course; the *Israelites* as well as other Nations, having abandoned themselves to the Worship of those false Deities. The principal Idol of the *Ammonites* was *Moloch*, whose Image and Worship has been explained in a preceding Part of these Antiquities: But here it must be observed, that this Deity was sometimes called *Milcom*, and, if we believe the *Greek* Translation, had a Temple in *Rabbah*, the Capital City of the Children of *Ammon*; his Image had a Crown upon its Head that weigh'd a Talent of Gold, which was taken by *David*, says St. *Jerome*, when he sacked that City.

<sup>1</sup> Kings xi. 5.  
<sup>1</sup> Chron. xx. 2.

<sup>2</sup> Kings xvii.  
3<sup>d</sup>.

This Idol had likewise the Appellation of *Adrammelech* and *Hanammelech*, the Gods of the *Sepharvites*, who burnt their Children to them in the Fire. The *Jews* indeed after their vain Fancies make one of them to have been in the Form of a Peacock, and the other of a Pheasant; but the Name and Worship plainly prove it to be the same Deity with *Moloch*; for *Meloc*, *Molech*, and *Milcom* signify King in the oriental Languages; and the Addition of *Adar* and *Hanam* are but Surnames to *Melech* expressing some Attributes of the Deity. *Adrammelech* signifies a magnificent and mighty King, and *Hanammelech* implies

plies to *hear*, importing a hearing God, that is, a God that will hear the Prayers of his Votaries. A learned Writer of our own, Dr. *Hyde*, has a quite different Apprehension of these Words; for he will have *Adramelech* to signify the *King of the Flocks*, *Adre* being as much as *Greges*; and *Anamelech* he conceives to be near of the same signification, *Ana* being the Word for *Pecus*, in the *Persian* Language, always signifying collectively in the plural Number the lesser Cattle, Sheep and Goats, of which he imagines these Gods had the Care; and were therefore worshipped. They were also celestial Constellations, as he there observes, which they imagined promoted the Breeding of Cattle, and had a kindly Influence upon their Growth and Increase.

Chap. 16.

De Relig.  
Perf. Cap. 2.

The Prophet *Amos* to make us apprehend who *Moloch* is explains it by *Chiun*, a Word that has for a long Time perplexed the Learned. The Passage according to the *Hebrews* runs thus. *You have born the Tabernacle of your King and the Images of Chiun*, which is rather darkened than explained by the Version of the *Septuagint*, *You have born the Tabernacle of Moloch, and the Star of your God Rempham*. Who was that God *Rempham*, no Body knew, nor is it worth while to quote the various Opinions of the Learned in it: But we are obliged to *Monsieur de Saumaise*, who first informed us that *Rephan* or *Rempham* in the *Egyptian* Language signifies the Planet of *Saturn*, which he proves by an Alphabet of the *Egyptian* Tongue sent him from *Rome*, wherein are found the Names of the seven Planets. Upon this Knowledge we have no Cause to wonder that the *Septuagint* rendered *Chiun* by the Word, *Rhephan*, because they wrote in *Egypt*, and they must call that Idol by a Name known to those among whom they wrote; they lived in an Age and in a Place where they could not be ignorant, how *Saturn* was called in the *Cananean* Tongue; so that it seems beyond Dispute, that

Chap. v. 28.

that

Book V. that *Moloch* is *Saturn*, called *Repham* by the *Egyptians*, and *Chiun* by the *Phenicians*, and his Image was carried under Canopies in Procession, which is called the Bearing of his *Tabernacle*.

## C H A P. XVII.

### Baal, Baalzephon, Baalberith, Baalzebub.

THERE is no false Deity more famous in the holy Writ than *Baal*, and the most proper Place to consider it is next to *Moloch*, those two, in all probability, being Father and Son. The Word signifies Lord, Master, and Husband, a Name, which doubtless was given to their supreme Deity, to him whom they look'd upon as the Master of Men and Gods, and of the whole Nature. This Name had its Original from *Phenicia*, *Baal* being a God of the *Phenicians*, and *Jezabel*, Daughter of *Ethbaal* King of the *Zidonians*, brought this Deity from the City of *Zidon*; for he was the God of *Tyre* and *Sidon*, and was certainly the *Zeus* of the *Greeks*, and the *Jupiter* of the *Latins*. This God was known under the same Name all over *Asia*; it is the same as the *Bel* of the *Babylonians*; and the same Name and the same God went to the *Carthaginians*, who were a Colony of the *Phenicians*, witness the Name of *Hannibal*, *Asdrubal*, *Adherbal*, all consisting of *Bel* or *Baal*, being the Name of the Deity of that Country, which was according to the Custom of the East, where the Kings and great Men of the Realm added to their own Names those of their Gods. In short, it seems to be a Name common to all Idols, to whatever Country they belonged; and when it is mentioned in the

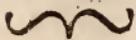
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the Holy Writings without any explanatory Circumstance annexed, it is usually understood to be the principal Deity of that Nation or Place, that the Text was speaking of.

This false Deity is frequently mentioned in Scripture, in the plural Number, which may either signifie, that the Name of *Baal* was given to many different Gods, or imply a Plurality of Statues consecrated to that Idol, and bearing several Appellations, according to the Difference of Places; as the Heathens of old gave many Surnames to *Jupiter*, as *Olympian*, *Dodonæan* I Sam. vii 45 and others, according to the Names of the Places where he was worshipped. The Septuagint interpret the Word *Baal*, in many Places, with a feminine Article, and make it to represent a Goddess as well as a God; it is difficult to discover, in the *Hebrew* Text, any Reason for this Notion of the judaized *Greeks*, for (if I mistake not) *Baal* in the *Hebrew* is always Masculine; but doubtless they had learnt by the *Phœnician* Tradition, that there was a Goddess as well as a God of that Name. What *Moses* says in his Gen. i. 16. History of the Creation of the World, is remarkable, that God made two great Lights, the Sun to rule the Day and the Moon the Night; from whence these two Stars, doubtless, come to be called *Baalim* or Rulers; and the Moon having always been looked upon by most Heathens as a feminine Deity, because of its Moistness, Coldness and Weakness of its Rays: It is no Wonder, if the judaized *Greeks* made two *Baals* the Male signifying the Sun, and the Female the Moon. Contra Gen. l. 3. *Arnobius* observes, that *Baal* was of an uncertain Sex, and his Votaries, when they called upon him, invoked him thus: *Hear us, whether thou art a God or a Goddess*; and the Reason, why the Heathens made their Gods *Hermaphrodites*, of both Sexes, the learned in their Mysteries suppose, was to express the generative and prolifick Virtue of the Deity.

The

Book V.



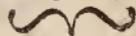
The false Gods of *Palestine* and the neighbouring Nations were called *Baal* in general; but there were other *Baals* whose Name was compounded of some additional Word, such as *Baal-peor*, *Baalzephon*, *Baalberith*; and *Baalzebub*. The first of these is already explained, but the second has given some Trouble to Commentators; some conceiving it to be the Name of a Town, or City, and called *Zephon*, to distinguish it from some other *Baal* that was near, either because it lay *North*, or had an eminent *Watch Tower* in it; and others asserting it to be a magical Figure of *Baal*, set up by the Magicians of *Egypt*, near the *Arabian Gulf*, to hinder the *Israelites* in their Passage; for *Baalzephon* they suppose to have been a great Plain, into which the *Hebrews* were to enter by the Chops of *Pihabiroth*, and here was an Idol worshipped, which looking from the *Red-sea* towards the *North*, was called *the Lord of the North*, as the Word *Baalzephon* imports. This Statue, they say, had a Power of Fascination, to detain the *Israelites*; but this Conjecture seem to be ill supported, there being no such Images made under certain Constellations in those Times; *Apollonius Tyanæus* being supposed to be the first Inventor of them.

Exod. xiv. 2.

Selden de Dis  
Syris Syn. 1.  
c. 3.

Judges viii. 33.

*Baalberith* was the Idol of the *Shechemites*; and the Temple of this Deity was the *Arsenal* and publick Treasury of that People. The *Hebrew* Word *Berith* signifies a *Covenant* or *Contract*, and this God is supposed to have his Appellation from his Office, which was to preside over Contracts and Covenants, and was much the same with *Jupiter Pistius*, or *Fidius* among the *Romans*. But there are Men of Learning who conceive this Deity to be a Goddess called *Beroe* by the *Greeks*; frequently mentioned by *Nonnius* the Poet, who says, that *Bacchus* would have married her, but being denied, she was afterwards married to *Neptune*. He makes her to be the Daughter of *Venus* and *Adonis*, and says she was the Goddess



deſs of the Town of *Beritus*, in *Phœnicia*, to which ſhe had given her Name. Others conjecture this Idol repreſented the *Cybele* of the *Greeks* and *Romans*, and is the ſame with the *Syrian* Goddeſs, of which *Lucian* has left us a Book, but gives her no Name, ſhe being called a Goddeſs by way of Eminence, being the Mother of the other Deities. He relates that there was nothing more magnificent than her Temple, and beſides the rich Workmanſhip, and vaſt Offerings in it, there were ſome Marks of a preſent Deity; for the Statues were ſeen there to ſweat, to move, and to pronounce Oracles, and a Noiſe was often heard there when the Doors were ſhut.

Some very learned Writers, according to the Groundleſs Tradition of the *Rabbins*, tell us, that no Flies ever approached the Sacrifices of the true God, whereas it was otherwiſe with the Pagan Viſtims; from whence they conclude, that the *Iſraelites* called the God of *Ekron* by the Name of *Baalzebub*, or (as the *Greeks* ſpeak) *Beelzebub*, the Lord of Flies, in Contempt and Deriſion, becauſe his Sacrifices were peſter'd with Flies. Others have imagined, that this *Baalzebub* received his Name from a Power which he had of diſpelling Flies that were exceedingly troubleſome in thoſe hot Countries, lying in a moiſt and hot Soil, near to the Ocean; but there is no more Foundation for this than for the other Opinion, though very great Men have appeared on both Sides.

This *Baalzebub* therefore is ſuppoſed to be repreſented by a Statue that had the Figure of a Fly, that is, he had upon a Man's Body, a Head which had ſomething of a Fly, according to the Cuſtom of the *Syrians*, whoſe Idols were generally of human Shape, with that of ſome other Animal. This Image was the God of the *Ekronites*, and they applied the Name of *Baal*, that is, *Lord*, to it, which is as much as to ſay, *The Lord Fly*. This was the *Numen* to whom King *Aba-ziab*

Book V. *ziab* sent, when he was mortally hurt with a Fall, to know whether he should recover. He not only neglected the true God, but the Idols of *Israel*, and must needs consult this buzzing Deity of the *Philistines*. *Pliny* had got some Tradition of this Deity from those Authors that he had met with, for he seems to speak of this very God of *Ekron*, or *Accaron* (for so the *Greek* and *Latin* Versions render it) whom he corruptly calls *Achorem Deum*, and tells us that some Inhabitants of *Cyrene* (for he and all Writers of that Way miserably mistake as to the Names of Places) used to call upon him when great Swarms of Flies visited them, and brought the Pestilence with them; but they were presently destroyed upon invoking and sacrificing to this God.

Nat. Hist. l. 10.  
c. 28.

With Allusion to this vile but busie and vexatious Creature, the chief of the infernal Dæmons was stil'd *Baalzebub* by the *Jews*. A Fly is an Emblem of Impudence; and therefore when the *Egyptians* would signify this Vice, they paint this Insect, because that it is a Creature, that though often beat away, yet boldly comes again. The *Jews* therefore, who were near Neighbours to the *Egyptians*, and borrowed many things from them, applied this Title very fitly to the Prince of Devils, whose impudent and restless Assaults give him a just Claim to this Name of *Baalzebub*, the Lord Fly, or the Domineering Fly.



C H A P. XVIII,

*Of the God Dagon.*

**D**A G O N was one of the *Baals* or great Gods of the *Phenicians*, and there is no question but the *Israelites* defiled themselves with the Idolatrous Worship of this Idol, as they did with the rest, who are charged in general with having worshipped the *Baalim*. This Deity was the God of *Affodod*, by the *Greeks* called *Azotus*, a Place well known in the sacred History. The Name of this Idol is derived from *Dag*, which signifies a *Fish* in the *Phenician* Tongue, and his Image had the same Shape which the Poets give to the *Tritons*. *Dagon*, says a *Rabbi*,<sup>Kimchi in 2 Sam. v. 2,</sup> from the Navel downward, had the Shape of a Fish, and from thence upward he had a human Form. But *Abarbinel* is of another Opinion,<sup>In eund. Loc.</sup> which is not so generally allowed, that this Statue had from the Navel upward and downward the Shape of a Fish, only his Feet and Hands were like a Man's. The Conjecture of *Mr. Selden*, upon this Subject, is very probable,<sup>De dis Syr. in Dagon.</sup> that the God *Oannes*, worshipped by the *Babylonians*, was the same as the *Dagon* of the *Phenicians*; for 'tis unquestionable that the *Chaldeans* worshipped the same Gods, and often by the same Names. *Be-*<sup>In Chronico,</sup> *rusus*, quoted by *Eusebius*, says, that this *Oannes* had the Body of a Fish, and below the Head placed upon the Body another human Head, which came out from under the Head of the Fish. He had likewise a Man's Feet coming from under the Tail of the Fish, and had an human Voice. This Monster came every Morning out of the Sea, went to *Babylon* and taught Men Arts and Sciences, and every Evening returned again. *Selden* quotes also *Apollodorus*, who

Book V.



says, from the same *Berosus*, that in the Time of *Aedorachus* King of the *Chaldees*, which was long before the Deluge, there came out of the Sea a Monster half Man and half Fish, whose Name was *Odacon*, which was the Form in which *Dagon* was represented, the very Name also being the same with very little Alteration.

It has been observed before, that the Pagan Deities were of different Sexes, and this Idol it is supposed was a Male God at *Ashdod* but was a Female at *Ascalon*, where she had a magnificent Temple, and was called *Derceto* or *Dirce*, and was the same with *Atargata* the Syrian Goddess. The Origin and the Worship of this Goddess is given by *Diadorus Siculus* in this Manner; (it is in the History of the Birth of *Semiramis*) There is in *Syria* a City called *Ascalon*, near unto which is a Deep Lake, replenished with Fishes: Not far from this Lake stands the Temple of that famous Goddess, called by the *Syrians* *Derceto*, who has the Face of a Woman, and the rest of her Body like a Fish, for which this Reason is given by the most sensible Men of that Country. They say, that *Venus* bearing a Spleen against the Goddess caused her to fall in love with a young Man of *Syria*, pretty handsome, one of those who sacrificed. That *Derceto* having lain with this young Man, she conceived a Daughter, but being ashamed of the Crime she had committed, she slew the young Man, exposed the Child, when brought into the World, in a desert Place, and plunged herself into the Lake where she was transformed into a Fish; therefore the *Syrians* eat no Fish, to this Day, but worship Fishes as Gods. *Ovid* calls her *Dione*, and makes the Story otherwise; he says, that she being pursued by *Typhon* fled into *Palestine*, and found her self near the Banks of *Euphrates*, holding *Cupid* in her Arms; that hearing a Noise she threw her self into the River, and was received by two Fishes, which were afterwards placed in the Heavens.

Lib. 2. ab  
initio.

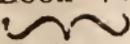
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## CHAP. XIX.

*The Idols worshipped in Samaria, during the Captivity.*

THE Deities already explained are the principal Idols of *Palestine*; but there are other false Gods that were worshipped in the holy Land, and were brought into *Samaria*, after *Salmanesser* had carried away the ten Tribes, by the Colony of Foreigners he sent to inhabit in their Places. These Men brought their Idols with them; those of *Babel* their *Succoth-benoth*, the Men of *Cutha* their *Nergal*, the *Avians* their *Nibchas* and *Tartak* those of *Anah* their *Afsima* and the Men of *Sepharvaim* burnt their Children to *Adrammelech* and *Anamelech*. As for *Succoth-benoth*, that Idol will be considered when we come to speak of the Goddesses of *Syria*; The rest are unknown, except *Adrammelech* and *Anamelech*, who are supposed to be the same with the God *Molech*. These Deities have been more or less disguised by the *Greeks*, calling the Goddess of *Babel*, *Socoth-benith*, that of *Cutha*, *Ergal*, that of *Hamath*, *Afimoth*, that of *Ava*, *Eblozer*, very remote from *Nibchas*; but they kept the Names of *Tartak*, *Adrammelech*, and *Anamelech*, placing before them the feminine Article; it would be hard to guess why they did it, for (except *Succoth-benoth*) it is very probable they were all Gods.

*Nergal* the *Jewish Rabbins* would have to signify a Cock, but this is a malicious Calumny, suggested by their Hatred against the *Samaritans*. Their Conjecture is better received, who suppose that it signified Fire; for the Men of *Cutha* are those that were afterwards called *Persians*, among whom the Fire was worshipped as the principal

Book V.  
  
 Hieroz. P. 2.  
 L. 1. c.

God. The famous *Bochart* ingenuously confesses, that he does not know what *Nergal* was, but remarks, that there is a Sort of Palm-tree called *Nergil* by the *Persians*, *Arabians* and *Indians*, of which they report strange Things; from whence perhaps the *Persians* gave the Name of *Nergal* to this Idol, as in *Syria* their God was called *Rimmon* from the Pomegranate.

*Ashima* is the Name of the Idol worshipped by the People of *Hamath*, and said by the *Jews* to have the Shape of a Goat; the Heathens it is certain had their rural Gods, to which they gave this Shape; such were *Pan*, the Satyrs and Deities of the Woods represented with deep and sharp pointed Ears, and Goats Feet; but there is no Foundation to conceive this to be a Deity in that shape. Our great *Selden* modestly confesses that he is wholly ignorant who this God was. Some conceive him to be the same with *Mars*, because among the Ancients *AS* signified the same as *Apus* among the *Greeks*, and *Schemah*, they say, is as much as Hearing and Obedient, and conclude this *AS* to be the God whom the *Romans* called *Hesus* as *Lucan* mentions in his *Pharsalia*.

L. 1. v. 443.

*Horrentque feris altaribus Hesus.*

But the most probable Conjecture is, that *Ashima* is the Name of God whom the *Hebrews* call *Hassem*, the Name, from whence *Ashima* is derived. Accordingly *Ebenexra* in his Preface to the Book of *Esther* says, that he saw in a *Samaritan* Pentateuch, *Bara Ashima*, instead of *Bare Elohim*, which *Bochart* censures as a Falsity because no such Word is to be found in the whole Pentateuch of the *Samaritans*; yet this does not hinder but that it might be at that time in some Paraphrase made upon it.

The *Avites*, it is said, introduced *Nibchas* and *Tartak*, for their Deities; the first was a barking Dog,



Dog, according to *Abarbinel*, who derives it from *Nabach*, to bark. It is certain, that in *Egypt* there was a God called *Anubis*, that was worshipped in the hieroglyphical Form of a Dog, but it is doubted whether this superstition ever passed from the *South* to the *East*, especially since all other Nations abominated this monstrous Idolatry of the *Egyptians*. *Selden* thinks these two Gods of the *Avites* were the same Idol called by different Names, but was not able to give an Account of them.

*Tartak* according to the *Hebrews* signifies the *Afs*, a Creature often mentioned in the *Fable* and *Theology* of the Heathens; we read of the *Afs* of *Silenus*, and the two *Asses* that helped *Bacchus* to pass a River in his *Indian Expedition*, which got them a Place among the Stars in the Sign of *Cancer*, in which Astronomers have observed two darkish Stars called by the Antients *Afelli*, or the *Afs-Colts*. In the fabulous Divinity of the *Egyptians*, there was also great Notice taken of the *Afs* which was the Symbol of *Typhon*, but far from worshipping it, it was to them an Abomination. They throw red *Asses* from Precipices, says *De Ifig. c. 14.* *Plutarch*, because *Typhon* was red hair'd and of the Hue of an *Afs*; and the Cities of *Busiris* and *Lycopolis* scruple to hear the Sound of a Trumpet, as being like the braying of an *Afs*. In short, they look upon an *Afs* as a defiled Creature. There is no Account to be found in the Records of any Nation that divine Homage was ever paid to this Beast, so that it is a malicious Fiction of the *Jews* to charge the *Samaritans* with this Idolatry.

Little Information is to be had concerning the forementioned Deities, but those that are spoken of in the History of King *Amaziah* are much more unknown to us. It is said of this Prince, that when he came from the Slaughter of the *Edomites*, he brought the Gods of the Children of *Seir*, and set them up to be his Gods, and bowed down himself before them, and burnt Incense unto them. *2 Chron. xxv.*

Book V.

them. We know nothing of these Gods of *Seir*. The *Edomites* were the Posterity of *Esau*, who probably had deified *Abraham* and *Isaac*, their Ancestors, according to the Custom of the *Eastern* People; but by what Names we are ignorant of. It cannot be supposed, that these Gods of the *Edomites* were the same with those of the *Phœnicians*: If so, Scripture would not tell us, that *Amaziah* brought them to *Jerusalem* and worshipped them; for the Worship of the *Baalim* of *Palestine* could be neither new nor unknown in *Judea* where it had been often settled in the foregoing Reigns; and history makes it plain, that the Kings of *Judah* did often join with the ten Tribes in their Idolatry, which Tribes not only worshipped the *Calves*, but paid Adoration to the *Baalim*, or the *Syrian* Deities.

Some Authors pretend to have found out an Idol called *Aretsa* in this Passage of Scripture; <sup>†</sup> King. xvi. 9. *And his Servant Zimri, Captain of half his Chariots, conspired against him as he was in Tirzah, drinking himself drunk in the House of Arzah.* The *Chaldean* Paraphrast has these Words upon it; *When he drank himself drunk in the Temple of Arzah, an Idol, which stood near the Palace in Tirzah.* If this were a Deity, it must be the Earth called *Cybele* by the *Gentiles*; but the Opinion of the *Jews* is the most probable, that *Arzah* in this Place is the Name of a Man who was Steward to the King of *Israel* in *Tirzah*, in whose House he was carousing when he was surprized by the Conspirator and slain.

There are two other Deities who have given great Trouble to Expositors, but with little Satisfaction. *Rimmon* a God of the *Syrians* that was worshipped at *Damascus* and *Nisroch*, a God of *Nineveh*, in whose Temple *Sennacherib* was killed by his rebellious Children. The first is mentioned in the History of *Naaman* and *Elisha*, but once spoken of in the sacred History, nor is he to be met with at all elsewhere; and so he is

to

to be abandoned to Conjectures. Some conceive this Deity to be *Venus*, because *Rimmon* in the Hebrew signifies a Pomegranate, which Fruit is consecrated to that Goddess. Others understand this Idol to be *Jupiter*, the Thunderer. Our *Selden* thinks it is derived from *Rum*, which signifies High; so that this God is the same with that called *Elion* by the *Phœnicians*, that is, the most high God.

We are almost as much in the Dark as to *Nisroch* the God of *Nineveh*. The Seventy call this Deity *Nesorach*, and in *Isaiab*, where this Story is related, *Asarach*; but what any of these Names signify Mr. *Selden* acknowledges he cannot discover, having in all his reading never met with any thing that might explain it. The *Jews* have a strange Vision concerning this God, and fancy it to be a Plank of *Noah's* Ark, the Reliques of which *Josephus* tells us some reported were in his Time, in the neighbouring Mountains of *Armenia*. Some think that the Word signifies as much as the Bird of *Noah*, that is, a Dove, which was worshipped by the *Syrians*; or as others conjecture, (for they can do no more) this Word is derived from *Nes*, which in *Chaldee* signifies a Province, and *Rac*, which signifies a King, that is, *Jupiter* the King and Conservator of that Province. It is certain that *Nisroch*, or rather *Nisrach*, signifies an Eagle, which has given occasion to an Opinion, that *Jupiter Belus*, from whom the *Assyrian* Kings pretend to be descended, was worshipped under the Figure of an Eagle, and by the Name of *Nisroch*. The Scripture it self takes notice of the Eagle as the Symbol of the Kings of *Chaldee*, this *Belus* his Successors. *Ezekiel*, who was one of those Captives that were transported into *Babylon*, prophecyng the Ruin of *Jerusalem* declares, that a great Eagle with great Wings, long winged, full of Feathers, which had divers Colours, came into *Babylon*, and took the highest Branch of the Cedar; which

Chap. vi. 3.

Book V. explaining afterwards in less figurative Terms; says he, *Say now to the rebellious House, Know ye not what these Things meant? Tell them, Behold the King of Babylon is come to Jerusalem, and has taken the King and Princes thereof, and led them with him to Babylon.*

Chap. vi. 12.  
Chap. viii. 14. I know but of one male Deity more mentioned in Scripture, of whom nothing has been said as yet, and that is *Thammuz* spoken of by *Ezekiel*. The same is supposed to be *Adonis*, the Darling of *Venus*, and so I look upon him as inseparable from this Goddess; and therefore I shall reserve him to be explained in the Chapter that treats of the *Syrian Venus*.

## C H A P. XX.

### *Of the Idol Cybele, or Baal-berith.*

**I**T has been observed, that the Mother of the Gods known among the *Latins*, by the Name of *Cybele*, is mentioned in Scripture, under the Appellation of *Baal-berith*, which being commonly understood as a God among Authors, I therefore left her among the masculine Deities. The most famous of her Daughters was *Ashtaroth*, the Goddess of the *Sidonians*, known among the *Greeks* and *Latins*, by the Name of *Astarta*, or *Astarte*, by whom she is owned to be one of the Goddesses of the *Phœnicians*; she was likewise called *Ashera* and *Asheroth*, which signifies wooden Images, and is generally mentioned with *Baal*, because the Worship of both these Deities was introduced at the same Time by *Jezebel* Daughter to the King of *Zidon*.

This Goddeſs is explained thus by *Abarbinel* Chap. 20. in his Commentaries upon *Jeremiah*, I have already, ſays he, told you my Opinion, that the

*Baal* whom they worſhipped is the Sun, whom they alſo called *Moloch*, that is to ſay King, becauſe he was the King over all the Children of Pride, and *Aſherah*, whom they ſerved like- wife, was the Moon called the Queen of Hea- ven; as the Scripture calls the Sun King *Mo- loch*, ſo it calls the Moon Queen of Heaven; and as the Sun, in reſpect to the Moon, is called *Baal*, becauſe it is in Relation to the Moon, as it were, a Lord and Husband, who communicates his Glory and Splendor to his Wife, ſo the Moon is called *Aſhera*, a Name of the feminine Gender, as if ſhe was a Wife to the Sun, and much loved and deſired by him.

The learned *Voffius* remarks of this Goddeſs, that ſhe was repreſented by a Figure, half Fiſh, and half Woman, and therefore confounds her with *Atergatis* or *Derceto*; but there is no ſuf- ficient Ground for this Conjecture; for *Der- ceto* was the Goddeſs of the Men of *Ascalon*, who were one of the five Governments of the *Philiftines*, whereas *Aſtarte* was worſhipped among the *Zidonians*, as the *History of Solomon* obſerves, which was confirmed by *Lucian* above a thouſand Years after. There is, ſays he, a great Temple in *Phanicia*, among the *Zidonians*, dedicated to *Aſtarte*, which I take to be the Moon, though a Priest of the Temple told me, it was *Europa* Siſter of *Cadmus*, and Daughter of *Agenor*: Beſides, the Image of *Aſtarte* was a quite different Figure; for either ſhe was a

De Idolol.

De Dea Syria.

Woman altogether, or ſhe had the Head of an Ox upon a human Body, or at leaſt an Ox's Horns upon her Head: For *Philo Biblius* ob- ſerves, that *Aſtarte* placed upon her own Head, the Head of an Ox, as an Enſign or Mark of Empire.

Euseb. de Præp. Evang. l. 1. C. 10.

Book V.



C. 8. 14.

*Venus* was another Goddess of the *Syrians*; this Deity, I think, is no where mentioned in Scripture, which yet speaks of *Adonis*, under the Name of *Tammus*. This *Adonis* is inseparable from *Venus*, for they had both but one Temple, the Mysteries and the Devotion were the same. The Prophet *Ezekiel* speaks thus concerning *Tammus*: Then he brought me to the Door of the Gate of the Lord's House, which was toward the North, and behold there sat Women weeping for *Tammus*. It is impossible to make any Discovery of this Deity from the Monuments of the *Rabbi's*, who having no Tincture of the Heathen Learning, could have but an imperfect Knowledge of their Gods; what they say of them is altogether fabulous: *Kimchi*, for Example, asserts, that this was an Image, into the hollow Part of whose Eyes Lead was poured, and the Image wept, when Fire was put to it. *Maimonides* says, that *Tammus* was a false Prophet, who endeavouring to persuade a certain Prince to worship the seven Planets and the twelve Signs, this Prince had ordered him to be put to a cruel Death. The very Night of his Execution, all the Idols met together from all Parts of the Earth, in the Temple of *Babylon*, about the great golden Image, being the Image of the Sun hanging between Heaven and Earth. This Idol threw it self down upon the Stones of the Temple, and all the other Idols stood about it, while *Tammus* gave an Account of his Adventures; which made all the Idols weep and bemoan him all Night long, and the next Morning they all flew away, and returned every one to its proper Temple; from whence, says he, came the Custom of weeping for *Tammus*. But this is a Fable equally false and ridiculous.

In loc. Ezek.  
more Nevoch.

There is nothing more probable upon this Subject, than what *St. Jerom* remarks in his Commentaries upon *Ezekiel*, where he explains the

Place

Place concerning *Tammus*, but the Text being too long to be inserted, I shall only give the Substance of it; he says, that according to the Fable, *Adonis* was the darling of *Venus*, a very handsome Youth, who was killed in *June* by a wild Boar, and was raised again from the Dead, and that the Month of *June* had taken its Name from it; that in this Month Women were used to celebrate a solemn Feast to him, in which they first wept for him as dead; this done, they sung unto him and praised him, as returned to Life again: He adds, that the wise Men among the Heathens, applied this Fable of *Adonis* dying and returning to Life, to the sowing of Seed in the Earth where it first corrupts and then springs up again; so that it was *Adonis* the Darling of *Venus* for whom the Women of *Jerusalem* wept.

Chap. 20.



The Author, under the Name of *Lucian*, gives In Dea Syria. a particular Account of this Ceremony; I saw, says he, at *Biblis*, the great Temple of *Venus*, in which are yearly celebrated the Mysteries of *Adonis* in which I am initiated; for it is said, that he was killed in the Country by a wild Boar, and in perpetual Remembrance of this Event, a publick Mourning is yearly celebrated with doleful Lamentations; then follows a Funeral, as of a dead Body, and next Day is celebrated his Resurrection, for it is said, he flew up into Heaven; one of the Ceremonies is for Women to have their Heads shaven, as the *Egyptians* at the Death of *Apis*. Those who refuse to be shaven are obliged to prostitute themselves a whole Day to Strangers, and the Money which is got that way is consecrated to the Goddeffs. But some of the *Biblians* say, that all those Ceremonies are observed for *Osiris*, and that he is buried in their Country not in *Egypt*. In order to which there comes yearly a Head made of Papyrus, brought by Sea, from *Egypt* to *Biblis*, and I my self have seen it. *Procopius* upon *Isaiab*

Book V: *Isaiab* more particularly explains this Rite, and observes, that the Inhabitants of *Alexandria* prepare yearly a Pot in which they put a Letter directed to the Women of *Biblis*, by which they are informed *Adonis* is found again. This Pot being sealed up, they commit it to the Sea, after some Ceremonies over it, and bid it be gone away, this Pot goes along immediately, steering its Course to *Biblis*, where it puts an End to the Women's Mourning.

Euseb. in vit.  
Constant.

This *Syrian Venus* had a Temple upon the Top of this Mountain, which was built out of the Way in a by-Place, in the midst of a Wood; it was demolished by the Emperor *Constantine*, who put an End to all the filthy Ceremonies performed in it; for it was, says the Historian, in a Manner, a School of Uncleanness to all People given up to Lust, or who had weakened and enervated themselves by a debauched Course of Life. There some lascivious and effeminate Men, who deserve not to be called Men, defiling themselves in a most infamous Prostitution, appeased the Devil and served him. There also they defiled themselves abominably with Women, and under a false Pretence of Marriage lay privately with them; in short, the lewdest Crimes were committed in that Temple, as a most filthy Place, and there was no body to punish it or take Notice of them, because honest virtuous People durst not come near unto it. The Image of this Goddess, according to *Macrobius*, represented a Woman in Mourning covered with a Veil, having a dejected Countenance, and Tears seeming to run down her Face.

Saturnal. L. 1  
C. 21.



C H A P. XXI.

*Of Venus under the Name of Succoth-Benoth.*

**A**MONG the Deities of *Palestine*, we meet with *Venus* again under the Name of *Succoth-Benoth*, which in the Judgment of the learned *Selden* and other eminent Authors, was the *Babylonian Venus*, worshipped under her Images and usual Emblems. That this is a *Babylonian* Deity, is unquestionable; for it was the Men of *Babel* who made it and introduced it into *Samaria*; and that it is a female Deity, is evident by the Signification of the Name, the Word implying the Tabernacles of Daughters or of young Maidens; so that properly it is not the Name of the Deity but of her Temple; why it was distinguished by this Title, will appear from what *Herodotus* relates upon this Occasion. There is, says he, a filthy Custom among the *Babylonians*, which is, that all their Women are obliged once in their Life-time, to expose themselves in the Temple of *Venus*, and become Prostitutes to Strangers; such as are rich and will not submit to this Ceremony keep before the Temple of the Goddess in their Chariots, under Arches, with their Domesticks behind them, but the greatest Part do this: They sit in the Temple of *Venus*, their Temple's crowned with Nose-gays and Garlands, some going out, others coming in. There are Alleys separated with Lines, and leading to all Places where Strangers walk to view the Women, and choose those they like best. When a Woman has once taken a Place in the Temple, she does not return home without a

piece

<sup>2</sup> Kings xvii.

<sup>30</sup>

Clio Lib. I.

Book V.  piece of Money thrown into her Lap by some Stranger, and without being brought by him out of the Temple to lie with her; and when the Stranger gives this earnest Money, he must say I call for thee upon the Goddess *Mylitta*, *Venus* being called *Mylitta* by the *Assyrians*; and how small soever the Sum be, it is unlawful to refuse it, because it is appointed for sacred Uses. Nor is it lawful for a Woman to refuse a Stranger, but without chusing, she must follow the first that offers her Money: In short, when a Woman has lain with a Stranger, she is looked upon as having done her Duty to make the Goddess favourable unto her, and then she returns home: This done, she keeps her self chaste, and such a Favour is not to be obtained from her for all the World. Women that are beautiful do not stay long in the Temple; but ill favoured Women are obliged to continue there very long before they can fulfil the Law; nay, there are some of those poor Creatures who wait there for three or four Years. In the Isle of *Cyprus* there is a Law much of this Nature.

Chap. 26.  
v. 43.

This Place of the Historian is of Use to explain a Passage in the Book of *Baruch*, where describing the Idolatry of the *Chaldeans* and *Babylonians*, he says, that the Women with Cords about them, sitting in the Way, burn Bran for Perfume; but if any of them, drawn by some that passeth by, lie with him, she reproaches her Fellow that she was not thought as worthy as her self, nor her Cord broken. This, without doubt, is the same Custom mentioned by *Herodotus*; the seeming Difference lies in this, that the Heathen Writer says, that the Women sat in the Temple, and *Baruch*, that they sat in the Way, which must be understood of the Paths and Alleys made by the Lines which divided the Set of Women; *Baruch* observes that the Line was broken to come to one of those



those Women; which has given Occasion for some Interpreters to believe, that by this Line ought to be understood a Girdle or Scarf, which alone covered the waste, leaving the rest open to inflame the Lust of Passengers. But it is more probable, that they were got out of the Line behind which they sate in Order. There is one Ceremony mentioned, upon which *Herodotus* is silent, that these Women burnt Bran for a Perfume. This Bran, no doubt, was somewhat like what the *Latins* called *Molasasa*, Flour that was thrown into the Fire when they offered Sacrifices. *Herodotus* gives some Light to explain this Custom, where he says, that as often as a *Babylonian* lay with his Wife, he threw a Perfume into the Fire, and his Wife did the same on her Part; the next Morning both wash themselves and touch nothing before they washed. So that those Women who were ranked behind the Line waiting for a Stranger to carry them off, made their Perfume of Preparation, that nothing might hinder the Consummation of their Vow.

Here follows a Deity, if it be one, of which the Scripture makes but little mention, yet remembered more than once by the Prophet *Jeremias*, which is, *Sheshach* a supposed Goddess of the *Babylonians* and *Persians*. There is scarce any thing to be met with in antient Authors concerning this Idol; we find only, that there was a Feast held by those People called *Sakea* which lasted five Days, during which the Masters waited upon their Slaves, so that it was a Kind of Saturnals; this probably is the Festival taken Notice of by *St. Chrysostom*, where he says: Do not you remember the Feast of the *Sagues* celebrated by the *Persians*, when they take one of those that are condemned to Death, and set him upon the King's Throne and clothe him with royal Robes? While the Feast lasts, they give him his fill of all Sorts

*Jerem. xxv. 15.*  
51. 41.

*Tract. 4. de regno.*

of

Book. V. of Delights, he is even free to lie with the King's Concubines, and no Man hinders him to do what he pleases; but when the Feast is over, he is stripp'd, whipped and hanged. *Strabo* likewise gives an Account of this Festival, which would be worth inserting, if any Thing but Conjecture could be raised from it.

Daniel xi. 38. Another Deity which has much perplexed the Interpreters, is the God *Mabuzzim* spoken of by *Daniel*, and translated by us *the God of Forces*. The learned *Selden* is silent in this Case, as a Matter utterly unknown. All that I have found probable concerning it is, that the Prediction may be understood of *Antiochus Epiphanes* a proud Prince, who exalted himself above his Neighbours, and should be reduced to pay Tribute to the *Roman* Eagles that were a Sort of Deities, and and not improperly called *the God of Forces*, and by Gifts and other civil Homage, continue in the Favour of that victorious Nation.

And that nothing that passed for the Name of a Deity should go unobserved, something must be said also of *Margemah*, render'd without any Affinity by the *Latin* Interpreters, *Acervus* Prov. xxvi. 8. *Mercurij*, *Mercury's* Heap, but render'd in our *English*, as he that bindeth a Stone in a *Sling*, so is he that giveth Honour to a Fool, which is likewise the Sense of the *Greeks* and *Chaldee*; so that the Signification is, he that puts a Stone in a *Sling* and gives Honour to a Fool, does the same thing, which is to say, that both the one and the other are presently over, the Honour given to a Fool soon passing away as a Stone thrown out of a *Sling*. As for the Custom to which the *Latin* Interpreter alludes, the same is very well known. *Mercury* was looked upon as the God of Highways, and where they crossed, his Statue was usually erected. Great Heaps of Stones were raised in his Honour, into which the Passengers thought it a piece of Devotion to throw each a Stone. The Com-  
mentator

mentator upon *Homer*, derives this Custom from the Fable which says, that *Mercury* being charged by *Juno* for the Murder of *Argus*, was there fore try'd by the Gods, and upon *Jupiter's* Solicitation acquitted; however, to let *Juno* see that they detested the Crime of *Mercury*, each of them threw a Stone at his Feet; thence came the Custom for Men to make Heaps of Stones along the Highways, in Honour of *Mercury* who presided over them, in Imitation of the Gods who acquitted him, and those Heaps they called the Butts of *Mercury*.

Chap 23.

  
D'dym. Eus  
tath. in Odyss.  
11.

C H A P. XXIII.

*The Vindication of the Jews, from  
Worshipping the Ass, the Hog, the  
Heavens, and the God Bacchus.*

**H**AVING finished what I had to observe concerning the Idolatries of which the *Jews* were really guilty I cannot make an End without saying something in their Justification of those they were unjustly accused of, as of worshipping the Ass, the Hog, the Heaven, and the God of *Bacchus*. The *Greeks* and *Romans*, who were their Enemies and Accusers, had no Knowledge of their Religion till after the Captivity of this People in *Babylon*. From which Time it is certain, that they had the utmost Aversion against Idolatry, much less could they be guilty of that vile Abomination of worshipping a Hog.

This Accusation is to be found in *Plutarch's* Table-discourses, where he brings in one *Callist* Symposiac. L. 4. C. 5. saying, that the *Jews* did not eat the Flesh of a Hog, out of the great Respect they bore to that Creature, because by turning the Ground

Book. V. with his Muzzle, he had taught Men Husbandry :  
 His Conjecture, that the *Jews* did not abhor Flesh  
 by Abomination, he grounds upon this ; that if  
 they abhorred Hogs, they would destroy them as  
 the Magicians do Mice, whereas they are forbid-  
 den to kill as well as to eat Hogs ; but these  
 Accusers knew not that according to the Reli-  
 gion of the *Jews*, a Man was as much defiled  
 by touching as by eating of an unclean Beast ;  
 therefore they durst not kill this Creature for fear  
 of being defiled by touching it. This Abstinence  
 from Hogs Flesh commanded to the *Jews*, is cer-  
 tainly the Ground of this Accusation , which  
 made *Petronius Arbiter* say :

In Fragmentis.

*Indeas licet & porcinum numen adoret,*  
*Et cali summas advocet auriculas,*  
*Ni tamen & ferro succiderit inguinis oram, &c.*

In the same Place the *Jews* are accused of wor-  
 shipping the Ass. They forbear, says he, a Hare,  
 and hate it as an unclean Beast, because it re-  
 sembles an Ass, which they revere mystically.  
 The Fable of *Tacitus* is known to all the Learn-  
 ed, that the *Jews* worshipped the Ass, because  
 at their coming out of *Egypt* they were ready to  
 die with Thirst in the Desert, when they happen-  
 ed to meet a great Company of wild Asses which  
 brought them to a Fountain : This made them so  
 grateful to the Creature, that they consecrated its  
 Figure in the holy Place. This he took from  
*Appion*, a *Grammarian*, who lived in the Time  
 of *Tiberius*, *Caius*, and *Claudius*, and *Josephus*  
 has plainly confuted it. It is *Appion* who says,  
 that the holy Place having been open'd by *Anti-  
 ochus* the Great, there was found a golden Head,  
 having the Resemblance of the Head of an Ass.  
 Whence came the Reproach thrown upon the  
 Christians, that they also worshipped the Ass. *Ter-  
 tullian* says, that one of these Slanderers caused  
 the God of the Christians to be drawn with the  
 Ears

*Joseph. L. 2.*  
*Appion cap. 16.*  
*Apologer.*

Ears of an Ass, having a long Robe on, holding a Book in his Hand, and the Foot with a Hoof as Horses and Asses, with this Inscription, *Deus Christianorum Ononychites*. It is to be observed, that in those Times they made no Distinction of the *Jews* and *Christians*, because they worshipped the same God, Creator of the World, and were both equally Enemies to the false Deities of the Heathens.

Chap. 23.



As to the third Charge brought in against the *Jews*, both by *Juvenal* and *Petronius*.

*Nil prater nubes & celi numen adorant.  
Et celi summas advocet auriculas.*

Petron. Satyr.  
14.

It is easy to guess why the *Jews* professed no Worship but of the God of Heaven; they had no Images nor Statues; they called God to witness of their Innocence, by lifting up their Hands and Eyes to Heaven, and towards the Clouds; and indeed the *Jews* adored only what they called *Celi Numen*, the God of Heaven, but did not worship *Celum Numen*, the Heaven as a God, whatever *Juvenal* may insinuate to the contrary.

I come now to the last Charge, which is, that the *Jews* worshipped *Bacchus*. It is what *Plutarch* insists most upon, and which he pretends to convince them of by abundance of Proofs, a Review whereof (notwithstanding what I have before observed to this Purpose) may neither be useless nor unacceptable. He pretends to prove this Accusation by their grand Feast, which was kept in Autumn. They call it, says he, the Fast, and keep it in Vintage time; they set Tables in the middle of the Streets loaded with all manner of Fruit, and sit under Arbours made chiefly of Vine and Ivy. They call it the Day before the Feast of Tabernacles. A few Days after that they kept another Feast, in which the Mysteries of *Bacchus* plainly appear; with Boughs and

Plutarch ubi  
Supra

Book V. Thyrses in one Hand they go into their Temple, and there do what we know not ; but it is likely they keep there their *Bacchanals* by the Sound of Trumpets, &c. in their Hymns they sing to their God.

In the Month *Tisri* the *Hebrews* had three solemn Days ; the first was the first Day of the Month *Tisri*, called the Feast of Trumpets ; the second upon the tenth Day of the same Month was the Feast of Expiation ; the third, being the fifteenth of the same Month, began the Feast of Tabernacles, which lasted till the two and twentieth, in which the *Jews* did actually eat under Trees, or green Arbours : Most of the Circumstances hinted by *Plutarch* were really practised in those Feasts. But had he been instructed in the Mysteries of their Religion, he would have understood, that the first Day was a solemn Day, being the first of the Year ; that the second was a Fast, a Day of Humiliation, and not a Festival of *Bacchus* ; and that the third indeed was a Feast and Day of rejoicing, appointed to the Honour of the God of Heaven, and not to any Pagan Deity ; and that these green Tabernacles, under which they lodged, were to represent their Pilgrimage in the Wilderness.

The same Author brings another Proof from the Name of *Levites*. The *Levites*, says he, are these who play upon Instruments, such as Lutes and Harps. It was indeed one of the Offices of the *Levites*. This Name he derives from *Evius*, one of the Names of *Bacchus*, because of the Word *'Eviōi*, which the ranting *Bacchanal* Women did constantly repeat in the Festivals of that Deity. This is so insipid that it does not deserve to be confuted. He adds, that the Word Sabbath, which signifies the common Feast of the *Jews*, may be derived from *αβοι*, a Word which the *Bacchanal* Women joined to that of *'Evoī* ; and that *Bacchus* was from thence called *Sabazius*. This Fancy is well enough ; but had he

he made Inquiry he might have learn'd of the *Jews* that Sabbath signifies Rest, and that they called this the seventh Day of the Week, because they did no manner of Work upon that Day. He says moreover, that on that Day, the *Jews* made themselves drunk and feasted one another; which I suppose is grounded upon this, that the Sabbath among them no more than among the primitive *Christians*, was never a Day of Fasting. But this is a mere Calumny, the *Jews* not daring so much as to dress meat upon their Sabbath, and every one of them keeping at Home upon that Day.

This Writer conceives he has an invincible Proof in the Bells that hang upon the Robe of the High-priest of the *Jews*, which made a great Noise when he moved, because that Noise was like that which was heard in the nocturnal Sacrifices of *Bacchus*, called *Nyctelia*. It is certain, there were Bells at the Hem of the Robe of the High-priest, but not in Imitation of the Sacrifices and Feasts of *Bacchus*, their Design being to give notice to the People to fall to their Prayers, while the High-priest was offering Incense. *Plutarch* also makes this Observation, that there were upon the Walls of the Temple Figures of Drums and Thyrses. He had doubtless read in the Description of the Temple of *Solomon*, that the Walls were covered with a gilt Ceiling, upon which were Branches of Palm-Trees interwoven together. Perhaps he means by these Thyrses the Vines with the Grapes of Gold in *Relievo*, which were upon the Wall of the Porch of the Temple, which Vine was so prodigious big, that the Bunches of Grapes were of a Man's Height. As for the Drums it is difficult to conceive from whence he had them, unless he took open Flowers for the Figures of Drums; but this Writer never saw the Temple of *Solomon*, nor that of *Herod*. These Drums are supposed to be the Product of his own Fancy, that he

Book V.

might find more easily the Worship of *Bacchus* in the Service of the *Jews*. Lastly, he proves, that *Bacchus* was the God of the *Jews*, because, says he, among several Punishments used among them, the most shameful is that which debars them from the use of Wine so long as the Sentence bears. I believe he has taken that from the Law of the *Nazarites* by which he that made a Vow to be a *Nazarite* confined himself to drink no Wine; because the *Nazarite* went to cut his Hair in the Temple and perform these Ceremonies of the Vow in the Presence of the Priests, *Plutarch* fancied that it was the Priest that imposed that Necessity of forbearing Wine; or else it came from what he might have heard concerning those who were excommunicated; he that was under the Sentence being deprived of all Commerce with his Brethren, and not allowed to sit at Table with them all the Time of his Excommunication, which might induce this Author to believe that such a Person being excluded from all common tables was likewise forbidden the use of Wine. Upon the whole, as full of Errors as are these Accusations of *Plutarch*, it appears, notwithstanding that he had a greater Insight into the Ceremonies of the *Jews* than other Heathens who have attempted to write upon this Subject.





# BOOK VI.

## CHAP. I.

### *A short Survey of the City of Jerusalem.*



T is an Opinion generally received, Gen. xiv. 18. that *Jerusalem* is the same City which is called *Salem* in the Book of *Genesis*, and of which *Melchisedeck* is said to be King: But the learned *Bo-*

*chart* thinks this to be an Error, and observes, L. II. Phaleg. that *Salem* was in the Way which led from the C. 4. Valley of *Damascus* unto *Sodom*; and *St. Hierom* remarks, that he learn'd from the *Jews*, in his Time, that it was seated on this Side of *Jordan*; and it retained its Name in our Saviour's Days, as appears by the Story of *John's* baptizing John iii. 23. in *Salem*: But the common Voice of Interpreters is against this Criticism; not that *Salem*, or the City of *Melchisedeck*, is supposed to have been of equal Extent with *Jerusalem* in After-times, but *Jerusalem* was no other than the City of *Salem* enlarged and beautified by the Kings of

Book VI. all *Israel*, *David* and *Solomon*, and by some of the succeeding Kings of *Judah* after the Division of the twelve Tribes into the two distinct Kingdoms of *Judah* and *Israel*.

Heb. vii. 2.

Josh. xv. 8.

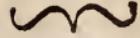
The Word *Salem* in the *Hebrew* Language signifies *Peace*; and as the City of *Melchisedeck*, called *Salem*, is probably thought to be the same with *Jerusalem*, so it is certain that *Jerusalem* was otherwise called *Jebus*. Now as *Jerusalem* preserves the Name of *Salem* in the last Part of it, so it is thought to preserve the Name of *Jebus* in the former, and (for better Sound Sake by the Change of one Letter, and the Omission of another) softened into *Jerusalem* instead of *Jebusalem*, or *Jebusalem*. It is true indeed, that the Word, which in the seventy Interpreters, and in others, and so in our *English* Translation from them, is rendered *Jerusalem*; in the Original or *Hebrew* Text is most frequently, if not always, writ *Jerusalaim*, as if it were a *dual*; from whence, perhaps, it may be inferred, that the City consisted principally of two Parts, one of which was the old City, that was in the Time of *Melchisedeck*; and of the *Jebusites*, and the other Part was the Addition, or New Buildings, added to the old City by King *David* and his Son *Solomon*, and their Successors; and which for its Largeness might be esteemed as a new City, or new *Jerusalem*; and so these two Parts together, the old City, or the old *Jerusalem*, and the new City, or new *Jerusalem*, might give occasion to denote the whole City by the *dual* Name of *Jerusalaim*.

It is further observable, that the *Hebrew* Word *Jerusalem* is (I think) always rendered in the Septuagint Translation of the Old Testament *Jerousalem*, or *Jerusalem*. But in the Writings of the New we find it mentioned, not always by the pre-mentioned Name, but frequently by the Name *Hiersolema*. As for the latter Part of the said Name, we find it given (omitting the former Part) not only to this City we are speaking of but

but also to another in *Pisidia*, or *Lycia*. Nay, we are told, that there was in *Lycia*, or more particularly in *Pisidia*, not only a City called *Solyma*, but also that all the *Pisidians* in general were formerly called *Solymi*. Whether the *Pisidian* City *Solyma* (from which likely the People took the Name of *Solymi*) was originally called *Salem*, as well as the City of *Judæa* we are speaking of; or whether the *Greeks*, as they turned the former Part of the Name *Jerusalem*, viz. *Feru*, into a Word of their own Language somewhat like it, viz. *Hiero*, that is *sacred*, so turned also the latter Part *Salem* into the *Greek* Name *Solyma*, as somewhat resembling it, is uncertain: But certain it is, that *Hierosolyma* (into which the *Greeks*, according to their usual Fashion, moulded *Jerusalaim*, or *Jerusalem*) does import so much, as *sacred Solyma*, and perhaps the *Greeks* were induced to use the pre-mentioned Word *Hierosolyma*, not as a singular, but as a plural, in Allusion to the *Hebrew Jerusalaim*, which seems not to be a singular but a dual, and to denote, as is above observed, the two principal Parts of which *Jerusalem* did consist in the Times of the Kings, *David* and *Solomon*, and their Successors, that is, the old City built before it was taken by *David*, and the new City added by *David* and the succeeding Kings.

The City of *Jerusalem* was first taken from the *Jebusites* by *Joshua*, who subdued the King of it, together with four other Kings of the *Amorites*, who joined in Battle with him. There can be no doubt, I think, that the *Jebusites* were of the Seed of *Canaan*, being constantly numbred among the seven Nations devoted to Destruction; yet some of the *Jews* have a conceit that the People here mentioned were derived from *Abimelech* King of the *Philistines*, with whom their Forefather *Isaac* made a League; and therefore the Children of *Judah* did not expel them; but this, it is evident, is a foolish Imagination; for why did

Chap. I.



Josh. 10. 5. 23.

Kemech. in  
Josh. 15. 63.

Book VI. did they expel them at the last as they did, if they were to be kind to them upon this Account? The Fort of *Zion* held out against the Armies of *Joshua*, and the *Israelites* not being able immediately to people the Cities they had taken, the *Jebusites* recovered the City of *Jerusalem*, and got Possession of it again; from whence the Children of *Judah* expelled them after the Death of *Joshua*; but the Fort continued in their Hands till the Time of *David*, which so commanded the lower Town, that they forced the Children of *Judah* and *Benjamin* to let them dwell with them there, and they soon grew so powerful as to become the ruling Party in the Place.

The first warlike Enterprize of *David*, after he was King, was to remove these imperious Neighbours, and to reduce the Fort, which he attack'd vigourously with the Flower of his Army; but the Besieged imagined their Fortrefs so impregnable, that by way of Contempt and Scorn, they bragged, that the blind and the Lame were able to defend it against him, and all his Forces. The Words in the Text are, *Except thou take away the Blind and the Lame, thou shalt not come in hither*; that is, says the learned *Bocbart*, thou shalt not come hither, but the Blind and the Lame, the most Feeble and Cowardly amongst us will drive thee away, which he thinks is so plain a Sense, that he wonders Men of great Learning should seek for any other. But so it is, a great many by the *Blind* and the *Lame* understand the Images of their Gods, (particularly our learned *Gregory* has a whole Dissertation about it;) as if they had said, Our Gods whom ye call blind and lame, they shall defend us, and you must overcome them before you overcome us. *Luther* himself thus explains the Sense. These *Blind* and *Lame*, says he, were the Idols of the *Jebusites*, which to irritate *David* they set upon their Walls as their Patrons and Defenders; and

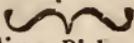
2 Sam. v. 6.

L. 4. Phaleg.  
c. 36.

In Loc. Sup.

and they did as good as say thou dost not fight with us, but with our Gods, who will easily repel thee. The conceit of a *Rabbin* is idle and groundless, which is, that when *Abraham* bought the burying Place in *Macpelah*, of the Children of *Heth*, he sealed a Covenant with them, that when his Seed should possess the Land of *Canaan*, ( as they believed they would ) they should not possess the City of *Jebo*, which Covenant they now engraved upon brazen Statutes, and set them upon their Walls, saying, Thou canst not enter here except thou break the Oath of *Abraham*.

Chap. I.



Eliezer Pirke.  
c. 36.

*David* soon made himself Master of the Fort ; and now the whole City was in the Hands of the *Hebrews*, and received no remarkable Change, except in the Magnificence of its Structures, and Ornaments, till it fell into the Hands of the King of *Egypt* ; it was besieged and taken by the *Chaldeans* in the eleventh Year of King *Zedekiah*,<sup>2</sup> after a Siege of twelve Months. *Nebuzaradan* Captain of the Guard to the King of *Babylon* seized upon all the Vessels of the Temple, and all the Riches that could be found, and then by the Command of his Master set both the Temple and City on fire, and absolutely consumed and destroyed them both, overthrowing all the Walls, Fortresses and Towers, and rasing and levelling to the Ground all the Houses, that nothing could be seen but a Scene of the utmost Ruin and Destruction. Under this Desolation it continued for fifty two Years, till by the Favour of *Cyrus*, the *Jews* being released from their Captivity, and restored again to their own Land, repaired those Ruins, and built again their holy City. *Jerusalem* was again besieged and taken by *Antiochus Epiphanes* King of *Syria*, who slew of the Inhabitants in three Days time forty thousand Persons, and having taken as many more Captives, sold them for Slaves to the neighbouring Nations. Not content with this, he impiously forced himself into the Temple, and entered into the inner and  
more

<sup>2</sup> King. xxv. 8.

Book VI.

more sacred Recesses of it, polluting the holy Place, and the Holy of Holies; and to offer the greatest Indignity to their Religion, he sacrificed a great Sow upon the Altar of Burnt-Offerings; and Broth being made, by his Command, of Part of the Flesh boiled in it, he caused it to be sprinkled all over the Temple to derive upon it the utmost Pollution. After this he sacrilegiously plundered it by taking away the Altar of Incense, the Shew-Bread Table, the Candlestick of seven Branches, that stood in the holy Place, which were all of Gold, and several other golden Vessels, Utensils, and Donatives of former Kings, to the Value of eighteen hundred Talents of Gold, and made the same Plunder of the Inhabitants. The City afterwards submitted to the *Roman* Arms, under the Command of *Pompey* the Great; but the Temple being fortified against him, he laid close Siege to it, and took it after a Siege of three Months. He ordered the most sacred Parts of the Temple to be opened to him and his Officers, and enter'd not only into the Holy Place, but into the Holy of Holies: But though he found in the Treasuries two thousand Talents in Money, besides Utensils, he touched nothing of it but left it entire to the sacred Uses to which it was devoted. Upon the Conclusion of this War the Walls of *Jerusalem* were demolished by the Command of the *Roman* General. It was soon fortified again, and besieged and taken by the joint Forces of *Herod* and *Sofius*, the Governor of *Syria*, after a Siege of twelve Months. The *Romans* entered with great Fury, and filled all Quarters with Blood and Slaughter. *Herod* used his utmost Power to prevent these Miseries but without Success, for *Sofius* encouraged the Soldiers in what they did; upon which *Herod* applied to him with heavy Complaints about it, alledging, that if the City was thus destroyed and plundered, the *Romans* would only make him King of a Desert, and therefore desired that a

Stop

Stop might be put to this Ravage and Cruelty ; but receiving for Answer, that the Spoils were due to the Soldiers for the Reward of their Labour and Valour, he was forced by a Sum of Money to redeem the City from all further Devastations, which otherwise would have been utterly ruined and destroyed : At length it fell a Prey to the *Roman* Eagles under the Command of *Titus*, who so entirely subverted it, that it could scarce be believed it had ever been inhabited ; yet he left some of the principal Towers and a Part of the Wall as a Monument of the *Roman* Valour, to shew Posterity what Manner of City his Arms had conquered and subdued.

The City of *Jerusalem* was fifty Furlong in Compass, which reduced to our *English* Account amounts to six Miles and a Quarter ; it was surrounded with a treble Wall, except where it was guarded with unpassable Vallies, there one Wall was sufficient. This Wall was fenced with a Ditch cut out of a Rock, says *Josephus*, and according to *Strabo* sixty Foot deep, and two hundred and fifty Foot broad. The Gates of the City were these :

*Strabo* Geograph. lib. 25.

*The Sheep-Gate*, on the *East*, is supposed to have been near the Temple ; through it were led the Sheep which were to be sacrificed, being first washed at the Pool of *Bethesda* near the Gate.

*The Fish-Gate*, conceived by some to have been on the waste Side of the City, because the *Mediterranean* Sea lay that way, but since it is certain, that the Sea of *Galilee* afforded also Fish, the *Westerly* Situation of the *Mediterranean* Sea is but a very weak Argument for the *Westerly* Situation of this Gate. Hence others place this Gate on the *North* Side of old *Jerusalem* next after the Gate of *Ephraim*, and the old Gate proceeding from *West* to *East*, and this Supposition seems to be founded on *Nehemiah*, where we find the like Order observed.

And

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And it is not to be doubted, but the Gate of *Ephraim* was on the *North Side* of the City, because on that Side lay the Tribe of *Ephraim*, to which the chief Road probably lay through this Gate, whence it came to have the Name of the Gate of *Ephraim*; there being several Instances to be found of the like Nature among us, of Gates or Streets taking their Names from some remarkable Country or City to which they lead. Whether this Gate be the same as is now called the Gate of *Damascus*, as leading to *Damascus*, is not certain, but seems probable; otherwise the Gate of *Damascus* was probably, either the *Fish-Gate* already spoken of, or else the old Gate, with much Probability, supposed to be so called, as remaining from the Times of the *Jebusites*.

As for the *Horse-Gate*, its Situation is altogether uncertain; some are of Opinion, that this Gate, and the *Sheep-Gate*, and *Fish-Gate* were so called, because they were in the Manner of three several Market-places, and at one Gate Sheep, at another Fish, and at the third Horses were sold.

The *Gate of the Valley*, doubtless, took its Name from leading into some Valley, and 'tis thought that the Valley into which it led was the Valley of *Jehosaphat*. And this it must be, if the Opinion mentioned by the ingenious Gentleman and our Country-Man Mr. *Sandys* be well grounded; according to which the Gate, formerly called the Gate of the Valley, *Valley-Gate*, is supposed to be the same with that which is at present called *St. Stephen's-Gate*, which is not far from the *Golden-Gate* or *Great-Gate* that leads into that which was formerly the Court of the Temple (that is at the *North-East* Corner of the Wall that surrounds the said Court. Mr. *Sandys* likewise supposes, that this Gate of *St. Stephen's* was not only formerly called the *Valley-Gate*, but also the *Gate of his Flock* (whereby I suppose

suppose he means what is called by others the *Sheep-Gate*) and consequently according to his Opinion the *Valley-Gate* and the *Sheep-Gate* were only two different Names for the same Gate. Perhaps he might be induced to embrace this Opinion from the nearness of the Pool *Bethesda* to *St. Stephens-Gate*, wherein the Sacrifices (as he observes) were washed before they were deliver'd to the Priests. But since the *Valley-Gate* and *Sheep-Gate* are distinctly mentioned in the Book of *Nehemiah*, it seems more probable, that they were two distinct Gates.

Chap. I.

The *Dung-Gate* mentioned in the old Testament probably stood in the same Place where that stands, which is now a-Days called by the same Name, and consequently a little above the *South-West* Corner of the Temple-Court Wall. It is supposed to take this Name from its Use, the Dung or Filth of the Beasts that were sacrificed being carried from the Temple through this Gate.

The Gate of the *Fountain* is thought to have been so named from its nearness to the Fountain, either of *Siloam* or of *Gibon*. The Fountain of *Siloam* is placed by Mr. *Sandys* in his Draught of *Jerusalem* somewhat *South* of the *Dung-Port* or *Dung-Gate*; and not far from it he places a Fountain, called at present, the Fountain of the blessed Virgin; and from comparing what is said in *Nehemiah*, it appears not improbable that the Gate of the Fountain might be somewhere hereabout. If it be rather supposed that this Gate stood near the Fountain of *Gibon*, then it must be in a different Quarter, namely on the *West* Side, at least near the *South-West* Corner of the City.

The *Water-Gate* (as well as several of the former) did doubtless take its Name from its Use, it being the Gate through which probably was brought the Water that served the City, or at least the Temple, which latter Opinion

2. 23. 24.

13. 26.

seems

Book VI. seems to be somewhat favoured by *Nehemiah*, who says, thta the *Nethinims* who drew Water for divine Service, dwelt in *Ophel* unto the Place over against the *Water-Gate* toward the East.

The *High-Gate* is supposed by some Commentators to have been the principal Gate of the royal Palace, but from what is said in *Jeremiah* of the *High-Gate*, it appears to have been by the *House of the Lord*; it is in this latter Text stiled the *High-Gate* of *Benjamin*; and that as is thought from its Situation towards the Land or Tribe of *Benjamin*, which Opinion is much favoured by the Prophet, who, as he was going out of *Jerusalem* into the Land of *Benjamin*, when he was in the Gate of *Benjamin*, a Captain of the Ward was there who seized him.

2 Chron. xxiii.  
20. 26. 2.

Jerem. xxvii.  
12. 13.

The Gate of *Genoth*, or the Gate of King *Herod's* Garden, was not far from the second Wall of the City, by which Water was brought up into the Tower *Hippic*. By this Gate the Seditious frequently sallied and did Execution upon the *Romans*.

The Gate of *Womens-Towers*, at the North End of the City. Besides these Gates (and some others perhaps not recorded in Scripture) *Jerusalem* was adorned and fortified with many Towers which contributed to the Strength and Ornament of the City. Such was the *Tower of Meah* or the hundredth Tower, so called, either because it was so many Cubits high, or so many distance from some other Tower, or because an exact Century of Towers might possibly be begun or finished at it.

*Nehem. 3. 11.* The *Tower of Furnaces* standing in the West, North of the *Valley-Gate*, so called (says *Adrichomius*) from the Fire kept there as a Signal to Mariners at Sea. But the City was forty Miles from Sea, and many Mountains lay between, so that it might serve for some Beacon or Landmark, or (as Mr. *Fuller* thinks) might take

take its Name from some Fire in the Corpse *Du-Gard* constantly preserved in it. Chap. 1.

The *Tower of Hananeel* in the *Eastern Part*, so called, no doubt, from the first Builder of it. Pisgahlight, p. 323.  
Nehem. iii. 1.  
Nehem. iii. 25.

The *Tower of the King's high House*. There are so many Turnings of the Wall mentioned (says Bishop Patrick in his Commentaries) in *Nehemiah*, that none can give an Account of them, nor of the Kings high House, which some take to have been a House built for the sake of the Prospect. Nehem. iii. 27.

The *great Tower* that lyeth out, it was in the *Eastern Part* of the City. Nehem. iii. 19.

The *Tower of David* furnished with an Armory at the *South-West* Turning of the Wall. Luke xiii. 4.

The *Tower of Siloe* on the *West* Side of the City, which killed eighteen Persons with the Fall of it. 2 Chron. xxxiii. 14.

The *Tower of Ophel* inhabited by the *Nethinims*. 2 Chron. xxvi. 9.

The *High-Tower*, built by King *Uzziab* upon the *Valley-Gate*, and that it might be seen beyond Mount *Olivet*, he made it a hundred and fifty Cubits high. This Prince built Towers, says the Text, at the corner Gate, and at the *Valley-Gate*, and at the Turning of the Wall, and fortified them.

The City of *Jerusalem*, for its royal Structures and Magnificence one of the Wonders of the World, was built upon a rocky Mountain, every Way to be ascended with steep and difficult Ascents (except towards the *North*) surrounded also on all other Sides with some neighbouring Hills, as if it stood in the midst of an Amphitheatre. It consisted, in the Time of its greatest Prosperity, of four Parts separated by their several Walls, as if they had been several distinct Cities, which may be called the City of *Herod*, the old City, the lower City, and the new City;

Book VI. all of them, but the lower City, seated upon their  
 several Hills.

The City of *Herod* on the *Western* Side, was wholly taken up with the Palace of *Herod*, (a wicked but magnificent Prince) for Cost excessive, and for Strength invincible, containing Gardens, Groves, Fish-Ponds, and Places devised for Pleasure besides those for Exercise; fortified with three Towers at the Corners of it, that on the *South-East* of the Wall, fifty Cubits high of excellent Workmanship, called *Mariamne's* Tower in Memory of his beloved, but insolent Wife, rashly murder'd by him. Opposite to which, on the *South-West* Corner, stood the Tower of *Phaselus*, so called from the Name of his Brother, seventy Cubits high, and in Form resembling the *Egyptian* Pharos. And on the *North* Wall, upon a high Hill, stood the Tower of *Hippick*, exceeding both the others in Height, by fourteen Cubits, and having on the Top two Spires in Memory of the two *Hippici* his very dear Friends that were slain fighting in his Service.

On the *South* Side stood that Part call'd the old City, possessed, if not built, by the *Jebusites*, and here was the Mountain and the Fort of *Sion*. It was afterwards called the City of *David* because taken by him, who built upon it a strong and magnificent Castle, the royal Court and Mansion of succeeding Kings. In the *West* Part stood the Tower of *David*, and a double Palace erected by *Herod*, one Part of which he called *Agrippa*, and the other *Cesar*, raised of Marble, and every where interlaid with Gold, and not far off lay the House of *Annas* and *Caiaphas*, to which the Conspirators led our Saviour to receive his Tryal.

The lower City stood more in the Valley, and was called the Daughter of *Sion*, because built after it, and did in Majesty and Greatness exceed the Mother. Here upon Mount *Moriah*,

*Moriab*, was the Temple of *Solomon*, and between it and Mount *Sion* upon another Hill, the Place which he built for his Wife the Daughter of the King of *Egypt*, and that which he made for himself, from which, by a high Bridge, he had a Way to the Temple. West of this, upon a lofty Rock overlooking the City, stood the royal Palace of the *Maccabean* Princes, re-edified and dwelt in by King *Agrippa*; and not far off was the Theatre of *Herod*, adorned with admirable Pictures, expressing the many Victories and Triumphs of *Augustus Caesar*. In this Part also stood Mount *Acra*, and on that once a Citadel built by *Antiochus* King of *Syria*, but rased by *Simon* one of the *Maccabean* Brothers because it overlook'd the Temple. *Helena* Queen of *Adiabene*, converted from Paganism to the *Jewish* Religion, dwelt and died in this Part of the City. And here *Herod* made an Amphitheatre capacious enough to contain eighty thousand Persons, whom he entertained with such Shews and Spectacles that were in Use among the *Romans*. In this Part also, upon a high and craggy Rock, stood the Tower of *Baris*, upon which *Herod* built a strong and impregnable Citadel in Honour of *Marc Anthony*, whose Creature he first was, and called it *Antonia*. It had a fair and large Tower at every Corner, two of them fifty Cubits high, and the others seventy, afterwards garison'd by the *Romans*, lest the *Jews* presuming on the Strength of the Temple, should take Occasion to rebel.

The new City lay *North* to the City of *Herod*, and was once no more than a Suburb to the rest, inhabited by none but mechanical Persons and the meanest Tradesmen, but afterwards surrounded by *Agrippa*, with a Wall of twenty five Cubits high, and fortified with many *Turrets*; the whole City, as was said before, was defended with a wonderful Circumvallation on all Sides, having a Ditch cut out of the main

Book VI. Rock sixty Foot deep, and no less than two hundred and fifty Foot in Breadth.

## C H A P. II.

### *A Description of Jerusalem, by Josephus.*

**J**OSEPHUS the *Jewish* Historian, has from his own Observation given a more particular Description of this City, which in Justice to the Subject, may properly be inserted in this Place.

Joseph de  
Bell. Jud. 1. 6.  
C. 6.

The City of *Jerusalem* was surrounded with a triple Wall on every Side, except on that Part where it was inclosed with Valleys inaccessible; for it had only one Wall on that Side. It was built upon two little Hills, the one of them opposite to the other, and separated from each other by a Valley which was covered over with Houses; one of these Hills, upon which stood the upper Town, is far higher and steeper than the other, insomuch, that upon the Account of the Strength of it, King *David* the Father of *Solomon* that erected the Temple, gave it the Name formerly, of the Fortress or Castle, and this is it which we call at this Day the *upper Market*.

The lower Town is seated upon another Hill, that bears the Name of *Acra*, with a steep Declivity round about it. There was formerly another Hill also over against this, somewhat lower than the *Acra*, and divided from that by a large Valley: but in the Time of the *Assamoneans* their Princes filled up this Bottom; and cutting off from the Hill *Acra*, they joined the Town to the Temple, by which means it overlooked and commanded all the rest.

The Name of the Valley aforesaid, that separates the upper Town from the lower is *Tyropæon*, and it stretches as far as to the Fountain of

of *Siloe*, that affords an excellent Water to drink and great Plenty of it: There are likewise without the Town two other Mountains next to inaccessible, by the Craggs and Precipices every where round about them.

The oldest of the three Walls was extremely strong, by Reason of the Depth of the Valley below and the over-hanging of the Rock from above whereupon it was erected. And beside the natural Advantage of the Situation, it had all the Helps that *David* and *Solomon* and several other Princes could contribute to the further Strengthening of it by Art, Industry, and Expence. It begun on that Side at the Tower *Hippicos*, and so to another Tower called the *Galleries*, running along by the Town-House to the *West* Porch of the Temple. It passed on the other Side, reckoning from the same Place by *Bethso* down to the *Effene-Gate*, and so *Southward* by the Fountain of *Siloe*; where it strikes off to the *Eastward*, toward the Pool of *Solomon*, and thence by *Ophlas* to the *East* Porch of the Temple.

The second Wall begins at *Genath*, and the Gate belonging to the former Wall, and so runs on upon the *North* Side of the City to the Fort *Antonia*.

The third Wall begun at the Tower *Hippicos*, and so ran northward, to that of *Psephinos*, over against *St. Helena's* Sepulchre, the Queen of *Adiabena* and Daughter of King *Izates*, keeping along by the royal Caves, from the Tower at the Corner towards that which they call the *Fuller's Monument*, whence it came up to the old Wall in the Vale of *Cedron*; and this was the Compass of it. This Wall was the Work of *Agrippa*, for the Security of that Part of the Town that he had built, which was otherwise naked and defenceless. The City was by this Time grown so populous that the Place was too narrow for the Inhabitants, so that by little and little they crept out into a kind of Suburbs; and on the *North* Side of the Tem-

Book VI. ple, next the Hill, their Buildings increased extremely.

There was a fourth Mountain that fronted *Antonia*, with Ditches cut out of a prodigious Depth betwixt them, insomuch that there was no coming at the Foundation of *Antonia* to undermine it; beside that the sinking of the Trench added so much to the Height of the Tower. They gave the fourth Mountain the Name of *Bezeth*, or the *New Town*, being an Enlargement only of the former. When this Place came to be inhabited the People earnestly desired to have it fortified; and *Agrippa*, the Father of this King of the same Name, modelled his Design, and ran up this Wall about it, as you have heard: But upon a Fancy coming into his Head, that *Claudius Caesar* might perhaps take some Offence and Jealousy at the Ostentation of so magnificent a Work, *Agrippa* went no farther than the laying of the Foundation, and so dropt the Project; but if he had gone on, *Jerusalem* could never have been taken.

The Stones of this Wall were twenty Cubits in Length, and ten over, and so hard and firm withal, that they were Proof either against Mining or Battery. The Wall was also ten Cubits thick, and they would have been answerably high in proportion, if the Fear of *Claudius* (as I told you) had not put a Stop to *Agrippa's* Design. The *Jews*, 'tis true, carried up the Wall afterwards to twenty Cubits, with Battlements of two Cubits at the Top, and Parapets of three, which in all make five and twenty Cubits. The Wall was fortified with Towers of twenty Cubits square, every Jot as substantial as the very Wall, and not inferior for Strength and Beauty to the Stones and Workmanship of the Temple it self. These Towers were raised twenty Cubits above the Wall, with winding Stair-Cases leading us to them, Lodgings and eating Rooms on the Top, and Cisterns for Rain-Water. Upon the third Wall there were ninety Towers, all

of a Make, and at the equal Distance of two hundred Cubits, one from another. The middle Wall had only fourteen Towers, the old Wall sixty and thirty three Furlongs was the Compass of the whole City.

Chap. 2.



The third Wall was all over a wonderful Piece of Workmanship from the one End to the other, but yet not comparable to the Tower called *Psephinos*; it stands upon an Angle of the Wall, North West of the City, upon that Quarter where *Titus* had encamped. The Height of it was seventy Cubits, and so advantageous a Prospect, that in a clear Day one might see *Arabia* from it, the Sea, and the utmost Confines of the *Hebrews*. The Figure of it was with eight Angles. Just against this was the Tower *Hippicos*, and there was near at Hand two other Towers of *Herod's* erecting, upon the old Wall, which for Size, Curiosity and Strength, were looked upon as the most famous Masterpieces in the World; for the King over and above the natural Greatness of his Mind gratified the Impulse of his Inclination also, in doing all he could for the Good and Glory of the City. He dedicated his three Towers to the Honour and Memory of the three Persons he had the greatest Esteem for in the World, his Brother, his Friend, and his Wife; the two former having signalized themselves by dying gloriously upon the Field of Battle, the other being but to Death in a Freak of Jealousy.

The Tower of *Hippicos*, (the Name of one of his Friends) had four Angles, five and twenty Cubits over, and thirty in Height, and the whole Body of it solid. Above this was a Platform of Stone accurately joined, and a Receptacle for Rain-Water of twenty Cubits deep. Over this Terras were yet two Stories of five and twenty Cubits each, and divided into several Chambers or Quarters; and over this Building were Battlements of two Cubits high, and Para-

Book VI.  pets of three Cubits all a-round, amounting in the whole to the Height of eighty five Cubits.

*Herod* called the second Tower *Phasaël*, by the Name of his Brother. It was forty Cubits square, and in Height, after the manner of a Pillar, all massive within from Top to Bottom. And about this was a Porch of ten Cubits high, supported with Arches, and set out with other Curiosities. Over the Middle of this Porch was another with rich Baths and Apartments to it, suitable to the Magnificence of the Royal Founder. On the Top of it were Battlements and Fortifications, the whole Height of the Tower falling little short of ninety Cubits. It had at a distance some Resemblance of the Watch Tower of *Pharos*, the famous Sea-Mark to those that sailed towards *Alexandria*, only much the larger of the two, and at this Time the Residence of *Simon* that tyrannical Oppressor.

*Herod* gave the third Tower the Name of *Queen Mariamne* his Wife. It was twenty Cubits square, Length and Breadth, and five and fifty Cubits high. It must be allowed, that the Structure, the Rooms, and the Furniture of the two other Towers were rich and pompous; but they were yet as much below the Curiosity, the Beauty and the Ornaments, of this as this fell short of the Strength and Dignity of the other two; the King rightly distinguishing betwixt the masculine Virtues of the two Heroes, *Hippicos* and *Phasaël*, and the soft Tendernefs of a fair Lady in the Person of *Mariamne*.

Now as to these three Towers, the Height was prodigious, and yet the Place they were raised upon made it seem much more than it was; for the old Wall they stood upon was it self erected upon a very high Piece of Ground, and the Turrets again were advanced upon the Top of a Mountain that was yet thirty Cubits higher than the antient Wall. Neither were they less admirable for the Materials they were made of than

than for the Structure. The Stones were neither common, nor of a Weight to be removed with Hands, but of white Marble cut out into Planks of twenty Cubits long, ten in Breadth, and five Cubits deep, and so artificially put together, that there were no Joints to be seen, but every distinct Tower looked like one entire Piece.

This was on the *North* Side of the City, and just within it there stood a royal Palace so rich and curious, that it is not for the Tongue of Man to express it. Besides that it was all enclosed with a Wall of thirty Cubits in height, and Towers of the best Work and Masters, planted at equal Distance one from another, round about it; with splendid Lodgings and treating Rooms, to receive an hundred Persons. There was an incredible Collection of the choicest Marbles, for Variety and Beauty, that could be gotten for Money. The Beams and Timbers that supported the Roofs, were for Length and Thickness beyond Imagination; and so were the ornamental Additions toward the finishing of the Work. There were a world of Chambers with commodious Passages and Contrivances innumerable, for Sight as well as for Conveniences; the whole being magnificently set out and furnished with all the Advantages of Gold and Silver, and whatever else was precious. There were also Porches and Galleries in abundance leading in a kind of Circle from one to another, and in each of them a Row of Pillars. Now for the Distances betwixt those Pillars that lay to the open Air, nothing could be more agreeable than the Prospect of so many Groves and Nurseries of so many several Plants, long and pleasant Walks beset with Cisterns and Fountains, Pipes and brazen Figures to spout out Water, with Volaries of tame Pigeons, gathering about it for Refreshment. But it is impossible for any Man to do this Palace right, in the Description of it; besides, that my very Heart bleeds at the very thought of the

Chap. 2.



Book VI. the Story, to consider what a Devastation hath been made by an impious Crew of Incendiaries and Traitors ; for this Conflagration was not the Work of the *Romans* but of a Band of wicked Miscreants, as we have already observed upon the Beginning of this Section, who burnt all from the Fort *Antonia*, and then carrying it on to the Palace set fire to the Roots of the three Towers.

The Temple was built upon a very hard Rock, which was so steep on all Hands, that at first there was scarce Ground sufficient on the Top of it for the Temple, and the Enclosure that was to be about it. But when King *Solomon* erected this Fabrick he ordered the running up of a Wall to the Eastward of it to keep up the Earth, and having so secured it, he built a Porch upon the Rampart. There was not, as yet, any other Fortification, but the People carrying up Earth from Time to Time afterwards to supply the Defect, the Hill came by Degrees to be enlarged. They brake down, some Time after this, the *North* Wall, and took in as much Ground there-to, as served in time to come for the Foundation of the whole Temple.

The Design succeeding so much beyond Expectation, they encompassed the Hill with three Walls, but with a prodigious Expence of Time and Treasure ; for it was not only a Work of many Ages, but the whole Mass of religious Oblations from all Parts of the World to the Honour and Service of God, and his Worship, was spent upon this Undertaking, occasioning the Charge as well of the upper as of the lower Temple ; which latter was erected upon a Foundation of three hundred Cubits deep, and in some Places more ; but the Depth did not appear, in regard that the Valley was now filled up to the very Level of the Streets in the City. The Stones provided for this mighty Undertaking were of forty Cubits in Length, which gave them to understand that there was nothing impossible where there was

Money

Money and good Will; and that Constancy, Time and Patience could work Miracles. Chap. 2.

As the Foundations were wonderful, so the Dignity of the Superstructure was not inferior to that of the Groundwork. The Galleries about were all double, upheld by Pillars of white Marble, all of a Piece, and five and twenty Cubits in Height, and was wainscoted with Cedar, which for the Curiosity of the Work and the Smoothness of the Grain, was a delightful Entertainment to the Spectator, without any additional Ornaments, either of Painting or Carving. They were all thirty Cubits over, and six Stadia the whole Compass of them, including the Tower *Antonia*. In the open Air where there was no Covering over head, the Ground was paved and chequered with all Sorts of Stones; but the Way to the second Temple was lined on each Hand with Stone-Balusters delicately wrought and polished, of three Cubits high. In this Passage there were also several Pillars orderly disposed, with Inscriptions and Precepts upon them in *Latin* and *Greek*, upon the Subject of Continnence and Chastity, and forbidding Strangers to enter into that holy Place; for the second Temple was called Holy, and it was fourteen Steps above the first. The Figure of it was four square, with a Wall of its own, which, though forty Cubits without, was yet but five and twenty within, the Place being covered with the Steps that led to mount it. Now this Wall being built upon an advance Ground, with Stairs to it, Part of the Inside was so blinded with the Mountain that it could not be discerned.

At the Top of these fourteen Steps there was a plain Level of three hundred Cubits up to the Wall, and from thence five Steps more to the Gates of the Temple. There were also four from the *North*, as many from the *South*, and two from the *East*.

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The Women had an Oratory, or a worshipping Place, by themselves, with a Partition Wall to it, and two Gates, one to the *South*, the other *North*, which were the only two Passages of Entrance to the Women; neither were they permitted to pass their own; for that Place was free indifferently to Women, Inhabitants as well as Strangers, that came thither upon Devotion. The *West* Side of it was a dead Wall without any Door at all. Betwixt the aforesaid Gates, and over against the Wall within, near the Treasury there were Galleries with stately Pillars to support them, plain and simple, and not much inferior to those below.

Some of the Gates were plated over with Gold and Silver, Posts, Front and all; but there was one without the Temple of *Corinthian* Brass, which is much the richer Mettle of the three. There were double Doors to every Gate, each thirty Cubits high and fifteen broad. They were wider within, and withdrawing Rooms on each Hand of thirty Cubits square, after the manner of Turrets, and upward of twenty Cubits high; and each of them born up with Pillars of twenty Cubits in Thickness; the other Gates being of the same Dimension in Proportion. As for the *Corinthian* Portal, on the *East* Side of the Temple, where the Women came in, it was undoubtedly the largest and most magnificent of them all; for it was fifty Cubits high, the Gates forty, and the Gold and Silver Plates upon it more substantial than those that *Alexander*, the Father of *Tiberius*, laid upon the other nine. There were fifteen Steps from the Wall that parted the Men and the Women, to the great Gate, which was five short of those that led to the other Gates.

The Temple it self, that is to say, the holy Temple, or Sanctuary, was placed in the middle with twelve Stairs to it. The Height of it was an hundred Cubits, and the Breadth as many in  
the

the Front, but backward it wanted forty of the Number ; for upon the Entrance there were two Additions raised ( like two Shoulders ) of twenty Cubits each. The Height of the first Gate was seventy Cubits, and five and twenty over, but it had no Doors to it, being a Figure of Heaven open and visible to the whole World. The front and Outsides of it were all over guilt, and nothing to be seen in the Inside of the Temple neither which had not likewise a dazzling Lustre.

The inner Part of it was divided into two Partitions. The first of them in sight was open to the Top, which was ninety Cubits in Height, forty in Length, twenty over. The Inside of the Gate was, as I said, plated all over with Gold, and the Wall guilt every where about it. There were also Leaves and Branches of Vines over Head, and huge Clusters of Grapes that hung dangling down betwixt five and six Foot deep, all of Gold too. The other Partition of the Temple being ciel'd above appeared the lower of the two. The Doors to it were of Gold ; five and fifty Cubits in Height, and sixteen broad, with a Piece of *Babylonian* Tapistry hanging between them of the same Dimention, and interwoven with Blue, Purple, and Scarlet, most artificially put together, and wrought to Admiration. And the Mixture was not a bare Curiosity neither, but a mystical Allusion to the four Elements, either by the Colours, or by the Matter they were made of ; the Scarlet representing the Fire, the Silk the Earth that produced it, the Azure the Air, and the Purple the Sea from whence it comes : So that this Veil or Hanging was, in little, an Emblem of the Universe, only excepting the celestial Signs.

This Entrance leads you into the lower Part of the Temple : The Height and Length of it sixty Cubits, and the Breadth of it twenty. The Length of sixty Cubits was then subdivided into  
two

Book VI.  two unequal Parts, one of forty Cubits and the other of twenty. The former Part of forty Cubits had in it the three wonderful Rarities that had been celebrated over the whole World, the Candlestick, the Table, and the Altar of Incense. The Candlestick had seven Branches ( all out of the same Stem ) with seven Lights representing the seven Planets. The twelve Loaves of Shew-Bread upon the Table pointed at the twelve Signs in the Zodiack, and the Course of the Year. By the thirteen Sorts of Perfumes in the Center upon the Altar of Incense ( divers of these Odours being extracted out of the Deep of the Inhospitable Sea ) we are given to understand that God is Master of the Universe, and that all Things are made for his Honour and Service.

The inner Part of the Temple being only twenty Cubits in Height was divided by a Veil also from the other, and nothing at all in it; neither was any Man permitted to enter or so much as to look into it, and it was called the Sanctuary, or Holy of Holies. Upon the Sides of this lower Temple there were several Lodgings, leading from one to another, with three Stories over Head, and passages into them out of the great Portal. Now the upper part being more narrow than the other could not have the Conveniences of the same order of Chambers, but it was forty Cubits higher, though the less splendid of the two. The Height, in fine, upon the whole was an hundred Cubits, and the plan only sixty.

The Beauty and Curiosity of the Temple on the Outside was agreeable and charming beyond Imagination, it being fac'd every where with substantial golden Plates that sparkled like the Morning Sun, and every Jot as dazzling to the Eye, to gaze upon them. Where there was no Building, the Structure was all so delicately white, that it looked at a Distance, to Travellers, like a Marble Mountain, or a Pillar of Snow.

The

The Roof of the Temple was covered and armed all over with pointed Spears of Gold, to keep off the Birds from nesting upon it, and fouling it. There were a great many Stones in this Building of forty five Cubits long, five in height, and six Cubits broad.

The Fortrefs of *Antonia* was built in an Angle betwixt the two Galleries of the first Temple, looking *West* and *North*. It was raised upon a Rock of fifty Cubits in height; inaccessibly steep on all Hands, and in fine, *Herod's* Masterpiece both for Magnificence and Contrivance. The Rock was faced and crufted with thin Scales of Marble, from the bottom to the Top, both for Ornament and Security Sake; for it was so slippery that there was no going up or down. This Tower was inclosed with a Wall, only of three Cubits high, and within that Compass stood the Castle of *Antonia* of forty Cubits, with the State, Splendor, and Conveniences of a Court, Lodgings and Offices for all Purposes, spacious Halls, and Places of Parade for the Use and Service of a Camp. So that for Matter of Necessaries, it was rather a City than a Fort; and for the Magnificence it looked like a Palace. It was upon the whole the Resemblance of a Tower, and encompassed with four other Towers, at equal Distances one from another, and one from every Corner. Three of them of fifty Cubits in height, and the fourth that looked to the *South* and *Eastward*, of seventy Cubits; and from thence they had the View of the whole Temple. From the Place where the Galleries joined, there were upon the right and left two pair of Stairs, which served for a Passage to the Soldiers into the Temple; for when the *Romans* were Masters of *Jerusalem*, there were Guards posted still upon that Quarter, to prevent Seditions upon their publick Festivals and Meetings. The Temple commanded the City, as *Antonia* commanded the Temple. The Place had a Guard upon it, and *Herod's* Palace

was

Book VI. was as good as a Fort to the upper Town. The Mountain *Bezeth* ( the top Mountain of them all ) was cut off, as I said before, from *Antonia*, and joined to Part of the Town ; Besides that it was the only Blind upon the *North* Side of the Temple.

De Bell. Jud.  
L. 7. c. 18.

*Jerusalem* ( says the same Historian in another Place ) was taken and utterly destroyed in the second Year of *Vespasian*, and on the eighth Day of the Month, *Gorpheus*, having been five times taken before, that is, by *Azochaus* King of *Egypt*, *Antiochus Epiphanes* King of *Syria*, *Pompey* and *Herod*, with *Socius*, who did all preserve the City after it was taken ; but *Nebuchadnezzar* the King of *Babylon* laid it waste, thirteen hundred sixty Years, eight Months, and six Days after the Building of it.

The first Founder of it was a *Canaanitish* Prince called *Melchisedeck*, which in the *Hebrew* Language signifies a *just King* ; for such he was in an eminent manner. He first dedicated this City to God, erected a Temple in it, and officiated in the Quality of a Priest, giving it the Name of *Jerusalem*, which before was called *Solyma*.

When *David*, the King of the *Jews*, came afterwards to drive out the *Canaanites* he planted his own People there, and in four hundred seventy seven Years, and three Months after this, it was laid waste by the *Babylonians*.

From the Reign of *David* there, to the Destruction of the City by *Titus*, it was eleven hundred and seventy nine Years, and two thousand one hundred seventy seven from the Foundation of it. But neither Antiquity, Wealth, Fame, nor the Honour of the Religion it self, was any Security against the Appointments of Fate.

This was, in fine, the Issue of the Siege ; and when the Soldiers had neither Rapine nor Bloodshed for their Spleen to work upon ( as they would not have been idle, had they had Matter ) *Titus* ordered them to lay the City and Temple level

level with the Ground, and to leave nothing standing but the three famous Turrets, *Phasael*, *Hippicos*, and *Mariamne*, that topped all the rest, and a Piece of Wall to the *Westward* of the Town, which he designed a Garrison: The Towers to remain as so many Monuments to Posterity of the *Roman* Power and Conduct in the taking of them. This Order was punctually executed, and all the rest laid so flat, that the Place looked as if it had never been inhabited. This was the End of the *Jerusalem* Faction, a mad and a seditious People; and this was also the End of the most glorious City of the Universe.

## C H A P. III.

*The Privileges belonging to the City of Jerusalem, according to the Jewish Rabbins.*

MANY are the Traditions of the *Jewish* Bab. Joma fol. 12. x. Doctors concerning the Dignity and the Privileges that belonged to the City of *Jerusalem*, which, I think, will serve to illustrate the Subject I am upon. *Jerusalem*, say they, was not divided among the Tribes, yet it was divided between the Tribe of *Judah* and *Benjamin*, and the distinguishing Line went through the very Court of the Temple. The Mountain of the Temple, the Chambers of them that kept it, and the Courts were in the Lot of *Judah*. The Porch of the Temple, and the Temple, and the Holy of Holies, was in the Lot of *Benjamin*; and a Line went out of the Lot of *Judah*, and passed on in the Lot of *Benjamin*, and in it was the Altar built; and in so exact Distinction were these Lots observed, that the

Book VI. *South-East* Corner of the Altar had no Foundation, because that small Part was in the Portion of *Judah*, when the whole Altar ought to have been within the Portion of *Benjamin*.

Maimon. in  
Bethhabbetch.  
c. 7.

*Jerusalem* (they go on) was holy above all other Cities, girt with Walls, because in it they eat the lighter holy Things, and the second Tithe. They do not suffer a dead Body to remain a Night in this City; they do not carry the Bones of a dead Body through it; they do not let out Houses in it, to such as come to the Feast; but give them their Lodging gratis; they do not let out a Place to a Profelyte Inhabitant. In it they do not allow a Sepulchre, except the Sepulchres of the House of *David*, and that of *Huldab* the Prophetess; nor in it do they suffer a Dunghill for fear of Pollution by creeping things; nor do they set up Scaffolds in the Streets against the Walls, by Reason of Defilement; nor in it do they make Chimneys, by reason of the Smoke; nor do they breed up Cocks, lest they should scratch up the Bones of creeping things, from whence holy things, which were to be eaten, might be polluted; nor do the Priests nourish Cocks through the whole Land of *Israel*, for the Sake of Purity; nor is there in it a House for shutting up the Suspected of the Leprosy; nor is it polluted with Leprosy; nor is it become any way a City to be cursed for Idolatry. Never did Serpent or Scorpion harm any one within *Jerusalem*; nor has a Fire or Desolation happened there; nor do they make Paradises or plant Gardens, except Gardens of Roses, which were there from the Days of the former Prophets, because of the Stink arising from the Weeds that are thrown out, and rot upon the Ground.

Avoch. c. 5.  
hal. 5.

Avoch. ubi  
Supra.

Nor is the Temple, if you believe the *Talmudists* without its Wonders. Many Miracles, they tell you, were done for their Fathers in the Sanctuary. No Woman ever miscarried by the Smell

Smell of the holy Flesh, nor did the holy Flesh ever stink or breed Worms; nor was there ever seen a Fly in the House, or Place for Slaughter; nor did ever the *Gonorrhœa* happen to the Priest upon the Day of Expiation; nor did Rains put out the Fire of the Altar, nor the Wind prevail over the Pillar of Smoke; nor was any profane thing found in the Sheaf of the first Fruits, or the two Loaves of the High-priest, or in the Shew-Bread.

But the Rights and Honours that belonged to this holy City are related with great Judgment and Exactness by *Cuneus*; with which I shall conclude this Chapter. Among all the Cities most eminent was the Sanctity of *Jerusalem*, and (as the *Talmud* delivers) it remained perpetual, ever since the Dedication by the most glorious King *Solomon*. That *Ezra* should consecrate it again was unnecessary; for it was not capable to be profaned like other Cities by the Hands of the Sacrilegious; whence it came to pass (as the Tradition is) that it was lawful to sacrifice at *Jerusalem*, and to feast upon the Sacrifices even in the Dust and Ashes of the destroyed City. But how great was the Religion of the Place, appeared by those *Jews* whom *Adrian* the Emperor permitted once a Year to visit the deformed Reliques of the holy City, and there to lament and deplore the Misery of their Nation. This City was not assigned by Lot unto any one Tribe, but was common to them all; wherefore the *Talmudists* free it from that Law, which commands the Blood privately shed in the Borders of the Tribes to be expiated by slaying of a Heifer. This which follows is not from Superstition, but from the antient and approved Custom of the Nation. *Maimonides* relates, that if any had an upper Room so high that it gave them a Prospect to the Holy of Holies, they might indeed go up once a Week to see all safe, but oftener, or for other Reasons they might not; and

De Rep. Hebr.

L. 1. c. 7.

Book VI. therefore King *Agrippa* gave great Offence to his People, when from a lofty Room, in his Palace, he took a frequent View of the Temple, and saw from above what was done within it. The *Jews* thinking this to be an unfufferable thing, raised a high Wall to cut off the King's Prospect, and immediately sent ten Embassadors to *Rome*, with *Ismael* the High-priest, and *Eleazar* the Treasurer, to petition *Nero* for a Confirmation of that which Religion had compelled the People to do.

What *Hecatæus* of *Abdera* says in *Flavius Josephus*, that *Jerusalem* was of fifty Furlongs Compass, inhabited by an hundred and twenty thousand Persons, were not so material for us to know; but that there is something of singular note concerning the Enlargement of their *Pomeria*, which *Maimonides* has declared out of the *Talmudical* Books, and this it is. In the Enlargement of the City, the great Senate of the *Sanhedrim*, and the King, and one Prophet, consulted the Oracle called the *Urim* and *Thummin*. After they had agreed among themselves about the Interpretation of the divine Answer, the Senators of the *Sanhedrim* recited two Verses of Thanksgiving; and having taken two Loaves of leavened Bread, and departing presently with Instruments of Musick, made a Stand at the Turning of every Street, and at all Monuments erected in the City, and pronounced these Words. *I will extol thee O Lord, because thou hast lifted me up.* At last, when they were come to the Place designed for Consecration, because it was to be the Bound of their *Pomeria*, they all stopped, and there of the two Loaves taken with them, after the Verses sung, they eat one, the other they burnt in the Flames. These things received from their Ancestors, the *Talmudical* Writers have thus left upon Record; nor are they improbable, since the like, and almost the same, are extant in the twelfth Chapter of *Nehe-miah's*



*Eniab's* Commentaries; Yet in aftertimes the Liberty of the *Jews* being oppressed by the *Romans*, this Prolation of their *Pomaria* depended not upon the Pleasure of their great Council, but of the *Roman* People. *Cornelius Tacitus* likewise relates, that the *Jews* with a great Sum of Money purchased Leave to fortify; from whence it appears, that the Queen of Cities, *Jerusalem*, was in the same Condition with all Towns under the *Roman* Power, whose Walls could not be repaired without the Authority of the Prince or Governor, nor any thing joined to them, or set upon them. And truly *Claudius Caesar*, when he had received Intelligence that they were enclosing *Jerusalem* with a mighty Wall, admonished *Agrippa* of that new Attempt; and thereupon the King, in Obedience to the Emperor, left off the Work he had undertaken.

*Jerusalem* was the Capital City, the Seat of Religion, and holy Rites; therefore that being overthrown, there fell with it the Form of the *Jewish* Republick, both civil and sacred. What *Flavius* says of a Voice heard out of the Temple before the Destruction of the City, *Let us go hence*, seems to me to signify nothing less, than that the Commonwealth was to be dissolved, and the Sceptre to be taken away, which of old was given to the holy Nation; for within a short time the Orders, and Functions, and Rites, and almost all their Laws ceased, and there followed great Confusion, Desolation and Distraction. The most sacred College of the *Hafideans*, that drew its Original from the Prophets, was now no more; because their Custom was to go every Day to the Temple, and to bestow voluntary Charges upon Sacrifices, and upon the Porches and Walls of the Sanctuary. And whereas *Moses* imposed upon Strangers, that should become Profelytes, the Oblation of some certain Gift, this upon the Dissolution began to be deferred altogether till another Time, when the third Sanctuary, which they

Book VI. yet expect, shall be built. Nor do they any more marry their Brothers Widows who have no Children. And the Solemnity of the Passover never since that Time, has been rightly celebrated; for the Law commanded it should be kept in that Place wherein God had chosen to fix the Seat of his House. Of so much Consequence was the Fall of one City; it has changed and perverted all things, and brought to Ruin the Republick of the greatest People in the World.

#### C H A P. IV.

##### *Of the Patriarchs of the Jews, or Heads of Captivity in the West.*

THE Ruin of *Jerusalem* was the Cause that the *Jews* were very much dispers'd; whilst those who had escap'd the Sword of the *Romans*, and the Flames, which reduced *Jerusalem* and its Temple to Ashes, or who, after the Desolation of this great City, were not sold in the Market, as Slaves, and Horses, sought out Places of Sanctuary and Retreat: One they found in the *East*, and at *Babylon*, where there was still a great Number of those that had been carried away captive in the antient Wars; it being natural for them to go and implore the Charity of their Brethren, who had raised themselves there to considerable Fortunes. Others took Refuge in *Egypt*, where there had been likewise for a long time *Jews* potent and rich enough to receive these miserable People: But they carried with them their Spirit of Sedition and Rebellion, which occasion'd a fresh Massacre of them. The *Rabbins* affirm, that the considerable Families were, even at this time, transported into *Spain*, which they called *Sepharad*; in which Country are still the Remains of the Tribes of *Benjamin* and *Juda*,  
and

and the Descendents of the House of *David*: Whereupon the *Spanish Jews* have always look'd upon those of other Nations with Contempt, as if the Blood-Royal, and the Distinction of the Tribes were better preserv'd among them. We will examine in the Sequel, whether they are well grounded. At present let us observe that there was a fourth Class of *Jews*, who with juster Pretensions might boast of their Origin. These remain'd in their Country, either in the Ruins of *Jerusalem*, or the neighbouring Places, where they distinguish'd themselves by gathering up a little Body of their Nation, and by the Employments they exercis'd. The *Rabbins* also affirm, that *Titus* removed the *Sanhedrim* to *Japhne*, or *Jamnia*, and that two Academies were erected, one at *Tiberias*, and the other at *Lydda*. Lastly, They maintain, that there was also at that Time a *Patriarch*, who having first labour'd to re-establish Religion, and his forelorn Church, extended his Authority over all the Synagogues of the *West*; and 'tis of these *Western Patriarchs* of the *Jews* I will first treat, before I give the History of the *Babylonish Captivity*.

Every Body knows, that the *Eastern Jews* sent their Offerings annually to *Jerusalem*, all the time the Temple stood. They came themselves thither in Multitudes to worship; and these Multitudes of Strangers were sometimes so great, that they startled the *Roman Governor* of *Judea*, and made him acquaint the Emperor with it; as fearing some potent Succours might come from thence, to relieve their oppressed Brethren, and defend their Religion, annex'd to the Temple of *Jerusalem*.

But when the Temple and Altars were demolish'd, and the Custom of sacrificing abolish'd, the *Eastern Jews* ceas'd coming to worship at *Jerusalem*, and began to despise that Part of their Nation which was in the *West*, or was miserable in *Judea*: Insensibly they became divided into

Book. VI. two different Parties, one of which, that inhabited *Egypt, Judea, Italy*, and the other Parts of the *Roman Empire*, were called *Western Jews*, in Opposition to those who were settled at *Babylon*, in *Chaldea, Assyria* and *Persia*, which were call'd *Eastern Jews*. In process of Time they had different Doctors and Heads. The Heads of the *West*, who lived in *Judea*, stiled themselves *Patriarchs*, and the Heads of the *East*, *Princes of the Captivity*.

The *Jews* make a great Difference betwixt the *Patriarchs* of *Judea*, and the *Princes* of the *Babylonish Captivity*, calling the latter *Rabbana*, and the others simply *Rabban*: They maintain that the *Princes* descended from *David* in a direct Male-Line, whereas the *Patriarchs* proceeded only from the Females: They say that the *House of David* has its whole *Vigour*, because there are still illustrious Persons of this Family at *Bagded*, out of which are chosen the Chiefs of the Nation, as has been ever done time out of Mind.

*Jerusalem* being destroy'd, and the People dispers'd in divers Places, there remain'd only a small Number of the *Priests* and *Laity*, who endeavour'd to settle themselves in *Judea*: The Remainder of the *Priests* and *Levites* labour'd to gather up the shatter'd Reliques of their Nation; for which *Tiberias* and *Japhne* seem'd the properest Places. The Authority was then entire in the Hands of the *Priests*, who were best instructed in the Law they were willing to preserve, and the fittest to teach it to the People. The *House of David* was almost extinct: His Descendants reduc'd to get their Bread by the Tillage of a few Acres of Land, had for a long Time laid aside the Thoughts of re-establishing the Throne of their Ancestors. The People were still less mindful of restoring them, or even of giving them any Shadow of Authority, because this would have stirr'd up the Jealousie of the *Romans*, and re-awaken'd their Cruelty. *Agrippa*,  
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the last of the *Herodian* Family, was gone to *Rome*, where he lived as a private Person, far from any Design of assuming the Empire of the Nation. So that if there was any Shadow of Superiority among the *Jews* that remain'd at *Tiberias*, it fell into the Hands of the Priests, of the Race of *Levi* and *Aaron*, whom their Science and Understanding of the Law rais'd above the Vulgar. 'Tis easie to conclude, that this could be no great Authority in so astonishing a Desolation as was that of the *Jews*. They were only a parcel of poor Fugitives, whose Misery had made them slighted and despised of the *Romans*: But insensibly their Authority increas'd proportionably as the People grew numerous and potent; and as the chief of every Class of Priests was call'd *Rosch Abbot*, the Chief or Head of the Fathers, they took the Title of *Patriarch*, which signifies the same in *Greek*, a Language better known than *Hebrew* in the *Roman* Empire. And thus the Heads of the Captivity in *Judea* were not of the House of *David*, but of the Tribe of *Levi*.

This Patriarch was the Head of the Nation in all the *West*, ( the Prince of the Captivity was in the *East*) *Egypt*, and the neighbouring Places where there were any *Jews* depending on him. He decided Cases of Conscience, and the important Affairs of the Nation: He presided over the Synagogues; he levied Tributes to defray the the Expences of his Visits; he had Officers under him which circuitied the Provinces to execute his Orders. In a Word, he obtained by Degrees a very great Authority over all the dispersed *Jews*, who were proud to acknowledge him for their Chief, and to depend on him, whereby to maintain some Shadow of Union. Besides the Patriarch, the *Jews* placed Doctors over their Academies, to whom they commonly gave the Title of *Heads* and *Princes*; either to raise the Dignity of the Office, or to testify the Veneration

Book VI. Disciples have, and ought to have for their Masters. These Heads of the Academies were commonly Rivals of the Patriarchs, and there were sometimes violent Contests betwixt them. The same Person also sometimes exercised both these Offices, which causes a great deal of Confusion: However they must be distinguished.

If we credit the *Jews*, the Institution of the Patriarchs preceded the Ruin of the Temple an hundred Years; for they tell you, that thirty Years before the Birth of Christ, *Hillel*, surnamed the *Babylonian*, (because he came from that Country) arrived at *Jerusalem*, and was consulted about the Celebration of the Passover, which fell that Year upon a *Saturday*. His Answer was so satisfactory, that they made him Patriarch of the Nation, and his Posterity succeeded him down to the fifth Century of the Christian Church, in which the Patriarchs of *Judea* were abolished.

They made a second *Moses* of this first Patriarch, because he lived an hundred and twenty Years as that Legislator; forty Years of them he spent in Obscurity; at fourscore he was chosen Head of the People, and forty Years after he died.

They also compare him to *Esdra*s, because like that sacred Writer, he came from *Babylon* to *Jerusalem*. Besides that, he had his gentle Temper, and other good Qualities. They ascribe a thousand Disciples to him, though some bring down this Number to fourscore. In fine, his Death was bitterly lamented with this Out-cry, *Where is the Saint? Where is the Disciple of Esdras?*

*Hillel* is commonly made to be succeeded by *Simeon*, his Son, in his patriarchal Dignity and Presidentship of the *Sanhedrim*; and the Christians seeing this Man to bear a considerable Figure among the *Jews*, have fancied that he was that old *Simeon* mentioned in the Gospel, who waited for the Kingdom of God, and received Jesus Christ into his Arms.

*Jochanan* succeeded *Simeon*, whose Reign was short. He was not of the Family of *Hillel*; but his Merit rais'd him to this Dignity, and superceded the Laws of Succession. This Man is one of those whom the modern *Rabbins* immoderately extol. He attained the Age of *Moses*; he spent forty Years in Commerce, and pleading before the *Sanhedrim*, and composed such Multitudes of Precepts and Lessons, that if the Heavens were Paper, and all the Trees of the Forest so many Pens, and all Men so many Secretaries, they would not suffice to write his Lessons. He became Prince of the Nation and reigned but two Years, though some allow him five. It was he that seeing the Gates of the Temple open of themselves, cry'd out; *O Temple! Temple! why dost thou trouble thy self? We know that thou must be destroyed; for Zachariah has prophesied it, saying, Mount Libanon open thy Gates, and let the Flame consume thy Cedars.* He left *Jerusalem* besieged, and came to *Vespasian* in his Camp, whom he called King: *Vespasian* surpriz'd with a Title which it was dangerous to receive under the Empire of *Nero*, imposed him Silence: But he answered the General, that though he was not as yet King, he should be so, since the Temple was to be demolished by a King, according to *Isaiab's* Prediction. The *Jews* should at least know that *Vespasian* never besieged *Jerusalem*, for he was proclaimed Emperor the Year before the Siege, and had Business enough to defend himself against *Vitellius*, who was supported with a great many Legions. It was *Titus* that formed this Siege, and it was then too late to predict an Empire to *Vespasian*, which he had already. Some more exact Doctors avoid the Fault, by saying only, that *Jochanan* waiting on this Prince discovered a profound Knowledge, which rendered him so agreeable to the Emperor *Titus*, as to obtain his Leave to remove the *Sanhedrim* to *Japhne*. That City, which is also called *Jamnia*, was situated near

Book VI. near the *Mediterranean* Sea in the Tribe of *Dan*. Here it is said a famous Academy was erected, which subsisted till *Akiba's* Death, in which were reckoned three hundred Classes of Scholars : And this Academy was at the same time the Mansion of the Patriarch. Thus the *Jews* relate this.

*Jochanan* died full of a profound Humility. He is made to weep and lament because his Sins were to follow him before the Throne of God : And whereas the Kings of the Earth inflict only transient Punishment, which determines with Life, God being more severe, difficultly pardons ; and the Fire into which he plunges the guilty eternally burns.

*Gamael* of *Japhne*, or of *Dibanah*, filled his Place. The Design was to put him to death with his Father, when *Jerusalem* was taken ; but *Titus* gave him Life at *Jochanan's* Request. He escaped a second Time when *Turnus Rufus* caused the Plough to be drawn over the Temple : He was so haughty and severe, that they were obliged to set Bounds to his Authority. Some even maintain, that he was deposed ; but the *Rabbins* affirm at the same Time, " That his Authority " was so great, that not only the *Jews* through- " out the Universe obeyed his Laws, but so- " reign Kings permitted the Execution of them, " and not one of them opposed them." *Samuel the little*, lived at that time, who was the Composer of the Prayer against Hereticks, which has ever been solemnly repeated, begging of God, *That there may be no Hope for Apostates : That all Hereticks may perish by a sudden Death : That the Reign of Pride may be broken and annihilated in our Days : Blessed be thou, O Lord God, who destroyest the Wicked, and humblest the Proud.*

*Simeon II.* His Son was Prince and Martyr, for he was kill'd during the Siege of *Jerusalem*. It is affirmed, that he was so far from Extortion, and enriching himself in the Temple, that he considerably abated the Price of the Birds, which  
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the Women were obliged to buy for their Purification; and his Death was so regretted, that the *Jews* added three Cups of Wine to those they used to drink at the Funerals of their Saints and great Men: They were obliged to drink ten, and they resolved to drink thirteen in Memory of the first Martyr that was made by the *Roman Emperors*. They grew drunk so often, by this Addition of Cups, that the *Sanhedrim* was obliged to retrench them. Judicious People will wonder to find such Things produced as glorious to those they were instituted for; but the *Rabbins* have no Delicacy or good Taste in their Elogies: They have preserved *Jochanan's* Answer to the Question, What he did to live so long? I never made Water within four Cubits of an House of Prayer; I have never disguised my Name; I have celebrated the Feast Days, for which Purpose my Mother sold even the Ornaments of my Head to purchase Wine, of which she left me three hundred Casks when she died. That of *Baba* the Son of *Baba* is more ridiculous: He was accused of being one of the most famous Cuckolds of his Nation: Pish, says he, what signifies it, *Semen non writur igne, ut albumen ovi coagulatur calore.*

These are the Patriarchs that must have preceded the Ruin of *Jerusalem*, or according to others, immediately followed it; but to me they seem all imaginary: And indeed the Scripture never mentions these Princes of the Nation. The *Asmoneans* who at once made themselves Kings and High-priests, would have been far from suffering an Head of a People of the Race of *David*, whose bare Presence would have reproached their Usurpation: They were themselves supream in Church and State; how then would they have suffered the Patriarchs? and would these Princes that are made to succeed one another, from *Esdra*s, have tolerated Usurpers that dethroned them? On the other Hand, *Herod* would never have placed a Prince of the People near him,  
who

Book VI. who might so closely straighten his Authority. We still find in the Gospels the High-priest at the Head of the Council : *Caiaphas* presides when it is deliberated about the Death of Christ, and pronounces that *it is expedient that one Man should die for the People*. Jesus Christ should have been carried before the Prince of the Nation rather than before the High-priest ; for *Ecclesia nescit sanguinem* ; and yet he was led still before *Caiphas* and *Annas*. It is the High-priest that imposes Silence on the Apostles, who had been haled and accused before the *Sanhedrim* ; From him it was that *Saul*, going to *Damascus* to persecute the *Saints*, received credential Letters to the Heads of the Synagogues. *St. Paul*, when converted, appeared before *Ananias*, another High-priest, who, as Judge and Head of the *Sanhedrim*, commanded to give him a Blow on the Face. Is it possible the Gospel should speak so often of the High-priest in all Processes, and never mention the Prince of the Nation, who was the ordinary Judge ?

Besides, these Princes or Patriarchs are as unknown to *Josephus*, as to the sacred Writers. He could not be ignorant of their Names, Succession and Privileges, if they had been established before *Jerusalem* was destroyed ; and yet he has not said a Word of these Patriarchs. On the contrary, he places the High-priest at the Head of the Council, and gives *Ananias* the Direction of the War, which must of Right have belonged to the Prince of the Nation, preferable to a Priest ; an evident Proof that there were then none of these Princes.

These Princes must often have suffered from the Persecution of the *Herods*, and the Inconstancy of the People : How is it possible that they alone should be the only undisturbed Possessors of so important a Post at *Jerusalem*, whilst the High-priest was so often deposed ; and yet we see no Revolution in the Family of these Patriarchs,

where

where the Son constantly succeeded the Father; we find them neither at the Head of the People, nor at the Head of the Church; neither in the Temple, nor the City; neither among the Rebels, nor those that preferred Peace to the troubles of War: Where could they hide themselves, and of what Use were these clandestine Men, on whom, at present, such mighty Elogies are bestowed?

I am persuaded therefore, That we must leave to the High-priests the Authority of Governing the Church while the Temple stood, and that there was then neither Prince nor Head of the Nation, nor Patriarch that presided over the *Sanhedrim*, in a middle Order betwixt the High-priest and the King. After the Destruction of *Jerusalem*, the *Levites*, and the Priests that remained in *Judea*, took on them the Government of the People; but their Authority was proportioned to the Misery of the Nation, that is very weak and obscure. But when they began to reassume Vigour, the Heads of the People appeared under the Title of Patriarch, and their true Origin was under *Adrian's* Empire, as we shall see in the following Chapter.



## C H A P. V.

*The Dignity of the Patriarchs of Judea; or the Princes of the West: Their Rights, Privileges and Office, after the Ruin of Jerusalem. Of the Primates.*

**T**HE Emperor *Adrian* being in *Egypt* was informed, That a Patriarch sometimes came there, and that then some importuned him to worship *Serapis*, and others would have him worship *Jesus Christ*. In vain should we seek for this Patriarch in *Egypt* among the Heathens, where there never was any; and as vainly should we search for him among the Christians, as if *St. Mark* and *St. Peter* had established them at *Alexandria* in the Infancy of the Church; for that Dignity was not founded among the Christians till long after the Empire of *Adrian*, and the second Age of the Church. He that the Emperor speaks of did not reside at *Alexandria*; but came there from time to time to visit the Synagogue, and his Nation. He was not an Heathen, since they would have forced him to worship *Serapis*; nor was he a Christian, since he refused to adore *Jesus Christ*: And of what Religion could he be, since he equally rejected *Heathenism* and *Christianity*? He was a *Jew*, and the *Patriarch* of that Nation which we are in Search of: And here we discover the Origin of that Office which is absurdly made more antient.

*Titus* who dispersed the Nation of the *Jews*, and sold the Inhabitants in the Market, like *Horses*, was far from granting them a Council with a supream Head. *Domitian*, his Brother, who

who succeeded him, treated the *Jews* with great Cruelty. It was only then under the Empire of *Nerva*, which was much more gentle, that they began to take Breath again; and the Priests who remained in *Judea*, took advantage of so favourable a Circumstance to restore some Form of Government. The first of these Priests, who was the *Rosch Abbot*, the *Patriarch*, began to distinguish himself from the rest. There was scarce any mention of him under the Reign of *Trajan*, because this Prince punished them severely; but he made himself known under *Adrian*, by the Visits he made from Time to Time into *Egypt*, to take Cognizance of the State of the Synagogues of that Country, and to collect some Money for the Relief of his own and the Peoples Necessities.

Consequent to this Origin, it must be owned, that *Simeon III.* Son of *Gamaliel*, is the first *Patriarch* that is known to us; for he lived under the Empire of *Adrian*. He descended in a right Line from *Hillel the Old*, and this Dignity remained in his Family till the Year 429 of the *Christian Æra*, when it was abolished.

This *Patriarch's* Residence was neither at *Lydda* nor *Famnia*, as is commonly supposed, but at *Tiberias*, a City situate upon the Banks of the Lake that bears its Name, and is frequently mentioned in the Gospels. *Herod* the *Tetrarch* of *Galilee*, who built it, named it *Tiberias*, and its advantageous Situation quickly rendered it a considerable City, and it became the Metropolis of *Galilee*. *Agrippa* being obliged to leave *Rome*, retired thither with his Uncle. *Claudius* gave it him afterwards, which is the Reason of its bearing the Name of *Claudia Tiberias* in Medals. *Josephus* seized on it during the War, and sustained a Siege; but *Vespasian* at last made himself Master of it. It abounded with Fishermen; and that Multitude of Seamen which battered down *Herod's* Temple, because the Figures of some Birds and Beasts were painted in it, came

Book VI. from *Tiberias*. For the same Reason we see a Bark in many Medals struck by this City. In another that was struck under *Trajan*, we find *Health* surrounded with a Serpent, and seated upon a Mountain, from whence issued a great deal of Waters, because *Tiberias* was famous for its Waters and hot Baths, which were very salutary to the Sick. In a Town so convenient as this and less suspected than *Jerusalem* to the *Romans*, some *Jews* gathered together, and some of their Priests. Here they laid the Foundations of an Academy, which became famous by the Composition of the *Misnah*, and the Reputation of the Doctors that taught in it: And here also was the Residence of the *Patriarch* of the whole Nation.

The *Patriarch* had under him considerable Officers, some of which had the common Title, with others, of *Rosch Abbot*, *Patriarchs*, or Heads of the Fathers, and the others were *Apostles*.

The *Patriarchs* often mentioned in the Imperial Laws, were subaltern Officers to the *Grand Patriarch*. Their Jurisdiction was confined to certain Places. They depended on his Orders, and were obliged to see them executed: They were even inferior to the Heads of the Synagogues; for they are constantly placed after them in the Emperor's Edicts: There the *Grand Patriarch* is stiled *Illustrious*, *Illustris* & *Clarissimus*, and the Christians who were often transported with a fierce Zeal, were forbidden to affront them; whereas much less regard was had to the *Patriarch* of the second Order, to whom the Emperors never granted so honourable Titles.

There were also some *Apostles*. We must not look for any great Mysteries in this Title, as if he that applied it to the Ministers of the *Jewish Patriarch*, had a Design to imitate or insult the Christians, to whom that Office was venerable; or as if *Jesus Christ*, the true Head of all the

Church,

Church, and of the Fathers, had borrowed this Expressio<sup>n</sup> from the *Jews*, as being in use among them; for the *Jews* first Acquaintance with these Officers, and using this Term, was not till after the Ruin of *Jerusalem*; when being totally subject to the *Romans*, they borrowed several Expressions from the *Greeks*; besides, the observing its Signification is sufficient to inform us, that there is nothing mysterious in it. For the Apostles of the *Jewish Patriarchs* were *Envoys*, or *Legates*, who circuited the Provinces by their Master's Order, to regulate, in his Name, the Differences that arose betwixt private Persons, or in the Synagoges. They had also a Commission to levy the Impost that was paid annually to the *Patriarch*, and at their Return they informed him in what Condition they found the Churches. They served him as Counsellors, and bore a distinguishing Character in the Nation.

The *Patriarch's* greatest Revenue was the Tribute, or Impost which he levied upon all the Synagogues under his Jurisdiction. It was an ancient Custom in the Nation, to bring or send every Year a *Didrachm* to the Treasure of the Temple. *Moses* commanded it, and they that limit this Tribute to the Time of the Legislature, have not read *Josephus*, who asserts, that it was paid still in his Time. Most Interpreters also believe that it was this Tribute which was demanded of our Lord in *Galilee*, because the Capitation imposed by the *Romans*, was much greater, and proportioned to the Substance of the Persons that paid it. Besides, the Collectors of the Empire would not have been so civil to *Jesus Christ*, as to ask his Disciple whether he would pay it, but would have exacted it with more Rigour. The *Didrachm* was the half of a *Sicle*, which was worth about our Fifteen pence. It is said, there was upon this Coin, an Harp on one Side, and a Vine on the other. But since, it is certain, that the Rod of *Aaron*, and the Urn of Manna

Book VI. were engraven upon the *Sicles*: I see no Reason why they should change this Signature, to put another upon the *Semi-Sicles*. It is true, the remote Synagogues changed their Silver into Gold, for the Conveniency of Carriage, but those of *Judea* made use of the common Money.

The *Talmudists* affirm, that Proclamation was made every Year in the Synagogues, with the Sound of Trumpets, to mind them of the Payment of their Tax, and that the last Day of *May* was the utmost Term for the Payment: It is much more certain, that the Synagogues had need of the Emperor's Warrant, and a particular Order to levy this Money, after *Judea*, and a part of *Syria* were conquered. At least *Josephus* has related *Agrippa's* Letters, and *Augustus's* Order, permitting the Synagogues of *Asia* and *Egypt*, to send their Money to *Jerusalem*; and if it be true, that it was the ecclesiastical Tribute which our Lord pay'd at *Capernaum*, we must not seek for the Civility of the Exactors in the Corruptions of those Times, as the learned *Grotius* does. It proceeded rather from this, that the Farmers who had not perhaps as yet received the Emperor's Permission, or who durst not ask it of *Tiberius*, for fear of being refused, could not constrain any Body, and obliged none to pay, but who did it voluntarily, and out of Devotion. For this Reason the Receiver at *Capernaum* asked *St. Peter*, whether his Master would pay the *Didrachm*.

The Emperor seized this Tribute, after the Ruin of *Jerusalem*. *Domitian* exacted it with a Severity answerable to his insatiable Avarice. *Nerva* relaxed a part of it, which the *Patriarch* of the *Jews*, who then began first to appear, appropriated to himself.

The *Patriarch* exacted this Tribute of all the Synagogues of the *West*. He especially drew great Sums out of *Egypt*, where the *Jews* had been long established, and were rich; and to do

it the easier, he went thither in Person. There it was that the Emperor *Adrian* heard of this Head of the Nation. There *Origen* knew another of these *Patriarchs*, unless we had rather say he had seen him in *Judea*, when he retired there to avoid the Insults and Persecutions of the Bishop of *Alexandria*. St. *Epiphanius* says, that the Apostles went to make their Levies as far as the Provinces of *Cilicia*; and we see by the imperial Laws, that they came into all the Provinces of the Empire, where there were any *Jews*.

This Power was often abused; for covetous or necessitous *Patriarchs* rendered themselves odious to the Nation by their vexatious Ways of gathering of Money. They exacted the Tribute, with such Severity, that the People complained of it, and published their Complaints, presenting a Petition to *Julian* the Apostate, to be freed from it. The Emperor not only received them favourably, but abolished the Impost, and forbade the Payment, *that the People*, said he, *being discharged from all Taxes, and enjoying an happy Liberty, may pray more ardently for the Prosperity of the Empire.* This artful Prince was in the right, for the People never pray so earnestly to God for the Sovereign, as when he lessens the Taxes, though they appear necessary for the Preservation of the Church, and the Subsistence of its prime Ministers.

Besides the Tribute which the Synagogues paid the *Patriarch*, he had also a great Authority over them: First he nominated their Heads, who often bought this Dignity of him. *Palladius*, a zealous Defender of St. *Chrysostom*, actually charged the *Patriarch* of his Time with his selling Ecclesiastical Dignities; and that the easier to enrich himself, he deposed those he had set over the Synagogues, that he might draw a new Sum of Money from other Candidates. Thus the Greek *Patriarchs* at *Constantinople* often depose

Book VI. the Metropolitans and Bishops of their own Creation, that they may more frequently sell the Priesthood; and the *Grand Visier*, in Imitation of them, makes the *Patriarch* experience the same Fate. He had moreover the Power of erecting new Synagogues, but this Privilege was often limited, and cancelled by the Imperial Laws, which prohibited the *Jews* from making any new Structures, and commanded them to be content with those they were in Possession of. They judged the Differences that arose betwixt the Synagogues; they decided the Controversies and Difficulties relating to the Law. *Lastly*, *Origen* says, that the *Patriarchs* sentenced the Guilty to Death. And yet he wrote to one of his Friends, that this Nation had lost the Right of condemning Adulterers and Murderers, and punishing them as the Law commanded. If he spoke only of Adulterers, we might easily reconcile the Contradiction, because he might have been able to show the Cessation of the Miracle, which the *Waters of Jealousy* wrought upon the Women that violated their conjugal Faith. But since he adds Murderers, how can it be said that the *Patriarchs* sentenced them to Death, and that he had lost the Right of punishing them? whoever reads the Imperial Laws, would easily discover that the *Patriarchs* were far from having a Power of Life and Death over the *Jews*; nor can we find in all their History one Example of such an Execution, made publickly in due Form. *Origen* therefore is mistaken in giving the *Patriarch* this Authority; or rather he meant to say, that they had the Privilege of punishing Criminals with great Severity in the Synagogues, where they whipt them till Blood was drawn, and even to Death, particularly when they were Persons that designed to embrace Christianity, or had already done it. The Christian Emperors permitted the *Jews* the Exercise of their Discipline and Censures. Sometimes this Permission

was abused by the Extravagance of the Punishment; and the Judges either tolerated, or being corrupted by the Head of the Synagogue, connived at this Encroachment upon the Sovereign Authority. But this was not a Privilege annexed to the *patriarchal Dignity*, and it is still true that the *Jews* had lost the Power of inflicting capital Punishments.

The Emperor *Theodosius*, under whom the *Jewish Patriarchs* flourished, was obliged to set Bounds to their Power. This Prince's Edict is obscure in several Places; but by unravelling its true Meaning, we may come to a perfect Knowledge of the Extent of the *patriarchal Jurisdiction*.

First, He forbids *Gamaliel*, who was then *Patriarch*, to build new Synagogues, and commands *Aurelian* to demolish those that were little frequented, if it could be done without occasioning Commotions in the Cities. *Gamaliel* had abused his Power at Court; and fancying himself at Liberty to build new Temples, because he was protected, he built some. In the mean Time there was a general Law in the Empire, That no Body could erect new Churches without the Emperor's Concession.

*Theodosius* also forbade *Gamaliel* to judge of Differences that arose betwixt *Christians* and *Jews*; and when the Parties were of two Religions, he referred the Cause to the ordinary Magistrate. This shews that the *Patriarch* had Right only to determine the Differences of his Nation, which were commonly concerning the Observation of the Law. *Gamaliel* imagined it was sufficient for one of the Parties to be of his Religion, to bring the other to his Tribunal, and give him Power to judge of the Case; but *Theodosius* put a Stop to that second Usurpation, with which he only charges *Gamaliel*, who then governed.

The same Law forbids the *Patriarch* to dishonour any Man, slave or free, with the Mark of *Judaism*. This Mark was Circumcision, which

Book VI. the *Patriarch* thought he had Right of conferring on all those that quitted Heathenism, or the Christian Religion, to become *Jews*. This happened particularly to the Slaves which the *Jews* bought, and more easily instructed in the Principles of their Religion; but this part of Liberty of Conscience was taken from them. *Antoninus* had given a like Law before, which made it capital for a *Jew* to circumcise a Man who was not of his Nation; but in order to cure this Mischief still more effectually, *Theodosius* forbade the *Jews* to keep Christian Slaves; because, as we have observed, they were the Slaves that were kept in *Jewish* Houses that most commonly embraced their Masters Religion. This Nation therefore had Liberty of Conscience left to themselves, but they were not allowed to make Conquests and Profelytes.

Here follows what is most obscure, and most important in the Law of *Theodosius*. This Prince orders *Aurelian* to withdraw out of the Hands of the *Patriarch Gamaliel*, the Letters of command he had received, and to leave him only the Honour he had before, since he thought he might transgress with Impunity, whilst he saw himself raised to a greater Dignity. It is a Punishment the Emperor imposes on this *Patriarch*, because puffed up with his new Exaltation he had sinned against the Laws. But what was that Dignity that had rendred *Gamaliel* so haughty; and what must we understand by the *Letters of Command* which the Emperor orders to be taken from him? It is certain *Gamaliel* had great Credit at Court, since *Theodosius* caused *Dudus Hesy chius* to be condemned to Death at his Prayer and Entreaty, because he had carried away his Papers. And the Decree was executed, tho' *Hesy chius* was of consular Dignity, and a considerable Person in the Empire. And yet it cannot be imagined that this *Jewish Patriarch* had any Command. Interpreters think hereby is meant

Patents

Patents of Doctor of Physick, because *Gamaliel*, tho' a *Patriarch*, was notwithstanding a Physician, and exercised his Profession, and gave Medicines, which have been commended by *Sextus Empiricus*: But the Quality of Physician neither distinguished *Gamaliel* in the Empire, nor among the *Jews*, who have always exercised that Profession to get a Livelihood. Nor can it be said that these Letters of Command were those he obtained of the Emperor to become *Patriarch*: For besides that this Office was hereditary, *Theodosius* insinuates, that it was some particular Favour he had granted *Gamaliel*, which he deprived him of, because he had abused it. These Letters of Command were rather the Patent of an honorary Prefecture, which was sometimes granted to Persons in the Empire distinguished by their Birth, Merit, or Services, or whom the Emperor pleased to honour. These Patents gave no real Jurisdiction, but a Man bore in Publick the Ensigns of his prefetural Dignity. He might even ascend the Tribunal, and take his Seat among the Judges, tho' he had no decisive Voice, nor sat there otherwise than as a Post of Honour. The Emperor alone had the Power of granting these Patents. *Gamaliel* had procured to him this Mark of Distinction, but lost it by his Pride; and *Aurelian* was charged to take out of his Hands that Patent of Command, or honorary Prefecture.

This is the Sense of the Law of *Theodosius* the younger, by which we see before the *Patriarchs* could have Power to erect new Synagogues, they were first to obtain the Prince's Permission: That the Authority of judging respected only the Differences that arose betwixt the *Jews*, and that if a Christian was one of the contending Parties, he brought the Cause before the ordinary Tribunal. If they had Liberty of Conscience, it did not extend to the making Profelytes. However, that was the happiest Time for that Nation,

Book VI.  tion, since *Gamaliel* was, perhaps, the only Person of it that ever enjoyed an honorary Patent. This Dignity was abolished in the Year four hundred twenty nine, after having lasted three hundred and fifty Years.

There remains but one Thing to be examined concerning the Authority of the *Patriarchs*, which respects their Deposition. As they were the Heads of the Religion and Church, it seems that no Tribunal in the Nation could pretend to judge, try and depose them when they had violated the Law. These judicial Assemblies had been formed with great Difficulty in the Empire, where the Nation was most commonly oppressed: And yet the *Rabbins* maintain, that a Society cannot be deprived of a Right of deposing an Head, that is not vigilant to preserve the Body, or that endeavours its Destruction. They alledge the Example of *Meir*, who had a Design to expel *Simeon* III, and formed a Conspiracy to deprive him of his Office. *Meir* was Vice-President of the Council. *Simeon* perceiving the same Honours paid to him, as to himself, when they entered into the Assembly, resolved to make some Distinction in them. *Meir* provoked, resolved to lay a Snare for the *Patriarch*; to interrogate him upon an important Question, it was that of Lice; and as they thought; he could not be ready upon the Subject, they were resolved to depose him. But having notice of their Design, he prepared himself and answered their Difficulties. However *Meir's* Design proves a Right of deposing the *Patriarch*, when he was found ignorant. It is said that *Gamaliel* was actually deposed for some Time. Lastly, They maintain that this Dignity was so little hereditary, that *Judah the Saint*, preferred *Chanina* before one of his Children, because he thought him abler and fitter to fill the patriarchal Chair. The last of these Facts is evidently false: For *Judah the Saint* conferred the Office of *Prince*, or *Patriarch*, on his Son

*Gamaliel*, and *Chanina* was only made Head of the Academy. St. *Epiphanius* likewise informs us, that the Patriarchat was so much hereditary, that tho' *Hillel* left but one Son who was a Minor, yet he was created *Patriarch*; and he had learnt this from *Joseph* a Jew, and Tutor to this Child, who ought to have understood the Laws of his Nation. Chap. 5.

The Fathers of the Christian Church seem to have had no great Notion of all these *Patriarchs*. *Cyril* of *Jerusalem* insulted their Extraction, and maintained that it would be a Shame to search into the Baseness of their Race. St. *Chrysostom* would not allow them to be descended from the Race of *Aaron*: And *Cyril* denied their Descent from that of *David*. And some accused them of a great Corruption of Manners, and an insatiable Avarice.

The *Primates* succeeded the *Patriarchs*, but their Authority was different. It has been pretended, that these *Jewish Primates* resembled those of the Christians; Heads of a Province, and Presidents of the Council assembled in it. But I question the Truth of it; at least I observe that there were many *Jewish Primates* in that one City of *Alexandria*, when *Cyril* the Bishop of it terrified them. It was the People that elected their *Primates* by the Plurality of Voices. Whereas the *Patriarchship* was hereditary in the Family of *Hillel*. *Cuneus* has allotted them the same Authority as the *Patriarchs*, but he bottoms upon a Law of *Theodosius*, which that ingenious and bold Critick had not well read. He makes this Prince say in his Law, That the *Primates* rule in the Council or *Sanhedrim*; but he should have read, that they are nominated, or elected by the Council of the two Provinces. *Palestine* was then divided into three Provinces; and yet the Law speaks but of two; but there is no Necessity of changing the Text, because perhaps there was neither *Sanhedrim* nor *Jewish Primate*, in the

Book VI. the third part of that Province, which was called the *Salutary*. Each Province maintained its *Primates*, and to that End, the antient Tribute was continued for some Years, which the *Patriarchs* exacted. But *Theodosius* the younger had it brought into his Treasury, and levied by his Officers.

## C H A P. VI.

### Of the Princes of the Captivity at Babylon.

THE Origin of the Heads of the Captivity is not known ; it only appears, that there was nothing of them before the End of the second Century. Indeed whilst the Temple of *Jerusalem* stood, the *Eastern* Refugees sent their Presents to *Jerusalem*, and came thither from Time to Time, to pay their Devotions. The Spirit of Schism expired in these strange Countries, and they acknowledged the High-priest for Supream in the Nation : If any continued addicted to the Schism of *Samaria* and *Gerizim*, they sent also their Oblations thither : There was no Thought therefore of setting up an Head of the Captivity, whilst there was any Form of Government in *Judea*.

We must not look for a Prince of the Nation, either in the *West* or *East*, before the Ruin of *Jerusalem*. There was none in the *East*, for no Historian has mentioned any ; and the first of these Chiefs that appears upon the Stage was *Huna*, who lived not till the End of the second Century of the Church. Nor were there any other Princes at *Jerusalem*, besides those that were appointed by the *Romans*. It will be asked, no doubt, whether no Change was made in the *East* after the Downfall of *Jerusalem*. Some Cri-

Criticks maintain, that the Nation was divided into three different Portions, which made to themselves as many Heads. They that remained in the holy Land, continued to have for their Head the President of the *Sanhedrim*. The *Egyptians* elected a *Patriarch*, of whom the Emperor *Adrian* speaks, and the Orientals set up in *Babylon* a Prince of the Captivity. Sometimes it is pretended, that the *Patriarch* of *Judea* ruled over the whole Nation; and the Argument is, that the Emperor *Adrian* speaks only of one *Patriarch* who extended his Authority into *Egypt*, and from thence into the *East*. *Origin* and *St. Jerom* have spoken after the same Manner; and it is in vain to turn over the Imperial Laws, among which there are so many which regulate the Government of the *Jews*; we there only find the sole Dignity of *Patriarch* elevated above the rest.

If a Man may have Leave to produce his Conjectures, on a Subject barren and destitute of Proofs, it appears to me much more propable, that the *Eastern Jews* imitated those of the holy Land, who had made themselves an Head. Having no longer that Bond of Unity which was formed by the Temple of *Jerusalem* and the High-priest; these two parts of the Nation, vastly remote from one another, made themselves Chiefs. According to all Appearances, the Orientals durst not take this Liberty, till the *Parthians*, who tyrannized in the *East*, were beaten under the Empire of *Alexander Severus*, and the last of their Kings ended his Life in a tragical Manner. As they then enjoy'd some Rest by the Overthrow of their Tyrants, they might take that Advantage to give some Form to their Government. This Conjecture agrees with the Time in which *Huna* lived, the first that is known of all the Princes of the *Babylonish* Captivity: For *Huna* was cotemporary with *Juda* the Saint, and was elected Prince of the Nation

Book VI. tion in the Year 220, or 222. It is true, a Jewish Chronologer sends *Hana* to the End of the third Century, the Year 4060, or 300 of our Saviour. But all the other Writers of the Nation acknowledge, that he was cotemporary with *Juda* the Saint; and was elected Prince during his Life, or a little after his Death. Lastly, it is easy to remove all the Difficulties urged by the Criticks, about the Unity of the *Patriarch*, or the Plurality of Heads assigned to the Jewish Nation, which is what I shall attempt in the following Article.

First, it is true that the *Patriarch* of *Tiberias* was alone for some Time, because the *Jews* of *Babylon* had not the Liberty after the Ruin of *Jerusalem* to make to themselves a particular Head; yet it cannot be said that this *Patriarch* extended his Authority over the *Jews* of *Babylon*; for we find no Track or Proof of it. It must not be wondred at, if in Procefs of Time only one *Patriarch* was mentioned: *Adrian* had Reason for this, since the Princes of the *Babylonish* Captivity were not yet known; and this Emperor took notice only of what passed in *Egypt*. Christian Authors, and the Imperial Laws only respected the *Roman* Empire, on which *Judea* depended; and it was not known what was done in the *East* under the *Persian* Empire. This Remark ruins the Sub-division that is made of the Nation into three Portions; for the *Egyptian* *Jews* depending on the *Roman* Empire, were subject to the *Patriarch* of *Judea*; and therefore *Adrian* affirms, that he came into this Country from Time to Time. His Seat was not there, nor did he reside in *Egypt*, but he came from *Tiberias* to visit his Nation, and raise the Tribute in *Egypt*. *Origen*, *St. Jerom*, and *Theodosius*, could not have been ignorant that there were two Heads of the *Jews*, one in *Egypt*, and the other in *Judea*; and since they own but one, it is absurd to multiply them. But in Tract of Time  
the

the *Patriarchs* of *Tiberias* being abolished, the Refugees of *Egypt*, who were not accustomed to depend upon that of *Babylon*, thought they had Right to set up a particular Chief of their own; and therefore *Benjamin de Tudela* does not put *Egypt* into the Diocess of the *Babylonish* Chief, whereof he has given a large Description: But moreover, sets over the *Jews* in *Egypt*, a Prince of Princes, who was of the Nation, and presided over the Synagogues of this Country. Lastly, After the Institution of two Heads of the Nation, one for the *Roman* Empire, and the other for the *Persian*, they have ever been independent of one another. The *Babylonish Jews* would not submit to the *Patriarch* of *Tiberias* after the Ruin of *Jerusalem*; and it was, doubtless, to be quit of the Obeisance and Homages that the *Jewish Patriarch* required of them, that they set up an Head of their own.

It is pretended that the Head of the Captivity was superior to the *Patriarch*, because all that were of *David's* Race, left *Judea* and retired into *Babylon*. They maintain, that there it was that the Scepter was found mentioned by *Jacob*, because the Heads of the Captivity enjoyed a great Authority, while the Lawgiver was in *Judea*, where the Descendants of *Hillel*, and some other very able *Rabbins* have taught the Law. Lastly, They cite a Confession of *Judab* the Saint, who owns, that if *Huna*, who was Head of the Captivity of *Babylon*, came into *Judea*, he should be obliged to give him Place, and to rise before him; because *Huna* was of the Tribe of *Judab*, and of the Race of *David* by King *Jehoiakim*, and he was only of the Tribe of *Benjamin*, and of the Race Royal by the Women.

These Princes of the Captivity were installed with a great deal of Pomp and Ceremony. The Truth is, the Heads of the neighbouring Academies, the Senators and the People came in Throngs into the City of *Babylon*: The Assembly

Book VI.

bly being formed, and the Prince supposed to be of the Race of *David*, seated upon a kind of Throne, the Head of the Academy of *Syria* exhorted him not to abuse his Power, representing that he was called rather to a Slavery than an Empire, by Reason of the sad Condition of the People. *Thursday* following the Governours of the Academies laid their Hands on him in the Synagogue, with the Noise of Trumpets and Acclamations. The People having conducted him home, in Pomp, sent him great Presents. *Saturday* Morning all the considerable Persons came to his House; he put himself at the Head of them, and left his House, having his Face covered with a Piece of Silk: In this Equipage he went, the Multitude following him, to the Synagogue, where the Heads of the Academies, and the Chanters, sung Canticles of Benediction about his Chair. There they brought him the Book of the Law, which he read the first Line of; afterwards he spoke to the People, with his Eyes shut, out of respect, and if he fail'd, the Head of the Academy of *Syria* made the Sermon: He enlarged particularly upon the Charity that ought to be had to the Students, and gave himself an Example, by large Alms, and that Example was followed. The Ceremony ended with Acclamations to the Prince, and Prayers to God that he would deliver the Nation under his Reign. He blessed the People, and prayed in particular for each Province, that God would defend it from Plague, or War. He ended with a Petition in a low Voice, for fear any one should hear him, and go and acquaint other Princes that he wished their Ruin; because indeed, the Empire of the *Jews* could not be erected, but upon the Wreck of other Monarchies. Upon leaving the Synagogue, the Prince was conducted pompously to his Palace, where he made a sumptuous Entertainment for the principle Persons of the Nation. This was his last Exit; for after that, he

was



was not permitted to leave his House, except to go to the Academy, and then every Body rose and stood, till he desired them to take their Seats. He went to pay a Visit to the King of *Babylon*, which was done with a great deal of Pomp after his Installation. The King having notice of his Design, sent his Chariot for him: The Head of the Captivity durst not accept this Offer, but ordered it to go before him, to testify his Respect and Dependance. He was then vested with a magnificent Cloth of Gold; fifty Guards marched before him; all that met him upon the Road, made it a Piece of Devotion to follow him to the King's Palace. The Eunuchs met him, and conducted him to a Throne, while one of his Officers that marched before him distributed Gold and Silver. Upon approaching the King, he prostrated himself to the Earth, to signify that he was his Vassel and his Subject: The Eunuchs raised him, and placed him on a Seat on the left Hand: After the first Compliments, the Prince opened the Complaints and Affairs of his Nation, which the King decided.

These Heads of the Captivity have sometimes had their Residence at *Mabazia*, but it was translated to *Babylon*, or *Bagded*: There he had ten Courts of Justice, over which he presided. There was also twenty eight Synagogues, amongst which was that of the Prince, supported with Pillars of Marble of all Colours. Before the Chest, which contained the Law, was a Tribunal raised with ten Steps, on which was placed the Seat of the Prince of the Captivity and his Family. His Sovereignty extended over all the dispersed *Jews* in *Asia* and *Chaldea*, and all the Kingdoms of the *Parthians*: *Esdras* commonly calls them Orientals, in Opposition to those who lived in *Judea* and *Egypt*, which are often called Occidentals. He conferred Ordination on all the Heads of the Synagogues

Book VI.  nagogues of the *East*; thence also he received the necessary Contributions to support his Dignity, and pay his Tributes exacted by the Kings of *Persia*.

This Prince was to be of the House of *David*, but it would not have been extremely difficult to have observed this Order in a Place where there were but few *Jews* of the Tribe of *Judah*, and *Little Benjamin*, and where on the contrary the Posterity of the other Tribes were infinitely the uppermost. This was perhaps only imagined, that they might not in any Thing be inferior to those who continued in *Judea*, whose *Patriarchs* descending from *Hillel*, traced their Pedigree up to *David*; or to raise the Glory of the Nation.

This Principality subsisted in the eleventh Century, when it received a deadly Blow. The famous Academies were shut up; the People and Disciples fled to the *West*, and particularly to *France*, where they taught for some Years with great Reputation. The Heads of the Captivity lost their Power by the Desertions of the People, and the Oppression of the Infidels: Their Name remained till the twelfth Century, since *Benjamin de Tudela*, who travelled into these Parts, found one still there; but we find no Footsteps of them from that Time.

## C H A P. VII.

*Judicial Laws among the Hebrews :  
Of Murder.*

**T**O commit no Murder was one of the Precepts given to the Sons of *Noah*, with this solemn Sanction, *Whoso sheddeth Man's Blood, by Man shall his Blood be shed*; for notwithstanding the Fall of our first Parents, there still remained in Man so much of the divine Image as intitled him to God's immediate Protection. The Murderer was to be delivered to the Magistrates and Judges to be punished; for till now God had reserved the Punishment of Murder in his own Hand, as appears from the History of *Cain* whom he had banished, but suffered no Body to kill him. This was afterwards one of the Commandments delivered by God from Mount *Sinai*, and established by *Moses* into the Body of the *Levitical* Laws under the most severe Penalties.

Gen. ix. 6.

Wilful Murder was punished with Death by Strangling; nor was the Case altered, whether the Act was designed and deliberate, or done in Anger and Passion; for if a Man in the Height of his Rage resolved to kill another, and laid wait for him, to execute his Designs; it was justly to be judged wilful Murder, and accordingly punished: This Law was understood by the *Hebrew* Doctors to include only an *Israelite*, or a Profelyte of Justice; as for others, if an *Israelite*, or such a Profelyte killed one of them, he was not, say they, to be put to Death: But this Construction defeats the Intent of the Law, which no doubt had regard to the Preservation of all that lived amongst the *Hebrews*,

Exod. xxi. 14.  
15, &c.

Book VI. that they might dwell with Safety and Security of their Lives. If the Murderer fled to the Altar for Refuge, he was to be taken from thence by the Elders of the City and brought to Justice. This, it seems, was an *Asylum* as well as the Cities of Refuge, but under many nice Limitations, both with respect to the part of the Altar, to the Persons that fled thither, and to the Crime they had committed. Though he was the High-priest, and in the Act of Sacrifice, he was to be taken from thence; for as *Maimonides* observes, the Mercy which is shewn to wicked Men is no better than Tyranny and Cruelty to the rest of God's Creatures; and therefore, though such Persons sought to God for his Patronage, by betaking themselves to that which was dedicated to his Name; he would not afford them any Protection, but commanded them to be delivered up to Justice.

More Nevoch.  
p. 3. c. 39.

The Judges appointed to try the Fact, were the Court that sat in the City where the Fact was committed; they had Power to examine into the Matter, and enquire into the Evidence of two Persons, at least, that were allowed to be competent Witnesses. There were ten Sorts of Persons, according to the *Hebrew* Doctors, that were incapable to give Evidence, Women, Servants, Minors, Fools, the Deaf and Dumb, the Blind, the Impious, the Audacious, near Relations, and those who had been convicted of Perjury; and they endeavour, after their Manner, to find Reasons against all these in the Law itself. If there was but one Witness, the Criminal could not be put to death; yet say the *Jews*, he was thrown into a very strait Prison, and there fed with Bread and Water of Affliction, till his Bowels were sorely pinched with Want of Sustenance. If the Accused was found guilty by the Evidence of two Witnesses, he was put to Death, say some *Jews*, by the Sword. Nothing could prevent the Execution

Numb. xxxv.  
30. 31, &c.

Selden c. 4.  
de Jure Nat.  
c. 1.

execution of the Sentence. If a Murderer would give all his Estate to save his Life; or if the Avenger of Blood ( who was always the next Relation ) would accept of a Compensation, or freely let him go, ( when they had found him guilty ) the Judge could not restore him to the City of Refuge, but he was to suffer Death; for the Life of him that was slain ( as *Maimonides* speaks, quoted by *Selden* ) was not part of the Goods of the Avenger of Blood, but belonged to the Almighty God, who set such a Value on a Man's Life that he would not suffer any Price to be taken for it. The next of Kin was bound to prosecute the Murderer unto Death, for the Good of his Country, which otherwise would have had a Guilt upon it, and that very grievous. It is, says the Author above mentioned, a Piece of universal Justice, to make a Man suffer what he has made another endure. If he has hurt his Body, he must suffer for it in his own Body; if in his Money, his own Purse must pay for it; if he has taken away his Life, he must die for it himself, and the Punishment can neither be mitigated nor Compensation accepted for it. If he that was murdered should lie a few Days or Hours after his deadly Wound, and being in sound Understanding, should desire that he that killed him might not die for it, declaring that he freely forgave him; his Desire was not to be granted, but Blood was to be punished with Blood, whether he that was slain was a great or a mean Man, a Freeman or a Slave, a wise Man or a Fool, because there is no greater Sin committed among Men, than that of Murder.

Upon Tryal the Judges proceeded by these Rules; If a Man had no Intention to kill another, but it was purely involuntary, he was to be acquitted: If there appeared any Design upon his Life, or such Hatred and Enmity, as might move them to conclude, he had an Intention to

*Selden in L.  
Sup. l. 4. c.*

Book VI. kill him, he was to be put to Death ; but here the *Hebrew Doctors* (as *Mr. Selden* observes) distinguish the killing of a Man into *three* Kinds ; The *first* was when, though it was from pure Ignorance and Error, yet there was some Negligence in it which a prudent Man might have avoided. The *Second*, when a Man kills another ignorantly, and cannot be blamed for any Negligence, because such a Thing seldom happens. An Example of the *First* they make to be, when a Man coming down a Ladder falls upon another and kills him. An Example of the *Second*, when going up a Ladder a Man happens to do the same ; the former is more frequent, and therefore they say has some Kind of Blame in it ; the other seldom, and therefore has none. A *Third* Kind when any Man kills another out of Ignorance and Error also, but it approaches nearer to voluntary Murder ; as when a Man intending to kill one Man, happens to kill another with a Stone, or otherwise. In none of these Cases, they say, the Court of Judgment could put any Man to Death. The Court were obliged likewise to enquire with what Weapon, or Instrument, the Person was slain. If he was killed with an Instrument of Iron, or with a great Stone, or with a Battoon, or wooden Club, or with any Thing that was likely to kill him, he was esteemed a Murderer, and the guilty Person must suffer for it.

Numb. LXXV.  
26, 27.

In Rotseahh,  
Per. 2.

Upon this Subject *Maimonides* has this Gloss : Any one that kills his Neighbour with his Hand, as if he strike him with a Sword, or with a Stone that kills him, or strangles him till he die, or burns him in the Fire, or kills him any how in his own Person, such a one must be put to Death by the *Sanhedrim* : But he that hires another to kill his Neighbour, or that sends his Servants and they kill him, or that violently thrusts him before a Lion, or the like, and the Beast kills him ; any one of these is a Shedder of Blood, and the

Guilt

Guilt of shedding Blood is upon him, and he is liable to Death by the Hand of Heaven; but he is not to be put to Death by the *Sanhedrim*. And where is the Proof that it must be thus? Because it is said, *He that sheds Man's Blood, by Man shall his Blood be shed.* This is he that slays a Man himself, and not by the Hand of another. *Your Blood of your Lives will I require.* This is he that slays himself. *At the Hand of every Beast will I require it.* This he that delivers up his Neighbour before a Beast to be rent to Pieces. *At the hand of Man, even at the Hand of every Man's Brother will I require the Life of Man.* This he that hires others to kill his Neighbour. In this Interpretation *requiring* is spoken of all the three; *behold* their Judgment is delivered over to Heaven, or God. And all these Manslayers, and the like, who are not liable to Death by the *Sanhedrim*, if the King of *Israel* will slay them by the Judgment of the Kingdom and the Law of Nations, he may.

If there chanced to be a Fray, and a Woman with Child interposed between the contending Parties, or came perhaps to assist her Husband, and received a Hurt, so as to make her miscarry, the Husband might justly require Compensation, both for the Loss of his Child, and the Grief and Anguish suffered by his Wife. The Matter was to be brought before the publick Judges, who considered in their Decree what Damage was done, which was estimated by the Hurt the Wife received in her Body, and by the lessening of her Price, if she were a Slave and might be sold.

But if the Mother died, the Law insists, *Life shall be given for Life*; concerning the Sense of which Expression, says *Jarchi*, our Masters differ; for some by Life understand that which is properly so called, or the Person himself; so that it should signify *being put to Death*. But others understand by it a pecuniary Mulct, that so much Money should be paid to the Heirs, as

Exod. xxi.  
22, &c.

Selden de Jure  
Nat. & Gent.  
cap. 1.

Book. VI. the Person killed might have been sold for. The *Seventy* carry it to quite another Construction, which is, that if a Woman miscarry, and the Child was not yet formed and fashioned, the Man who occasioned the Miscarriage was to pay a Fine; but if it were formed, then Life was to be given for Life. So that the whole of this Law is to be understood of an *Abortion*, and according to the Condition of the *Abortive*, (not the Life or Death of the Mother) so the Punishment was to be inflicted.

Numb. xxi.  
28.

The Blood of Man was to be required at the Hand of every Beast, and for this Purpose the Law of *Moses* made Provision, by instancing an Ox, that if he gored a Man or a Woman that they died, the Ox was to be stoned, and his Flesh was not to be eaten, that the Owner might lose all Benefit by him, and be admonished to take better Care of his Cattle. The *Hebrew* Doctors say, that if a Man eat so much as an Olive of this Flesh, he was to be scourged. The Reason why the Flesh was not to be eaten, is given by some, because being stoned; it was a Carcase whose Blood was in it. But *Maimonides* answers to this in his Treatise of *Forbidden Meats*, that the Scope of the Law is, that as soon as the Sentence for its being stoned was pronounced, it became unclean; nay, if a Man, to prevent this Sentence, killed it after a legal manner, no Man might taste of it; and when it was stoned, the flesh was neither sold nor given to the Gentiles, nor to the Dogs. If the Ox did not kill the Man, but only wounded him, in that Case, the Owner was obliged to make him full Compensation as the Judges thought equal, and to take Care to prevent the same Misfortune for the future: But if the Ox has formerly been known to be so unruly, and he had been told of it, and yet omitted to secure him from doing further Mischiefs, then he as well as the Ox, were to be put to Death. The *Jewish* Doctors

rors indeed, have softned this Law by divers Ex-ceptions. As *first*, They say, it was to be prov-  
ed that the Ox had pushed upon *three* several  
Days ; for though it appeared he pushed a great  
many Times in one Day, it would not make  
the Man liable. And *secondly*, It was to be testi-  
fied not only to the Owner but before the Magi-  
strate, that he had pushed so often. And *lastly*,  
They interpret the Words of the Law, *The  
Owner also shall be put to Death*, of Punishment  
by the Hand of Heaven, that is, they leave him  
to God. Indeed the Law itself allows the  
Owner in some Cases to save his Life by a pe-  
cuniary Mult, though the Ox had been used to  
push, and the Master had been told of it. The Cir-  
cumstances that attend this Law, are difficult to  
be adjusted ; and the most reasonable Solution I  
have met with is what is given by a Man of  
great Learning in this Manner. Either the Know-  
ledge which the Owner had of the ill Conditions  
of his Ox was certain, or uncertain, and his  
Carelessness in preventing the Mischief which he  
used to do, was greater or less, or the Friends of  
him that was killed pressed the strictest Justice, or  
were content to remit it. In the former Cases  
(if the Knowledge was certain, the Carelessness  
very gross, and the Friends were strict in the  
Prosecution) he was punished with Death : But  
if otherwise, he was punished only by setting a Fine  
upon him. It is certain that this Law might  
prove too rigorous in many Cases (as if the  
Ox pushed, being provoked, or broke loose when  
he was tied up, or was let go by the Negli-  
gence of a Servant) and therefore God per-  
mitted the Judges to accept of a Ransom as they  
saw Cause, which was to be paid according as  
the *Sanhedrim* thought fit. The Owner was  
obliged to submit to the Fine whatsoever it was,  
and it was given to the Heirs of him that was  
killed. If a Man's Wife was killed, the *Jews*  
say, it belonged to the Heirs of her Father's Fa-  
mily,

Constantine  
L'Empereur in  
Bava Kama.  
c. 4. Sect. 5.

Book VI. mily, and not to her Husband. This Law extended to Children and Servants, Men or Maids: Whether the Servant was of greater or lesser Value, says *Maimonides*, the Punishment was the Payment of thirty Shekels (and the Loss of the Ox) half the Price of a Freeman, who was estimated, he says, at sixty Shekels. He adds in his Treatise of *Pecuniary Mulcts*, that the Owner was not bound to pay this Ransom unless the Ox killed the Man out of his own Ground; for if he was killed within the Owner's Ground, the Ox indeed was stoned, but no Ransom was pay'd.

More Nevo-  
chim. p. 3. c.  
40.

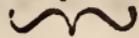
## C H A P. VIII.

### *The Expiation of an Uncertain Murder, by the beheading of a Heifer.*

Deut. xx. 12.  
&c.

THESE are the Laws in the *Levitical* Code that relate to wilful Homicide, when the Person, or Beast is known, that committed the Fact: But in Case of secret Murder, when a Person was found dead, and the Murderer unknown, the Guilt was purged and Expiated by solemn Ceremonies in this Manner. The great *Sanhedrim* were obliged to send out some of their Body, called in the Law, the *Elders* and *Judges*. Two of the wise Men, or Elders, (says the Paraphrase ascribed to *Uzielides*) and three of the Judges were sent by the *Sandedrim*, about this Business. Now it may be proper in this Place to observe, that there were a Sort of Elders who were not ordained by Imposition of Hands, but only were venerable Persons for their Age and Prudence, who some think might serve for this Employment; and they called such Elders, *Elders of the Street*, or  
*vulgar*

Selden de Syn.  
L 3. c. I.



*vulgar Elders*; but none, I think, have more critically discoursed upon these Words of the Law, *thy Elders and thy Judges*, than our Mr. *Thorndike*; who observes that there had been Judges constituted to determine Cases by *Jethro's* Advice, the greater Causes being referred to *Moses* alone, for whose Assistance God appointed seventy Elders, who made up the great Court of Judgment in that Nation. Now they of this great Consistory are called *Elders of Israel*; but they of other Consistories, or Inferior Courts, are called barely, *Elders*, or *Elders of such a City*. He alleges this very Law, and by *Elders* understands the *Elders of Israel*, the lower Elders being mentioned afterwards. And so those of the great Consistory are commonly called in the Gospel, and in like manner, *the Scribes of the People*, and *thy Scribes*, signify there, those of this High Court; whereas the bare Name of *Scribes* is extended farther to the inferior Doctors of the Law. As also the Name of *Rulers*, and that of *Rulers of the People*, are to be understood with the like Difference. But to return.

If it was dubious what City lay nearest to the dead Body, these Members of the *Sanhedrim* were to measure to the Cities that were round about the Slain. It is a frivolous Dispute in the *Mischna* from whence they were to measure, whether from the Navel, or the Nose, or the Forehead, which last seems most rational to *Maimonides*, who calls it the Center of the Body: But they did not (if we believe the *Jewish* Doctors) in their measuring take notice of any City wherein there was not a Court of twenty three Elders, and *Jerusalem* was excepted. If the dead Body lay nearest to the Country of the Gentiles, then they did not measure at all, but it was presumed the Man was killed by them. After they had measured to the next City, from whence it might be supposed the Murderer came, or to which he was fled,

Review of the  
Rights, &c.  
P. 70.

Book VI. fled, these Elders of the *Sanhedrim* returned to *Jerusalem*, after they had seen the Body buried. If there was no Discovery of the Murderer, then the Senators of the City next to the dead Body performed the following Ceremonies.

They were to provide a *Heifer* that was not above two Years old ; if it were a Day more they could not use it for this Purpose. If she had ever drawn in the Yoke she was improper for this Expiation ; and such a one in this Case ( wherein the Beast was not to be offered ) was absolutely necessary, as many think, that it might the better represent the Person that had committed this Murder, who was a *Son of Belial*, subject to no Law, and deserves to be beheaded as this Heifer was. It is not required that it should be without Blemish, as those Beasts were to be that were offered at the Tabernacle ; but it was sufficient if it had never been yoked ; yet this is not to be taken without all Limitation ; for if it wanted any Member, or were diseased, it might not be employed in this Service. The Elders of the City were to bring this Heifer into a Valley that was unploughed, and through which ran a Stream of Water, and which generally is the most fertile Ground : The Reason of this is given by *Abendana*, that the Inhabitants of each City might be the more careful to prevent such Murders, being in Danger otherwise, to lose the best Ground that belonged to their Inheritance ; for the Land where the Body was found, ( if we may believe the *Mischna*, ) was never to be sown any more. In this Place one of the Elders coming behind the Heifer, struck off her Neck ; for so the Murderer was supposed to have treacherously surprized the slain Man, and should have been thus used if he could have been found.

The Priests that belonged to the City were obliged to attend, not as Judges, but as Directors of the Ceremony ; and all the Elders were to purge themselves of the Murder by washing their Hands

Not. Marg.  
Mischal. Jophi.  
Sota. c. 9. Sect.  
5.

Hands over the Heifer, in the Water of the Brook which flowed through the Valley, and there solemnly to protest their Innocence in this Form; *Our Hands have not shed this Blood, neither have our Eyes seen it.* The Wisdom of this Law is thus represented by *Maimonides*. The Elders called God to witness that they had not neglected to secure the Ways, not to set Watches to examine diligently those that travelled, saying, as our *Rabbins* express it. *This* More Newock. P. 3. c. 40. *Man was not killed through any Negligence, or Forgetfulness which we were guilty of, in not observing our publick Constitutions; nor do we know who killed him.* Now by this Inquisition into the Fact, by this going forth of the Elders, and the striking off the Heifer's Head, and the other Ceremonies, a great deal of Discourse necessarily arose about this Business, which made the Thing publick, and was a probable Means of discovering the Murderer by some or other, that were there, or should hear of all this. If any one came and said, he knew the Author, then they forbore to behead the Heifer: But the Man being apprehended, if the House of Judgment did not put him to Death, the King had Power to do it; if he neglected it, the Avenger of Blood might kill him wheresoever he met him.

Then was this solemn Supplication pronounced; *Be merciful, O Lord, unto thy People Israel, whom thou hast redeemed, and lay not innocent Blood unto thy People of Israel's Charge.* This Prayer, says the *Mischna*, was delivered by the Priest alone; though *Josephus* (who often differs from the *Talmudists*) is of another Opinion, and affirms, that both the Priests and Elders prayed that God would be propitious to them, and prevent the like Calamity for the future. Thus was the Guilt expiated, which in some Sort would have lain upon them, if they had taken no notice of a Murder committed so  
near

Book VI. near their City, nor made Inquisition after it, nor expressed their Abhorrence of it. This Ceremony was to be performed in the Day-time, and the Body of the Heifer was to be buried, but none of it eaten, or any part of it employed to other Uses. If the Murderer was found before its Head was struck off, it was to be let go into the Pasture among other Beasts, if after, he was to suffer capital Punishment, that is, says the *Mischna*, be cut off by the Sword.

Sota c. 9. Sect.  
7.

## CHAP. IX.

### Of Manstealing : Of Wounding.

**T**O steal an *Israelite*, whether a Freeman or but a Servant, was accounted a Species of Murder, and punished with Death by strangling; for says *Maimonides*, it might well be thought he intended to kill him whom he violently carried away, at least, if he had no Opportunity to sell him. It was equally criminal, whether the Man was sold by the Thief or found upon him: No *Israelite* would buy him; and therefore such Kidnappers disposed of him to Men of other Nations, which made the Action more cruel; not only to take away his Liberty, but to make him a Slave to Strangers. And if he had not actually sold him, his Intention was sufficiently known by his stealing him away.

The Law of *Moses* had placed so strict a Guard over the Life of Man, that one could not wound another with Impunity, though it was in his own Defence; for if two Men quarrelled and come to Blows, and one received a Wound that forced him to his Bed, from whence he never arose, it was pronounced Murder by the Judges. Indeed, if the Man recovered so far as to get up  
after

Exod. xxi. 16.  
*More Nevoch.*  
P. 3. C. 41.

Exod. xxi.  
18, &c.

after the Stroke, and walk abroad, (though he died not long after) it was presumed his Death was occasioned by his Negligence, or by some other Cause, and not by the Blow he received; and upon hearing the Cause the Judges were to acquit the Man that gave the Blow; that is, he was not to die for it; but he was not excused a pecuniary Punishment. Satisfaction, say the *Jews*, was given to the Sufferer for the Loss he sustained in five particulars; for the Hurt in his Body, for the Loss of his Time, the Pain he had endured, the Charge of Physician and Surgeon, and the Disgrace. They distinguish between the Cure of the Wound, Bruises or Swelling caused by the Stroke, and of any other breaking out he chanced to have at the same Time. He was bound to pay for the Cure of the former, and not of the latter: And if after a Man was cured, he fell ill again, he that struck him was not obliged to take Care of him. There is a Law among the *Mosaic* Institutions, which enjoins that an *Eye* should be given for an *Eye*, a *Tooth* for a *Tooth*, and *Blemish* for *Blemish*; but the *Hebrews* generally, and the best Christian Expositors understand this of Pecuniary Mulcts, and indeed there seems to be great Reason in many Cases, to admit of a Compensation; for it is impossible that this Law should be justly executed according to the Letter of it; for the same Member of the Body is far more valuable to one man than another; for Instance, The right Hand of a Scrivener, or a Painter, cannot be so well spared as the right Hand of a Singer; therefore the *Jews* commented justly upon this Occasion. Does any one cut off the Hand or Foot of his Neighbour? They value this according to the Example of selling a Servant; computing at what Price he would be sold before he was maimed, for how much less afterwards; and so much of the Price as is diminished, so much is to be paid to the maimed Person, as it is said,

Bava Kama.  
c. 2. Sect. 1.

Exod. xxi. 24.  
Lev. xxiv. 19.

Bava Kama.  
c. 8. Sect. 1.

said,

Book VI. said, *An Eye for an Eye*. We have received by Tradition, that this is to be understood of Pecuniary Satisfaction.

Deut. xxv. 11,  
12, &c.

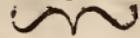
In the Quarrel between two Men, if the Wife of the one took her Husband's Part, who was likely to be overcome, and for that purpose seized the other by the Secrets, as a sure means to make him let go his Hold; she was sentenced by the Court to have her right Hand cut off for her Impudence; and because she had offered to injure those Parts that served to the Propagation of Mankind. She was not to be pitied upon the Account of her Sex, but to suffer the Penalty to the utmost.

## C H A P. X.

### Of Theft.

Exod. xxii. 23.

**T**HE Provisions made for the lesser Injuries will properly follow the Laws of Murder. To avoid Theft and Robbery was one of the Precepts of the Sons of *Noah*, and afterwards made the Eighth Command in the Decalogue. A Thief if he was taken with a weapon or Instrument about him, in the Night, breaking into a House, or any other Place, the Master might lawfully kill him, because it might justly be presumed, the Robber intended to kill him rather than lose his Booty: But the *Hebrew* Doctors make some Exceptions, as if he did not fly, and if there were no Witnesses present; for if there were, then it was like Theft in the Day time. If the Sun was up, so that the Thief might possibly be known who he was, and it might be supposed he intended only to steal and not to kill, then to kill him was accounted Murder, and accordingly punished. If he was taken in the Fact he was sold by the *Sanhedrim*



*drim* for six Years. But the *Jewish* Writers have many Mollifications of this Law; for they say, a Woman was not to be sold, nor a Man, but for the *principal* Sum; for *double*, or *four* or *five* Fold he was not to be sold, but to have Credit for it till he was able to pay. And he was not to be sold who robbed a *Samaritan*, nor if he had stolen less than he was worth when sold, with many other Evasions, which so mitigate this Law, that they almost abrogate the Force of it.

To steal an Ox, or a Sheep, and to kill it, or sell it before the Theft was discovered, the Penalty was to restore five Oxen for an Ox, and four Sheep for a Sheep. The Reason of this Disproportion is thus given by *Maimonides*. Of Cattle in the Field an Ox was more easy to be stolen than a Sheep; for Sheep feeding in Flocks may be all in View of the Shepherd; but Oxen feeding scattered one from another, are not so easily observed, and secured by the Netherd; but the true Reason seems to be because an Ox was of greater Value, and likewise useful to more Purposes in Husbandry, which made the Punishment the greater. Yet there was a Difference between a Thief who came and voluntarily confessed his Sin, and he that stood out till he was apprehended and convicted of it; for in the former Case *Moses* seems only to require the Restitution of that which was stolen, with the Addition of a fifth Part of the Value, and a Sacrifice. A great Difference likewise was made between killing or Selling, after the Stealth; and having these Cattle found alive with him: In the former Case the Thief was punished four or five Fold, but in the latter only double, because he former concealed his Theft with more Industry, and left less hope of Discovery and Restitution than the latter, as *Bochart* observes. Nor was the Thief to restore double if he was not otherwise found out, but confessed the Fact himself, before he had either killed or sold that

*More Newords.*  
P. 3. c. 41.

Lev. vi. 4, 5.  
See Vol. 2.  
Book 4. p. 536.

*Hierozoi con.*  
P. I. L. 2. c. 4.

Vol. III. N which

Book VI. which he stole. He that stole from another Thief was not bound, as *Maimonides* thinks, to restore double : But in Case a Thief killed what he had stolen, and after that consecrated it to God, he was obliged, notwithstanding, to restore four Fold ; though if he consecrated it before he killed or sold it, only to restore double ; for though the Satisfaction of a Thing, after the Sin was committed, did not take away the Guilt, yet before he aggravated his Fault by killing or selling what he stole, the Satisfaction lessened the Punishment.

Exod. xxii. 7, 8. If a Man deliver to his Neighbour Money or Goods to keep, without any Advantage to himself, and the Things be stolen, the Thief, if he be found, was to pay Double. If the Thief could not be discovered, the Matter was brought into a Court of Justice, where three Judges, at least, were to examine upon Oath, and endeavour to find out the Truth : The Issue was, that he who pretended to have deposited the Goods, was to pay double if he brought an unjust Charge against his Neighbour ; or he with whom the Goods were deposited was to pay it, if it appeared he had dealt fraudulently ; but if it proved that the Goods were lost by meer Chance, he was not bound to pay any Thing. This Law is thus explained by *Maimonides*, according to the Opinion of the *Talmudist*. When a Man brings an Action against another about such Things as are here mentioned, and the Defendant confesses Part of the Charge, but denies the rest, he was to restore as far as he confessed ; but for the other which he did not confess, he was to be put upon his Oath : Or if he denied the Whole, and he that brought the Action had but one Witness against him, he was purg'd by an Oath ; for it seems this was one Case where a Man was compelled to clear himself by Oath, when he had been proved guilty by one Witness.

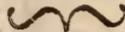
*Selden de Syned.*  
L. 2. c. 12.



## C H A P. XI.

*Of Lending and Borrowing: Of an Ox that gores with his Horns. Of Damages and Trespaffes.*

**A**N Ass, an Ox, a Sheep, or any other Beast, if it was lent to a Neighbour, upon certain Conditions, or let for Hire, and the Man affirms that he died, or was hurt, or driven away by Enemies; but there was no Witness of any of these Allegations, then the Cause was brought before the Judges to find out the Truth. The Method was, that the Man, to whom the Beast was delivered, was to purge himself by Oath, that he had not killed it, nor done any Thing to hurt it, and the Owner was to trouble him no further; nor was he bound to make any Satisfaction, provided he had used these Goods, according to the Agreement between them; for if he had employed them contrary to their Contract, then he was bound to make them good to the Owner, of whom they were borrowed or hired. If he refused to take the Oath, he was pronounced guilty, and Restitution was ordered to be made out of his Goods. But there were some Temperaments of this Law, for every Man was not allowed to purge himself by Oath; for Instance: He whose Reputation was so bad that they suspected that he would make no Difficulty to perjure himself, was not admitted to be adjured; no, though he that brought the Action required it. If it appear'd that the Beast was stolen through Negligence, he was obliged to make Restitution to the Owner, either because he was bound to have looked better after it by receiving Wages for his Care in keeping it, or engaging to

Book VI.  make it good, if he did not take the same Care of it as if it had been his own. If he would produce any Part of it as an Evidence that it was torn, and he endeavoured to rescue it, he was not to make it good. But here the *Hebrew Doctors* make many Exceptions; for they would have him make good what was torn by one Wolf alone, because they think he might have been able to defend the Cattle against one, though not against many. If also he put the Oxen, or Sheep into a Pasture that used to be infested with wild Beasts or Thieves; or if he did not call in the Help of his Neighbours: In these and such like Cases he was to make Reparation for the Damage.

A Beast lent to a Neighbour out of Kindness, without any Consideration for the use of it, if any Controversy arose about it, if it had received a Maim, suppose, or had died, the Matter was brought before the Judges. If the Owner was with the Beast that was lent at the Time of its Hurt or Death, it was presumed he would do his best to preserve it, and see it was not ill used, and so must bear the Loss. But if he was not present at that Time, then the contrary was presumed, that the Borrower was in Fault, and therefore bound to make it Good; which, though it may seem hard, was but necessary to make Men careful to preserve what was lent them out of pure Kindness. *Rabbi Livi of Barcelona* interprets this Law quite another Way: That if the Owner was with it at the Time it was borrowed, though not with it at the Time of its Hurt, or Death, the Borrower was free; but if the Owner was then present, but not at the Time of lending, he was bound to make it good; for *the Matter*, says he, *depends upon the Beginning of it*. If the Thing were borrowed with a Condition to pay so much for the Use of it, as the Lender demanded, then the Man who hired it was not bound to make it good, whether the

Precept 56.

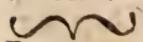
the Owner was present or not when it was hurt or died, but the Owner was to run the Hazard, because of the Hire which he received for the Use of it. Chap. 21.

A Man that opened a Pit in the Street, or the publick high Way, and left it uncovered, was to make good the Damage, by a Sum of Money, if a Neighbour's Beast fell into it and perished; but the dead Beast was to be his own: He was not concerned in this Law, if he digged a Pit in his own Ground, nor was he bound as before if he did cover it conveniently, and in Time the Cover grew rotten, and a Misfortune followed to another's Loss. Exod. xxi. 33.

If one Man's Ox gored another that he died (and the Law was the same among other Cattle, an Ox being mentioned only for Example) and the Ox that was killed was worth as much more as the other, yet Satisfaction was to be made only out of the live Ox which did the Mischief; he was to be sold and the money divided: But it might so happen that the Ox which was killed was of little Value, and the live Ox worth many Pounds, in which Case it seems so unreasonable, that the Man whose Loss was small should be a great Gainer by the Sale of the Ox which did the Damage, that the *Jewish* Lawyers resolve the Meaning of this Law is, the Man whose Ox was killed should receive for half the Loss he had sustained; but if it appeared that the Ox used to push, and was notoriously mischievous, the Sufferer was to receive a full Price for his Damage, but the dead Ox belonged to him who paid for the Loss. And by this general Rule the *Jews* regulated all other Cases, making those Mischiefs that were done by Beasts that were used to hurt, or were of a dangerous Nature to be punished above as much more, than the Damage done by a Creature that was commonly quiet, or with a part of his Body that was usually inoffensive. ver. 35.

L'Empereur in  
Bava Kama. c. 1.  
Sect.

Book VI.


 Exod. xxii. 5.

The Trespass done by Beasts eating another Man's Corn, or Grass, or spoiling his Vineyard, was thus repaired: The Sufferer was to have Satisfaction made him out of the best of that Kind which the Owner of the Beasts possessed. The *Jews* were so scrupulous in this Matter, that to prevent the Damage one Man might do another, they made a Constitution that no Man should keep Goats, or Rabbits, or any such small Creatures, near the Corn Fields, or Vineyards, or Oliveyards of his Neighbour; no, says the *Mishna*, nor in any part of the Land of *Israel*, but in *Syria*, or in the Desarts of their own Land.

 Bava Kama.  
c. 9. Sect. 7.

Exod. xx. 6.

If a Man kindled a Fire in his own Ground, and within his own Bounds, and it spread farther to the Damage of his Neighbour, he was obliged to make Restitution, though he had no Hand in putting Fire to the Stacks of Corn that were burnt by it, because he should have looked better after it when he had kindled it. But here the *Jewish* Lawyers consider at what Distance the Fire was kindled, and resolve, that if there was a Fence of four Cubits high, or a publick Highway, or a River between the Fire and the Field, or Stack of Corn that was burnt, the Man that kindled it was free.





## C H A P. XII.

*Laws of Mercy.*

THE judicial Laws relating to Mercy, to Charity and Compassion, were truly divine, and suitable to the Bounty and Goodness of the great Lawgiver to the meanest of his Creatures. A *Hebrew* was obliged to lend Money to the Poor of his own Nation without Usury; by the Poor, say the *Jews*, is not to be understood one that goes a begging, but a Person in such want as to deserve Pity more than those who have the Confidence to beg in the Streets. The Foundation of this Precept was to impress upon them the great Virtue of Kindness and Clemency, whereby poor People being assisted in this way of lending them Money *gratis*, might recover again into a better Condition under the Blessing of divine Providence. This Sort of Charity is frequently in the Scripture distinguished by the Name of *Righteousness*, which Word says *Maimonides*, does not merely signify the giving to every Man his own, but what a Man does out of pure Love to Virtue and Goodness, is properly called by that Name; that is, says Dr. *Hammond*, (in his *Practical Catechism*,) that Degree of Mercy, which the Law required of every *Jew*, without which he could not be accounted righteous. *Usury* in the Law is supposed to mean that which is taken for Money lent; and by *Increase* is understood what is received for the Use of Corn Fruits, or Goods; both these Oppressions are forbidden by the Law, which is so strictly interpreted by some *Jews*, that all *Israelites* are required to have no Hand in letting out Money, to Usury, either by writing the Bonds, or being a Witness to them,

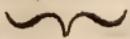
Exod. xxii. 25.

Deut xxiv. 13.

More Novech.  
p. 3. c. 53.

Lev. xxxv. 37.

Book VI.



or by being bound with others for the Interest of their Money; for the Word they observe is in the Plural Number, *Ye shall not put upon him Usury*; which Law is fully handled by Mr. *Selden*, who shews that some Usury was forbidden by the Law, other by the Decrees of the wise Man. The Law forbade them to contract, to receive back again any Sum of Money more than they lent. But it was further required by their wise Men that they should not receive any Gift before Hand, to induce them to lend, nor any thing by way of Gratuity to express their Thankfulness afterwards; yet this last was permitted in the Loan of Orphans Money, as *Maimonides* remarks; and there are some who think this Law only forbade them to take Usury of a *poor Israelite*, but not of a *rich*, it being unreasonable that he should increase his Wealth by the Use of his Neighbours Money, and he have no Profit by it himself.

Exod. xxii 25.  
De Jure. N. &  
G. l. 6. c. 9. 10.

No Usury was to be taken for Money lent to Profelytes; but some *Jews* will have it to be an affirmative Precept, that Usury must be taken of a Stranger, or a Gentile; but others of them have been so modest as to decree, that though the Law did permit them to take Usury of a Gentile, yet they were not to practise it, unless it was to provide for themselves that they might live more safely among other Nations; and they add this Reason for this Limitation, lest the *Jews* by this Way of Commerce and Traffick should grow too familiar with the Gentiles, and learn their Manners. Only Men that studied the Law might freely lend their Money upon Usury, for this very End, as they think, that they might make a Gain of it and enrich themselves. It is six Times forbidden in the Law, according to their antient Doctors, to lend to their *Brethren* upon Usury; and as nothing was more reasonable than this, that their Neighbours making great Gain by Merchandise, (such as the

*Wagenfeil. in*  
*Sota. p. 60.*

*Sidonians,*

*Sidonians, Tyrians, and those that lived upon the Red Sea, and Egyptians*) should not borrow Money of the *Israelites* for nothing; so it was no less equitable, that the *Israelites* themselves, whose chiefest Profit was by Husbandry and breeding of Cattle, should have Money lent them freely by one another without any Interest, their Land not being a Country of Traffick wherein Money might be improved as in other Countries. *Abarbinel* is so tender as to say that Usury has something in it so unequal (at least as it is commonly practised) that God did not permit the *Israelites* to exercise it among all their Neighbours, but only those of the seven Nations of *Canaan*. And thus far he is in the right, that every one who was not a *Jew* was not to be esteemed a Stranger. An *Edomite*, for Instance, is called their Brother; and therefore this Precept, *Thou shalt not lend upon Usury to thy Brother*, is to be extended to the *Edomites*. In like manner, says he, neither do the *Ishmaelites* come under the Name of Strangers, nor other People, but those of the seven Nations. And this Opinion *Leo of Modina* follows in his present *History of the Jews*, who observes further, that it is only their present Distress in which they have no other Way of Livelihood left, that makes them think it lawful to lend upon Usury to those among whom they live.

But though one *Hebrew* was not allowed to take Usury of another, yet he might require a Pledge for Money lent, to secure the Payment of it. Yet he was not allowed the Privilege of going into the House of the Debtor and take what he pleased; he was to stand without and take what the Borrower could best spare, who was to chuse what was proper to give; and if it was sufficient the Lender had Reason to be satisfied with it. If the Man was poor, so as to be obliged to pawn the Coverlid of his Bed, or any of his Bed Cloaths, or any Thing that contributed

Chap. 12.

Deut. xxiii. 30.

ver. 7.

Part II.  
Chap. 5.

Deut. xxiv 10.

Exod. xxii. 26

Book VI.



tributed to the Preservation of his Life or Health; his Pledge was to be returned before Night, lest, (says the Law particularly) he should be forced to borrow from others a necessary Covering to defend him from the Cold, and not be able perhaps to procure it. Any Barbarity that was exercised in Defiance of this Law God resolved to punish from himself; and say the *Hebrew* Doctors, the Offender was likewise to be beaten by Order of the Court of Judgment. This Injunction seems to have been intended to keep them from taking any Pledge of a poor Man; for to what Purpose should they every Morning fetch a Pledge, and every Evening carry it back again, which would only create them a great deal of Trouble.

Deut. xxiv. 6,  
7.

The nether or the upper Millstone was particularly forbidden to be received as a Pledge, because it was the Man's Livelihood, by which he maintained himself and his Family, and kept them from starving. Upon this Account it was unlawful to take any other Thing for a Security, by the want of which a Man might be in Danger to be undone; for Example, They did not allow a Man to seize upon the Oxen that were at Plough: He that broke this Law was scourged.



CHAP.



## C H A P. XIII.

*Of Charity to Widows and Orphans,  
and the Poor.*

**T**HE Widows and Orphans were intituled by the divine Law to all possible Tenderness and good Usage. No one (as *Rabbi Levi* remarks) was to give them Trouble in Word or Deed, but in all Commerce with them in buying, selling, or any other Intercourse to treat them not only civilly but kindly and benignly; because such have few or none to protect or plead their Cause; and therefore the Law took Care of them as if their Husbands and Parents were yet alive, to have Justice done them; it was Cruelty to take their Raiment for a Pledge. Whoever reviled, or insulted, or defrauded them, much more if any Man struck them, he was liable to the Judgment of God, who intended himself to be their Avenger, and punish him with Measure for Measure, by making his Wife a Widow, and his Children fatherless. If a Woman, say the *Jews*, shall afflict the Widow or the Orphan, she shall die, and her Husband shall marry another Wife who shall afflict her Children.

Exod. xxii. 2.  
Precept. 65.

A competent Provision was made for the Poor by an express Law. Every one was obliged to leave a Corner of his Field unreaped, for their Use; it must be a sixtieth Part, at least, as their wise Men have determined, and that in the extremest Part of the Field, rather than in any other Place, that the Poor might know where to come for it; if a Sheaf was forgotten, the Owner was not to go back to fetch it: But the *Talmudists* have given such a Construction of this Law, as to make it of little Use; for they say, a Sheaf was

Lev. xix. 9,  
10, &c.  
Deut. xxiv. 1

was

Book VI. was not taken to be forgotten, unless, not only the Owner of the Field, but all the Labourers forgot it; and if none of them remembered it, yet if a Man that passed by that Way came and gave them notice of it, it was not look'd upon as lost by Forgetfulness. Yet they are so kind as to extend this Law not only to Sheaves of Corn left in the Field, but to Bunches of Grapes, and other Fruit which was left behind in their Vineyards and Orchards; and it seems no unreasonable Interpretation of this Law that if an owner of a Field, or his Workmen called to Mind, before they were gone quite away, that a Sheaf was left in such a Place, they might go back and fetch it; but not if they did not remember it till they came into the City. They that would see more Cases about this Matter, may look into *Maimonides de donis Pauperum*, translated by the late Dr. Prideaux, and his very learned Annotations upon it. *Josephus* seems to have interpreted this Command with the greatest Charity, where he observes, that they were not only not to go back to fetch what they had forgotten, but to leave on purpose Corn and Grapes, and Olives, for the Benefit of the Poor, who are commonly put together as proper Objects for Relief, under the Name of the Stranger, the Fatherless and the Widow.

Cap. 5.

Antiq. l. 4. c. 3.

If an Ear of Corn fell (as they cut it, or bound it up) out of the Sheaves, or from under the Sickle, they were not to gather it from the Ground; but if three Ears fell at a Time, they might, say the *Talmudists*, be picked up.

Rabbi Levi  
Precept, 214.

In those Countries the Olive Trees were beaten with Sticks to bring down the Fruit, and the Owner was not to search the Boughs after they were once beaten; but the Poor might go into the Oliveyards, and gather what they found still remaining on the Trees. A Vineyard was not to be gleaned after the Grapes were once gathered; nor if any fell to the Ground as they gathered

Lev. xix. 10.

thered them, were they to take them up ; that is if Chap. 13.  
 one or two Clusters fell, but not if three, much  
 less if more ; for they understand this as they  
 do the Precept about the Ears of Corn. They  
 also say, they were bound to leave the Corners  
 of the Vineyard uncut, as well as the Corners  
 of the Field ; and that, says the Law, for the  
 Benefit of the Poor and the Stranger, who is sup-  
 posed to be a Profelyte of Righteousness, yet  
 they did not hinder any poor Gentile from par-  
 taking of this Charity ; and the Violation of  
 these Laws, by the Owner, was punished with  
 Beating : But say the *Jews*, if the Poor them-  
 selves left any behind, after the usual Time al-  
 lowed for the gathering such Fruits, or Corn,  
 as was left for them, it was lawful for the  
 Owner to take it himself ; and he was not  
 bound either to pay the Poor the Price of it, or  
 leave it for the Beasts and the Birds : For the  
 Command is, say the *Jewish* Doctors, ( who  
 nicely scan these Things ) that it shall be for  
 the Poor, and that it be *left* for them ; but not  
 any Thing given them in the Place of it.

*Selden de Jure.*  
 N. & G. c. 6.

These Precepts obliged such Strangers as were  
 Profelytes to the *Jewish* Religion, who before  
 they were admitted into the Church, were exam-  
 ined whether they understood that they must  
 observe such and such Laws, particularly these  
 of Charity to the Poor, which were propound-  
 ed to them plainly and distinctly ; and after  
 they had promised to keep them they were re-  
 ceived by Circumcision.

*Schickard Jus*  
*Regium. Theo-*  
*rem. 27.*

There is a Law which allowed the Poor, espe-  
 cially Travellers as they passed through a Vine-  
 yard, to eat what they pleased for their present  
 Use : This the Writers of that Nation under-  
 stand to be an Indulgence granted to poor  
 Labourers, who were hired to work in the  
 Vineyard in the Time of Vintage, whom the  
 Owners might not hinder from eating as many  
 Grapes as they would ( and the same held good

*Deut. xxiii. 24.*

Book VI. in Olives, Figs, Dates, and all other Fruit )  
 as long as they were at Work, but not after they  
 had done working : And if their Master would  
 not allow them the Benefit of this Law, he was  
 to be scourged with forty Stripes, save one. But  
 there is no Reason to restrain this Indulgence to  
 Hirelings of whom there is no mention at all in  
 this Law ; and therefore *Josephus* seems to have  
 justly enlarged this Privilege to all Travellers on  
 the High-Way, though they were not *Israelites*,  
 ( to whom, and to Profelytes of Justice alone,  
 they confine this Advantage ) but mere Stran-  
 gers of any other Nation, who had Occasion to  
 pass by a Vineyard and wanted Refreshment. By  
 this Permission they were not allowed to tread  
 down the Vines, and make waste among the  
 Grapes, but only to step aside out of their Way  
 into the Skirts of the Vineyard, which lay near  
 the Road, and there to satisfy their Hunger with-  
 out entring further in ; which was no Damage to  
 the Owner, considering the great Plenty of Fruit  
 in that Country. They might eat for their present  
 Necessity or Delight, but not to carry any away  
 with them in their Pouches, or Garments, or Bo-  
 soms, or so much as in their Hands. They  
 had the same Advantage in a Corn Field, which  
 say they, extended to *Jews*, but not to *Gentiles*,  
 under the Restrictions above-mentioned.

## C H A P. XIV.

*Mercy to Strangers, to Servants, to the Deaf, the Blind, to Beasts and Birds.*

Strangers, who had renounced Idolatry, had a Right to Humanity, and Tenderneſs, by Exod. xxiii. 9. an expreſs Command; they were to be dealt with equally in Courts of Juſtice without Diſtinction between them and *Israelites*. They were neither to vex a Stranger, nor oppreſs him; the firſt of which the *Hebrews* will have to conſiſt in not upbraiding him with his former State of Paganism, nor give him any afflicting Words, ſuch as, *Remember what thou waſt*, or, *what thy Father did*; and this was neither to be done to a Profelyte of Juſtice, nor to a Profelyte of the Gate, as far as Mr. *Selden* could judge of their Opinion. The Second *not to oppreſs him*, conſiſted in not uſing him hardly in their dealing with him, by making him pay (for Inſtance) more for any Thing than it was worth; which De Jure N. & G. c. 4. the ſame Mr. *Selden* thinks, the *Hebrews* were of Opinion, belonged only to their Uſage of Profelytes of Juſtice, who were perfectly in their Communion: But this is unreaſonable; as *Levi* of *Barcelona* obſerves, by thus treating any Profelyte they might endanger their Return to Paganism again, out of Indignation to be ſo deſpiſed, and much more, when they ſaw they were wronged, which God took care they ſhould not be becauſe they were more helpleſs than other Men, and had fewer Friends; and this is the Reaſon that this Precept, as the *Jews* themſelves have computed, is inculcated in one and twenty Places. The Motive to inforce Obedience to this Law was the Remembrance of the Oppreſſions they ſuffered in *Egypt*, where they were  
Stranger,

Book VI. Strangers, and from whence they were delivered only by the divine Mercy which they ought to imitate.

  
Deut. xxiv. 14.

A hired Servant was not to be oppressed either by putting more Work upon him than he was able to do, or by detaining his Wages when it was done : There were two Sorts of People, say the *Jews*, that wrought for Hire, one were Day Labourers, the other Labourers by Night ; neither of which were to stay for their Wages beyond the Time appointed, but the one were to have it before Sun-set, the other before Morning ; for it was due as soon as the Day or the Night was done ; for says a *Rabbi*, the merciful God would have his Creatures subsist, which poor Labourers cannot do if they want their Wages to buy them Victuals. No Difference was made between a natural *Jew* and a Profelyte of the Gate ; the Hire was to be paid that was due to him either by Contract, or by natural Equity, whether he had agreed to serve for a Day, a Month, or a Year, unless he was willing it should remain in his Master's Hands. The Breach of this Law was punished by God, who promised to hear the Cries of the Poor, and to avenge them.

*Levi Barcel.*  
Precept- 238.

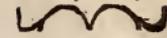
Lev. xix. 14.

It was a cruel and base Indignity to curse the Deaf, whether Man or Woman, though he could not hear the Curse, so was insensible of the Injury, nor could he do himself right, or answer for himself. The Case of the Sick and Infirm, or the Absent, was the same with the Deaf. As for others who were not deaf, it was forbidden to curse them, says *Maimonides*, because it provoked Men to Anger, and Rage, and incited them to Barbarity and Revenge. It was equally inhuman to put a Stumbling Block before the Blind, which proceeded from so savage a Disposition, that the *Hebrew* Doctors seem to think Men incapable of it ; and therefore expound this Law of giving ill Counsel to simple Persons, and advising them

*More Nevoch.*  
P. 3. c. 5.

to their Disadvantage. If any Man was convicted of either of these Crimes, he was beaten.

Chap. 14.



Exod. xx. 10.

Nor were the brute Beasts forgotten in the Laws of Mercy, and Compassion, enacted by *Moses*; the Cattle that were usually employ'd in their Labours had a Right to the Benefit of the Sabbatical Rest; and this was absolutely necessary, it being impossible for their Servants to observe the Sabbath as they are required, if they were obliged to set their Beasts to Work.

It was a Matter of common Right for one Man to take care of the Beasts of another, and this belong'd to their Enemies as well as Friends. If a Man met an Ox or a Sheep, or any other Beast going astray, he was bound not only to give Notice to the Owner, but to bring it back himself; if the Owner lived at a great Distance, or it could not be discover'd who he was, he was obliged to make Proclamation by the publick Crier, that such a Beast was with him, and that, say the *Jews*, three or four times. But here they are pleas'd to make a Distinction, that they were to do this, if there were Marks upon the Beast; but if there were none they were not bound to cry it, which seems to be an unreasonable Limitation. The Beast was to be restored when demanded by the Owner, he paying the Charges of Keeping it from the Time it was taken up till it came into his Hands. But if no body could prove a Right in the Beast that was lost, it became his who found it, and he might lawfully, by Right of Possession, keep it as his own. In all other Cases of Things lost, the same Law was to be observed.

Deut. xxii.  
1, 2, &c.

*Selden de Juris*  
N. & G. c. 4.

An *Israelite* was forbidden to turn away his Eyes, as if he did not see the Danger an Ox or any other Beast was in that was fallen down, or oppress'd by his Burden, but was commanded to help it up, though the Owner was his avowed Enemy. This Precept the *Jewish* Doctors, after their usual Severity, would have belong only to an *Israelite* that hated them; and they put several Cases upon this

Exod xxiii. 5.

Book VI. Law ; as what if the Beast be a Gentile's, and the Burden was the Property of an *Israelite*, or on the contrary, what is to be done? And if they meet with two Beasts belonging both to *Israelites*, and labouring under Burdens ; but one the Beast of a Friend, the other of an Enemy, which is he bound to help? In which they resolve, that he is by this Law to have regard to the Beast of his Enemy, that he may subdue his evil Affection which would persuade him otherways. These Writers have raised many other Difficulties which are equally nice and insignificant. *David Chytraeus*, a Man of Learning, in his Observations upon this Law gives a famous Example of this Sort of Piety in *Alphonsus*, King of *Naples* who travelling upon the Road with a great Number of Courtiers, and seeing a poor Ass with a Burden sunk into a deep Slough, ( when all that went before him passed by without any Regard ) when he came to the Place stop'd, and went himself to the Driver, and lent him Assistance to help the Ass out of the Dirt.

*In Locum.*

Deut. xxv. 4.

It was a Custom among the *Hebrews* ( as well as among the *Egyptians*, the *Greeks* and *Romans* ) to use Oxen in treading out their Corn, either with their Feet barely, or by drawing a Cart or other Instrument over it ; and while they were at Work some muzzled them, others daubed their Mouths with Dung ; others hung a wooden Instrument about their Neck, which hindred them from Stooping down, or put sharp pricks in their Mouths, or kept them without Drink, or covered their Corn with Skins to prevent their coming at it ; which Inhumanity is forbidden by *Moses*, who instructs his People, by shewing Mercy to their Beasts, to be kind and compassionate one to another.

Deutxxii. 6.

The Birds, especially such as were clean, and might lawfully be eaten, were likewise to be used with Tenderness. If a Man found a Nest, he might take the Young, but the Dam he was obliged

obliged to let fly : It being a sufficient Affliction, as *Maimonides* calls it, to the old One to lose her Young ; and it being unreasonable also, that Men should consider only their own present Interest, without regard to Posterity, to whom the Breed ought to be continued, by letting the old One go free. Long Life and temporal Prosperity are annexed to the Observation of this Law ; from whence the *Jews* have fancied that the Observation of this single Precept was of so great a Value, as to procure even Forgiveness of Sins, and a long Life, which is such a foolish Conceit, that it makes all other Commands unnecessary. The plain meaning is, that God would reward them for their kind Usage even of brute Creatures ; if they were possessed of other Virtues, such as Charity to their poor Neighbours. And so the *Mischna* discourses well, if in a light Precept concerning a Thing which is scarce worth a Farthing, the Law says, *That* *Traet. Cholin.* *it may be well with thee, and thou mayst prolong thy Days ;* how much more may this be expected from obeying more important Matters of the Law ?

## C H A P. XV.

*Laws concerning Food. The eating of Blood forbidden.*

**T**HE first Grant made to Mankind concerning *Food* was soon after the Creation, Gen. i. 28. and extended no further than to the Plants and Fruits of the Earth. There is no mention of Beasts, or Birds, or Fishes in this Assignation ; for being made in Pairs, in their several Species ( we may well suppose ) and not being yet multiplied, the killing of them would have been the Destruction

Book VI.  struction of the Kind ; whereas there were Plants innumerable, and great Variety of Fruit for Suf-tenance. Mankind therefore, though there was no Prohibition, yet are thought to have abstained from the eating of Flesh till after the Flood, un-less it were upon some special Occasions ; as perhaps, when they sacrificed living Creatures, which they did in Process of Time, though not at the first.

Gen. ix. 3.

This Grant was enlarged immediately after the Deluge, by allowing the Eating of all living Creatures ; otherwise, says *Abarbinel*, there would not have been Food enough for *Noah* and his Sons ; the Fruits of the Earth, which were be-fore abundant, being all destroyed, so that for the present there were not sufficient for their Sup-port. Others think the Reason of it was, because the Fruits of the Earth were not so nutritive as they had been, before the salt Water of the Sea very much spoiled the Soil. But this Privilege was restrained by an Exception, that the Blood of Beasts should not be eaten, just, as at the first, one Fruit in the midst of the Garden was excepted when all the rest were allowed. The *Hebrew* Doctōrs generally understand this to be a Prohi-bition, to cut off any Limb of a living Creature, and to eat it while the Life, that is the Blood, was in it : For *Maimonides* conceives, that there were some People in the old World so fierce and bar-barous, that they eat raw Flesh while it was yet reeking from the Beast, out of whose Body it was cut, and this he makes to have been a Part of their idolatrous Worship : The Pagan Kings, says he, used to follow this Custom in the Sacrifices of their Idols, when they cut off the Limb of the Beast and feasted upon it. But it was certainly a positive Precept that the Blood of no Creature should be eaten, and the true Design of this In-junction was, that God intending in after-times to reserve the Blood for the Expiation of Sin, required this early Abstinence from it, that the

*More Nevoch.*  
P. 3. c. 48.

He-

*Hebrews* might be the better prepared to submit to that Law, and understand the Reason of it, which was, that it was *the Life of the Beast*, which God accepted instead of their Life, when they had forfeited it by their Sins.

Chap. 15.

This Prohibition was renew'd several times in the *Mosaic* Law, and the *Jews* make a particular Remark upon the Penalty annexed to it, which was, that God would set his Face against the Criminal, which Threatning is denounced but once more in the whole Scriptures. God says (as *Maimonides* notes) I will set my Face against that Man that eats Blood, as he says of those that did immolate their Children to *Moloch*, that he would set his Face against them; and this Expression is to be met with no where else, but only in these two Commandments against eating of Blood and Idolatry; the Reason is, because the Eating of Blood had a Relation to certain Sorts of Idolatry, and gave Occasion to the Worshipping of the Devil: And this he proves by observing, that though among the *Zabii*, Blood was looked upon as a very unclean and defiling Thing, nevertheless they did eat it, because they regarded it as Meat proper for the Gods, and believed that such Persons as did eat it, enter'd thereby into a Correspondence with the Deities, who would reveal to them future Things. There being some among them who look'd upon it as a great Hardship to eat Blood, against the Use of which Nature it self seemed to have raised an Abhorrence in Man, they used the following Expedient. They sat down in a Circle to eat the Blood, not that they did actually eat it, but flatter'd themselves with a Notion that whilst they were feeding upon the Flesh the Gods did eat the Blood, and that by so doing, they contracted a certain Commerce and Correspondence, and Familiarity with them, since they did eat at the same Table and of the same Meats.

Lev. xvii. 10.  
More Nevoch.  
P. 3. c. 46.

Book VI. The *Jews* have made a vast Number of Observations upon this Prohibition of eating Blood, too long to be inserted here. They were extremely careful in the Manner of the killing of their Beasts, so that no Blood might remain in the Fleehy or musculous Parts; and *Maimonides* thinks, he has found out a singular Mystery in the Words of the Law, *The Blood is the Life*. He distinguishes the Blood into that which, as it issues forth, carries the Life along with it, being the same that is poured upon the Altar, and which springs out with a considerable Force or Impetuosity when the Beast is killed; he who eats this Sort of Blood is to be cut off from his People; but he who eats of the Blood which comes out by Drops after the Beast is dead, or that which Issues immediately after the Wound is given, before the Beast begins to die, deserves to be scourged only: The Writers of that People assert further, that the Blood forbidden to be eaten must be separated from the Body of the Beasts, because they did not think fit a Person should be made a Criminal, for having eaten some of the Blood distilling from the Wound, which ought not to be taken as separated from the Body. According to the Tradition of the *Jews*, this Precept concerning Blood (which is the seventh among those they call the Commandments of the *Noachides*) was the only one given to *Noah*, whereas the other six were delivered to *Adam*. This Law was equally obligatory upon *Israelites* and Strangers.

*Maimon. Tract.  
Schechita.*



## C H A P. XVI.

*Of Beasts Clean and Unclean. Of Fishes.*

THE divine Bounty having bestowed upon Mankind after the Flood every living thing to be their Food, it has raised a Question among learned Men, why he should restrain his own People from the Benefit of this general Grant; and some have thought this so unaccountable, that they think it in vain to enquire into the Reasons of the Difference that is made of Meats; concerning which *Cunçus* declares (as *Plutarch* does of the Laws of *Solon* and *Lycurgus*) that no doubt they were enacted with wise Counsel, but the Reason of the Law-givers cannot be known. But others conceive the Reason is sufficiently plain, and the *Jews* are of Opinion, that the Creatures called Unclean were forbidden to be eaten, because they were unwholesom Food. This Opinion perhaps is not wholly groundless, for though there be some Creatures prohibited which seem to us of as good Nourishment as those which are allowed, yet considering that Climate wherein the *Jews* lived, and the Temper of their Blood which was very hot and apt to be extremely corrupted (as appears by the unusual Leprosie, to which they were subject more than other Nations) it is reasonable to conclude, that God had some Respect to this in the Ordering of their Diet. But the principal Design was certainly to separate the *Israelites* from all other People in the World, by a Rule of Eating peculiar to themselves, which kept them from such familiar Conversation as otherwise they might have had with the *Gentiles*, and consequently from learning their idolatrous Customs. Besides, it may be observed, that most of the Creatures which are

Lev. xi. 12, &amp;c.

De Rep. Heb. cap. 24. lib. 2.

Book VI.



pronounced Unclean, were such as were in high Esteem and sacred among the Heathen; as a Swine was to *Venus*, the Owl to *Minerva*, the Hawk to *Apollo*, the Eagle to *Jupiter*, and even the Dog to *Hecate*; which gave Occasion to *Origen* justly to fall into Admiration of the Wisdom of *Moses*, who so perfectly understood the Nature of all Animals, and what Relation they had to Dæmons, that he declared all those to be unclean which were esteemed by the *Egyptians* and other Nations to be the Instruments of Divination, and those to be clean which were not so: And if in the Time of *Moses* such Creatures were not sacred to Dæmons, it is a greater Wonder that he should mark out those for impure which proved to be so sacred to after Ages; as a great Number of Birds mentioned in *Porphry*, who says, the Gods used them as Heralds to declare their Mind to Men; and several other Creatures mentioned by other Authors, as peculiarly appropriated to other Deities.

*Contra Celsum.*  
l. 4.

L. 3. πῆξι  
Ἀποχρῆσι.

Gen. xxxii. 31.

*Selden de Syned.*  
L. 2. p. 552.

All Beasts, it is observed, were lawful to be eaten before the Restraint laid upon Food by the *Levitical* Institution; but before the Law was deliver'd and long afterward, there was one particular Part of clean Creatures that the *Israelites* avoided to eat, upon the Account of a Misfortune that happen'd to the Patriarch *Jacob*, when he wrestled with the Angel, who in the Contest touched the Hollow of his Thigh, and dislocated his Hip-bone; in Commemoration therefore of this Adventure, his Posterity forbore to eat that Sinew or Tendon which fastens the Hip bone in its Socket, which comprehends likewise the Flesh of that Muscle which is connected to it. The Offender against this Law, as the *Jewish* Masters tell us, was to be punished by Beating.

The Law concerning the Eating of living Creatures, is divided into four Branches, and relates to Beasts, to Fishes, to Birds, and to creeping Things. Of Beasts, there are some whose Hoofs are solid and not at all divided, such as Horses, Asses, and

Mules;

Mules ; others that are divided into several Parts like Toes, as Lions, Wolves and Dogs ; a third Part are only divided into two Parts, as Oxen, Deer, Sheep ; and these are of two Kinds, for some divide the Hoof into two Parts, but is not cloven quite through as the Camel, whose Hoof is parted above but joined by a thick Skin below, and therefore reckoned among unclean Beasts ; others are both divided and cloven, which are in that Respect pronounced clean by the Law.

But to render Beasts perfectly clean, it was necessary that not only the Hoof should be cloven entirely through, but they were to chew the Cud, that is, they were to be such as had not a Set of Teeth above and below ; such are Oxen, Sheep and Goats, which want upper Teeth, and therefore bring their Meat up again into their Mouths after it has been sometime in the Stomach, that it might by a new Chewing of it be better prepared for Digestion. The Author of a Book called *Porta Cali* explains this very exactly ; when he says, for want of Teeth they cannot chew their Food perfectly at one time, nor can the Stomach make a perfect Digestion till it be ground a second time, and therefore such Creatures are provided with a double Stomach, an upper, into which the Meat goes down after the first Chewing, and another, into which it is sent after it has been grinded a second Time. All Kinds of Animals which had not every one of these Marks ( of parting the Hoof, and being cloven footed, and chewing the Cud ) were unlawful to be eaten ; and such are these.

The *Camel*, who chewed the Cud, and whose Hoof, though it divided, yet it was not cloven through.

The *Coney*. This Beast is said to chew the Cud, which it certainly does not ; and therefore the learned *Bochart* proves by many Arguments, that the Original signifies a Mountain Mouse, which make their Holes in Rocks, as Rabbits do not,

*Hierozoic. P. I.*  
L. 3. c. 33.

Book VI. not, and chew the Cud, but because he did not divide the Hoof, he was unclean.

Prov. xxx. 26.  
Lib. 3. c. 22.  
Bartholinus  
Cent.  
Anatom. 2.  
Hiff. 86.

The *Hare*. This Creature does not divide the Hoof, but chewing the Cud is ascribed to it; and *Aristotle* in some measure confirms it by saying, it has a Runnet in the Stomach. An eminent Anatomist has made this Observation in his Dissection of a Hare, that though he found but one Stomach, which made him wonder, at first, that *Moses* should reckon it among the Creatures that ruminates; yet he found that what was wanting in the simple Stomach was supplied by the Largeness of the *Intestinum Cæcum*, which Gut is of a great Bigness, consisting of two Parts; in one of which he found liquid and white Excrements, (like to Chyle) as if it were another Stomach; the other Part toward the *Ileon* being full of black Excrements.

The *Swine*; which, though it has the first part of the Mark of a clean Creature compleatly, being cloven footed as well as having the Hoof divided, yet not chewing the Cud, is forbidden to be eaten. And this, no doubt, was the sole Foundation why the *Jews* abstained from this Meat; whose filthy feeding and wallowing in the Mire, *Maimonides* fancies, was the only Cause why it was prohibited; others give the Reason, because it feeds upon Flesh, and some that it breeds the Leprosy; to which the Inhabitants in those Countries were very subject: But whatever Grounds there might be of this Prohibition, that alone could not be the Reason why the whole Nation of the *Jews* abhorred this more than any unclean Creatures which were equally forbidden with this, insomuch that they called it *another*, or a *strange Thing*; which arose certainly from some other Cause, that in process of Time made this the most abominable of all other Creatures; and that was, it is supposed, because the Gentiles used it in their Sacrifices and Mysteries of Religion, and because nothing was accounted a more delicious Food

More Nevoch.  
P. 3. c. 48.  
Cunæus de Rep.  
Heb. 1. 2. c. ult.

Food among many great Nations ; which, ( if a strong Abhorrence had not been infused into the *Jews* of this Creature ) might have invited them to their Tables, and bred such Familiarity with them as might have concluded in Idolatry. They were not allowed so much as to open these Beasts to take out the Fat, and apply it to any Use. In this the *Jews* are so scrupulous, that they say they may not touch them though alive, with one of their Fingers, for fear of the Leprosy, it being a proverbial Saying among them, *that ten Measures of Leprosy descending into the World, Swine took to themselves nine of them, and the rest of the World one.* The Touch of these Beasts that were prohibited to be eaten when they were dead, made a Person unclean until the Evening : but while they were alive it was not unlawful to touch them, for they used Camels, and Horses, and Asses, for their necessary Service.

*Moses* gives the Names of some of those Creatures that had the Marks to pronounce them clean, and in the first Place he mentions

The *Ox*, the *Sheep*, and the *Goat*, because they were the only Creatures offered to God in Sacrifice.

The *Hart* and the *Robuck*, and the wild *Goat*, these, though they might not to be sacrificed, yet were allowed to be eaten ; and are often named as the principal Food in the Land of *Canaan*.

The *Pygarg*. This is also a Kind of Doe, or Goat, which the *Hebrews* call *Dison*. We find mention of *Pygargus* in the eleventh Satyr of *Juvenal*, where the old Scholiast gives this account of it, that it is a kind of Deer, *quæ retiores partes albas habet*, whose hinder Parts are white ; whence it had its Name among the *Greeks*, who call the Buttocks, *Pugæ*.

The wild *Ox* ; *Bochart* asserts, that there were no such Creatures in *Judæa*, which are bred in colder

*Hierozoic. P. I.*  
l. 3. c. 28.

Book VI. colder Countries ; therefore he reckons this among the Deer or Goats.

The *Chamois*. This also was a Kind of Goat, or Hart, of which there were great Variety in those Countries ; but this was remarkable for Activity and Jumping. There are no more Particulars of clean Beasts mentioned in the *Mosaic Law*.

Though some of the Heathens abstained constantly from all Fish, and others for some time only when they were under strict Obligations of Purity, yet the *Hebrews* were left at greater Liberty, being forbidden only some kind of Fish, by abstaining from which they were sufficiently distinguished from those Nations which did eat all indifferently, and accounted Fish the greatest Delicacy. Fish, whether they were found in Seas, or Rivers, or Lakes, or Ponds, that had Fins and Scales, were to be eaten : But their Doctors say that if but one Scale was found upon a Fish it was accounted lawful ; and they had no Occasion to observe whether it had Fins or no ; for all that have Scales, they say, have Fins, though on the contrary, all that have Fins have not Scales. They observe also, secondly, that it was lawful to eat young Fish before the Scales appeared, if they were of that kind that have Scales, when they are grown : And thirdly, all Fishes that have Scales when they are in the Sea, but cast them when they are taken out, are lawful. It was an *Abomination* to eat any Fishes that had not these Marks, ( which is not said of Beasts, that are only called *unclean* ) because there was greater Danger of offending in this Matter, Fishes being a more common Food among the People of the *East* than Flesh, or any other Diet.

*Levi Barcel.*  
*Precept. 150.*

## C H A P. XVII.

## Of Birds clean and unclean.

THE Lawgiver of the *Hebrews* laid down no Notes to distinguish clean Birds from unclean ; and therefore their Doctors say, all Birds are lawful to be eaten, but those hereafter mentioned, which they were to have in abhorrence ; yet they venture to give certain Marks of a clean Bird, the Principal of which are, if it does not fasten its Talons ; that is, if it be not rapacious, and has one Claw longer than the rest. The Birds forbidden are

The *Eagle*, whose Flesh is very hard, and Nature ravenous ; and therefore upon a natural and moral Account some Authors fancy it was prohibited : But *Origen*, I think, has given a better Account in the Place above-mentioned, that *Moses* by his admirable Wisdom understood what Lib. 5. Orat. 5. Creatures were look'd upon as prophetic by the *Egyptians*, and other Nations, and these he forbid to the *Jews*, among which he expressly names the *Eagle* and the *Hawk* ; for *Diodorus Siculus* relates, that the People of *Thebes* worship the *Eagle*, looking upon it as a royal Bird, worthy of *Jupiter*, ; and *Julian* in his Oration upon the Mother of the Gods, says, that in the Time of their strictest Purifications they were permitted to eat Birds, except a few which had commonly been held sacred, which is a plain Acknowledgement of the Sacredness of some Birds among the Gentiles.

The *Osifrage* ; a Species of the *Eagle*, but of what Kind is not so certain.

## Book VI.



The *Osspray*, or *black Eagle*, which though it be the least, is the strongest of all other; and therefore called *Valeria* by the *Romans*.

The *Kite* and the *Vulture* after his Kind; that is, all the Species of them.

Every *Raven*, of which the *Arabian* Writers mention four Kinds; and some think under this Name is comprehended, not only *Crows*, and *Daws*, and *Coughs*, but *Starlings* and *Pies* also.

The *Owl*. The *Hebrew* word signifies a Bird which inhabits the *Wildernesses* and *desolate Places*, by which the *antient Interpreters of Scripture* understand the *Ostrich*; and it is certain it was the constant *Perfuasion* of the *Jews*, that God did not permit them to eat the *Flesh* of an *Ostrich*, which is no where forbidden if not in this *Law*. It is supposed to mean the *Female Ostrich*.

*Hierozdic. P. II.*  
l. 2. c. 14.

The *Night-Hawk*. The Word in the Original, says the learned *Bochart*, signifies the *Male Ostrich*; for there is no general Name for this Bird in the *Hebrew* Language to comprehend both Sexes (as there is for an *Eagle* and a *Raven*) and therefore *Moses* mentions both *Male* and *Female* distinctly, that none might think by forbidding one of them only, he allowed the other.

The *Cuckow*.

The *Hawk* after his Kind. There are various Kinds of these Birds; *Callimachus* mentions six, *Aristotle* ten, and *Pliny* sixteen Sorts.

The *Little Owl*. The learned Author above has collected many ingenious Arguments to prove that the Word in the Original signifies a *Bittern*.

The *Cormorant*: The same excellent Person does not approve this Translation, yet he confesses the *Hebrew* Word signifies some *Sea-Bird*, which sits upon *Rocks*, and strikes at *Fishes* with great Force, and draws them out of the *Waters*.

The

The *Great Owl*. St. *Hierom* takes the Word to signify a *Stork*, and others a *Bustard*.

The *Swan*.

The *Pelican*.

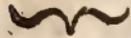
The *Gier Eagle*. It was of a dubious Kind, between an *Eagle* and a *Vulture*; and therefore happily translated by us a *Gier Eagle*, that is, a *Vulture Eagle*. It was a harmless good natured Bird, and was made the Hieroglyphick of Mercy and Tendernefs among the *Egyptians*.

The *Stork*. This Bird, notwithstanding his Piety, so much celebrated by Authors, and which is the very Import of the Word, in the Original, was prohibited, it is supposed, because it feeds upon Serpents; though upon this Account it was had in Honour by the *Egyptians*, and the People of *Thessaly*.

The *Heron* after his Kind. The Word in the Original being derived from another, which signifies Anger, *Bochart* rather takes it for a Mountain *Falcon*, which is a fierce Bird, and very furious.

The *Lapwing*, conceived by the *Hebrew* Doctors to be a Mountain Cock with a double Crest.

The *Bat*. *Moses* begins the Catalogue of Birds with the noblest, which is the *Eagle*, and Ends it with the vilest, which is a *Bat*, being of a dubious Kind between a Bird and a Mouse. The Name in the *Hebrew* imports it to be a Bird of Darknefs. It is observed the Birds that are forbidden are either rapacious, and live on Flesh, as *Eagles* and *Hawks*, or are Night Birds, as *Owls* and *Bats*, or haunt Marshes and Lakes, as the *Cormorant*, or are heavy and not easily raised from the Earth, as the *Ostrich*, or live upon Dung and Course Diet, as the *Lapwing*; and upon these Accounts are prohibited by *Moses*, who allows those that live upon a cleaner Food.



## C H A P. XVIII.

Of creeping Creatures *that flew.*

**A**LL flying Things that go upon four Feet (called in our Translation, *Fowls that creep*) are expressly forbidden by the *Mosaic Law*, such as *Flies, Wasps* and *Bees*. A *Fly* indeed is observed to have six Feet, yet it goes only upon four, the two Forefeet serving for other Uses. From this Prohibition are excepted such flying Insects, as beside their four Feet wherewith they go, have two Legs, or Thighs, which give them Power to leap upon the Earth as well as to go. As to the various Sorts of *Locusts*, it is observed, there are nine Kinds of *Locusts* mentioned in the Scriptures; four of which are only permitted to be eaten; the first is called,

The *Locust* after its Kind, which is supposed to signify a peculiar Sort which leap'd as well as walk'd.

The *Bald Locust* after its Kind, which takes great delight in climbing upon Rocks.

The *Beetle* after its Kind. This Sort of *Locust* seems to have its Name from the vast Company wherein they fly: But the Word is improperly translated a *Beetle*; for those Insects are never eaten; nor are they four footed, with Legs to leap withal.

The *Grassopper* after its Kind. These are likewise a Species of *Locusts* in the Shape of *Grassoppers*, which were fit for Food, being large and fleshy in the *Eastern Countries*, and used to fly in such Troops that they seemed to darken the Sun it self. These *Locusts* that were to be eaten are called in the Original *Arbeh, Solam, Chargol*, and *Chagab*; but by what Marks they

were

were distinguished, the *Hebrews* differ so much, Chap. 18. that it plainly shews they are ignorant in this Matter. The most that can be made of what they say, (as a Man very learned in these Things has observed) is that the first hath neither a Bunch on his Back, nor a Tail; the second has a Bunch and a Tail; the third has both; the fourth has a Tail but no Bunch; which, whether it be true or false, is of small Importance to us. But this is certain, that before the Destruction of *Jerusalem* the *Jews* knew very well what Kind of *Locusts* were meant in the *Levitical* Law, and accordingly perfectly understood what might be eaten and what not; otherwise *John the Baptist* would have been under great Difficulties in the Wilderness when he had no other Diet but this and wild Honey. And indeed in desert Places there was little other Food but this by which whole Armies of Men have been relieved when they were in Danger to perish in *Lybia*; for that *Locusts* were a common Food in the *Eastern* and *Southern* Countries, is so evident, that I have no occasion to produce Authorities to prove it. The learned Author before cited has shewn at large, how many Nations live upon them, in his Commentary upon his *Ethiopick History*, and more lately in his most excellent *Dissertation concerning Locusts*; wherein he relates what Clouds of them came into *Germany*, not many Years since, (in the Month of *August*, 1693,) of which seeing the Hogs and Hens, and other Creatures, feeding greedily, he, and his Family, ventured to eat freely of them also, and found the Taste of them like that of a *Crab*. And a *Jew* of *Jerusalem*, who was then in that Country, assured him, that the *Locusts* in *Judæa* were much of the same Shape, with these in *Germany*, which he demonstrated to him by a Draught he had made of them.

Ludolph. Dissert.  
de Locust. P. 1.  
c. 23.

It may be proper in this Place to observe once for all, that the Phrase, *after his Kind*, so often

Book VI. repeated in the Laws concerning *Fowls* and *Flying Things*, does not necessarily signify, that there are different Kinds of every Bird, or flying Thing to which it is applied, but only imports, *every one of that Kind*; for *Moses* does not speak in the plural Number, *according to their Kinds*, but in the singular, *after his Kind*, which only denotes that the whole Species is prohibited; and what he says of some Fowls, is in Reason, to be applied to all; though, to avoid Repetition, he does not add these Words, *after his Kind*, to every one of them.

All other flying creeping Creatures (as they are called) that came under the Description and Character above-mentioned, whether they were Locusts, or of any other Species, were strictly forbidden; if they did either eat of them, or so much as touch the Carcase of them, they might not be admitted to come into the Tabernacle, nor to taste of any holy Thing, or to converse with their Neighbours. In this Uncleaness they continued till Sun-set. It is not said, (as in other Cases) that they were to wash themselves, or their Clothes, which makes it probable that their meer Separation, for all the Day, from Communion with God, and one another, was their Cleansing without any other Purification. But there are so many Commands for washing themselves and their Clothes in other Defilements no greater than this; that it has persuaded some to think that such cleansing was necessary upon this account also. The Law enjoins expressly that whoever bore any of the Carcase of them, though it were only to carry them out of the Camp, or City, to prevent Infection, was defiled till the Evening, and was obliged to wash his Clothes, and his Body in all likelihood, as was required in other Purifications. No Time is appointed for this, which perhaps a Man might think fit to do presently, but notwithstanding he was to remain unclean till the setting of the Sun.

Lev. xv. 5, 6,  
7, &c.



## C H A P. XIX.

Of Beasts that went upon their Paws.  
 Pollution by touching their Carcases.  
 Of Creeping Things that move upon  
 the Belly.

CREatures that go upon their Paws (or as it is in the *Hebrew*, upon their *Hands*) whose fore Feet resemble *Hands*, such as the Ape, the Lion, the Bear, Dogs and Cats, might neither be eaten, nor their Carcases touched without incurring Uncleanness till Sun-set: To bear them when they were dead contracted the same Pollution, besides the Penalty of purifying the Clothes, and perhaps the Body, by washing.

The Law of *Moses* descended to creeping Things, Creatures that have such short Feet, that some of their Bellies seem to touch the Ground;

Of this Kind are,

The *Weasel*, which is supposed rather to signify a *Mole*.

The *Mouse*, that is, say the *Jews*, the *black Mouse*, the *red* and the *white*; for they are of so many Colours.

The *Tortoise* after its Kind: The Seventy understand this Creature to be a Land *Crocodile*, which is a Sort of *Lizzard*, a Cubit long, to be found frequently in the Deserts of *Arabia*.

The *Ferret* is said to be another Sort of *Lizzard*, which the *Latins* call *Stellio*, and in those Countries has a shrill Cry.

The *Cameleon*: The Word imports the strongest of all the *Lizzard* Kind; remarkable in those Countries for its sharp Encounters with Serpents and Land *Crocodiles*.

Book VI.

The *Lizzard*; it is agreed, that this likewise is a Species of the *Lizzard*, but of what Kind is hard to determine. The learned *Bochart*, out of the *Arabian Writers*, has shewn, it resembles that which is of a reddish Colour, and lies close to the Earth, infecting the Meat, which it touches, with its Poison.

The *Snail*, a Sort of *Lizzard*, says the same Author, that lies in the Sand.

Hierozoic P. I.  
L. 4 c. 6.

And the *Mole*, conceived by the same admirable Person, to signify the *Cameleon* which gapes to draw in the Air. But after all that can be said, it must be confessed, that the Signification of all these Words are lost among the *Jews*; for as a great Man among them freely owns, neither these eight Sorts of creeping Things, nor the Birds above-mentioned, are known to us but by Tradition; and it is certain that the *Talmudists* send those who are doubtful, what Birds are lawful, and what not, to be informed by those who are Masters in the Art of Fowling. The eight Creatures, here mentioned, were forbidden to be eaten, and to touch their Carcasses contracted a Pollution till the Evening; for nothing was unclean by the Law of *Moses* while it was alive, but only a Leper, and a Woman in her Separation; all other Reptiles, say the *Jews*, as Serpents and Scorpions, you may touch and not be polluted.

Aben-Exra in  
Lev. xi. 30.

The very touch of the Carcasses of these Creatures defiled every Vessel of Wood, or Mettle, all Raiment, Skins, Sacks, and other Things upon which they fell; they were purified by washing, and remained unclean till the Evening. By their Contact the Vessel and whatever was contained in it was defiled; if the Vessel was of Earth, it being of small Value, was to be broken. Any Meat, which otherwise might be lawfully eaten, was made unclean, if any Water poured out of such a polluted Vessel, came upon it; for the Water being defiled, it made the Meat, on

which

which it fell, to be unclean also. Every Thing liquid, though otherwise not prohibited, that came out of such a Vessel, was to be poured out; yet dry Things, such as Bread, were not forbidden to be used, because they did not so soon receive any Effluvia's from a dead Carcase as the Liquid did; and the Pollution was the same if the least Part of the Carcase fell upon a Vessel, it was to be used no more but to be broken in Pieces.

All Places where Meat and Drink were commonly prepared (such as Ovens, and Pots, and Wine-Presses and Cellars) the *Hebrews* were obliged to keep clean and pure; the Touch of these Carcases made them unclean, they were to be no more used but to be broken down. From this Law was excepted a Fountain, or Pit of Water, into which these Carcases might fall. This was a merciful Provision for their speedy cleansing from such Pollutions as they frequently contracted, by allowing them to make use of any Collection of Waters (notwithstanding a Carcase had dropt into it) in their own private Grounds as well as in the publick Baths, such as *Bethesda* seems to have been, which had five Porches, that they who laboured under the same Sort of Pollution might betake themselves to the same Porch, and go down into the Water together. If this had not been permitted, it might have been impossible (considering the few Rivers they had in that Country) to have cleansed themselves after their Defilements. The Man who should draw out these Carcases out of such Waters was unclean until the Evening, or at least, as some *Jews* explain it, the Instrument, whatever it was, that served him to pull the Carcase out of the Fountain or Cistern, was polluted, and to be used no more.

But a Carcase, or the least Part of it falling upon dry Seed that was to be sown, gave it no Defilement; if a Mouse, for Example, was found

Book VI.  dead among the Wheat, it might, notwithstanding be used for Seed; but other Wheat which was not intended for Seed was made unclean, and might not be used till it was washed; the Reason of this Difference was, that the Seed to be sown went through many Alterations before it could become Food, which took away all the Pollution. Wet seed might be supposed to have received some Tincture from the Carcase which dry did not, and not being so fit to be sown, till it was dry, was in that Time to be cleaned.

All creeping Things that go upon the Belly, such as Worms and Serpents, were prohibited as abominable, vile and filthy, because they crawled upon the Earth. All Reptiles were forbidden that have abundance of Feet, such as Caterpillars, Hoglice, Forty Legs, and others; to eat them was unclean, and to touch them abominable. By this separate Sort of Diet, and these Ceremonies of Purification the *Hebrews* were distinguished from other People, and preserved from the Idolatrous Customs of the neighbouring Nations; not that there was any Uncleanness in any of these Things forbidden but what was made by the Prohibition of them. It was the Duty of the Priests to be well skilled in the Marks whereby what was lawful to be eaten might be known from what was unlawful, and therefore they are frequently charged by God himself to attend carefully to the Laws that were given upon this Occasion.

Deut. xiv. 14.

Though the *Hebrews* were allowed to kill and eat any Creature that was clean, yet, if it died of it self, and consequently had the Blood remaining in it, or was torn of wild Beasts, and so beginning to be a Carcase, it became unlawful, not only to be eaten but to be touched. If he offended ignorantly, when he came to know it he was bound to purify himself by washing his Clothes and his Body in Water, and to remain till the Evening in his Uncleanness. If he neglected

Lev. xvii. 16.

neglected the Means of his Purification he was liable to be punished by God, and if while he continued thus unclean, he presumed to eat of the Peace-Offerings he was in Danger to be cut off from his People: But, if the Man wilfully violated this Precept, it was a high Crime against an express Law, and punished, as some think, by Death. But I suppose they mean he was obnoxious to the divine Displeasure, and in Danger to be cut off by him if he did not offer a Sacrifice, which seems to be allowed upon such Occasions to expiate his Offence. The *Jewish* Doctors say, He who violated this Law was only to be beaten, for *cutting off* either by the Hand of God or the Court of Judgment, was never threatned to Sins of so light a Nature as this: Profelytes of Righteousness were bound by this Law, which had no Obligation upon such as had not receiv'd the *Jewish* Religion; and yet *Maimonides* confesses, that the *Israelites* themselves when they went to War and enter'd the Countries of the Heathens and subdued them, might eat that which died of itself, or was torn of Beasts, when they were in want of Provision, or in Danger of suffering by Hunger. This sort of Food was allowed to be given to Strangers who were only Profelytes of the Gate, who had no concern with the Law being not Circumcised; and it might be sold to others who were meer Gentiles and happen'd to be in their Country. Now, it may be remark'd, that there were these sorts of People call'd by the Name of *Strangers*, being not of the *Jewish* Nation; First, Such as had received Circumcision, and consequently embraced the *Jewish* Religion, who were called *Gerezedek*, Strangers and Profelytes of Justice. Others were not Circumcised, but yet worshipped the God of *Israel*, who were called Strangers of the Gate, or *Gere-toshab*, Strangers dwelling among them; because they were to abide constantly in their Country. But there were a third

Chap. 19.

Lev. vii. 20.

Lev. vi. 1, 2, &c.

*Mose* Nevoch,  
P. III. c. 41.  
*Schickard*. Jus.  
Reg. cap. 5.  
Theorem 18.

Book VI. Sort called *Nocherim*, which we translate *Aliens*, who were meet *Gentiles*, and not suffered to have an Habitation among them, but only to go backward and forward for the purpose of Merchandise and Traffick.

## C H A P. XX.

*The Art of Butchery : Their Kitchen Furniture, and way of dressing their Meat.*

**T**O kill Beasts, and to exercise the Office of a Butcher with dexterity, was, among the *Jews*, of more Reputation than to understand the Liberal Sciences ; and this Art was to be attain'd by much Reading and long Experience. They have a Book concerning Shamble Constitutions, and in Cases of difficulty they apply to some learned Rabbi for Advice ; nor was any allow'd to practice this Art without a License in Form, which gave the Man, upon Evidence of his Abilities, a Power to kill Meat, and others to eat what he killed, provided he carefully read over every Week for one Year, and every Month the next Year, and once a Quarter during his Life, the Constitutions above-mentioned. They have particular Knives for this Business, great ones for larger Cattle, and small for the smaller ; the greater have blunter and broader Points, and if they had any Notches or Flaws in them, they were not to be used. The Feet of the great Beasts must be bound in Remembrance of *Abraham's* binding of *Isaac*, and then with one Cut or Thrust, he cuts the Wind-pipe asunder ; then he looks upon his Knife to see if there be any Flaw in it, for that, say they, would terrify the Beast, and cause the Blood to recoil back to the Heart, whereby the Beast would be unfit for

for having some Blood in it. After this he hangs up the Beast, takes out the Inwards, and cutting a Hole on both sides the Heart, thrusts his Hand through it into the Body of the Beast to search for Blood, and if they find any remarkable Blemish in the Beast it is not to be eaten. They cut the Throat of a Bird in the same manner, if it be a Fowl that has Quills in the Wings, it bleeds into a heap of Ashes, and therein they cover the the Blood; and this they do in Memory of a particular Office done by Birds, as they say, to *Rebecca*, when she alighted from her Camel at the Sight of *Isaac*. They cover likewise the Blood of other Creatures in the Ground, because the Earth opened her Mouth to drink in the Blood of *Abel*; and because *Satan* should not accuse Men of Cruelty when he sees the Blood of so many innocent Beasts shed. When they have killed a great Beast, they cut out all the Veins and Sinews (upon which Subject they have written particular Treatises) and take out all the Suet; which done, they leave them sometime soaking in Water to mollify them, to cleanse them thoroughly, and to draw out all the Blood; then they lay them upon a Board to drain off the Water; after which they Salt them in a Vessel full of Holes, that the Salt may carry off all the Blood that remains. They never eat the hinder Parts in remembrance of *Jacob's* Thigh.

Chap. 20.

*Tunc temporis (aiunt) infirmitas muliebris eam invasit, & cum surrexisset de terra volucres advolarunt, sanguinemque virginitatis in terram occuluerunt: ideoque Deus mandavit sanguinem avium mactatarum tegere.*

The *Jews* generally buy their Kitchen Furniture all new, for fear it should have been used in dressing Viſuals which are forbidden by the Law; and if they happen to buy any that belonged to a Christian, they break all the wooden and earthen ware, and take all possible Pains in cleansing those Vessels that are of Metal. The Law commands in this Case, that they shall make every thing pass through the Fire which can bear it, and shall purify with the Waters of Expiation

Book VI.

piation those things which cannot. Their Vessels are of two Sorts, one for Flesh, the other for White-meats. Their Milk Vessels of Wood are marked with three Cuts, because the Law, *Thou shalt not see the a Kid in his Mother's Milk*, is repeated three Times. Every Jew carries two Knives with him, one for Flesh, the other for Cheefe and Fish, and these also are marked with three Cuts; and if these Vessels should be intermingled, they were not to eat what was dressed in them, they were broken if they were made of Earth, most carefully washed if of Wood; and if of Iron other Metal, they were purged by Fire: So very nice are they, that a Knife was not used unless heated red-hot for three Hours, and three Days hid in the Earth, and three times put into Water. They never boil Milk and Fish at one time and over one Fire overagainst each other, nor place them together upon the Table, but separate them with somewhat set between: One Cloth is laid for Flesh, and another for White-meat. After they had eaten Flesh, or the Broth of it, they were not to eat White-meats for an Hour after; the most religious among them would abstain for six Hours, yet they might eat a Hen together with the Milk of Almonds. If a Man had not the Gift of such abstinence, he was obliged carefully to cleanse his Teeth and wash his Mouth, and with a piece of dry Bread take away the taste of the Flesh. If any Suet fall into their White-meats they were not to be eaten, except there was sixty times as much of the Meat as of the Suet. An Egg was not to be poched in a Flesh Vessel; they break it also, and diligently observe that none of that bloody resemblance in the top of the Egg remain. If in cutting up of a Hen they find Eggs, they were not allowed to eat them till they were washed and sofined in Water and salt; Flesh and Fish was not to be dressed, or set on the Table, or eaten together, for that they say would produce the Leprosy.

Visit. Carbens.  
L. I. c. 12.

profy. In the Difficulties concerning their Diet, they  
 ways consulted their *Rabbins*, who have loaded  
 them with ſo many insignificant Niceties and Su-  
 perſtitious, that to mention them would be too  
 tedious, and of no Manner of Importance.

Chap. 21.

C H A P. XXI.

*Their Meat, Bread, and Drink: Their  
 Poſtures at Table: Their Manner of  
 Feaſting.*

**T**H E *Hebrews* were no great-Lovers of  
 Fleſh, and their Diet was uſually Bread  
 and Milk, and Fruits, and Herbs, very  
 ſimple, and far from the Luxury and Delicacy  
 of our modern Tables. All Sorts of Meat and  
 Drink are often in the Language of Scripture  
 called Bread and Water. Their Bread was ge-  
 nerally made of Wheat, or Barley, or Lentils  
 and Beans. The Bread of Wheat was the moſt  
 excellent. That of Barley was a baſer Sort, uſed  
 commonly in Times of Scarcity and Diſtreſs.  
 They had a worſe Sort made of Lentils, Mil-  
 let and Fitches. The manner of making Bread  
 no one can be ignorant of. They had a Sort  
 they called Unleavened Bread. The Effects of  
 Leaven are very well known. It ſwells the Paſte  
 and makes it ſharper, and from thence the Scrip-  
 ture takes ſeveral Compariſons; but it requireth  
 ſome Time before it has this Effect. Their  
 Way of baking was upon Coals or hot Aſhes;  
 they covered their Dough with Embers, and ſome-  
 times they baked upon hot Stones. Their Grain,  
 in the firſt Ages, was parched, afterwards they  
 uſed a Mortar to pound it; and at length they  
 invented Mill-ſtones, ſuch as our common Mills;  
 and there were two Sorts of them, a greater Sort  
 and

Deut. xxxii.  
 14.

Ezek. iv. 2.

Book. VI. and a lesser. They made use of Horses or Asses to turn the great, the small were turned by Men, and Slaves were often condemned to this Work by Way of Punishment. Hand-Mills also were in use among the *Jews*; they were made of two Stones, which they put one upon another.

Ruth. ii. 14.

Their Sauces to relish what they eat was commonly nothing but Salt and Vinegar. They had Cheese, but not Butter in that hot Country, as we now understand the Word, but only a thick Cream skimmed off their Milk when it had stood some Time. In the Country of *Judea* there was abundance of wild Honey, which dropped from the hollow Trees, or the Clefts of Rocks, where Bees made their Combs, which they sometimes did upon the very Ground.

Exod. xvi. 13,  
14.

*Manna* was the Food of the *Hebrews* in the Wilderness. It fell upon the Evening Dew, and was covered with the Dew of the Morning, by which Means it was inclosed, and kept pure and free from the Dust that was upon the Ground. It

Wisd. xvi. 20,  
21.

seems to have been like a Drop of Dew frozen, as to its Form and Figure like unto Coriander Seed, of a pure white Colour, and bright, like Pearl, when newly fallen; it tasted like Honey, but when it was prepared by boiling or baking, it had the Taste of fresh Oil. The *Jews* indeed say, it had all Sorts of Tastes, according to every ones Appetite: It is certain it pleased every

Bechai  
Numb. xi. 6.

Man's Palate, was grateful to Young and old, refreshed the Spirits, and kept their Bodies in good Order. It is compared, says a *Rabbi*, to fresh Oil, which is fat and sweet, and shews how unjust their Complaint was, that they had no moisture left in them, but *were dried away*. It was gathered every Morning, and then either ground into Flour with a Handmill, or bruised with a Pestle in a Wooden or Stone Mortar, or boiled in Pans, or in a Pot, or made Cakes of in an Oven, or in a Pan. In short, say the *Jews*, it was of such an excellent Composition, that it

might

might be dressed divers Ways, or eaten as it fell; and it was agreeable in what way soever it was prepared. That which remained ungathered was melted when the Sun waxed hot; though *Abarbinel* will have it, that what they had brought into their Tents melted also when the Sun grew hot, which obliged them not only to gather it early, but to bake and prepare it presently, while it was yet hard and not dissolved; but the plain Sense is, that the Sun which melted it exhaled it also into the Air, from whence it came, and it returned again the next Morning. All this was wonderful, says the great *Huetius*, as was also its melting, when the Sun shone upon it, and that it putrified before the next Day, except on the Sabbath, and yet kept in an Urn many Years. This Food was called Manna by the *Israelites*, which may reasonably signify it is a *Gift* or *Portion*; and the Meaning is, this is the *Gift of God*, or this is that which God hath appointed us; for the Word *Manab* signifies to *order* or *appoint* a Method of Diet. The Quails that covered the Camp of the *Israelites*, were only Provision for one Evening. The *Jews* are divided in their Opinions concerning these Birds; some conceive they were Pheasants, others, a Sort of Sea Fowl: They came up from the Country over against the Desert, from the *Arabian* Gulf, because they were in great abundance upon that Coast.

The Drink originally used by the *Hebrews*, was Water drawn out of Wells, or Rivers into which they sometimes squeezed the Juice of Citrons and Pomegranates, with it they often mixed Honey; they had a Sort of strong Drink of which the Principal Ingredients were Honey, Dates, Barley and Wheat: But their chief Liquor was Wine, called in Scripture, the Blood of the Grape, because the Red was in greatest abundance. They frequently mixed Water with it, for the Sake of Sobriety; and sometimes, to make it more palatable, they infused Spices in-

Chap. 21.

Exod. xvi. 21.

*Quest. Alnetan.*  
L. 4. c. 2.

*Drusus Quest.*  
*Hebraic. L. 1.*  
c. 62.

## Book VI.



to it. They preserved their Wine in Skins and Bottles, and they usually drank it in a triental Cup, that contained about half an *English* Pint. When the Weather was exceeding hot they used to cool their Wine with Snow from Mount *Libanus*.

They never eat in the Morning till after nine o'Clock, when the Sacrifice was over; they had afterwards two Meals, a Dinner, which was sparing and short, and a Supper about six in the Evening, more costly and entertaining. The *Jews*, says Mr. *Basnage*, had commonly every one their Table; this might be in the early Ages; for it is certain, that afterwards their Tables were round, and convenient for three to eat on; not but some were larger, and would hold more. When the Meal was over the Table was hung up by a Ring, (which shews it was but small and light) to set it, I suppose, out of Danger of contracting any legal Defilement.

It is supposed that sitting was the original Posture used by the old *Hebrews*, in eating and drinking; they either spread something upon the Ground, and sat upon it, or they sat at Table. Whatever some Criticks have suggested concerning the Antiquity of another Position of Body, it is certain this was the antientest of all; for in the Old Testament there are Examples of this long before any of those that are alledged out of profane Authors. The old *Hebrew* Patriarchs sat at Meat, as appears from the Words of *Jacob* to his Father, *Sit and eat of my Venison*. There are many other Examples to the same Purpose. In those elder Times every one was seated according to their proper Rank and Quality. Thus *Abner* sat by *Saul's* Side, and *David* had his peculiar Situation allotted him, which is signally stiled his *Seat* and his *Place*. It seems to have been the Practice, when the Custom of sitting prevailed, to put off their Shoes at Meals; for they washed their Feet even at that Time, as appears from *Abraham's* entertaining the Angels,

*Hist. of the  
Jews. B. 5.  
c. 16.*

*Bava Bathra.  
fol. 57.*

*Gen. xxvii. 19.  
Exod. xxxii. 6.  
1 Sam. xx.  
3, and 25.*



so that they must put off their Shoes for that, and it is probable they did not put them on till they went out.

This Posture was afterwards changed; for when Men gave themselves to Ease and delicacy, they grew Soft and Effeminate, and lay down at their Dinners and Suppers upon Beds. They lay with the upper part of their Body leaning on the left Elbow, the lower Part stretched at length, and a little raised, and the Back had Cushions under. The first lay at the Head of the Bed, and his Feet stretched out at the Back of him that sat next. The Talmudists express it in this manner; They were used to eat leaning on the left Side with their Feet to the Ground, every one singly upon their distinct Beds: But when there were two Beds, he that was Chief sat highest, and he that was second to him sat above him; the Bed of him that sat second, was by the Bolster of him that was first. When there were three, the worthiest Person lay in the middle, and the second lay above him, and the third below him: The third lay at the Feet of him that was first. If he that sits chief would talk with him that is second to him, he raises himself and sits upright, for so long as he leans or lies down, he cannot talk with him, because he that lies second, lies behind the Head of him that lies first, and the Face of him that lies first is turned from him; so that it were better for the second to sit below him, because then he may hear his Words when he sits leaning: Not but that sitting was in Use, but with this difference, says the Tradition, if they sat, every one said Grace for himself, but if they lay along, one said Grace for them all.

*Gloss. in Berachoth. fol. 46.*

They used Washings and Purifications before they eat; their Hands they washed by plunging them into the Water to the joining of the Arm, and their Feet were washed by their Servants, (which their Wives likewise were obliged to do) lest their Couches should be made dirty, and to prevent

Book. VI. prevent offensive Smells, but not under any No-  
 tion of a legal Cleansing. They observed great  
 Decency at their Meals, and it was downright  
 Impiety not to discourse about their Law and  
 upon religious Subjects while they were eating.  
 The old *Hebrews* began their Meals with this Be-  
 nediction at the Cup, always performed by the  
 Master of the Family, *Blessed be the Lord our  
 God, King of the World, who has created the  
 Fruit of the Vine*; and then the Cup was put a-  
 bout the Table: Then follow'd the Blessing of  
 the Bread, which he held out in his Hand, saying,  
*Blessed be the Lord our God, King of the World,  
 who has produced Bread out of the Earth*. It was  
 an established Rule, that none of the Company  
 should touch any thing till he who broke the Bread  
 tastes it first. To give Thanks after a Meal is a  
 Levitical Injunction, and say they, an affirmative  
 Precept; but there is no Form deliver'd in the  
 Law, tho' many and various are to be found in  
 the Books of the *Italian* and *German Jews*. By  
 the Feast made by *Samuel* for *Saul* and the Peo-  
 ple; it appears, that antiently the Masters of the  
 Feast distributed to every one their Portion, or  
 ordered what should be set before them.

The *Jews* were very magnificent and even  
 expensive in their Feasts and publick Entertain-  
 ments, which they had frequently; as upon their  
 Birth-days, the Weaning of their Children, the  
 Inauguration of their chief Priests, and other ex-  
 traordinary Occasions. It was usual to pour  
 Ointment upon the Head of their Guests as a  
 Perfume, and to burn Incense for their Refresh-  
 ment and Delight; they were attended by Ser-  
 vants, who waited at the Table with their Gar-  
 ments girt close to make them the more Active,  
 and expeditious. The Guests always came dressed  
 in their best Attire and diverted themselves at Table  
 with pleasant and delightful Stories, tho' they never  
 admitted *Heathens* to eat with them, yet they relie-  
 ved Strangers from their Tables with great Hospi-  
 tality;

*Leidekker de  
 Rep. Heb. lib.  
 12. c. 7.*

*Deut. 8. 10.*

*1 Sam. ix. 23.*

*Nehem. 8. 11.*

tality; nor was the Poor forgotten, for it was common with them to send Messes abroad to Neighbours that were in Want. All was Gaiety and Mirth; and to complete the Festivity, they had the Entertainment of Musick, which play'd continually before them. Drunkenness and Intemperance soon grew common at their Feasts, for which Reason the Prophet denounced, *Wo unto them that rise up early in the morning to follow strong Drink, that continue until Night till Wine inflame them, and the Harp and the Viol, the Tabret and Pipe and Wine are in their Feasts.*

Chap. 22.

Isa. Chap. 5. 11, 12.

Learned Men are not agreed whether there was any such Officer among the Jews as a *Symposiarchus* or Governor of the Feast: It is certain there was such a one among the *Greeks* and *Romans*, whose Character is drawn by *Plutarch*; but whether the Guest that presided at the Marriage-Feast in *Cana*, was in the same Post is difficult to decide: He was, says our Author, one chosen among the Guests, the most pleasant and diverting Person in the Company, that would not be drunk, and yet would drink freely: He was to rule over the the rest, to forbid any Disorder, but to encourage their Mirth. He observ'd the Temper of the Guests, and how the Wine work'd upon them; how every one could bear his Wine, and accordingly to apply, to keep them all in Harmony, and in an even Composure, that there might be no disquiet nor disturbance. Effectually to do this, he first proclaimed Liberty to every one to drink what he thought proper, and then observing who among them was most ready to be disorder'd, mixt more Water with his Wine, to keep him in an equal pace of Sobriety with the rest; so that this Officer took Care that none should be forced to drink, and that none should be drunk though unforced. Now, had *Plutarch's* *Symposiarchus* been at this Wedding, he would in all probability have known what Quantity of Wine, and what Variety there was in the House.

John 2. 8.

In *Sympos.*  
Quest. 4.

Book VI. He would have well known (they are the very  
 Words of Dr. *Lightfoot*) that the Wine was gone,  
 and that they were at a loss for more; for the  
 Yeomanry of the Wine was his Office at that  
 time above all other Things, and above all other  
 Men; but this *Arbitrator* knew none of these  
 Things, but thought the Bridegroom had used a  
 friendly Deceit to reserve the best Wine to make  
 up their Mouths, whereas others used to reserve the  
 worst; and he speaks as a Guest, and not as a Yeo-  
 man of the Feast; and our Saviour sends the Wine  
 to him as to the chiefest Man at the Table, and as  
 the fittest from whom the Taste of the Wine, and  
 the Taste of the Miracle wrought might be distri-  
 buted throughout all the Company of the Feast.

Wotks in Fol.  
 p. 47.

## C H A P. XXIII.

### *The Matter and Fashion of their Gar- ments.*

**T**H E first Clothes of Mankind were of the  
 Leaves of Trees, which they made them-  
 selves, being ready at Hand, woven by  
 divine Art. The next were of the Skins of Beasts,  
 which were much warmer, and better able to  
 defend them from the Injury of cold Weather,  
 and these were made by God's Direction: He  
 entered into Covenant with our first Parents, and  
 it is not unreasonable to suppose that he signified  
 that they should, for the confirmation of it, offer  
 Sacrifices to him; by the Blood of which, Co-  
 venants were ratified in after Times by this Ex-  
 ample, and with the Skins of these he order'd  
 their Clothes to be made; for it is not probable  
 that the Beasts, of whose Skins these Coats were  
 made, died of themselves, or that they were kil-  
 led merely for this Use, or for their Food. But  
 whether this was done by dressing these Skins and  
 making



making Leather of them, or only by drying them and letting the Hair still continue on them, it is impossible to know. Certain it is that there was a very antient sort of Clothing, as we learn not only by Profane Authors, but from the Sacred; the *Jewish* Doctors, have carried this Matter so far as to say, That *Adam* being a Priest these were his priestly Garments. The Skin indeed of the Burnt-Offering, under the Law, is given to the Priest, but not to make him Clothes; and *Eve*, if this were true, must have been a Priest also, for she had a Coat made of Skins no less than *Adam*, who, they fancy, left this Coat to his Posterity; so that *Noah*, *Abraham*, and all the rest of the Patriarchs (as *Abel* they say did) sacrificed in the very same Coat, till *Aaron* was made High-Priest, and had special Garments appointed him by God. But these are Conceits too insignificant to carry any Weight.

A learned Writer of the *Scotch* Nation, speaking of the Apparel of the *Hebrews*, has this Remark; That when they were in *Egypt*, their Clothes were long, reaching to their Feet, therefore when they went out of that Country, they were commanded to gird up their Loyns. When they travelled in the Wilderness, their Clothes reached to their Mid-leg; therefore Priests, when they went up upon the Altar, are ordered to put linnen Breeches upon them, lest their Nakedness should be seen; because their Clothes then were short and fit for travelling: When they came to *Canaan* their Clothes reached to their Feet again. It is certain that long Habits were commonly worn by the People of those Eastern Countries; and the Law of *Moses* gives Reason to assert, that the *Hebrews* had usually four Skirts, for the Precept is, that they should make the Fringes upon the four Quarters of their Vesture. It is probable they sometimes had more or fewer than four; and in this Case if they had but three, their Doctors have resolved, that they were not bound to

*Watts's* Christ.  
Synagogue,  
Parag. 13.

Deut. 22. 12.

Book VI. make any Fringes for them ; but if they had five or six, they were bound to annex them to the four most remote Quarters, in which the intermediate were included ; but this is an unreasonable Subtilty, the intention of the Law being to put them in Mind of the divine Commands by these Fringes, which therefore were to be worn in the Skirts of their Garments, tho' they had been divided into no Wings or Quarters at all. These Fringes were sewed to the uppermost Garment which covers the rest, whereby they were distinguished from the People of other Nations ; for that was one End of them, to be a distinctive Mark, that they were of the Jewish Religion ; and therefore there seems to be no Reason in the Determination of their Doctors, who say, Women Servants and little Children were not obliged to wear Fringes ; for though small Children could not think of the divine Precepts, yet it was fit they should wear the Note of their Religion. There is no Foundation neither for Resolving that if Women and Servants (who were not bound so much as others to obey the Laws) would wear Fringes, though they were not obliged by their Constitutions, yet they might not put them on with the common Form of Benediction which they used, *Blessed be thou, O God, who hast sanctified us by thy Precepts, and hast commanded that we should wear Fringes.* But I think they observe justly enough that these Fringes were so peculiar to the *Jews*, that the *Samaritans*, tho' acquainted with the Law, did not wear them. Nor do the *Jews* themselves at this Day use them upon their upper Garment, for that being no longer four corner'd (because they were laugh'd at by other Nations) they wear only under their other Garments a kind of square Frocks with the foresaid Tassels or Pendants hanging to it, only in their Synagogues or Schools, at Morning Prayer, every Man puts over his Head a square Woollen Garment with the Tassels fastned at each Corner, which they call the *Talith*.

*Leusden Philolog. Hebrae, Dissert. 17.*

These

Chap. 23.

Numb. xv. 36.

Matth. xxiii. 5.

Deut. vi. 8.

Book II. Chap.

20.

These Fringes so often mentioned, were appointed as a perpetual Mark of their Religion, and seems to be no more than Threads left at the End of the Web unwoven, at the Top of which they put a Lace of blue, or rather purple Colour, which bound the Fringe fast at the Top, and is so difficult to be dyed at present, that the *Jews* at this Day are contented to wear white. This Riband being of a distinct Colour from the Fringe which was of the same with the Garment, not only distinguished them sufficiently from all other People, but when they looked down upon the Fringe and Lace, they were put in mind of the Duty they owed to God, and that they were a holy Nation, obliged to the Observance of particular Laws. Such among them as pretended to greater Sanctity than others, enlarged their Fringes, and extended them to a greater Length, so that they swept the Ground, which made them the more observable; and their Superstition at last was so advanced, that with great subtilty they contrived so to work these Fringes, as to denote the six hundred and thirty Precepts, contained in the Law of *Moses*, that so they might be put in mind of all the Commandments of the Lord. The present *Jews* wear a long *Tassel* at each Corner, consisting of eight white woollen Threads, knotted with five Knots like small Buttons, and open and untwisted at the Ends.

There is a Command among the Injunctions of *Moses*, that the *Hebrews* should bind the Words of the Law for a *Sign upon their Hands*, and they should be as *Frontlets between their Eyes*, which, without doubt, signifies no more than that they should be always meditating upon their holy Rites, and the Principles of their Religion; yet the Superstition of the *Jews* have grounded upon these Words the wearing of *Phylacteries*, and the tying of *Parchments* upon their *Wrists*, in which they placed the principal Part of their Devotion. Some-

Book VI. thing has been said upon this Subject in a former  
 Part of this Work; in this Place it may observed,  
 Book II. Chap that they are called *Tephilim*, or *Instruments of*  
 20. *Prayer*, because they use them in their Devotions:  
 They are described thus; they write upon two  
 Pieces of Parchment, with Ink made on Purpose,  
 and in square Letters, with a great deal of Exact-  
 ness, four Passages of the Law upon each Piece.  
 These two Parchments are wound up together in  
 the Fashion of a pointed Roll, and included in a  
 black Calve's Skin; then they put it upon a  
 square and hard piece of the same Skin, from  
 which hangs a Strop of the same Leather, an Inch  
 broad, and a Cubit and an half long, or therea-  
 bouts. They place these *Tephilims* at the Bending  
 of the left Arm; and the Strop being first form-  
 ed into a little Knot, like a Jod, is turned about  
 the Arm in a spiral Line, and terminates at the  
 End of the little Finger. This they call the  
*Teffila of the Hand*. As for the other they write  
 the same four Passages upon four several Pieces  
 of Vellum, which by fastning together they make  
 a Square of, upon which they write the Letter  
*Schin*; then they put upon it a little square Piece  
 of Calves Leather, as hard as the other, from  
 whence come two Strops, in Figure and Length  
 like the first. This Square is placed in the Mid-  
 dle of the Forehead, and the Strops going round  
 the Head, make a kind of Knot behind in the  
 Form of the Letter *Daleth*, from whence they  
 meet upon the Stomach; and this they call  
 the *Teffila of the Head*. This is the Figure of the  
*Tephilim*, which they commonly join with the  
*Talith* in the Morning Devotions: Some also use  
 them in the Afternoon; but this is only done  
 by eminent Votaries, and Persons of peculiar  
 Sanctity.

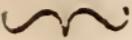
Bartol. Bibl.  
 Rab. t. I p.  
 558.

The old Superstition for these Phylacteries have  
 considerably increased; the *Jews* swear by touch-  
 ing them; and the better to authorise such  
 Oaths, they introduce God swearing by them  
 likewise.



likewise. Many are the Niceties in the Method of making them; the Parchment must be taken from the Skin of a clean Beast; and it becomes impure and profane if a Christian dresses it; but it receives a Degree of Excellence when it has been destined to this Use; and it was said in preparing it, *I design this for the making of Tephilims*. The Skin must be prepared with great Art, for the least Hole or Defect makes it useless. These *Tephilims* they write slowly, and with great Circumspection, that there may not be the least thing wanting to each Letter, and particularly to those that compose the Name of God. They first fasten the *Tephilim* at the Hand, and afterwards that of the Head, for fear they should mistake; the Strops serving to this Use, must be good; they must not mend nor repair them when they are worn and broken. They cannot fasten them till they have pronounced the Blessing, *Blessed be thou our Lord and our God, King of the Earth*; after which it was not lawful to speak to any Body; when they take them off, they put them into a Bag, which thereby becomes sacred, and cannot be employed to profane Uses. They ought not to be put on in the Night, but on the Day, excepting the Sabbath, because the Sabbath is called *a Sign*, and serves for a Phylactery. Women and Slaves are not obliged to wear them. It is not lawful to take them till a Man has covered his Nakedness, nor to wear them in Church Yards, nor to carry a Burden on their Heads; and especially, it is a great Crime to commit then the least Indecency. So many are the Scruples of the *Jews*, upon this Occasion, that to mention all of them would be of small use, and not worth the trouble of collecting together,

There are two Restraints in the *Levitical Law* concerning Apparel, the one, that they were forbidden to wear a Garment of Woollen and Lin-  
Deut. xxii. 11.  
 Lev. xix. 19.  
 De Vestit. Sa-  
 cerdot Heb. c. 4

Book VI.  to sew a woollen Garment with linen Thread, nor on the contrary. This Law, as *Braunius* observes, does not import the weaving of many different Things together, but only of linnen and woollen; and that by Woollen is to be understood only what is made of the Wool of Sheep, not of Camels or Goats, which they called by the same Name. If a Man saw an *Israelite* wear such a Garment it was lawful for him to fall upon him openly and tear him in Pieces although he were his Master that taught him Wisdom. And the Reasons for this Abhorrence are commonly such as are given for many other Precepts, to preserve them from the horrid Confusion which was among the Gentiles, by incestuous and unnatural Mixtures. But *Maimonides* takes it to have been principally intended as a Preservative against Idolatry; the Priests of the Gentiles in those Times wearing such mixed Garments of the Product of Plants and Animals, with a Ring on their Finger, made of some Metal, as he says, he found in their Books. By which Mixture it is supposed they hoped to have the beneficial Influence of some lucky Conjunction of the Planets or Stars, to derive a Blessing upon their Sheep and their Flax.

*More Nevoch.*  
p. 3. c. 39.

*Deut. xxii. 5.*

The *Hebrews* were prohibited to confound the Sexes of Man and Woman by one's wearing the Garments of the other. This Practice is said to be an Abomination to the Lord, which plainly indicates that an idolatrous Custom was here forbidden; for *Moses* and the Prophets are used to speak in these Terms of utmost Abhorrence concerning such Matters. And indeed nothing was more common among the Heathen than for Men in the Worship of several of their Gods, to put on the Garments worn by Women, and Women those used by Men: Particularly in the Worship of *Venus*, Wome napped before her in Armour, and Men in Women's Apparel; and thus the Words literally run in the *Hebrew*, Women shall

*Selden c. 4.*  
*de Dis Syris.*  
*Syntag. 2. c. 4.*

not

not put on the *Armour* of a Man, nor a Man the Stole of a Woman; and thus *Maimonides* says, he found this Precept in an old magical Book, that Men ought to stand before the Star of *Venus* in the flowered Garment of Women, and Women put on the Armour of Men before the Star of *Mars*. But whatever Force may be in these Observations, it is certain, that if there were no Distinction of Sexes, made by their Habits, it would inevitably open the Way to all Manner of Licentiousness and Impurity.

The Matter of which the Vestments of the *Hebrews* were made was of many Kinds. The Art of Spinning and Weaving was found in the most early Ages. The Wool of Sheep was used principally, and for coarser Purposes, especially for Sackcloth in Time of Distress and Mourning, they wrought the Hair of Goats, Camels and Horses. The white Goats Hair was the most valuable; and therefore the Sackcloth was made of Black, which is the Reason why the Scripture says of the Sky, when very cloudy, that it is covered with Sackcloth and Blackness. Persons of Distinction wore fine Linnen of *Egypt*, and Silk, rich Cloth shaded with the choicest Colours (or as the Vulgate calls it) with feathered Work, embroidered with Gold.

The Colour of their Apparel, especially for those of the lowest Rank, was usually white, being the native Colour of Wool, and most suited to the Nature of their Laws, which enjoined so many Washings and Purifications; not but that white was in Esteem among Persons of superior Degree, and is highly valued in Scripture, as the Emblem of Victory, Purity, Cheerfulness, Knowledge, Grace and Glory. Black was the general Wearing of Mourners. The Vestments of *Baal's* Priests were of this Colour; and was a Habit peculiar to themselves, which in Opposition to them, I suppose, few others would wear. Blue was a celestial or Skie Colour, highly praised by

Chap. 23.

*More Nevoch,*

P. 3. c. 37.

*Isa. v. 3.*

*Exod. xxvi. 1.*

*Eccles. ix. 8.*

*Rev. iii. 5.*

*Psal. xxxv. 14.*

*2 Kings xxiii. 5.*

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Book VI. the *Jews* who antiently had, as their Rabbins say, the exact Skill of Dying it to the Height, which since they have lost. Yet I find no *Jewish* Apparel wholly made of this Colour, which perhaps they abstained from, as a Colour sacred and mysterious, than which none was more used about the Tabernacle and the Temple in the Curtains, Veils, and Vestments belonging to them. The *Babylonians* much delighted in this magisterial Colour, and so did the *Persians*, as may appear by *Mordecai*, who when advanced, was clothed in Blue among many other royal Accoutrements. The principal *Jews* in their Robes of State, and upon great Solemnities used Scarlet, not dyed as at present, with Madder or with Cochenil, or with the Powder in Grain called Alchermis, all Inventions of a late Date, but with a Shrub whose red Berries or Grains gave an orient Tincture to the Cloth. Crimson, (this Colour was made of the Blood of a Worm which is found in the Fruit of a Tree, and from thence it has the Name of Vermillion) was made use of in the Temple of *Solomon*, and by Men of the first Quality, and sometimes they wore Purple, the most sublime of all earthly Colours, having the Gaudiness of Red, (of which it retains a Cast) abated with the Gravity of Blue; this was chiefly dyed at *Tyre*, and took the Tincture from the Liquor of a Shell-Fish, formerly found in the adjacent Sea, but utterly lost and unknown at this Day.

2 Sam. I. 24.

The *Jews* did not affect Novelty and Variety of Fashions in the Make of their Garments, which retained the same Form for many Ages; and indeed their Clothes being for the most part loose Vestments not exactly fitted to their Bodies, but only cast over, wrapped about or girt close, the less Curiosity was required in the making: And therefore it is, that we find the Clothes of the *Philistines* fitting *Sampson's* Friends, and *Jonathan's* Robe given to *David* serving him without any considerable Difference; and because the Trade of a

Judg. 14. 19.  
1 Sam. 18. 4.

Taylor

Taylor is no where recorded in Scripture, though frequent mention be made of Weavers and Fullers) it seems antiently to have been no distinct Occupation, but probably the Men or their Wives made their own Clothes; for the State and Gallantry of the *Jews* consisted not in the Variety of Fashions, but in the many *Changes*, the orient Colours, the costly Matter, and the curious Embroidery of their Garments.

The antient *Jews* usually went bare-headed, except when they were in mourning or in the Temple, or in the Synagogues; they thought this Manner of Praying cover'd shew'd more Respect for the Majesty of God, as testifying that they thought themselves unworthy to look up in his Presence. To guard themselves from the Wind and the Weather, they wrapped their Heads in their Mantles or upper Garments. We find the *three Children* cast into the fiery Furnace with their Hats on; but these it is supposed, they did not wear as they were *Jews*, but in Compliance with the Custom of the *Babylonians*: For many Ages afterwards, we find *Antiochus Epiphanes* introducing the Habits and Fashions of the *Grecians* among the *Jews*, and as the *Maccabean* History relates, he brought the chief young Men under his Subjection, and made them wear a Hat. In both the Talmuds, there are reckoned up eighteen several Garments with which the *Jew* is clothed from Head to Foot, but those which are more properly called Garments and are put upon the Body were these: A wollen Shirt was worn next the Skin, though some had Shirts of Linen in which they lay, as most clean and wholesome for the Purpose. Next to this was their Coat or *Talith*, which reached to their Feet, and was accounted modest and honourable among them, which made the Indignity the greater that was offered by the King of *Ammon* to *David's* Embassadors, cutting off their Garments in the middle even to their Buttocks, which made their Nakedness to be seen, for they wore no Breeches

Schabb fol.

218. 2.

2 Sam. 10. 4.

Book VI. Breeches in those Times. To prevent the dangling down and dagling of so long Garments, the *Jews* used when they were sent on Business, when they took a Journey, when they did any Office in the House, or when they eat the Passover, to gird up their Clothes about them; and hence in the Scripture Phrase, a *Girdle* signifies Strength, Readiness and Activity, and in it they carried their Money. These Coats were collared at the Neck and fringed at the bottom. Over this they had a Mantle or Cloak cast over them when they went abroad, and this the poorer Sort used for a Blanket or Coverlid when they laid down to Sleep. And therefore God by special Command provided, that though Men might pawn their upper Clothes (as not absolutely necessary for wearing all the Day time) yet at Night such a Pledge was no longer to be detained, because it was the *Raiment for their Skin wherein they slept*.

Job 30. 12.

Exod. 22. 26.  
27.

Their Legs were generally bare, though some of them, it is said, wore a Sort of Buskins that were laced about the Small and reached up to the Calf of the Leg. Upon their Feet they wore Sandals, which were like those of the *Capuchins* abroad; they had Soles but no upper Leathers, except the Strings by which they were fastened over the Instep and Cross of the Foot, and from hence came the frequent Washings and Anointing of their Feet in the *Eastern Parts*, not only to cool them but to sweeten, and chiefly to clear them from the Gravel which the Openings of the Sandals had let in; when they would take them off, the Straps must be untied, which it was the proper Business of their Servants to do; they were made at first out of raw Hides, but afterwards of dressed Leather; and it is a Conceit of a very learned Man who has written upon this Subject, that the Tanners, among the *Jews*, were obliged to live without the Walls of the City, because by handling part of the Bodies of dead Cattle, they were subject to very frequent Pollutions. Badgers

Byzæus de Cal  
æcis Hebr. 1.  
l. c. 2.

gers Skins were esteemed the finest Leather, as appears by *Ezekiel*, who numbring the many Blessings bestowed upon the *Jews* by divine Providence, gives this Account ; that God clothed them with broidered Work, and shod them with Badgers Skins.

Shoes were in Use among the *Jews* as well as Sandals, but that they were hollow and cover'd the Foot all over is difficult to prove. The Difference between them is thus stated by the *Talmudists*. Shoes were of more delicate Use, Sandals were more ordinary and fitter for Service ; a Shoe was of softer Leather, a Sandal of harder : There were Sandals also whose Sole or lower Part was of Wood, the upper of Leather ; and these were fastened together by Nails. There were some Sandals also made of Rushes, or of the Bark of Palm-Trees, and they were all open both ways, so that one might put in his Foot either before or behind. Those of a Violet or purple Colour were the most valued, and worn by young Ladies and Persons of the first Quality and Distinction.

Though the Shape be uncertain, yet the Use of Shoes is to be found in the most early Ages ; for we read of *Abraham* protesting to the King of *Sodom* after his Victory over the Kings, that he would take nothing from a Thread even to a Shoe-latchet ; and in those Times so sacred were Places that were made holy by the divine Presence, that it was irreverend to enter upon them with their Shoes on, because they might be defiled with Dirt that stuck upon them. It is certain, that in the Temple, many Ages afterwards, the Priests officiated Bare-foot, and all the Eastern People came into their holy Places after the same manner, which *Justin Martyr* thinks they learned from the Example of *Moses* before the burning Bush ; but Mr. *Mede's* Opinion seems the truer, that *Moses* did not give the first beginning to this Rite, but it was derived from the Patriarchs before him, and transmitted to future Times, from that antient general

Joma. fol. 78.

Gen. 14. 25.

Book II.

general

Book VI.



neral Tradition; for we find no Command in the Law of *Moses* for the Priests performing the Service of the Tabernacle without Shoes, but it is certain they did so from immemorial Custom, and so do the *Mahometans*, and other Nations at this Day. It is the Opinion of the learned *Bochart*, that the *Israelites* used no Shoes in *Egypt*; but being to take a long Journey through a rough Way in the Wilderness, God commanded them to eat the Passover with Shoes on their Feet; and these very Shoes, which they put on at that Festival when they were ready to march, he suffered not to decay in all their Travels for forty Years following: And to increase the Miracle, the great *Grotius* falls in with the idle Conceits of some *Jewish* Writers, by asserting, that their Clothes enlarged as they grew bigger from Children to Men, and so did their Shoes also; but there was no need of this, for the Clothes and Shoes of those that died might serve their Children when they grew up; and it was sufficiently amazing without such Additions, that their Clothes should not so much as decay, nor their Shoes wear, nor their Feet swell by travelling over hot and stony Places for forty Years. Such in general was the Habit of the *Jews*; yet it might be supposed, that besides the Priests and Levites, all Vocations of People, as Husband-men, Trades-men, Citizens, Merchants, Doctors, Judges, were distinguish'd by their several Apparel, which at this distance of Time it is impossible to describe.

The Habit of Women was likewise suited to their Quality, and the same Fashion of Apparel seems to belong to Maidens, Wives and Widows, only that a Wife wore a Veil upon her Head in Token of Subjection, and a Widow had a Garment as a Sign of her Widow-hood. Persons of Distinction, as Princesses of the Blood Royal, and others of the first Quality that were Virgins, had a particular Vestment of many Colours, which is supposed to reach down to the Heels, or Ankles, with

Hierozoic p. 1.  
l. 11. c. 50.

Annot. in Deut.  
8. 4.

2 Sam. 13. 18.



Isaiah 3. 18 &amp;c.

with long Sleeves down to the Wrists, which had a Border at the Bottom and a Facing (as we speak) at the Hands of another Colour different from the Garment; it was likewise embroider'd with Flowers, which was accounted noble as well as beautiful in antient Times. Before the Babylonish Captivity, the *Jewish* Women arrived at the utmost excess of Pride and Extravagancy in their Apparel. The Prophet *Isaiah* gives a long List of Trinkets which they used in dressing them in his Days. He speaks of their tinkling Ornaments, of small Bells at their Heels, Caules, round Tires like the Moon, Chains, Bracelets, Mufflers, Bonnets, Ornaments about the Leg, Head-bands; Tablets, Ear-Rings, Rings, Nose-Jewels, that hung down between the Eye-Brows and the Nose, changeable Suits, Mantles, Wimples, Crisping-Pins, Glasses, fine Linen, Hoods and Veils. These were some of the fashionable Vanities of those loose Ages, which particularly to describe, would be as difficult as to explain the Kind of Garments used in *England* five hundred Year ago, mentioned in *Camden's* Remains, such as Herlots, Palt-cocks, Gits, Haketeres, Tabards, Court-pies, Chevesfailes and Gipsers. Common Prostitutes were known among the *Jews* by the peculiar Habit they wore; particularly, they had nothing upon their Heads, and painted their Eye-brows with *Stibium*, which dilated the Hair, and made the Eyes look black and beautiful.

Page 196.

Prov. 7. 10.

2 Kings

19. 30.



## C H A P. XXIV.

*Rites of Marriage among the Hebrew Patriarchs.*

**T**H E Origin and Institution of Marriage is deduced from the History of the Creation, and is founded upon that general Command to Man and Woman, *increase and multiply*. This Precept, as the *Jews* conceive, is obligatory upon all Males above twenty Years of Age, except such as were unfit for Procreation, or such as mortify themselves by a continual and excessive Application to the study of the Law. They say farther, that Women are not under such strict Obligations of fulfilling this Command, which Opinion is founded upon the Rules of Modesty, received among most Nations, which confine Women from making their Addresses to Men; and therefore their Obedience to this Injunction is not absolutely in their own Choice. All Males, say the *Rabbins*, are bound to promote the Propagation of their own Kind as long as they are capable of making Use of a Woman. Though a Man, says *Maimonides*, has paid Obedience to the Command which enjoins the Multiplication of the human Kind, by begetting Children pursuant to the Doctrine of our Sages; yet he ought not to desist from using the Means of Procreation so long as he is able to perform it; for he who adds a Soul to *Israel* edifies the World. It is also ordained in the Law by the same wise Men, that no Man should keep a Family without a Woman, lest he should be troubled with Incontinency, and that a Woman should not live without a Husband, lest her Virtue should be suspected, and she exposed to the

Impor-

Importunities and Solicitations of Men. It is beyond all Dispute that the *Jews* made great Account of Marriage, and their Books are filled with the Praises of it. For Instance, they say that a Woman is imperfect without a Husband, and that even a Man without a Wife is no Man; that God calls them *Adam*, that is, *Man*; and that he who neglects the Multiplication of the human Race is no better than a Manslayer. In those early Times both Sexes thought themselves obliged to endeavour the Propagation of the Species; voluntary Sterility was absolutely condemned, and even involuntary Barrenness was opprobrious.

*Celibacy* was of so ill repute among the *Hebrews*, that it was thought no Immodesty in the Virgins of that Nation to dance in the Vineyards upon the Day of Expiation, and declare publicly, *O young Men, lift up your Eyes and see which of us you like best. Look not upon Beauty, for that is deceitful, nor upon Riches, for they make themselves Wings and fly away; but approve of such among us as fear God.* The first Marriage was always esteemed the most happy, it being a common Maxim, that *a Man finds no Refreshment for his Soul, but from his first Wife.*

The Rights and Duties of Marriage are supposed to be expressed by *Adam*, after he awakned, full of the Spirit of Prophecy, in these Words, *Therefore shall a Man leave his Father and Mother and cleave to his Wife, and they shall be one Flesh.* In this Command is forbidden all Manner of Fornication; for he that enjoins that every one shall have his own Wife; and that he shall adhere to her, does at the same Time forbid his Commerce with the Wife of another Man. It is also evident, that Poligamy is contrary to this Declaration of *Adam*; for (as *Jonathan* observes in his Paraphrase) he does not say, *You shall cleave to two Wives, but only to one*; and what is farther said, that *Man and Wife shall be one Flesh*, plainly evinces, that the Plurality of Wives, is not according

Book VI.  cording to divine Institution ; for it appears monstrous to be one Flesh with two different Persons. Furthermore, these Words of *Adam* are directly levelled against Divorce ; for when he says they shall be one Flesh, he fully expresses that the divorcing of Man and Wife is contrary to the very End of Marriage ; and a Violence offered to Nature by separating what is one Fesh.

*Halakai. chut.*  
cap. 1.

The Marriage Contracts among the *Patriarchs* were performed, if we believe *Maimonides*, with little Ceremony. Before the Promulgation of the Law, says he, if a Man happened to meet a Woman, either in the Street, or upon the Road, and he liked her, he had no more to do than to carry her with mutual Approbation to his House, and to go to bed to her, and so she became his Wife. This is the general Sentiment of the *Jews* ; so that in those early Days two Things were required only to make a Marriage, the Consent of both Parties, and a Consummation. By the mutual Consent is not to be understood the simple Consent of going to Bed together, but of being and living together as Man and Wife, and of fulfilling all the Duties belonging to this Cohabitation. The Opinion of the *Rabbi* above-mentioned, is not to be understood according to the Letter as if a Man meeting a Woman might carry her to his House without any further Ceremony, but a certain Decorum was observed ; the Parents were consulted, if the Woman was under Tuition, and their Consents obtained ; and then the Damsel was asked, if she agreed to the Proposals. The contract was made in the House of the Father, before the Elders and Governours of the Place, and the Consummation fulfilled in that of the Husband. The Bride was veiled and conducted without Light into a Chamber designed for that Purpose, and the Bridegroom admitted ; but before the Consummation, it was the Custom after the *Espousals* for the Maid to stay  
some

some Time with her Parents, for the Sake of Chap. 25.  
 Decency, at least ten Months, say the *Jews*,  
 that she might sufficiently prepare and provide Gen. xxiv. 55.  
 herself with nuptial Ornaments. The Wedding  
 was celebrated with a Feast of seven Days; for  
 the septenarian Number was supposed to give the  
 ultimate Perfection to every Thing, which those  
 who lived before the Law observed in their  
 Festivals, especially at their Marriage Feasts, to  
 render them the more fortunate. Before the  
 Spouse was carried to her Husband, there  
 was a solemn Benediction given by some principal  
 Relation, founded upon the Example of *Re-*  
*bekah's* Brothers who blessed her at her Departure,  
*Be thou the Mother of Thousands of Millions, and*  
*let thy Seed possess the Gate of those that hate* Gen. xxiv. 60.  
*thee.*

C H A P. XXV.

Of Fornication, Adultery, Polygamy,  
 Concubinage, Divorce: Of Levirate,  
 or, marrying the Brother's Wife.

**S**UCH was the Simplicity of the Connu-  
 bial Rites among the *Patriarchs* before the  
 Delivery of the Law; but there are some  
 singularities relating to these antient Marriages  
 that seem directly opposite to the Laws of God,  
 and therefore require to be considered in this  
 Place, such as Fornication, Adultery, Conversa-  
 tion within the forbidden Degrees, Polygamy,  
 Divorce, and the Privilege of espousing the Wi-  
 dow of the eldest Brother, if he died without  
 issue; called *The Law of Levirate.*

The Subject of *Simple Fornication* is attended  
 with no small Difficulty; for from the History Gen. xxxviii.  
 of *Thamar* and *Judah* it has been collected, that 2, 3. &c.

Book VI. this Act was not criminal in the most antient Times. For say the Advocates of this Opinion, *Judah* was a great Patriarch and a Person well advanced in Years, and therefore would not have condescended to so low an Act, if besides the Meanness of it, it had also been a Crime. It is certain that the *Jews* have founded, upon this History, their Notion (so generally received among them) that before the *Mosaic* Law, simple Fornication was not forbidden. If you happened to meet, says a learned Rabbi, a Woman upon the Road, or in any other publick Place, you might lie with her if you could obtain her Consent; and after you had paid her the Money agreed for you were free from her; such a Woman was called *Kedecha*. But after the Promulgation of the Law, these Kind of Women were not allowed of, as it is said in the Law, *There shall not be a Harlot in Israel*. From the History (says he again) of *Thamar* and *Judah* it is evident, that before the Law it was no Crime to be with a Prostitute as with one's own Wife, there being no Obligation laid upon any body to avoid it. The Money or Reward bestowed upon the Harlot, was in the Nature of the Dowry given to a Woman upon a Divorce; it was a Kind of a Tax payable to a Woman by the Person who had enjoyed her; but this Liberty and Indulgence is supposed to favour of Impurity and Falshood, the Act of Fornication being directly opposite to the Laws of Marriage in its first Institution. It is evident likewise by the Story of *Dinah*, that Prostitutes were infamous in those Days, and therefore to converse with them must be criminal; besides, if simple Fornication had not been forbidden, and if the Reward promised to the Prostitute was not illegal, it is hard to conceive why *Judah* should have made such a Secret of the Matter; and if the Act had not been opprobrious and a Crime, the Patriarch had

Gen. 38. 2. 3.  
&c.

Mors Nevoch.  
p. 3.

Gen. 34. 31.

no Reason to be so careful to conceal it. Indeed simple Fornication was not then subject to any Penalties either civil or ecclesiastical; because (says *Maimonides*) of the Contract which passed between the Persons concerned; but such wicked Practices are not to be justified by such Examples; for it is certain, that every thing not punish'd by Men was not allowed by God.

*Adultery* was always look'd upon as criminal, even in the first Ages of the World; the History of *Thamar* plainly evinces it to have been Capital; *Judah* understanding that *Thamar* was big with Child, and supposing her guilty of Adultery said, *Bring her forth into the Place of Judgment*, and upon Conviction, *let her be burnt* after her Delivery. Indeed some of the *Jewish* Doctors are of Opinion, that the Words signify no more, than that she should be branded with a hot Iron in the Forehead, a Mark commonly given to distinguish Harlots from other Women: But it seems most probable, that she was to have been condemned to die. Stoning, in the Time of the Gospel, seems to have been the Punishment for Adulterers; but it has been supposed that *Thamar* was a Priest's Daughter; and such a one guilty of Fornication or Adultery, was sentenc'd by the *Mosaic* Law to be burnt alive. It is certain, that *Thamar* could not be consider'd as a Whore only, tho' she was a Widow and had no Husband, because she was contracted to *Shelah* the third Son of *Judah*: Besides, if a Woman became a Widow by the Death of her Husband, who had a Brother that was capable to raise Seed to his deceased Brother, she was looked upon as contracted to him; for the Brother being obliged to take her, it was understood to be one continued Marriage. Otherwise had *Thamar* been consider'd barely as a Widow, she could have been accused of no more than simple Fornication, and therefore could not be liable to the Punishment of Adultery.

Book VI.

It will be more difficult to discover the Sentiments the *Hebrews* had concerning a Man, who defiled his own Bed by lying with an *unmarried Woman*: Concerning Women that were married it is certain, that the Persons who debauch'd them were looked upon as Ravishers, and punished as Criminals; but the Enquiry is about a Man's lying with a Woman that was under no Engagement. Some are of Opinion, that for a Man to have full Commerce with an unmarried Woman was allowable before the Law. This is the Judgment of St. *Ambrose*, founded upon the History of *Abraham*, *Sarah* and *Hagar*.

L. x. de Abrah.  
c. 4.

Some, says he, will perhaps object, how is *Abraham* set up for an Example, who begat a Child upon his Maid? or could it happen that so great a Man should fall into so great an Error? It is to be observed that *Abraham* lived before the Law and the Gospel, at a Time when Adultery was not forbidden as yet; it could not be consider'd as a Crime till it was forbidden by the Law, no Action being punishable till it is declared such by the Law: *Abraham* therefore did not transgress the Law, because he lived before the Law; for though God highly recommended Marriage in Paradise, he did not condemn Adultery. But this Notion contains several Errors both in Point of Reason and Matter of Fact; *Hagar* ought not to be consider'd as a Harlot, but as a secondary Wife (a Liberty that was legal in those Days) who was not to be Mistress of the House, but only to bear Children for the Increase of the Family; and such Children were in some Sort esteemed legitimate, bearing the Name of the Father's Family, and having some share in the Inheritance; so that *Abraham* did not commit Adultery, but only made Use of the Privilege of the Age when Polygamy was allowable; and the same may be justly said of a married Man's having close Commerce with an unmarried

married Woman, as was asserted before of simple Fornication; it was opprobrious and reputed criminal, but not subject to any civil Punishments.

In the first Ages of the World, it is certain that Brothers married their Sisters, Uncles their Neices, and Fathers in Law their Daughters in Law; nay Fathers might even marry their own Daughters; and if we believe the *Jews*, every thing of that Kind was allowable at that time, except lying with one's own Mother, with one's Father's Wife, with another Man's Wife, or Mankind with Beasts: They say further, though they were not allowed to lie with their Sister of the same Womb, that is, the Sister by the Mother's Side, they might espouse a Sister the Daughter of their Father; so that according to their Sentiments, God added fifteen forbidden Degrees of Marriage unto those which were reputed as such in the preceding Ages: These are, the Commerce of a Man with his Wife's Daughter, with his Mother in Law, with the Mother of his Mother in Law, with the Mother of his Father in Law, with his own Daughter, with his grand Daughter by his Daughter's Side, with his grand Daughter by his Son's Side, with the grand Daughter of his Wife by the Daughter's Side, with his Wife's Daughter by the Son's Side, with his Sister by the Father's Side, with his Father's Sister, with his Mother's Sister, with his Wife's Sister, with his Father's Wife, with his Unkle's Wife: All these Degrees allowed of in the Patriarchal Times were forbidden by the *Mosaic* Law; and these Marriages of the first Ages of the World have been the true Cause, why the People of the *Last* have proved less scrupulous in regard to these incestuous Copulations than those of the *Western* Parts, nothing being more frequent in the *East* than Marriages between Brothers and Sisters;

Book VI. whereas it is very uncommon to discover any such Practice among the *Western* Nations.



Gen. 4. 19.

The Plurality of Wives, called otherwise *Polygamy*, furnishes us with another Piece of Singularity in the Marriages of the Patriarchs. *Lamech* of the Race of *Cain* was in all probability the first, who transgressed the original Institution by having more Wives than one, and after him this Custom became very common before the Deluge, but the Practice it is supposed was more frequent afterwards. Most of the Patriarchs lived in a State of Polygamy, *Abraham* had *Hagar* besides *Sarah*, and *Jacob* had no less than four Wives, the Daughters of *Laban* and their two Maids. The *Jews* very strenuously contend for the Legality of this Practice, as agreeable to the Law of Nature; and look upon the *Sadduces* as heretical, because they assert Polygamy to have been forbidden by *Moses* in these Words; *Neither shalt thou take a Wife to her Sister to vex her.* 'Tis one of the Maxims of their Law, every one is allowed to marry as many Women as he is able to maintain (tho' four is the usual Number.) A Man is at Liberty, say they, to have a hundred Wives, either one after another or at once, the first Wife having no right to oppose it, provided the Husband be in a Capacity to furnish them all with cloathing and other conjugal Duties, every one in their turn. They add, that before and after the Deluge it was a Custom to have two Wives, one for to beget Children upon, and another for Pleasure only, for which Reason, they used to give this last a Draught, which promoted Sterility or hinder'd Conception to preserve her Beauty; she used also to be richly attired, especially on their Feast Days, whilst the other was kept close within Doors like a Widow in deep Mourning. The *Jewish* Writers are too partial upon this Occasion, Polygamy being contrary to the original Law of

Levit. 18. 18.

Marriage

Marriage which propounds, that a Man shall cleave to *his Wife*. It is certain there is no express Law against it, but there are not many Instances of it among holy Men before the Deluge, though afterwards it got footing in the Families of the Patriarchs, yet at the same time some among them were more scrupulous upon that account than others. *Job* had but one Wife, and *Isaac* none but *Rebekah*; neither do we read that any one of *Jacob's* Children had more than one Wife a piece. After the Promulgation of the Law, Polygamy lost ground more and more; for setting aside *David* and *Solomon*, and some few of their Race, there are not many Instances of it, especially among private Persons. And this Practice God seems to have connived at in the Kings of *Israel*, because they should not be inferior in Splendor to the other *Eastern* Kings their Neighbours, whose greatest Magnificence consisted in some measure, in the vast Number of their Wives, which Custom continues among them to this Day.

The Use of *Concubines* was a Kind of super-additional Polygamy among the Antients, they being regarded as half Wives; the Difference between them and lawful Wives, the *Jews* say, consists in this, that the Marriages of the latter were preceded by certain matrimonial Contracts and particular Solemnities of Nuptials, but nothing like this was observed in the taking of a Concubine. Wives, say the *Talmudists*, are taken under a previous Contract of a Dowry, and attended with the usual nuptial Ceremonies, but Concubines without either of them.

*Gemora Talmud. Hierosol. Kidoufch. c. 5.*

Thus we may observe in the Marriages of *Jacob* with the two Daughters of *Laban*, something of a Ceremony, Feasts, Nuptials, and Sacrifices, the Festival continuing seven Days; they used nothing like this in the taking of their Concubines, they had no more to do than to take them, carry them to their Places of Abode,

Book VI. Abode, and to cohabit with them without any further Ceremony : Besides, it is supposed that a Concubine, notwithstanding her free Commerce

T. Melakim. c. with her Master, remained in a State of Servitude as she was before. *Hagar*, *Sarah's* Maid, continued to be a Slave tho' she was *Abraham's* Concubine, as evidently appears from the Treatment she receiv'd afterwards; and if we may credit the *Jews*, a Free-woman became a Slave by Concubinage. The Children of the principal Wife succeeded the Father in his Inheritance, but the Children of the Concubine were dismissed with Legacies and Gifts. *Maimonides* says, that private Persons among the *Jews* were not allowed to have any Concubines, unless it were an *Israelite* Servant purchased from her Father. If she was sold by her Father she thereby became a Slave at least, so far as was consistent with the *Jewish* Law in Reference to the native *Israelites*, who could not be disposed of to perpetual Slavery; their Servitude being only the Loss of Liberty for a certain Time. For the rest, the Laws of Concubinage, were altogether the same with those of Marriage, the Man was obliged to entertain his Concubine in his House, and she was bound to Fidelity and Obedience to him, as much as if she had been his lawful Wife.

There is no Instance, I think, of a *Divorce* in the Patriarchal Times, unless that Action of *Abraham* may be said to be such, when he dismissed *Hagar* his Concubine and sent her away.

The *Jews* contend that Divorces were allowed by the Law of Nature as well as Polygamy, though they do not make it reciprocal, as if a Woman could leave her Husband as he might his Wife. When will the time come, says *Maimonides*, that a Wife among the *Noachides* will be in the same Condition with ours unto whom we give a Letter of Divorce; this will be when the Husband turns her away and breaks  
the

the Knot, or when she goes away and leaves her Husband upon her own accord; for among them there is no giving a Letter of Divorce, nor does this matter fall with them under the Cognifance of the Judges, as it does with us; but they part according as Husband and Wife think it most convenient. It is a Maxim among the *Jews*, the *Noachides* have neither any regular Contracts nor Divorces, but their Marriages are either made or dissolved as both Parties shall agree. Their Meaning is, that as Men in the Ages of the antient Patriarchs did marry without any Formalities, so they parted in the same Manner.

Chap. 25.

Gen. 32. 2.

The Law of *Levirate* was, if a Man died without Issue, leaving a Widow behind him, the Brother of the deceased was obliged to marry the Widow of his Brother, that so the eldest Son born from this Marriage might retain his Father's Name, pass for his Son, and inherit all his Estate. This was an antient Custom in force before the Law of *Moses*, and seems to be indispensable in those times, tho' the Rigor of it was abated afterwards, the Matter being in a Manner left to the Choice of the Persons concerned. This Ceremony will be particularly explained hereafter, when it comes to be considered as an established Law: It is sufficient to observe in this Place, that the Marriage with the next Brother was not attended with any new Contract, but was understood to follow on Course without any further Agreement by virtue of the original Law; and if the next Brother was too young to consummate the Marriage with the Widow, it was defer'd till he arrived at a proper Maturity, and she remained during the Interval clothed with her Widow's Garments in her Father's House.

Deut. 25. 5.



## C H A P. XXVI.

*The forbidden Degrees of Marriage by the Levitical Law.*

**I**N order to prevent Incest, and abominable Mixtures that were practised by the *Eastern Nations*, it pleased the Divine Law-giver to set a Fence about his own People, to guard them against such unnatural Prostitutions, and to enforce his Laws by Capital Penalties. The Degrees of Marriage that were expressly forbidden, are these that follow.

Levit. xviii.  
7, 8. *Eng.*

*Thou shalt not uncover the Nakedness of thy Father or thy Mother.* Nakedness in the Holy Language signifies the Secret Parts, which natural Modesty teaches all civilized People to cover, and not to reveal them to any, but to those whom they marry; therefore, not to uncover the Nakedness of the Persons hereafter named, is properly not to take them in Marriage, and much less to have Knowledge of them without. Both the Father and Mother are mentioned in this Law, to shew that neither the Daughter might marry her Father, nor the Son his Mother; and consequently in all the following Particulars, Women are concerned in the same manner with Men, though the Men be only mentioned; and under the Name of Father and Mother, are comprehended Grand Father or Grand Mother, or Progenitors before them. *Maimonides* gives this as the general Reason for prohibiting this and all the following Marriages, because the Persons concerned, are in a manner such as used to live together in the same House, (for so Fathers, Mothers, Children, Brothers, and Sisters do,) who might easily be tempt-

ed to Lewdness, if even Marrying together were not expressly forbidden. Chap. 26.

*The Nakedness of thy Father's Wife*, that is, of a Step-Mother; for as Dr. Taylor judiciously observes, She that is of one Flesh with my Father, is as near to me as my Father, and that's as near as my own Mother; as near I mean, in the Estimation of the Law, tho' not in the Account of Nature: And therefore, though it be a Crime of less turpitude, yet it is equally forbidden, and is against the Law of Nature, not directly, but by Interpretation. The Jews say upon this Occasion, that it was unlawful for the Son to marry her, though she had been only espoused by his Father; or if he had divorced her, it was not lawful for the Son to have her, even after he was dead.

Duct. Dubitant.  
B. 2. c. 2. Ru 3.

*The Nakedness of thy Sister*: As the nearness of Flesh above a Man is his Mother, and below him is his Daughter, so on the Side of him is his Sister. This Law includes a Sister begotten by his Father of another Wife, and one born of his Mother by another Husband, whether she be legitimately born in Wedlock, or illegitimately out of it, as the Talmudist expounded it; for though the Marriage of Brother and Sister was necessary in the Beginning, when there was but one Man and one Woman, by whose Children the World was Peopled; yet when it was so, there was great reason that it should be made utterly unlawful, Now, says Bishop Taylor, it is next to an unnatural Mixture, it hath something of confusion in it, and blending the very first Partings of Nature, which makes it intolerably scandalous, and universally forbidden; for if it were not, the mischief would be horrible and infinite.

*Of thy Son's Daughter, or of thy Daughter's Daughter*. This Law relates to a Man's Grand Daughter, by his Son or his Daughter, whether legitimately or spuriously begotten: There is no mention made of a Man's own Daughter, because say the Jews, there was no occasion, for a Man's

Grand

Book VI. Grand Children either by Sons or Daughters, (which are more remote) being forbidden, there was no reason to observe, that it was unlawful for him to marry his own Daughter.

*Of thy Father's Wife's Daughter, begotten of thy Father.* That is, of a Sister by the same Father, though not by the same Mother. This Prohibition was necessary, because, before the Promulgation of the Law, the Sons of *Noah* thought it lawful to marry a half Sister (as we speak) by the Father's Side, though not by the Mother's.

*Of thy Father's Sister,* whether legitimately or spuriously descended from his Grand-Father; (say the *Hebrew Doctors*.) These Marriages are supposed to be allowed before the Law, for it is thought, that *Amram* the Father of *Moses*, was married to *Jochobed* his Aunt.

Exod. vi. 20.

*Of thy Mother's Sister.* There is the same Reason for this, as for the former Prohibition; the Aunt by the Mother's Side being as near to a Man, as his Aunt by his Father's.

*Of thy Father's Brother.* She was his Aunt by Affinity, and therefore as much forbidden as an Aunt by Consanguinity. This Law includes the Mother's Brother's Wife, though She be not mentioned.

*Of thy Daughter in Law, thy Son's Wife,* though She were only espoused to him; and therefore, much more when solemnly married.

*Of thy Brother's Wife.* Unless he died Childless, for in this Case the Brother was bound to marry her; much less might a Man marry his Brother's Daughter, who was nearer to him, and of his own Flesh.

*Of a Woman and her Daughter.* If a Man married a Widow that had a Daughter, it was reckoned impious to marry that Daughter, either while her Mother lived, or after she was dead; the Grand Daughter of such a Widow, either by her Son or Daughter, was forbidden, which the *Vulgar Latin* makes to be an incestuous Conjunction.

Neither

*Neither shalt thou take a Wife to her Sister.* Chap. 26.

There are many eminent Writers, who following our Marginal Translation, [one Wife to another] conceive, that Plurality of Wives is expressly forbidden by this Law; and so the *Karaites* interpret this Place, that a Man having a Wife, should not take another while she lived; which if it were true, would assist us to solve many Difficulties; but there are such strong Reasons against it, that I cannot think this to be the meaning: For as more Wives than one were indulged before the Law, so they were after. And *Moses* himself supposes as much, when he provides that a Man should not prefer a Child he had by a beloved Wife, before one by her whom he hated, if he was the eldest Son. We find expressly, that the *Hebrew* Kings might have many Wives, though not a Multitude; and the best of their Princes, who read the Divine Law day and night, and could not but understand it, took many Wives without any reproof; so far from that, that God gave him more Wives than he had before, by delivering his Master's Wives to him. The Meaning therefore, is, that though two Wives at a time, or more were permitted in those Days, yet, no Man should take two Sisters (as *Jacob* had formerly done) begotten of the same Father, or born of the same Mother, whether legitimately, or illegitimately; which though it may seem to have been prohibited before by Consequence and Analogy, (because the Marriage of a Brother's Wife is forbidden) yet in this Place it is more expressly prohibited, as other Marriages are.

Deut. xvii. 17.

2 Sam. xii. 2.

*To vex her in her Life-time.* There used to be great Jealousies and Emulations between Wives, (some being more beloved than others, and also superior to them,) which between two Sisters, would have been more intolerable than between two other Women; who, (as *Cunæus* remarks) not being of the same Consanguinity as Sisters are, might live with more equal and quiet Minds under

De Rep. Heb. L. 2. c. 23.

Book VI. under the same Husband. The *vulgar Latin* understands this, as if *Moses* forbid them to make one Sister their Wife, and the other their Concubine; which could not but occasion the greatest Disturbances. Besides, no one would afterwards marry either of the Sisters being Widows, because they were defiled by such an incestuous Conjunction, for which the Husband by the Law might be cut off.

These were the Boundaries expressly fixed by God, as a Guard against those abhorred Mixtures and Impurities, for which the Seven Nations of *Canaan* were destroyed. They obliged all *Proselytes* who embraced their Religion, as well as the *Hebrews*, and were established under the Sanction of severe Penalties. If a Man lay with his Father's Wife, or with his Daughter in Law, or with his Wife and her Mother, or with his Sister, his Father's Daughter, or his Mother's Daughter, or with his Mother's Sister, or Father's Sister, they were both to be put to Death: The kind of Death is expressed but in one Place, and that is when a Man lay with his Wife and his Mother, they were all three to be burnt with Fire; which it is probable was the Punishment, in the other Cases of Incest. If a Man lay with his Uncle's Wife, or his Brother's Wife, besides the Punishment of Death, the Law adds *they shall die Childless*; which is supposed to mean, that whatever Issue proceeds from such Incestuous Converse, was to be esteemed Spurious and illegitimate; and to be deprived of succeeding to their Father's Inheritance.

Levit. xx. 13,  
14. &c.



## C H A P. XXVII.

Chap. 27.



Of Marrying with Idolaters; *Laws concerning Profelytes.*

BESIDES these strict Injunctions relating to Affinity and Consanguinity, there were other Restraints laid upon the *Hebrews* in their Marriages by the Law of *Moses*; they were forbidden to enter into matrimonial Contracts with the Inhabitants of *Canaan*, lest the Love of their Wives should seduce them into Idolatry. Some of the *Jews* would confine this Prohibition to the seven Nations only, but the best Expositors extend it to all People that were Idolaters to whatever Country they belong'd; yet they allow that they might marry with them if they became *Profelytes* of Justice, which is supposed to be the Case of *Ruth* a *Moabites* and *Delilah* a Daughter of the *Philistines*.

The Case of marrying with *Profelytes* of Justice is thus explained by Mr. *Selden*; with *Profelytes* of some Nations, whether Men or Women, the *Israelites* were never to make any Marriages; with those of some other Nations, they were prohibited only to marry with Men, with others they were restrained from marrying only for some Generations; and there were others with whom they might marry, as soon as they were made perfect *Profelytes*. Of the first Kind were the seven Nations of *Canaan*, with the Males or Females of which, they were never to contract any Affinity. To the second Kind belong the *Ammonites* and the *Moabites*, to whose Males an *Israelitish* Woman was forbid to marry; but a Man of *Israel* might marry any of their Women after they professed the *Jewish* Religion; otherwise *David* who

Book VI. descended from *Ruth* a *Moabites* had been illegitimate. The *Ammonites* had denied the *Hebrews* the Refreshment of Bread and Water when they were distressed in the Wilderness, and the *Moabites* had invited *Balaam* by the Promises of a great Reward to come from the *Eastern* Countries to curse them; for which Reason the Males of these Nations were excluded the Privilege of contracting with the Women of *Israel*: But as the learned *Wagenfeil* has observed from a valuable Manuscript; the Females of those Countries might, if they embraced the *Jewish* Religion, marry with the Men of *Israel*; for the Women must be thought in all Reason not to have been guilty, as the Men were, of that which was the Occasion of this Law, it not being the Custom for Women to bring out Bread and Water to Travellers, nor did they send Ambassadors to hire *Balaam* to come and curse the *Israelites*. Of the third Kind were the *Edomites* and *Egyptians*, with whom it was lawful to marry after they had been *Profelytes* for three Generations. This Restriction, says *Mr. Selden*, was observed only to the Captivity of *Babylon*, when these Nations being confused, they might marry with any of them if they became *Jews*; for Wars and Colonies, and Deportations had made such a Mixture of People, that it was scarce possible to discover to what Country they belong'd. Of the fourth Kind were all other Nations and People, except those above mentioned, with whom the *Hebrews* might lawfully marry, as soon as they became perfect *Profelytes*.

But this Law, as the *Talmudists* observe, did not extend to *Profelytes*, who were allowed to marry with the idolatrous Nations; however, it was esteemed as impious and unlawful for a *Hebrew* to have any Converse with a *Gentile* Woman as with a Woman in her Uncleanness, from whence this Character is given the *Jews* by *Tacitus*, that tho' they were a most libidinous

nous People, yet they abstained from marrying with Foreigners. It was not so criminal for a Man circumcised to marry the Daughter of one uncircumcised, as it was to give his Daughter in Marriage to an uncircumcised Husband; for a Man uncircumcised was accounted unclean tho' he had renounced Idolatry, but a Woman born of uncircumcised Parents was not so accounted, if she embraced the Worship of the true God; for which Reason it is supposed, that *Salmon* a great Man in the Tribe of *Judah*, married *Rahab* who was a *Canaanite*.

## C H A P. XXVIII.

*The Ceremonies of Marriage between a Soldier and a fair Captive taken in War.*

THERE is one Instance in which this Law Deut. 21. 10. of marrying with Foreigners admitted of an Indulgence, and that was in the Case of a *Soldier*, who falls in love with a fair Captive, whether a Virgin, or a Widow, or a Wife, and passionately desires to marry her, though a Stranger of another Religion; she must be one of a neighbouring Nation, but not one of the People of *Canaan*, for not one of those were to be spared, but if they resisted were all to be destroyed. It is a common Opinion among the *Jewish Doctors*, that it was lawful for a Soldier to lie with such a Captive once to satisfy his Lust, but not repeat it unless he would take her for his Wife; and this they suppose was allowed to military Men when they were absent from their Wives, in order to prevent greater Outrages that were used to be committed by the Heathen. But the more sober Writers deliver a contrary

Book VI. Doctrine, and will not allow an *Israélite* to converse with a *Gentile* at all, till the Conditions that follow were accomplished when he was to make her his Wife.

The first thing required was after the War was over, to take the Captive home to his House. The *Rabbins*, who are so indulgent to the Soldiers Lust, will have this to signifie, that they were obliged to observe the Rules of Modesty in the Camp, and not lie with her openly like Beasts but privately in their Tents; but this Construction has few Followers. When he had brought her home, he was to dispose of her thus; she was to have her Head shaved, which some suppose was done with a Design to abate his Affection that he might not marry her at all, and others to prepare her and make her fit for his Bed. By having her Head shaved (which every one knows was used in Mourning) she was deprived of one of her greatest Ornaments and made less amiable, which might be a Means to extinguish the Affection her Beauty had kindled; but others more justly conceive this to have been a Kind of Purification and cleansing of her from her *Gentilism*, and a Sign of her becoming a new Woman, that she might be better qualified to become his Wife; the Captive was then to pare her Nails, which likewise was a Sign of Neatness: But they of the other Opinion translate the Words, *let her Nails grow*, as our marginal Translation has it, and the *Arabick*, and *Chaldee* and the *Hebrew* Doctors commonly understand it; this was intended to make her more deformed, and to lessen the Affection of her Lover; at least this Ceremony was suitable to the Condition of a Mourner, for such she evidently was, being obliged to strip her self of her fine Clothes, which it is supposed she had when she was made a Captive, and to put on a mean and fordid Habit, and all this to cool the Love of the Soldier; these Ceremonies being designed

signed (as the *Jews* observe) to make the Woman as little inviting as possible, that such Marriages might not be common among them. She was likewise obliged to keep her self retired within Doors as a most unfortunate Person, and there to lament the loss of her Father and Mother, who perhaps were killed in the War, or rather whom she was never likely to see any more; and this also the *Jews* suppose served to abate his Affection; for Grief is one of the greatest Enemies to Beauty: She had a whole Month allowed her to indulge her Sorrow, for so long the *Jews* bewail'd their dead Relations, at least those of a superior Quality among them.

This Constitution is highly magnified by *Philo*, Lib. de Philanthrop. whose Opinion it was, that this Captive might not be touched before all the Ceremonies were accomplish'd: *Moses*, says he, ordered every Thing most excellently in this Law, *First*, In not letting the Reins loose to Mens desires, but restraining them for thirty Days; in which Time, *Secondly*, a Tryal was made of his Love, whether it was a furious ungovernable Passion, or had something of Reason in it; and *Thirdly*, This was a merciful Law to the Captive, that if she were a Virgin, she might bewail her Unhappiness in not being disposed of in Marriage by her Parents; if a Widow, that she had lost her first Love, and was now to be married to a Man who was to be her Lord as well as her Husband.

A Month being spent in the forementioned Ceremonies, the Man, if he continued to love her, might take her for a Wife, provided she was willing to embrace the *Jewish* Religion; in which, while she remained retired in his house, she was to be instructed: For the *Jewish* Doctors agree, that she was to be baptized, and not meerly made a Profelyte of the Gate, that is, renounce Idolatry; otherwise he might not marry her. If she refused absolutely to embrace their Religion, *Maimonides*

Book VI. says, they gave her a Year's time to consider of it; at the end of which, if she remained still obstinate, they required her at least, to observe the seven Precepts of the Son's of *Noah*, and so become a Profelyte of the Gate, otherwise she was to be slain: But though she was so far converted, no *Jew* might take her to Wife, for such a Marriage was counted impious. Those *Hebrew* Doctors who conceive that the Soldier might lawfully enjoy the Woman once, as soon as she was made a Captive, have added another Conceit to this; that there was not only this Month's-time allowed her to bewail her Parents, but that he was to stay two Months more, before he might go in to her and be her Husband, that he might see whether she was with Child or no by his first Enjoyment of her; for if she were, a great Difference was to be made between that Child, and those she might have by him after Marriage. And to prove this, they bring the Example of *Tamar*, the Daughter of *David*, whose Mother being a Captive, they suppose he lay with her as soon as she was taken, and had this Issue by her; but afterwards she becoming a Profelyte he made her his Wife, and she bare him *Absalom*: Whereby it came to pass, that there were not such a Relation between her and the other Sons of *David*, by other Women, but that it had been lawful for *Amnon* to have married her. But the famous *Abarbinel* judges all this to be very absurd, who neither believes that *David* would have committed this Fact, as to lie with a Woman in her Gentilism, nor if he had, that this Child would have been look'd upon as a *Gentile*, since he afterwards married her Mother; and therefore he takes those Words of *Tamar*, *Speak to the King and he will not withhold me from thee*, to be a meer Evasion to put him off, and get rid of his Company, which *Amnon* understood very well; who knowing he could not have her for a Wife, proceeded to force her.

2 Sam. 12. 13.

2 Sam. 12. 13.

If the Soldier at the Month's end, or any time before had changed his Mind, and resolved not to take her for a Wife, he was obliged to meddle no more with her, (as the *Hebrew* Doctors understand it,) nor keep her any longer as a Slave, nor sell her, or make Merchandise of her, but to give her Liberty to go where she pleased. This he lost (say the *Jews* of that Opinion) by his short Pleasure he took at first, for other Captives, whom a Man had made himself Master of by the Law of War, he might employ in his Work as Slaves, or make Money of them; but one whom he had lain with, he was either to marry, or to set at Liberty. The Reason given in the Law why she had her Freedom, is, *because he had humbled her*; which Expression in other places of Scripture signifies close Converse with a Woman: And here is supposed to intend as much, yet some conceive it implies no more than that he had greatly *afflicted* her; for the Word in the *Hebrew* signifies any sort of Affliction. And sufficient Affliction and Humiliation it was to a poor Captive, to be brought into a Soldier's House, to be kept there a Month with her Head shav'd, and in a State of Mourning, and all this in prospect of Marriage, and at last when it should have been consummated, to be rejected; especially when she had submitted to be baptized as a Preparation for it.

Exod. 1. 12.

Psal. 90. 15.

94. 5.



## C H A P. XXIX.

## Of Eunuchs: Of Bastards, and Harlots.

Deut. 23. 1.

Selden de Jure  
Nat. & Gent.  
L. 5. c. 16.

THERE is a Law which expressly forbids *Eunuchs to enter into the Congregation of the Lord*: Whether they were made so by having their Stones bruised or compressed, or by having their Privy Members wholly cut off, which was done when the other Method did not answer the Purpose in this unnatural Practice. The Meaning of this Law has given great trouble to Expositors, and some have even conceived, that such a Person was not to be entertained as a Profelyte, nor admitted to worship at the Temple, which is an unreasonable Conjecture; for if they renounced their Idolatry, the Temple was common to all Nations. The Design therefore must be either to forbid the *Israelites* to marry with such Persons, or not to admit them to bear any Office in the *Jewish* Commonwealth. The *Hebrew* Doctors generally take it in the first Sense, and so do many among Christian Writers; but some conceive it to be superfluous to forbid this, because none would marry with such Persons as were incapable to perform the Conjugal Duty; and therefore they follow the second Sense, it being certain, that by *Congregation* is signified in many Places not the whole Body of the *Hebrew* Nation, but the great Assembly of Elders, into which no such Person was to be admitted, because they were unfit for Government; Eunuchs being observed generally to want Courage. But it is certain, likewise, that by *the Congregation of the Lord* is meant in other Places, the whole People of *Israel*; and particularly where the Law speaks of forbidden Marriages: And though Marriages with Eunuchs were useless and unprofitable, as *Maimonides* observes,

erves, yet they allowed a Distinction between those that were made Eunuchs by God, that is, born so, and those made by Men; and this Law, they say, is not to be understood of the former, but only of the latter, some of which it is certain, were left in such a Condition, that they were desirous of Marriage, as appears by the Constitution of the Emperor *Leo*, who did not think it superfluous to forbid Marriage with them; so that it is evident, that some Women made choice of such Husbands. And on the other Side, though Eunuchs were unfit for Marriage, yet it appears by many Instances in History, that they were well qualified for Government; nor did they want Courage to execute the greatest Undertakings.

Chap. 29.

Eccles. 30. 20.

Xenoph. Cu-ropæd. Lib. 8.

Another Law follows, *A Bastard shall not enter into the Congregation of the Lord, to the tenth Generation*: The Word in the Hebrew is *Mamzer*, and is conceived not only to signify one begotten in simple Fornication, out of the State of Marriage, but a Person whether Male or Female, born of any Woman whom the Law prohibited them to have Knowledge of, whether it was by Violence or Consent, by Error or advisedly, it made no Difference. A Person thus unlawfully begotten, was not to marry with an *Israelite*, as all the Doctors, none excepted, expound it; as Mr. *Selden* observes. If any Man of *Israel* married such a Woman, or a Woman of *Israel* married such a Man, and they were found in Bed together after Espousals, they were both whipt for violating this Precept; but if they lay together without Espousals, this Punishment was not inflicted. The Reason of this Law, seems to be, that People might be deterred from such Marriages or Conjunctions, which would leave an indelible Blot upon their Posterity.

Deut. 23. 2.

De Success in Pontific. L. 2. c. 2.

There were some also of these *Mamzers*, who were not evidently born of Incestuous or other forbidden Mixtures, but were called *dubious*, because their Fathers were not known; or being exposed,

Book VI. exposed, and found in the Fields or Streets, neither Father or Mother could be discovered: It being uncertain therefore, whence they were descended, the *Israelites* might not marry with them, lest they should be polluted by those, who, perhaps, were born of Incestuous Parents. But Profelytes of Justice, they say, might marry with *Mamzers*; and that they might not for ever be excluded from the Congregation of the Lord, they contrived this Remedy for the Restitution of their Blood. They might marry a Slave (who was baptized and become a *Jew*) whose Children were not reputed *Mamzers*, but only Slaves; who being made *Jews*, and having their Freedom given them, might lawfully marry with a *Jewish* Woman, and then they were intirely incorporated into the Congregation: For the Issue always follows the Mother, no Regard being had to the Father at all.

Antiq. Lib. 4.  
c. 8.

*Josephus* in his Account of the *Hebrew* Marriages, asserts, that a *Hebrew* was not to marry a Harlot, because God abhorred the Nuptials of such a Woman, upon the Account of the Filthiness of her Body; but there is no such Law to be met with, in the Code of the *Mosaic* Institutions.



CHAP.

C H A P. XXX.

Of Women marrying in their own Tribes.  
 Of marrying the Brother's Wife, according to the Levitical Law. The Ceremony of pulling off the Shoe, and spitting in the Face.

**T**O preserve Inheritances in the Tribe to which they first belonged, the Law of *Moses* enjoyned, that all Women who were Heireffes, should marry in their own Tribe, and in their own Family, but other Women might marry into what Tribe they pleased; for *Aaron* married the Sister of the Prince of *Judah*. If it be objected that this was done before the Delivery of the Law, it is evident, that *Jehoiadab* a Priest, and consequently of the Tribe of *Levi*, married a Sister of King *Jehoram*, who was of the Tribe of *Judah*: And long before this, all the Tribes of *Israel* being in great Solitude, how to find Wives for their Brethren of *Benjamin*, did not scruple their having them out of any Tribe, if it had not been for their Oath. And to add no more, *David* himself, of the Tribe of *Judah*, married *Michal* the Daughter of *Saul*, who was of the Tribe of *Benjamin*. The *Talmudists* observe, that even Heireffes might marry into what Tribe they pleased, after the Division of the Land by *Joshua*, to which they imagine this Law was restrained; it being a common Saying among them, that it did not belong to any Age, but to that in which it was made. In the following Ages, they pretend a Man might purchase Land in any Tribe, and possess it alway, or have the Inheritance of it by Marriage, though himself

Numb. 36. 6.

Exod. 6. 22.

2 Chron. 22. 11

Judg. 21. 18.

Selden de Success. ad Leg. Heb. c. 18.

Book. VI. himself were of another Tribe. But the learned *Grotius*, in his Annotations upon St. *Matthew*, confutes this Opinion.

Matth. II. 16. Deut. 25. 5. &c. The Law next to be explained, was of the same Use with the former; which was to secure Estates in the Family that first possessed them, and is commonly called the Law of *Levirate*: The Obligation of it was, that if a Man died without Issue, leaving a Widow behind him, the Brother of the Deceased was bound to marry the Widow of his Brother; that so the eldest Son born from this Marriage, might retain his Father's Name, pass for his Son, and inherit all his Estate; which is the Meaning of the Expression, *to raise up Seed to a Brother*. This was a Law before the time of *Moses*, among the Patriarchs, and the Force of it was so well understood, that the *Hebrew* Doctors say, it was not necessary there should be any solemn Marriage celebrated with such a Widow; because, unless her Husband's Brother renounced her, she was esteemed his Wife by Divine Authority, and that whether she had been only espoused by the Deceased Brother, or his compleat Wife: Yet by the Constitution of their Elders, he was to contract with her before two Witnesses, and give her a Piece of Money; and before this, it was unlawful for him to lie with her. There was also to be a Sacred Benediction of the Marriage, and her Dowry assigned her by an Instrument; but if he lay with her before those Solemnities, there was no formal Contract exacted of him afterward: He was only to be scourged for contemning the Constitutions of the Elders, and compelled to settle a Dowry upon her.

If a Man left several Widows, and if his Brother either married or renounced one of them, all the rest were free from this Law; and if several Brethren died, and left every one of them a Wife without Issue, the surviving Brother might either take or reject them all, or choose one or two, and let the Rest alone as he pleased. If the eldest Brother

ther that married his Brother's Relict died also without Issue, the next surviving Brother was to marry her; if he died Issueless, the third Brother succeeded in the same manner; the fourth to the third, and so to all the rest: Yet that Brother only was admitted to this Marriage, who was born before his Brother's Death, which is collected from the express Words of the Law, *if Brethren dwell together*, which cannot be intended of one born after his Brother was dead. It does not appear, that the Brother was to act in this Case, if he himself was married before; for it should seem that he lay under no Necessity of raising up Seed to another, when at the same time he was married in order to raise his own Family. It is further observed, that *the Law of Levirate* took place only with the Brothers by the same Father. It is, they say, Maimon. Tr. Libbum c. 6. commanded by the Law, that a Man shall marry his deceased Brother's Widow, to raise up Seed for him; but this must be understood only of Brothers by the same Father, whether the Deceased was actually married, or only contracted, so he died without Issue, it was the same Case; those that were Brothers only by the Mother's Side, being not consider'd as Brothers, as well in respect to Succession, as in reference of marrying the Brother's Widow; because there can be no Right of Fraternity, but what comes from the Father's Side.

The old Practice, before the Time of *Moses*, admitted of a great Mitigation by this Law; for now, a Man might, if he did not like her, refuse to marry his Brother's Wife; which was not permitted before, as appears by the Story of *Onan*, Gen. 38. who married *Tamar* against his Will, as his Behaviour towards her demonstrates: For this he had no Occasion to have done, if this Permission which here follows, had been then in Use.

The Woman upon the Brother's Refusal, applied to the Court of Judgment, which usually sat in one of the Gates, and a Court of these Elders was sufficient

Book VI.

sufficient to determine in this Matter ; and it seems, it was indifferent whether these three were created Elders according to the solemn Form among them, by laying on of Hands ; but it was sufficient, if they were such as they called *Elders of the Street*, or common Men : The Woman was to prefer a Bill of Complaint in these Words, *My Husband's Brother refuseth to raise up unto his Brother a Name in Israel, he will not perform the Duty of my Husband's Brother.* Then was the Man summoned to appear, together with the Woman, (who, they say, was to be fasting,) and two Witnesses at the least ; and she opened the whole Matter. She was asked whether it was three Months since the Death of her Husband, (which were allowed to see whether she proved with Child,) and whether this Man was next of kin : A satisfactory Answer being returned, the Judges explained the Law before them, and admonished them seriously to consider on each Side, their Age, or any Disparity or Inconvenience that might be in their Marriage ; and accordingly to resolve. Then was the Man asked in express Words, whether he would marry her, and raise up Seed to his Brother ? If he stood to his first Resolution, and said, *I like not to take her,* she pronounced aloud, *My Husband's Brother,* &c. and then coming up to him, *pulled of his right Shoe,* (as the *Hebrew Doctors* say,) and when she had lift it up, threw it with Indignation against the Ground : This was understood as a Mark of Infamy, and a Punishment for his Want of natural Affection, which made him unworthy to be reckoned among Freemen ; but deserve rather to be thrust down into the Condition of Slaves, that were used to go bare-foot. As another Instance of Contempt, she was *to spit full in his Face.* The *Hebrew Doctors*, indeed, expound this of spitting upon the Ground directly before his Face, so that the Spittle might be seen by the Judges ; and they give this as a Reason, why the King was not subject to this Law of *mar:ying* his Brother's Wife ;

Wife; and they might add the high Priest, because it would have been below his Dignity to have his Shoe pulled off, (if he did not approve of the Woman) or to have had her spit before him. There was a Form of Words accompanying this Ceremony; for upon his preremptory Refusal, the Woman immediately read these Words of the Law, *So shall it be done unto that Man, that will not build up his Brother's House*: Then the Judges gave her a Writing, signifying his renouncing of her in the Manner now related, that so it might be free for her to marry whom she pleased. As soon as the Shoe was loosed, the Judges, and all the Spectators round about, cried aloud three Times, *The Shoe is pulled off, The Shoe is pulled off, The Shoe is pulled off*, and from thence forward, the Family of the Man had the Name of *the House of him that had his Shoe loosed*; which implies a Disgrace fixed upon him, for not doing the Duty of a Brother: Some indeed, would have this pulling off the Shoe to signify no more than a Token, that he parted with his Right to her; but the Distinction set upon his Family plainly proves, that it was in the Nature of a Brand, and a standing Reproach upon himself and his Posterity.

There are many Niceties, concerning this Law, to be found in the Writings of the *Jews*; some of which serving to explain it, may be properly mentioned in this Place. If the deceased Person left behind him a Daughter, or any Grand Children, the Widow was under no Obligation of marrying her Husband's Brother, but might dispose of herself as she thought best; nay, if her Husband left only a Bastard, provided he were born by a *Jewish* Woman, there was no Occasion for the raising up of his Seed; because Bastards in the point of Inheritance, were consider'd as legitimate Children. The *Jews* speak thus upon this Head: When it is said in the Law that he dies without Sons, it is to be understood, that he dies without having any Son or Daughter, or any Children of his Son

Maimon. Tr.  
Libbum c. 1.  
Sect. 3. 4.

or

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or Daughter. If he has any Children either by this, or a preceding Wife, the Widow is free, and discharged from the Obligation to marry his Brother in Law, or to take off his Shoe, tho' even the Son or Daughter were no legitimate Children: But in case the Child he leaves behind him be born of a Slave, or a Stranger, the Widow is not discharged from that Law, because the Child born from a Slave, is a Slave likewise; and those begotten of a Pagan Woman, are consider'd as Pagans also. This is the *Jewish* Tradition, for the absolute Verity of which, I will not be answerable. If the Deceased left behind him either a Son or Daughter, and the Child died immediately after the Father, the Brother was not obliged to marry his Sister in Law. If a Man left his Wife behind him big with Child, and she miscarried of a dead Child after her Husband's Death, the Brother in Law of the Widow, was obliged to raise up Seed to his Brother; but if the Child be born alive, tho' it dies the next Moment after, the Mother is discharged from this Obligation of marrying her Brother in Law, or of untying his Shoe. If the eldest Brother was travelling abroad in Foreign Countries, the second Brother could not oblige the Widow to stay for his eldest Brother's Return; but must either marry his Sister in Law, or suffer the loosing of his Shoe. He who married his Sister in Law, was put into Possession of the whole Estate, belonging to his deceased Brother; but in Quality only of Guardian to the next Child: If many Children were procreated by this Marriage, the eldest Son only of this Woman, was consider'd as the Son and absolute Heir of the Deceased; if the Eldest died, the Second succeeded in all his Rights, being reputed the true Child of the first Husband: If they had no more than one Child between them, he was considered as the Son, both of the deceased and the living Father; and the same Custom was obtained among the Daughters. It is observed further, that there were

certain

certain Circumstances, under which a Brother in Law might decline the marrying his Brother's Widow, without having his Shoe pull'd off: For instance, if the Woman was old and past Child-bearing, or known naturally to be Barren, if she was unchast, or convicted before of any enormous Crime, in such like Cases, the Brother in Law having represented the Matter to the Judges, they discharged him from the Obligation of marrying his Brother's Widow, without having his Shoe untied, or taken off.

## C H A P. XXXI.

*Of Redeeming the Land, and Marrying the Widow of a deceased Kinsman. The Rites of delivering the Shoe.*

THE Ceremony of pulling off the Shoe, was made use of upon another Occasion, which, I confess, should have been mentioned in the former Part of these Antiquities; but this Rite being asserted by *Grotius* to relate to in Matth. xxi. 24. the Law of a Man's raising up Seed to his Brother, I purposely deferr'd the Explanation of it to this Place; though (by the leave of so great a Man) I am now verily persuaded, that the Practice of it belonged to a quite different Design. It was allowed by the Law, that if a Man had Levit. 25. 24, 25. sold his Land, and was not able to redeem it before the *Jubilee*, his next Relation might do it, and the Buyer could not refuse: And the same Liberty was indulged if the Man who sold it was dead; but then he could not enjoy this Land, unless he would marry the Widow with it, to whom it belonged as long as she liv'd; and was to go to her Issue when she died. Now if the nearest Kinsman refused this Redemption, he who

Book VI. stood next in Relation, and was willing to redeem the Land, and marry the Widow, had a Power to summon him before the Court of Judgment, and in the Presence of ten of the Elders of the Place, to demand of him, whether he was willing to redeem the Land of his Kinsman deceased? If he refused, he pluckt off his Shoe himself, and delivered it to his next Kinsman as a sufficient Evidence that he transferr'd his Right to him.

Ruth 4.  
4, 5. &c.

It is not easy to give an Account of the Original of this Custom, that is founded upon no positive Law; but the Reason of it is plain, it signifying naturally that he resigned his Interest in the Land, by giving him his Shoe wherewith he used, to walk in it, to the end that he might enter into it, and take Possession of it himself. The *Targum* instead of the *Shoe*, has *the right hand Glove*, it being the Custom, perhaps, at that time, to deliver that in the Place of the Shoe; as now the *Jews* give a Handcherchief or a Veil, to the same Purpose. The *Hebrew* Doctors indeed, differ much about this Matter, for some say, he that parted with his Right to redeem the Land, pulled off his Shoe, and gave it to him that bought it; but others, that he who bought it, gave his Shoe to him that sold it: It is certain, that the Text in the Book of *Ruth* (the only Place where this Rite is mentioned) may be either way understood, but it is most reasonable to think that he who parted with his Right, parted with his Shoe also. The learned *Selden* observes from hence, how different this political Ceremony was from the *Rites*, used when a Man renounced his Brother's Wife; for it does not appear that *Ruth* loosed her Kinsman's Shoe, as the Brother's Wife is ordered to do, much less did she spit in his Face, of which there is not one Word in this Ceremony, which relates wholly to the Sale of Lands, or to their Redemption, and bringing them back again into the Family to which they belonged.

Ch. 4. v. 17.

De Jure Nat. &  
Gent. juxta Dif-  
cipl. Ebr. cap. 6.

## C H A P. XXXII.

*Penalties for Deflouring a Virgin unbetrothed. Of Whoredom, Sodomy, Bestiality.*

**S**IMPLE Fornication, was no Capital Offence in the *Hebrew Republick*: If a Man seduced an unbetrothed Maid, by Flattery and fair Promises, perhaps of Marriage, and lay with her in the City, unless Witnesses came and proved that he forced her, he was obliged to make Satisfaction for taking away her Virginity; which was, by paying so much, in the Nature of her Dowry, as would render her fit to be his Wife, if both of them could agree; the Sum was fifty Shekels, says *Josephus*: Yet so, that if either He, or She, or her Father refused, (for it was in the Power of any of these, say the *Jews*, to hinder the Marriage) he paid this Mulct as the Dowry of a Virgin to her Father.

Exod. xxii. 16

Antiq. l. 4. c. 6.

But if a Man found an unbetrothed Virgin in the Field, and there were Witnesses to prove that he lay with her by Force, or they confessed the Fact themselves, the Man was bound to pay to the Father of the Damsel, fifty Shekels of Silver; which made a Difference between this Case, and that abovementioned; where the Man was obliged to settle a Dowry upon her, but here to pay a Fine to her Father. The Reason is plain, because there was no need of settling a Dowry in this Case, as in the former; which justly required a Dowry, lest her Husband should wantonly put her away by Divorce, and she have nothing to maintain her: But of this there was no Danger here, because the Law expressly enjoins that he should marry her, and not put her away all his

Deut. xxii. 28.

Book VI. Days. Concerning the Payment of this Mule<sup>t</sup> to the Father of the Damsel, many Exceptions are made by the *Jews*; but this is considerable, that this Fine was the same, whether the Woman was of noble, or of mean Parentage, neither more or less was paid by the Law: Yet in after-times, the *Sanhedrim* they tell us, added some other Mule<sup>t</sup>s besides this here mentioned, because it seem'd so small, that the Honour of a Virgin was not thought sufficiently repaired by it; therefore he that inticed a Virgin, paid other two, one for the Shame and Dishonour he had done her, and the other, for the Loss of her Virginity, and vitiating her Body; and he that forced a Virgin (which was always supposed to be the present Case) paid a third besides these two, upon account of the Pain he was supposed to have put her in. And in these three, they proportioned the Penalties; to the Quality of the Person, and other Considerations which made them vary.

Selden Uxor  
Heb. l. i. c. 16.

Besides this pecuniary Fine, the Man was obliged to marry the Virgin he had deflowered, if She and her Father pleased; for both their Consents were required; though the Man had not the Liberty to refuse; not if she were Lame, or Blind, or Leprous, or had any other blemish upon her; and as a complete Punishment for the Force he had committed, he was constrained not only to take her for a Wife, but to keep her as long as she lived; he was not allowed to give her a Bill of Divorce, as other Men, who desired to part with their Wives, might lawfully do. If it be enquired how it could be known whether a Virgin was inticed or forced? they answer, that it was reasonably presumed that she was forced; if the Act was done in the Field, or in a Place far from Inhabitants; but if in the City or Town, that she consented, unless the contrary was evidently proved.

The Law of *Moses* expressly enjoined, that no  
Deut. xxiii. 17. Daughter of *Israel* should be a *Whore*, nor no  
Son

Son of an *Israelite* be a *Sodomite*, or a *Whoremonger*, as the Words may justly be translated, as Mr. *Selden* observes; and so they are render'd by the *Vulgar Latin*, and the *Seventy*: And great Reasons (says *Maimonides*) there were for this Prohibition, for by Whoredom Families are confounded and destroyed, and their Issue are look'd upon by all Men as Aliens; therefore publick Stews were disallowed among the *Israelites*, who had this Benefit by it among others, that Quarrels, and Fightings, and Bloodshed were prevented, which frequently happened when many Men met at the same time, and contended for the same Woman; for so the Scripture says, *They assembled by Troops in the Harlots Houses*: For preventing these, and such like Mischiefs, and that the Distinction of Families might be preserved, both Whores and Woremongers are here condemned, and no other Conjunction permitted, but with a Man's own Wife publickly married; for if a private Marriage had been sufficient, many would have kept Women in their Houses, as their Whores, and pretend they were their Wives: Therefore if a Man had privately espoused a Woman, he was obliged publickly to keep his Wedding.

*Sodomy* by the Law of *Moses* was Capital, and though the kind of Death is not mentioned, yet it is probable it was by Burning, because the impure *Sodomites* were consumed by Fire.

All *Bestiality* and horrid Mixtures were forbidden, under Capital Penalties; the Person and the Beast, as Commentators suppose, were to be stoned to Death. The Beast (says the learned *Bochart*) was killed as an Instrument in the Crime, just as a Forger of Deeds is hanged with his Pen and Counterfeit Seals, and a Conjuror with his Magical Books and Characters; and this is also useful as an Example, though not to other Beasts, yet to him whose Concern it is to consider, that if Beasts were not spared, who were incapable of Sinning, what will become of them who committed

Chap. 32.

Uxor Heb.

L. 3. c. 23.

More Nevoch.

P. 3. c. 49.

Jerem. 5. 7.

Levit. xviii. 22.

Levit. xx. 15

Microzoicon

P. I. L. 2. c.

Book VI.

Mishna Tit.  
Sanhed. c. 7. n.  
4.  
Levit. 18. 24.

ted such Crimes, against the known Laws of God, and the Impressions of Nature it self? The *Talmudists* observe, that the Beast suffered, that there might be no Memory left of so foul a Crime; by Mens pointing and saying, *There goes the Beast that such a Man lay with, or for which such a Man or Woman was put to Death.* The Seven Nations that inhabited the Land of *Canaan*, were over-run and destroyed, upon the Account of their filthy Vices; which was sufficient Caution to the *Hebrews*, who came into their Room, to avoid and abhor such monstrous Impurities.

## C H A P. XXXIII.

## Of deflowering a Virgin betrothed. The Punishment of Adultery.

Deuteron. 22.  
23.

**T**O deflower a Woman that was *betrothed* to a Husband, tho' not yet known by him, was punished with Death, for there was generally some Space of Time between the Espousals and bringing her Home to her Husband's House. If the Act was done in the City, they were both summoned before the Court of Judgment, and upon Conviction were stoned; the Woman because she did not cry out, which was an Evidence she had no Force offered her but lay with him by consent, and the Man for abusing his Neighbour's Wife, for so she was by the Contract of Espousals; and this it is supposed was the Case of the Woman in Adultery mentioned in the Gospel.

John 8. 5.  
Deut. 22. 25.

But if he met with a betrothed Damsel in the Field and deflowered her, the Woman by the Circumstances of the Place was supposed not to consent but to cry out and to be under a Force, which

which without doubt she pleaded and he could not prove the contrary; she was therefore excused, it being her Misfortune rather than her Fault that she was ravished, but the Man, as only guilty of the Crime, was to suffer Death. Chap. 33.

Thus was the Law executed, if the Parties concerned were *Israelites*, but if a Man lay with a Bond-Maid that was betrothed, they were both punished by Scourging, and the Man was likewise to offer a Trespafs-Offering as an Attonement; but this Case has been sufficiently explained in another Part of these Antiquities. Book 4. Chap 10.

If the Daughter of a Priest, that was betrothed, play'd the Whore (as the *Hebrew* Doctors unanimously understand this Law) she was doubly guilty, *First*, In profaning or dishonouring her self, who being related to so eminent a Person committed so foul a Crime, and *Secondly*, By dishonouring her Father, whose Reputation suffered by this Offence; the Punishment was Burning, the severest Penalty among the *Jews*, and was not inflicted upon other Persons in this Case who were barely stoned, but only upon the Daughter of a Priest from whom greater Virtue was expected; the Man, it is supposed, was strangled. But if the Witnesses of this Fact were convicted of Perjury, by other credible Witnesses produced by the Woman or her Father, then both her Husband who accused her and those false Witnesses suffered the same Punishment that she should have done. Levit. 21. 9.

*Adultery* was punished with Death among the *Hebrews*, and if we believe their Doctors it was by strangling; if the Parties concerned were apprehended in the Act and convicted, they were to die for it, and it was not left to the Husband's Liberty, whether he would spare their Lives or not; but if he pleased, he was not obliged by Law to bring his Wife to Shame by the Tryal of the bitter Waters before the

Book VI. Priest, or to Punishment by the Sentence of the Judges. The Adulteress indeed was to be put to Death, if she were accused, prosecuted, and convicted, but the Law did not oblige to accuse or prosecute unless she was found in the Fact, and then no Connivance was allowed: It may be enquired in this Place, whether a Man might marry a Woman after the Death of her Husband, with whom he had committed Adultery? This was the Case of *David* and *Bathsheba*, the Legality of whose Marriage is much disputed. But the Contract seems to have been valid, because she is frequently in Scripture called the Wife of *David*; and *Adonijah*, who claimed the Succession before *Solomon*, because he was the elder Brother, never objected to him that he was spurious and illegitimate.

#### C H A P. XXXIV.

#### *The Tryal of the Suspected Wife, by administering the Bitter Waters.*

Numb. 5. 12.

**A** Woman *suspected* of Adultery, was put upon her Purgation by a peculiar Ceremony: As soon as the Husband entertained a Jealousie of her Virtue, and had Reason to believe she conversed with another Man, he was obliged to forbid his Wife, before two Witnesses, from having any Commerce with the Man he suspected; and the Defect of this Formality, the *Jews* say, was a sufficient Reason to secure the accused from capital Punishment. If she persisted in her Intreague, and was observed by two Witnesses to have been so long in private with another Man as she might have been defiled, the Man was to begin his Process before the Magistrates of the Place where he lived, having

having with him his Witnesses both of the Premonition he had given her and of the Privacy she had with another after his Premonition. Otherwise, as Mr. *Selden* observes, this Action did not lie against her. If the Husband happened to see her alone by himself, or in company of one Witness only, he might give her a Letter of Divorce, but could not engage her to drink the *bitter Waters*. If a Woman behaved her self ill, yet unperceived by her Husband and without creating any Jealousy in him, the Husband being afterward advertised of her Conduct, might, say the *Jews*, give her a Letter of Divorce, but could not force her to this Purgation.

The Husband having brought the Wife before the Judges of the Place where he dwelt, having his Witnesses ready, he opened his Accusation in this Manner: *Having a Jealousy of this my Wife, I admonished her not to keep Company with such a one with whom she afterward was in secret, and these are the Witnesses of it, she says she is innocent, but I desire that the Water might be given her that the Truth may be tried.* Then she was refer'd to the great *Sanhedrim* at *Jerusalem*, who alone had Authority to judge the Cause, and she was conducted thither by two Scholars of the Wife, in order to prevent the Husband's cohabiting with her, which was not to be allowed after the Process was begun. The Council having the accused before them by her self, the Husband being put out of Court, endeavoured by striking a Terror into her, and then by good Words to induce her to confess, *Dear Daughter, perhaps thou wast overtaken by drinking too much Wine, or wast in a gay Humour, or carried away by the Heat of Youth, or by the Example of evil Neighbours, come, confess the Truth, for the Sake of his great Name which is described in the most sacred Ceremony, and do not let it be blotted out by the Water.* If after this she owned the Fact, saying *I am defiled*, then she was to tear  
the

Chap. 34.

Uxor Heb. 1. 3.  
c. 13.  
*Ainsworth* upon  
Numb. 5. v. 13.

Book VI.  the Instruments of her Dowry in Pieces and go where she pleased; for such an Adulteress was not put to Death, but only lost her Dowry without any other Punishment; but if she denyed the Fact, protesting she was ready to drink the Waters, they brought her through the *East Gates*, says the *Talmud*, which are before the Door of the Gate of *Nicanor*, and here they tugged and haled her up and down those Stairs, to bring her by Weariness to Confession. If she still persisted in her Innocence, she was set in the Gate of *Nicanor*, which was the *East Gate* of the Court, and put upon her Tryal.

But before the Process began, the Husband was oblig'd to bring an Oblation for her, in order to supplicate the Divine Majesty, that he would be pleas'd to clear the Woman's Innocence, if she were causlessly suspected, or otherwise discover and punish her Guilt. This consisted of the tenth Part of an Ephah of Barley Meal, which was a vile Sort of Offering most suitable to her sad Condition; for which Reason also, there was no Oil nor Frankincense allowed to be offer'd with it, for these were always understood to be Signs of Joy and Gladness, and therefore not us'd upon so melancholy an Occasion as this was. It is call'd in the Law *an Offering of Memorial bringing Iniquity to Remembrance*; for now the Woman appear'd before God as a Sinner, and if she prov'd innocent, yet she was load'd with an Accusation and a just Suspicion of Guilt, for which, if she had given any Reason, this Sacrifice remind'd her of it, and awak'ned her Conscience to reflect upon it.

The Priest whose Lot it was to attend at that Time in his Course, was to put her upon her Tryal; he laid hold of her Bosom, and rent her Clothes open, till he had laid her Breasts bare as low as her Heart; her Clothes he tied to her Throat, with a Cord that came from *Egypt*, to put her in  
mind



mind of the Miracles that God had wrought in that Country ; her Hair was dis-shevelled, which was a great Indignity to the *Jewish* Women : She was dressed in Black, without her Ring and other Ornaments that were taken from her ; here in the Presence of a great Number of Women and of Men, if they could be there, she stood upon her Deliverance ; but her Maids and Domestick Servants were not suffered to be there, lest say some, she should place any Confidence in them ; or as others, lest her Mind should be overcome with too much Grief at the Sight of them.

The Water she was obliged to drink was called *the Holy Water*, because it was taken out of the Laver of the Court ; the Priest used an Earthen Vessel for this Purpose, to signify, say the *Jews*, that she should be broken in Pieces like that Earthen Vessel, if she was guilty of what she denied : The Quantity of Water was half a Log, which is about three Egg-shells full, upon which he was to sprinkle some of the Dust, taken from the Floor of the Tabernacle, (as a Token of her Vileness, this being the Serpent's Food ; ) but if there was no Dust in the Tabernacle, he was allowed to fetch it from some other Place, and lay it upon the Floor of the Tabernacle, and then take it up and put it into the Water. After the Building of the Temple, where the Floor was either of Cedar Wood, gilt, or of Marble, they had left a loose Marble Stone, which might be lifted up by the help of a Ring, between the Doors of the Entrance of the Temple ; from underneath this Stone they took the Dust, which being put into the Water, swam upon the Surface of it. It has been observed by learned Men, that such Methods of Purgation were in use among the *Gentiles*, which if they could be proved to have been as antient as the Days of *Moses*, it would make it probable that this was ordered by God, to divert the *Jews* from following the Superstitions of other Nations ; to make this Discovery, and bring them

Book. VI. to appear before him, at his Tabernacle, and there use such Rites as were immediately of his own Appointment.

The Woman being placed at the Door of the Tabernacle, with her Head uncovered, (as the Manner was in all Judicial Proceedings) the Priest put *the Offering of Jealousy* in her Hands, under which he held one of his own, and at the same time had the bitter Water in the other, which he shewed her: The Water was called *Bitter*, because of the direful Effects it had upon the Body of the Woman, if she was found Guilty: The *Jews*, indeed fancy, that the Priest put Worm-wood, or Gall, or some other bitter Drug in it; but of this there is no mention made in the Law, which speaks nothing of Bitterness in the Composition. Then did the Priest most solemnly adjure her to tell the Truth, in this Form; *If no Man have lain with thee, and if thou hast not gone aside to uncleanness with another Man, instead of thy Husband, be thou free from this Bitter Water that causeth the Curse*: Then follows a dreadful Malediction, conceived in these Terms of the Law, *But if thou hast gone aside to another, instead of thy Husband, and if thou be defiled, and some Man have lain with thee, besides thine Husband, The Lord make thee a Curse, and an Oath, among the People; when the Lord maketh thy Thigh to rot, and thy Belly to swell; and this Water that causeth the Curse, shall go into thy Bowels, to make thy Belly to swell, and thy Thigh to rot*; the Woman was to answer twice *Amen, Amen*; for there being a double Curse, one that her Belly should swell, and another, that her Thigh should rot, she said a double *Amen*; praying that both might fall upon her, if she were Guilty. This Form was to be pronounced to the Woman, in a Language she understood, but she was not obliged by it, to confess whether she had committed any Crime of that Nature, before she was contracted to her Husband; or (if that was her Case,) since her having been divorced from him,

him, and re-taken by him. If after a Man had brought his Wife to this Tryal, he chanced to die before this Adjuration, she was free from taking the Potion, but lost her Dowry.

Chap. 34.

The Curfes, the Priest was to write upon a Scroll of Parchment, and then he was to scrape out the Words he had written into the Bitter Water, or as some expound it, he was to wash what he had written with the Water, till the Words were quite blotted out. The Offering of Jealousy was then waved, and offered at the South Corner of the Altar; a handful of it was burnt, the rest the Priests were to eat, unless her Husband himself was a Priest, in which Case it was all thrown among the Ashes. Mr. *Selden* observes, that if the Woman confessed the Fact, or her Husband would not suffer her to drink, or either of them died before she drunk, or a Witness of the Adultery appeared, which made the whole useles; the whole Sacrifice was burnt, and not only a Part of it.

Uxor. Heb.  
L. 3. c. 13.

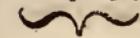
Now was the Water offered to the accused Person to drink, if she refused, they forced her with this preceding Admonition; *My Daughter, if thou art confident of thy Innocence, fear not to drink this Water, which will do thee no more hurt than dry Poison, laid upon the Flesh of a living Creature*: If upon this she confessed she had been defiled, the Water was immediately poured out; if she drunk, the most dreadful Effects followed if she was Guilty, her Veins swelled, her Face grew livid, and her Eyes started out of her Head, her Belly was ready to burst, her Thigh began to rot, and so she expired; but before she was dead she was carried out, lest the Court of the Temple should be defiled by her dying there. Mr. *Lightfoot* remarks from the *Rabbins*, that the Operation of these Waters, sometimes, did not appear for two or three Years, for she bare no Children, she was sickly, languished, and at last died of that Death; but this Opinion is generally exploded. The Adulterer

Book. VI.  adulterer also, (if we believe the *Jews*;) died the same Day, and at the same Hour; his Belly swelled as her's did, and his Secret Parts rotted, and he expired in the same miserable Manner. But if the Wife proved innocent, her Face immediately became lively, and her Eyes sparkled with an unusual Lustre; if she was afflicted with any Distemper, she was freed from it; if before she used to have hard Labours, for the future she had an easy Delivery; if she had only Daughters, she brought forth Males; with many other Privileges observed by the Writers of that Nation. They say also, that if she kept Company with the same Man whom her Husband suspected, and by his renewed Admonition had required her not to be in Private with him, this Potion was not repeated, but she was dismissed from being his Wife without any Dowry: But if she conversed privately with any other Person after Admonition, to the contrary, this Potion might be repeated, as often as she offended with new Lovers. If the Husband put her away after her Acquittal, and she married another Man, who had the same Ground of Jealousy as her former Husband had, because of her Familiarity with the same Person, whom he had forbidden her to keep Company with, her new Husband might bring her to a new Tryal by this Water; and so might as many Husbands as she should marry, one after another, if she gave the same Occasion

The Wife or her Parents, if she appeared to be innocent, could have no Action against the Husband, upon the Account of this Accusation, and if she was Guilty, she was justly punished for her Crime; but the Husband was not obliged to bring his Wife to this Purgation, if he could otherwise get rid of his Jealousy; yet the Priest was bound to proceed against her according to the foregoing Rules if she was set to be tryed: The Process might be executed upon any Day that was not a Festival, and in any Hour of the Day, but not in  
the

the Night ; nor might he give the Drink to two *suspected* Women at the same time : Where the too indulgent Husband suffered his Wife to be Guilty, or to spread Reports against his Honour, the Magistrates took the Husband's Place, and made the Prosecution. However, say the *Jews*, there are many Cases in which the Wives are exempted from the Magistrate's and the Husband's Jurisdiction ; for the Wife and the Husband ought to be sound in Body and Mind ; a deaf, a dumb, or a lame Man has no Right ; a young Woman that is a Minor, is not subject to the Inquest ; because the Law appoints it only against a *Woman*, with many more Exceptions equally trifling. There seems to be more Reason in what the *Talmudists* conclude, that this Action did not lie against a Woman that was only espoused, or that waited for her former Husband's Brother to take her to Wife, if she gave Suspicion of being defiled. If a Man was guilty of the same Crime his Wife was accused of, having defiled himself by Fornication, or Adultery, the Waters of Jealousy produced no Effect upon the Woman ; nor could he oblige her to drink them.

Chap. 34.



Mischna c. 4.  
Sect. 1.

The Design of this Law was to preserve Conjugal Faith and Chastity, and to protect suspected Innocence : It secured Men by a solemn Appeal to God, from cruel and furious Proceedings against their Wives, and contained the Women within their Duty, out of Dread of this Punishment ; which was so terrible, as *Mamonides* observes, even to innocent Women, that they would have given all they had to avoid it ; they wished rather to die than to undergo such a publick Infamy, of having their Heads uncovered, their Hair cut off, their Garments torn to their Breasts, and so to stand in the Sanctuary before a Multitude of Men and Women, and the whole *Sanhedrim*. It is supposed, that this Way of Trial ceased towards the latter End of the second Temple, and was extinguished by the Authority of the *Sanhedrim* it self ;

More Nevoch.  
p. 3. c. 49.

Book VI. self; because the Number of Adulterers was then so great, that the Bitter Waters had no Effect: By this means, say the Jews, the Prophecy of

Hofea c. 4. v. 14. *Hofea was accomplished, I will not punish your Daughters, when they commit Whoredom, nor your Spouses, when they commit Adultery; for themselves are separated with Whores, and they sacrifice with Harlots.*

## C H A P. XXXV.

### *The Law of Divorce. The Form of a Bill of Divorce.*

Deut. xxiv. 1.

**A**S the preceding Law was ordained in favour of the Husbands, so this of *Divorce* was made for the Advantage of the Wives. They had this Privilege by it, that they could not be discharged and turned out of Doors at Pleasure; they were freed from the Pain and Vexation, occasioned by froward and unkind Husbands, and had the Liberty of marrying others, who possibly might be tender of them, and delight in them.

A Man, after he had espoused a Wife, as well as after he had consummated the Marriage, upon a Dislike, founded (says the Law,) upon some *Uncleanness* he perceived in her, might dissolve the Contract, by giving her a Bill of Divorcement: Some of the *Jews* indeed, extend this Liberty so far, as to fancy they might, without any Reason at all, for their meer Pleasure part with their Wives; and their Doctors, after the Captivity, grew strangely loose upon this Subject: But others are more modest, and confess that the Reason being a Matter of *Uncleanness*, signifies a Cause of some Moment and Importance; yet they distinguish



guish between the first Wife a Man took, who might not be put away but for some Uncleanness, and the Second, who might be divorced for a less Reason. There were great Differences between the School of *Hillel*, and the School of *Shammai*, (so much talked of by the *Talmudists*) upon this Matter of Uncleanness; yet both agree that it signified much less than Adultery, Incest, or such like Turpitude; for if Adultery had been meant, she might have been put to Death, or the mere Suspicion of it might be tried by *the Water of Jealousy*; so that the most sober Expositors have given two Reasons upon which a Bill of Divorce might justly be allowed, either when the Behaviour of the Wife made her suspected of Impurity, (as if she went with her Face uncovered, or her Breasts naked; if she sported with young Men, or washed in the same Place with them, or had her Arms bare;) or they were both of such a different Temper and Disposition, that they loathed each other's Company, and consequently lived in continual Uneasiness and Dissentions; besides such moral Causes, they allowed also such natural, as made the Woman offensive, as if she had the Leprosy, or some Disease in her Body, which he did not discover before Marriage; and sometimes they extended this so far as to a stinking Breath.

But whatever was the Cause of the Husband's Dislike, he had not the Liberty to turn her out of his House, without giving her a *Bill of Divorce*, called a *Bill of Expulsion*, an Instrument of *Dismission*, and a *Bill of Cutting off*; because by this Means, the Woman was cut off from her Husband's Family. A Copy of this Bill is found in *Alphesius*, in the following Form.

*in Tract. Gittin.*

*O* N the Day of the Week N. of the Month of N, of the Year of the World's Creation N. according to the Computation by which we are used to reckon, in the Province of N. I N. the Son of N. and by what Name soever I am called, of the City N. with the full Consent of my Mind, and without any Compulsion urging me, have put away, dismissed, and expelled thee; thee I say N. the Daughter of N. by what Name soever thou art called, of the City N. who heretofore wert my Wife, but now I have dismissed thee; thee I say N. the Daughter of N. by what Name soever thou art called, of the City N. so that thou art free, and in thine own Power, to marry whosoever shall please thee; and let no Man hinder thee, from this Day forward even for Ever. Thou art free therefore for any Man, and let this be to thee a Bill of Rejection from me, Letters of Divorce, and a Schedule of Expulsion, according to the Law of Moses, and of Israel.

Reuben the Son of Jacob, }  
 Eliezer the Son of Gilead, } *Witness.*

This *Bill* being confirmed by the Husband's Seal, and the Subscription at least of two Witnesses, was delivered by the Husband into the Hand of the Wife, in some such Form, *Behold this is thy Bill of Divorce*, otherwise it was not valid; the Wife if she pleased might carry this Instrument to the *Sanhedrim*, where it was enrolled among the Records if she desired it, in Memory of her Dismission. Then was she sent out of the Husband's House, which Dr. *Hammond* conceives to lay an Obligation upon him, to furnish her for her Journey, to endow her, and make Provision for her: But the *Jews* are of Opinion, that the Divorce was perfect and complete, before he sent her out of his Doors; for it was sufficient, to give her an Instrument in such a Form, as plainly

plainly shew'd the Matrimony was dissolved, and that she was no Part of his Family, though he had not actually sent her away. Yet if he kept her still in his House, after this Bill was delivered into her Hand, it was presumed that they cohabited together, and therefore he was obliged to give her a new Bill of Divorce.

The Contract of Marriage being wholly dissolved by this Instrument, the Woman was free to marry another Man, who, if he pleased, might dismiss her with the same Ceremonies: But she was obliged to tarry ninety Days, besides the Day of Divorce, or of her Husband's Death, and her last Espousals, that it might be known whether she was with Child or no; and that there might be Evidence, whether it were the Seed of the first Husband or the second: But the Husband upon no Account was allowed to marry her again, because the Law says, that by her second Marriage she was defiled; which (say the *Jews*) she was though she had been only espoused to a new Husband, who had never lain with her; for they make no Difference between her second Marriage, and her second Espousals, but conceived that a Woman contracted as much Pollution by her second Espousals, as if she had play'd the Whore after her Divorce; for in that Case, they say, he might, notwithstanding, have married her again, but not after she had been married to another. Thus Mr. *Selden* gives the Opinion of Uxor Heb. the *Rabbins*, and observes upon the Occasion, L. i. c. 22. that the *Mahometans*, who usually are fond of Copying after the *Jews*, differ from them in this Particular, for they allow a Man to take his Wife again, though he had divorced her three Times.

Now the Ground, upon which a divorced Woman was accounted defiled or unclean, after another Man had married her, I suppose was, that this was looked upon as a solemn Renunciation of her former Husband on her Part, who

Book VI. had been renounced by him, by the Bill of Divorce; but he was not absolutely renounced by her, till she married another, whereby she was totally alienated from him. This made her unclean, not in her self, nor with Respect to her second Husband whom she married, nor with Respect to any other Man, (who might marry her without any Pollution) but only with Respect to her first Husband, unto whom, by this Law, she was made unclean; for so all Things forbidden to the *Jews* were accounted, as appears from a Passage in the *Acts* of the *Apostles*, where all Meats forbidden by the Law, are called *unclean*; and God is said to have cleansed them, by taking off that Prohibition.

Ch. x. 14, 15.

For a Woman to return to her first Husband, and to be his Wife again, is called an *Abomination* before the Lord; for this, says *Abarbinel*, was to imitate the *Egyptians*, who changed their Wives, and took them again into their Houses, which was the Occasion of great Filthiness and Pollution: But this seems to intimate, that if she had not been married to any other Man, and kept herself free, she might have been his Wife again, if he was willing to have been reconciled to her.

Deut. xxiv. 4.

Book. 5. Ch. 21. Mr. *Basnage*, in his History of the *Jews*, observes, that in the latter Time of their Government, the Women took the same Liberty as the Men, and in their Turn, divorced their jealous and disagreeable Husbands. *Herod's* Sister sent a Letter of Divorce to her Husband *Costobarus*, and married again. *Josephus* remarks, that this was done against the Laws of the Country, and he maintained the Husband's Authority, against the Usurpation of the Wives. *Scaliger* is mistaken here, for he imagined that *Salome* only sinned, because she married again, before she had obtained *Costobarus's* Permission; and this Permission was necessary to capacitate her to contract a new Marriage; but this is not *Josephus's* Notion:

Notion : 'Tis true, the Clause of having Power to marry another, is commonly inserted in the Letter of Divorce, the Husband gives the Wife, but it is not absolutely necessary ; for when all the Bonds of Marriage are broken, the Person returns to primitive Liberty. *Salome's* Crime therefore, according to *Josephus*, did not consist in marrying again, but in her breaking with him, before he separated from her. It was then thought, that the Husband had only the Power of Divorcing, and he had not sent her away. *Salome's* Example was followed by *Herodias*, who deserted her Husband to marry *Herod*. *Berenice*, *Agrippa's* Sister, did the same thing, for after having obliged *Polemon* King of *Lycia* to turn Jew to marry her, she divorced him : Prophane Historians only say, that she left him in the Lurch, and forsook him, to ramble elsewhere ; but it is most probable, that she made Use of the Liberty that was then enjoyned, and of which she had so many Instances in her Family, to give a Letter of Divorce to a Man she had no Affection for. So far Mr. *Basnage* upon this Subject.

## C H A P. XXXV.

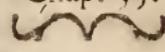
*The Ceremony of Espousals.*

THE *Jews* are very warm Assertors of the Honour and Sanctity of Marriage, they extol it infinitely above a single Life, and hold it a Condition more suitable to Nature, more advantageous to Mankind, and more acceptable to God, so that they admit of no unmarried Sect among them ; but on the contrary, look very jealously upon such of their Nation, as either marry not at all, or long defer it. Wedlock they esteem among the affirmative Precepts, which

Book VI. they make obligatory upon their whole Nation. Every Male coming to Years of Maturity, is bound to take a Wife, to increase his Family; and some among them, allow of no other End of Matrimony, but Propagation, and account those wicked Persons, who propose any other Satisfaction from it.

Upon this Account their *Espousals* are very early, their Daughters being usually betrothed at ten Years of Age, and if they are rich, are married very young; their Manner of *Espousals* is sufficiently orderly and decent. When a Male is disposed to marry, he enquires among his Kindred for a Virgin, to whom he may be joined in this sacred Bond, for the Maintenance of his Name and Family in *Israel*; and being informed that there is such a one, he acquaints himself with her Age, Complexion, state of Body, and other Circumstances, and after this begins to drive the Bargain with the Virgin's Relations; who, if they approved of the Proposals, admitted him to visit her: But they were cautious that the Visit should be short, for should the Match not succeed, the Familiarity of this Interview might tend much to the Damsel's Disparagement. The Consent of the Parents was thought necessary, if the Maiden was not of Age to contract for her self, but the Time of completing the Marriage was generally left to the Choice of the Bride.

The Manner of Contracting or Espousing, was done three different Ways; either by a Piece of Money, or by an Instrument in Writing, or by carnal Knowledge. This last is understood of a Man who had lain with a Maid, and therefore was bound by the Law to marry her if her Father consented; otherwise there was no carnal Conversation allowed before the Marriage was solemnized, it being no less forbidden, than to lie with a Woman in her Disease: To espouse with Money, the Man gave the Piece in the Woman's Hand before Witnesses, though it were

but a Farthing, and said, *Be thou espoused to me* Chap. 35.  
*according to the Law of Moses and Israel.* To   
 betroth by Writing, was no more than to write  
 the same Form of Words with the Woman's  
 Name, and deliver it to her before Witnesses.  
 A Woman contracted either of these Ways, tho'  
 she were not yet married, nor conducted into  
 the Man's House, yet was esteemed his Wife;  
 and if any Man lay with her, they were both  
 punished with Death by the *Sanhedrim*. These  
 Solemnities of Betrothing were performed by the  
 Man and Woman under a Tent or Canopy made  
 for that Purpose, called *Chuppa* in their Lan-  
 guage; and in this Bride-chamber, says Dr. Ham-<sup>upon Psalm</sup>  
*mond*, the Bridegroom was used to go with his <sup>19. v. 4.</sup>  
 Bride, to talk with her more familiarly; and this  
 as a Ceremony of Confirmation to the Wedlock.  
 Whilst he was there, no Person came in, but his  
 Friends and Attendants waited for him at the  
 Door, with Torches or Lamps in their Hands;  
 and when he came out, he was received with  
 great Joy and Acclamation, by all that were  
 there. Upon the Day of Betrothing, the Hus-  
 band takes a common Vessel filled with Wine,  
 a few Drops of it he drinks, and throws the  
 Vessel against the Ground, which breaks, and  
 the Wine is spilled; by which they pretend to  
 signify a Community of Goods, and the Fragility  
 and Uncertainty of them. There was a publick  
 Feast, held for the Relations of both Parties, at  
 the Time of the *Espousals*.





## C H A P. XXXVI.

The Rites of Marriage among the Hebrews. The Form of a Dowry-Bill.

THE Law of *Moses* appointing few particular Ceremonies to be used in the Marriages of the *Hebrews*; the *Jews* have been obliged in their connubial Rites to establish a Form of human Institution: Some of their Customs are trifling and superstitious enough, but in others they have followed, as near as possible, the Practice of the old Patriarchs and some of the best Men in their own Nation, whose Example they imitate in their matrimonial Concerns though bound upon them by no Law: Accordingly, they usually suffer'd a great deal of Time to pass between the Ceremony of Espousing and the Marriage; during this Interval the Woman continued with her Parents, which was about a Year or ten Months, that she might provide her self suitably with nuptial Ornaments; though some say the espoused Bride was taken Home to the Husband's House, that he might be a Witness and a Keeper of her Virginity till the Marriage was solemnized; but this Opinion has few Followers.

Gen. 24. 55.

All Parties being agreed, there is a Writing drawn in the House of the Damsel's Father, where is contained the Articles of Marriage, and the Covenant of Dowry; According to the common Rule the Maid brings a Portion to the Husband, but the Contrary is practised among the *Jews*, and the Husband promises a Portion to his Wife, which he engages all his Goods for, even to his Cloke, but it cannot be demanded till after his Death. It is equal for all Maids rich and poor, and

and the Doctors have fixed it to the Value of Chap. 36. fifty Crowns or two hundred *Zufes*, but a Widow is endowed but with half so much. They think that by this Equality they facilitate the Marriage of poor Girls, and prevent the Disorder which the Difference of Conditions causes in Alliances; but they are mistaken, since the Husband over and above the Portion he promises his Wife, commonly adds a Sum proportioned to his Estate. The Custom followed by the *Jews* is antient; for *Sichem* submitted Gen. 34. 12. to the Conditions imposed on him, provided they 1 Kings 18. 25. would let him marry *Dinah*; and *Saul* demanded *1 Sam.* three hundred Foreskins of the *Philistines* of *David* for *Michal's* Portion; however, the Wife brings to her Husband her Clothes, the Particulars of her Night Dress not being omitted, her Moveables and all that belongs to her, which is done before a great Company, and a Bill of Particulars being deliver'd to the Bridegroom, by Virtue thereof, at the Day of Marriage, he has Power to recover whatsoever is therein specified. What she brings with her is valued and sometimes sold in order to buy immoveables, and which are to be restored in Case of Widowhood, retrenching a Part from the just Value to help the Husband to defray the Expences of the Wedding. This is the moveable Gift; and the Gift that is made to the Bride not being paid till after Death, may be looked upon as a Jointure in which the Widow has the Propriety. When the Parties have given their Consent to contract Marriage with the Right to her Parents Succession; a short Blessing is pronounced to the Glory of God, who has commanded Marriage and forbidden Incest, and then the young People who assist at the Ceremony, break their Earthen Vessels which they had in their Hands against the Ground, imagining it to be a Prefage of Prosperity and Abundance.

The

Book VI.



The Dowry being settled, they pass to the Affiancing wherein the Woman is given to the Man by some of her near Kindred with this Form of Words: *Behold, take her after the Law of Moses*, and the Man replies, *Be thou unto me a Wife according to the Law of Moses and Israel.*

A Copy of a Dowry-Bill is to be found in the *Babylonian Talmud*, and runs in this Form.

*Upon the sixth Day of the Week, in the fourth of the Month Sivan, in the Year five thousand two hundred fifty four of the Creation of the World, according to the Computation which we use here at Massilia, a City situated near the Sea Shore, the Bridegroom Rabbi Moses, the Son of Rabbi Jehuda, said unto the Bridewife Clarona the Daughter of Rabbi David, the Son of Rabbi Moses, a Citizen of Lisbon; Be unto me a Wife according to the Law of Moses and of Israel; and I according to the Word of God, will worship, honour, maintain and govern thee according to the Manner of the Husband among the Jews, which do worship, honour, maintain and govern their Wives faithfully. I also do bestow upon thee, the Dowry of thy Virginity, two hundred Deniers of Silver, which belong unto thee by Law; and moreover, thy Food, thy Apparel, and sufficient Necessaries; as likewise the Knowledge of thee, according to the Custom of all the Earth. Thus Clarona the Virgin rested and became a Wife to Rabbi Moses, the Son of Jehuda, the Bridegroom.*

This Dowry-Bill, upon the Wedding-Day, is delivered into the Custody of the Bride, and by it she has Authority to challenge from her Husband, Food, Apparel, and the Right of the Bed.

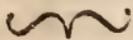
It was a Custom among the antient *Jews*, to crown the married Couple. The Husband wore a Crown composed of Salt and Sulphur; the Salt was as transparent as Crystal, and with the Sulphur several Figures were drawn upon it. In the mean Time, as this Custom was extra-

ordinary

ordinary, it is hard to discover the Reason of it. Chap. 36.  
 It is said, that this reminded the Husband of the  Sin of *Sodom*, whose Impurities have been severely punished, since that Land was changed into Salt and Sulphur, and it was an excellent Lesson which taught him to cleave to his Wife, and not to run after foolish Amours. The bridal Crowns were commonly of Gold made in the Form of a Tower, almost as *Cybele* the Mother of the Gods is represented, and a great many Empresses in Medals. The sacred Writers mention this Ceremony, *Go forth, O ye Daughters of Zion! And behold King Solomon with the Crown wherewith his Mother crowned him in the Day of his Esponsals*; and 'tis probable that when *Isaiab* rejoices, that God had covered him with a Robe of Righteousness, as a Bridegroom decketh himself with Ornaments and as a Bride adorneth her self with Jewels, we ought to understand a Crown instead of Ornaments; for so the *Seventy*, who must have known the Use of the Expression, have translated it: *He has put a Mitre on my Head as on a Bridegroom.* We read in the *Misnah*, that this Custom of Crowning was abolished for the *Bridegrooms*, when the War began under *Vespasian*, and that of Crowns for the Brides, when *Titus* besieged the City: Yet I am informed, that they make Use of Crowns of Roses, Myrtle, and Ivy to this Day. Isaiab 61. 10.  
Tit. Sotah. c. 9.

The Day of Marriage being appointed, the Bride prepares herself for the Celebration; upon the Marriage Eve, at the going down of the Sun, she is put into a Cistern full of pure Water, by two discreet Matrons who are very diligent, that not an Hair of her Head appear above Water; for if any Part about her remain uncovered, she must be dipped a second Time; this Bathing, they say, ought to be very exact, because it is to supply whatever was defective in the other Circumstances of the Bride's Preparation. Upon

Book VI.



Upon the Wedding Day, the Bride adorns her self as sumptuously as her Fortunes will allow; she is attended by Women who convey her into a Chamber, and placing her in a Seat, they plait her Hair in the most beautiful Curles, and (in Imitation of *Rebekah's* Modesty and Subjection) they put a Veil over her Face: This dressing of the Bride's Hair, though it may be lookt upon only as an Act of Handsomeness and Adorning; yet their Masters teach it for an Instance of Religion; for those Words, *And brought her unto the Man*, they expound thus, *And God brought Eve to Adam after the same Manner that a Bride is brought to her Husband*; that is, elegantly dressed, with her Hair curiously curled and plaited, and with Joy and Dancing.

Gen. 2. 22.

The Bride was led in great Pomp to the House of her Husband, where the Marriage was usually consummated; but the Matrimonial Form was commonly dispatched in a Garden or in the open Air, where the Bride was placed under a Canopy supported by four Youths, and adorned with Jewels, according to the Quality of the married Persons, all the Company crying out with joyful Acclamations, *Blessed be he that cometh*. The Bride then makes three Turns about her Husband, because *Jeremy* has said, *The Woman shall compass the Man*, and the Bridegroom makes two about her. The Company in the next Place scatter some Grains of Wheat upon the married Couple, crying *Increase and multiply*: The Relations throw some Pieces of Money for the Poor to scramble for. In some Places they put, some Time before hand, Barley in a Pot full of Earth, which is brought to the new married People, when it shoots, to shew them by this Symbol, that they ought to multiply speedily like Barley: It was certainly a Marriage Ceremony, for the Bridegroom to take a Cake of Barley, and to break it between him and the Bride, to intimate that they were to break

Jerem. 31. 22.

break Bread and to live together in mutual Society; which Custom, they say, is alluded to by *Hosea*, when he says, that *He bought a Woman for an Homer, and half an Homer of Barley.* Chap 36.  
Hofea 3. 2.

The Bride takes the right Hand, because the *Pfalmist* says, *upon thy right Hand did stand the Queen*; she usually turned towards the *North* or *South*, as an Omen of happy Procreation both for the Number and Sex of their Children; and therefore the *Jews*, as their Doctors say, set their Beds *North* and *South*, in order to beget Male Children; the Curtains of their Beds, in order to guard them from Flies, were of a very fine Net-Work, which coming round the whole Bed, shut them in such a Manner, that they had the Benefit of the Air without being offended by the Flies which could not get through them: Perhaps the Beds of the *Jewish* Women, at such Times as it was a legal Uncleaness to touch them, were enclosed within a Sort of Partition, (as is to this Day practised by the *Samaritans*) to prevent any one's touching them.

Then the *Rabbi*, that officiates, takes the Vestment called the *Tbaled*, which hangs about the Neck and Shoulders of the Bridegroom, and puts it upon the Bride's Head in Imitation of the Manner of *Ruth's* Marriage, who said to *Boaz*, *spread thy Skirt over thine Handmaid.* Ruth 39. The *Rabbi*, or the Chanter of the Synagogue, or even a Relation takes a Glass of Wine, presents it to the Bridegroom, blessing God for having created Man and Woman, forbidden Incest and ordained Marriage. It is pretended, that this Form of Benediction was given by *Ezra*, particularly for Betrothing; however, as it was often repeated without Scruple in this first Ceremony, the modern Rabbins never fail to repeat it in that of Marriage. After he has drunk, he puts a Ring without a Stone upon the Bride's Finger saying, *Behold thou art my Spouse, according to the Rite of Moses and of Israel.* There must

Book VI. be two or three Witnessess when these Words  
 are pronounced, and they commonly chuse *Rab-*  
*bins*, tho' this is not absolutely necessary. Wine  
 is brought a second time in a new Vessel, the  
 Mouth whereof is narrow, if it be a Maid, and  
 larger if it be a Widow. They chant six Bene-  
 dictions, says Mr. *Basnage*, the Husband drinks  
 and throws about the rest of the Wine as a  
 Mark of Joy and Plenty. At the Conclusion,  
 it was antiently the Custom, for the Father and  
 Mother and the Kindred of the Woman, to pray  
 to God that she might be fruitful, and that her  
 Posterity might prove victorious over their E-  
 nemies. There was likewise a solemn Benedic-  
 tion made, say the *Jews*, in the Presence of ten  
 grave Persons at the least; and the Blessing was  
 pronounced by the Eldest, which was understood  
 as a Ratification of what was agreed upon.  
 Marriages were usually celebrated in the Night,  
 and were fixed to a certain Day of the Week;  
 the fourth Day of the Week was appointed for  
 a Virgin, and for a Widow the fifth. At the  
 Ceremony, an Epithalamium was sung to musi-  
 cal Instruments in Praise of the Bridegroom and  
 Bride. The Woman in Token of her Subjec-  
 tion changed her Name, and was called after her  
 Husband; for, to impose a Name, was a Sign of  
 Power and Authority.

History of the  
*Jews* B. 5. c.  
 20.  
 Gen. 24. 60.

Ruth 4. 11.

Revelat. 18. 22,  
 23.  
*Isaiah* 4. 1.

Plentiful Entertainments or Collations fol-  
 lowed the Ceremony, and it has been said (but  
 I think without Grounds) that they chose a Go-  
 vernor of the Feast of the Sacerdotal Race, who  
 had the Super-intendency over the Dishes and the  
 Wine, and obliged the Guests to observe all the  
 Decorums which Religion requires; yet there  
 were Persons appointed to break Glass Vessels in  
 their Wedding Feasts, lest they should run into  
 Excess, for this gave them Notice that they had  
 drunk enough. The first Mess that is served up  
 to the Bride is a Hen with an Egg; the Hen  
 is torn to Pieces the very Moment she has tasted

of it, and the Egg is thrown at the Nose of a *Christian*, if there be any one there to see the Ceremony: Seven Days was the nuptial Solemnity to continue in antient Times; they could not shorten the Days, as the *Jewish* Doctors say, but they might lengthen them as they did at the Marriage of *Tobias*, when the Wedding Feast continued fourteen Days, though according to Custom, they were bound to keep but three, the Woman being a Widow. This Feast was called the nuptial Joy, with which no other was to be intermixed; all Labour ceased as long as it continued; and there was no Sign of Mourning or Sorrow to be seen. It was of old the Custom to propose Questions and Riddles to be resolved, that the Time might not be spent merely in dull Eating and Drinking, but that there might be something to exercise and whet the Wits of the Company; and because it was not the Practice to Feast without Sacrificing, therefore it is probable that for the seven Days, they offered Sacrifices for the Prosperity of the married Couple.

Chap. 36.

Judges 14. 12.

Tobit. 8. 19.

Judges 14. 12.

Besides the Company (who were called *the Children of the Wedding*) there were two *Paranymphs*, one of the Kindred of the Bridegroom, and the other related to the Bride; the first was called his *Companion*, and the other her *Conductor*. Their Business was to attend upon them to the nuptial Chamber, where (say the *Jews*) they stayed all Night, and on the Morrow they received the *Tokens of the Bride's Virginity*, and kept them in their own Custody.





## C H A P. XXXVII.

## The Tokens of Virginity, explained.

Deuter. 22. 13.  
Uxor Hebr. 1. 3.  
c. 1.

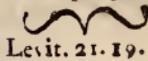
**A**FTER a tiresom Search into blind and superstitious Traditions, a Law established by *Moses* comes to be explained. If the Husband, upon carnal Experience with his Wife, found her to have been debauched, he had the Liberty to enter an Action against her before the Court of Twenty Three, who had the Cognizance of this Matter; it was laid, as *Mr. Selden* observes, in this Form, *Having lain with this young Woman not of full Age, as her Husband, I found not in her the Tokens of Virginity, and making Inquisition into the Matter, it appears to me, that she hath been guilty of Adultery after I had espoused her, and these are the Witnesses of her Guilt.* Upon this Accusation, the Father of the Damsel was to appear in her Defence; for the *Jews* say, the Mother had no Power to espouse her Daughter, but the Father only, before she was of Age; though the Mother and Brethren, they allow, had some Power in this Matter, but such, that the Daughter within the Time limited might make the Contract void. If she had no Parents alive, the Judges appointed her a Guardian, and *Josephus* says, that the next of Kin were to patronise her as if they had been her Parents. In her Defence the Witnesses who had the Keeping of the *Sheet*, in which her Husband first lay with her, were to spread it before the Court; if there were no Signs of her Virginity to be seen, she was sentenced to be stoned at the Door of her Father's House, as a Disgrace to her Parents, who had taken no better Care to preserve her Chastity while she lived with them: And this was

was

was the Punishment of such Adultereſſes, except only of a Priest's Daughter, who, if ſhe was guilty of this Crime, was burnt alive. It plainly appears, that the Woman intended by this Law, was one corrupted between the Time of her Eſpouſals, and of her Husband's compleating the Marriage, otherwiſe he could not have had this capital Action againſt her, none being put to Death for ſimple Fornication. The Reaſon given by the Law, why ſhe was puniſhed with Death is, becauſe ſhe committed this Folly, or Wickedneſs, in her Father's Houſe, where ſhe remained after her Eſpouſals, as in a ſafe Place till the Husband brought her to his own Home.

If the Judges were convinced, that the Man had accused his Wife falſly, he was to be deliver'd into the Hands of the Officers, who executed the Sentence of the Court. He was firſt to receive forty Stripes, ſave one, inflicted by a Scourge made of Thongs of an Ox's Hide, and the Woman was diſmiſſed with a ſolemn Benediction. Then he was amerced in a hundred Shekels of Silver to be paid to the Father of the Damſel, as a Satisfaction for the Reproach thrown upon his Family. *Joſephus* mentions no more than fifty Shekels to be paid to her Father, though the Scripture expreſſly ſays a Hundred; but it is ſuppoſed by ſome, that he means fifty beſides her Dowry, which he was to have given her if he had put her away; which that he might ſave, he deſigned to take away her Life, and therefore he was puniſhed double to what it would have coſt him, if he had not been ſo wicked. This Fine was required, becauſe he laid the moſt infamous Crime to the Charge of an innocent Virgin, and that out of Hatred to her and Love to his Money; for if he would have put her away according to the Law of Divorce, no Man could have hinder'd him; but then, he muſt have paid her fifty Shekels, which they take to be the Dowry of Virgins. To keep

Chap. 37.



Levit. 21. 19.

Antiq. K. 4. c

8.

Exod. 22. 16.

Book. VI. which to himself and be rid of her, he brought this scandalous Action against her, for which he was thus justly punished. But besides this Infliction upon his Body and his Purse, he was deprived of the common Benefit which all Men had who did not like their Wives, which was to sue out a Divorce. Upon this Occasion *Maimonides* calls upon his Readers to admire the wise Ordination of God, which appears in his Judgments as well as in his Works. For because this Man took away his Wife's Reputation, therefore God ordered him to be rendered vile by being whipt; and because he basely designed to save her Dowry of fifty Shekels, he ordered him to be amerced as much more; and because he indulged his Lust and sought nothing but his Pleasure, therefore he was bound to keep her as long as he lived.

*More Nevochim*  
p. 3. c. 19.

*Selden Uxor*

Hebr. l. 3. c. 1.  
2.

But this Law meets with a quite different Construction from some *Hebrew* Writers, who will have it to signifie no more, than that the Accusation against the Woman was to be supported by Witnesses of her Adultery, and her Defence to be made by contrary Witnesses, who endeavoured to disprove the Testimony that was brought against her; for say they, though such *Tokens of Virginity*, as are commonly understood by the Words of the Law, might always be found in those Countries, especially in such Virgins as the *Jews* say were here meant, who were under thirteen Years of Age, yet there are weighty Reasons to incline us to think, that no Man of Sense would bring such an Action against his Wife, wherein he was sure to be cast, whether his Cause was right or wrong, if these were the Evidences whereby it was to be tryed. For if he accused her falsely, he knew her Friends were able to produce the *Sheet* wherein they lay when they were married, with such Tokens upon it, as would disgrace him and render him guilty of Defamation; and if he had a just Ground

to accuse her, because he knew they could produce no such Tokens, yet this was no Proof she had been vitiated since she was espoused to him, for she might have been corrupted before; and then he could not attain his End, which was to be rid of her, not by way of Divorce (for then he must have given her a Dowry which he was desirous to save) but by having her put to Death as an Adulteress, which certainly was the present Case. Such Reasons as these have constrained the *Jews* to understand these Words; not according to the very Letter of them, but figuratively of such Witnesses produced by her Parents, as convinced the other of Falsity so evidently, that they made it appear as plainly as a *Piece of Cloth that is unfolded*, and laid before Mens Eyes to view it. And they think the *Hebrew Word Simlah*, which we translate the *Sheet*, favours this Exposition; for it never signifies a *Sheet* or *Linen Cloth* (which is usually called *Sadin*) but such as Men's Garments are made of, which is commonly *Woollen* and not *Linen*. So that if this Interpretation be allowed, the Sense must be; *They shall produce evident Proofs, and lay them before the Court like a Piece of Cloth which is spread, for all that please to look upon it.* But this Opinion has few Followers, and the learned may judge as they think fit.





## C H A P. XXXVIII.

*The Consummation and Duties of Marriage. A new married Man exempt from going to the Wars.*

WHEN the Marriage is consummated, the Bridegroom is obliged to leave the Bed, and come not near his Wife for a certain time. There are five Days in every Month in which the Wife must advertise her Husband, that it is not lawful to touch her, and then he does not sit near her, nor eat upon the same Plate, nor drink in the same Glass; afterwards she must bathe in running Water, and the Bath would be invalid, if she wore so much as a Ring, that hindered the Water from touching any part of her Body, for she ought to be washed from Head to Foot: There are some who superintend these Baths, to see if the Woman be over Head and Ears in Water. This Custom of refraining from their Wives, is founded upon a Law of *Moses*, which obliges a Woman under her monthly Flux, to be separated from her Husband and the Sanctuary for seven Days; but enough has been said of this, in another Part of these Antiquities.

Book 4. Ch. 9.

Infinite are the Niceties, found out by the *Rabbins*, in regulating the Duties of married Persons. The Woman owed to her Husband Love, Honour, and Obedience, and if she proved rebellious and refractory, he had a Power to lessen every Day a Penny of her Portion; the Husband paid no more than half the Fine if he abused his Wife: She was obliged to labour in the woollen Manufacture to avoid Idleness, and to attend to the Concerns of her Family; he was bound to find Remedies for her in her Sickness, to redeem her

her being Captive, to bury her when dead, to nourish her out of his own Goods, to keep her Daughters till they were married, to suffer her Sons to inherit, and to provide a House for her in her Widowhood. They have even attempted to regulate the Conjugal Duties, by Rules immodest and ridiculous, *Otio vacantes quotidie, mechanicus operarius bis in hebdomade; Asinarius qui farcinulas neſtat, ſemel; qui portat per Camelos ſemel in Menſe; Nauta ſemel in dimidio Anni, &c.* *Maimonides* upon this Subject remarks thus, “ Know  
 “ thou, that it is in the Power of the Wife to  
 “ retain her Husband from going to Sea, or into  
 “ the Army, unleſs it be near at hand, leſt ſhe  
 “ ſhould be defrauded of the Rights of her Bed.  
 “ She may alſo reſtrain him from paſſing from  
 “ one Work to another, leſt her due Benevolence  
 “ ſhould be thereby diminished; the Study of the  
 “ Law only excepted.

*Chetub. cap. 5.*

And this is perfectly conſiſtent with the Indulgence allowed by the Law of *Mofes*, which permits a Man, when he has taken a *new Wife*, to ſtudy at home for a whole Year, where he is exempt from going to the War, and from executing any publick Employment, that might occaſion his Abſence; only the *Jews* make a Difference between a War by divine Commandment, and one undertaken voluntarily; unto the former of which, they conceive, this Immunity doth not extend, but only to the latter. They interpret this Law either of a Man who had eſpouſed a Wife, and had not yet brought her Home, or of one that had but lately completed his Marriage; and whether he had married a Widow or a Virgin, an old Woman, or a Young, it was the ſame thing; and they extend it even to him who had married his Brother's Wife, but not to him who had married a Perſon prohibited to him by the Law; or him that took his Wife again, whom he had formerly put away, becauſe ſhe was not a *new Wife*, as the Phraſe is. This Privilege was a great Security

*Deut. xx. 7.*  
*xxiv. 5.*

Book VI.

curity to Conjugal Love, which had time to settle into a stable Affection, by an uninterrupted Conversation together at the beginning; and the *Jews* were so favorable in this Matter, that they say, if five Brethren were in the War together, and one of them was slain, leaving a Widow, without Issue, all the remaining four returned Home; because every one of them in order, in case those before him refused, was to raise up Seed to his Brother deceased.

## C H A P. XXXIX.

Of Child-birth. *The Nursing, the Habit, and Education of Children.*

**A**FTER Marriage, the barren Womb was esteemed not only a Reproach, but a Curse; and to want Children was to be civilly dead, according to the old Proverb among the *Jews*, *A Man childless, is lifeless*; and for the better Security of Propagation, the Husbands not only avoid conversing with their Wives, when they have the Custom of Women upon them, but all the time they are breeding, and as long as they continue to suckle their Children.

*Moses* in his Laws has prescribed nothing concerning the Rites of Child-birth, which among the Modern *Jews* are perfectly Enthusiastick and Diabolical; they consist of Charms and Conjur-tions, which are equally horrid, and ridiculous to mention. The Women among the *Hebrews*, no doubt, were decent and laudable in their Travels, at their Delivery they were placed upon Stools or Seats, purposely contrived for them to sit on, that the Midwives might better do their Office. Their Infants they nursed at their own Breasts,

Breasts, unless some avoidable necessity required otherwise; and they made a publick Feast at the weaning of their Children. They used them tenderly till they were about twelve Years old, and then they were placed to that Art or Profession, by which they were to live: And says the Tradition when they were so old, they inured them to fasting, that they might be able to fast upon the Day of Atonement. It is a received Doctrine in the *Jewish* Schools, that if Children were born lame, or blind, or defective, it was a Punishment inflicted for the Sin of their Parents, who had been remiss, in discharging some of the legal Ordinances; especially in some particular Rites of Cleansing and Purification.

Chap. 39.

Gen. xxi. 8.

Joma fol. 82. 1.

The Women among the later *Jews*, are not allowed to go with open Breasts during the time of Nursing, nor to observe the publick Fasts, nor to expose their tender Sucklings to the Sun or Moon; nor when the Child is able, do they permit it to go bare headed out of doors, because on a Time, one of their Masters seeing a Child in this Posture, pronounced it unlawfully begotten, and that his Mother was either menstruous or unchast in her Embraces. They usually girdle their Children as soon as their Bodies will endure it, and when they are grown up, none of them go ungirt to the Synagogues; for if they should do so, they think that not only thereby the Benefit of the Prayers is forfeited, but also the Divine Displeasure is provoked; hence is that Saying, *Ungirt, Unblessed*: There is another Proverb common among them, that *there is no Fruit at Autumn, where there is no Budding in the Spring*, which the *Jews* apply to the Education of their Children; whose riper Years they hope to have pious and well-governed, when their tender Minds are duly instructed in Religion and Virtue. The Law of *Moses* has bound it upon Parents to use their utmost Diligence, to instill the Divine Laws into the Minds of their Youth; particularly this Principle,

Deut. vi. 7

Book VI.



Deut. vi. 4.

ciple, that there is but one God, and to inspire them with a Fear and Love of his sublime Majesty: The Father was to instruct the Sons, and the Mother the Daughters; this great Duty they were to inculcate at Home and Abroad, Night and Day; from whence the *Jews* have made this one of their Affirmative Precepts, that twice a Day they should recite these Words, *Hear O Israel, the Lord our God is one Lord*; which is a very dilute Sense of this Precept, wherein *Moses* requires not meerly their *Saying* these Words, (in which there might be a great deal of Superstition,) but taking all Opportunities to imprint them upon the Minds and Hearts of their Children.

The *Jewish* Writings give this Account of the Method of Institution, made use of in the Education of their Children. As soon as they were able to pronounce, they are taught such Sentences of Holy Writ, as seem to favour their Religion, and to infuse into them the Seeds of Piety; and to this purpose, they frequently use the Exhortation of *Solomon*, *Catechise a Child in the Way that he should walk, when he is young, and his old Age will not depart from it.* And because the Sabbath is appointed for the more solemn Celebration and Instruction in religious Rites, and ordained to be one Character, whereby the *Hebrews* are distinguished from all other People; therefore the *Jews* are signally diligent, to implant upon their Children a great Veneration for this Festival: They employ the Morning and Evening of this *Queen of Feasts*, (as the *Rabbins* call the Sabbath) in teaching their Children several pious Forms of saluting their Parents; in which Greetings, they allow not their Children to use the Name of God; till they are seven Years old; that they might retain a greater Regard for that Name which is Holy and Reverend; and therefore the first Salutations of the Children, are plainly, *I wish you a good Sabbath, may you have a good Day.*

Being

Being perfect in this decent way of Salutation, they are next instructed in the Elements of Learning; and their first Lessons are concerning the Name and Figure of the *Hebrew Letters*, in which they use this Method: First, upon a smooth Stone or Board, they cast two, or more Letters of the *Hebrew Alphabet*, and inform the Child of the Name and Figure of it, and when the Child is able to pronounce these Letters, they proceed to more, according to the Capacity and Towardness of the Scholar; and so forward till the whole Alphabet be run over. When this Task is finished, the Children are taught to join their Letters, into short and easy Syllables; and having attained to read a little, they are put into the first Book of *Moses*, and so pass through the whole *Pentateuch*. When they are taught to Write, there is a Draught of very large Letters, made upon a fair Paper, which they imitate upon a thin Paper laid upon it.

When the Parents have grounded their Children at Home, in the prelufory Rudiments, they send them to School, and every Morning before they go, it is the Mother's Office to provide them something to eat, which is usually sweetned with Honey or Sugar, and serves them both for Breakfast, and for Instruction; for at giving the Child this sweet Morfel, she uses these Words, *As this is sweet to thy Palate, so let Learning be sweet to thy Mind.* And she gives directions how he should behave himself at School, as that he is to use no filthy Words, but such as he reads in the *Law*; because God loves *clean Lips*, pure and wholesom Discourse, and that all Communication ought to be agreeable to the Divine Word; next, that the Child must not spend his Time in idle Talk, to his own hindrance, or to his fellows; with other such Directions, as a Mother's Care and Affection shall suggest. At five Years old, the Children commonly go to School, where they spend five Years in learning the *Pentateuch*; and at ten Years

*Pirke Aboth &  
Not. Fag.*

Book VI.



old they are put (if they prove towardsly) to read the *Mischna*, and some select Parts of the *Talmud*; which contain the Body of their Institutes. During the time that the Boy is learning the *five Books*, he is called *the Son of the Law*, and when he is thirteen Years old, he is stiled, *the Son of the Precept*; for now the Youth receives the Passover, and is purified: Until he comes to be a *Son of the Precept*, the Father stands chargeable for all his Miscarriages, but at thirteen Years old, the Lad being supposed to be able to discern Virtue from Vice, and Good from Evil, he is bound to answer for his own Faults. Therefore, the Father having before a Synagogue of ten antient *Jews*, declared that his Son, whom he there produces, has been well instructed in the Law, and understands the general Decisions of the *Mischna*, and the *Talmud*, and that he can repeat the daily Prayers; he lets them know, that he no longer charges himself with his Crimes, but he leaves him to answer for himself, and to be punished if he shall be delinquent against the Commandments. At fifteen, he is obliged to learn the *Gemara*, at eighteen he is to marry, and at twenty, he is to buy, and sell, and act for himself.

The Daughters are instructed by the Mother, with great Care, in the Business that belongs to their Sex, they were seldom allowed to go abroad; and upon this Account, a Daughter in the *Hebrew* Language, is called *Alma*, which signifies as much as a Person *concealed*, and close *confined*.



## C H A P. XL

*The Duties of Children to their Parents,  
and of Parents to their Children. The  
Punishment of a Rebellious Son.*

THE Duty of Children to Parents, is found  
 ed upon the Law of Nature, and as such  
 enjoined in the Institutions of *Moses*; it is  
 a Duty of so great Concernment, that it is taught  
 and placed immediately after those Precepts, which  
 peculiarly relate to divine Worship; intimating,  
 that next to the Majesty of God, our Parents  
 are to be honoured with that Reverence, Love,  
 Obedience, and Support, that belongs to them.  
 In one Place of the Law, Children are command-  
 ed to *honour* their Father, and their Mother; in Exod. xx. 12.  
 another, to *fear* their Mother and their Father; Levit. xix. 3.  
 the Difference of which Expression, signifies (says  
*Maimonides*;) that no Distinction ought to be made  
 between them, but they are both equally to be  
 honoured and revered. The Breach of this Tract. Mema-  
 Command is punished with Death by the Law rim. c. 6.  
 of *Moses*, and long Life, which is the greatest  
 Worldly Blessing, is promised to the Dutiful and  
 Obedient, and that in their own Country; which  
 God had peculiarly enriched with abundant Marks  
 of his Care and Favour. The proper Expressions  
 of *Fear* and *Reverence*, are, (according to the Selden de Syned.  
*Rabbins*;) not to sit in their Seats, nor to contra- L. 2. c. 13.  
 dict them in any thing they say, much less to  
 cavil against them; nor to call them by their  
 proper Names, but to add the Title of *Sir*, &c.  
 as we speak, or the like: The Signs of *Honour*  
 are, not to sit down in their Presence, to provide  
 them Necessaries, if they fall into Poverty; to  
 clothe them, to cover them, to lead them in and  
 out,

Book. VI. out, to wash their Hands and Feet, and say some,  to go a Begging for them.

Maimon. in  
Gezalah. c. 12.

Now to defeat the Force of this Precept, the *Pharisees*, and the Masters of the Traditions had invented two Devices, as wicked as they were ridiculous ; the one was, that a Father was to be made no Account of, in comparison of a *Rabbin*, who taught them the Law ; the other, that if a Son bound himself by a Vow or Execration not to relieve his Parents, he was released from all obligation to do so ; for whatever was included under his Vow, was utterly unlawful to be applied to the Support of his Parents, it was as unlawful as *Corban* ; which being consecrated, must not be touched, or employed to any other uses.

Annot: on  
Mat. xv. 5.

The plain Meaning, says Dr. *Hammond*, is this, A Parent being in Want, requires Relief of his Son, the Son answers, that he hath vowed he will not, and so that to him it remains not lawful to relieve him ; and the *Pharisees* approve of this Practice, that he may thus evacuate his Duty to his Parents ; and though quite contrary to this Precept of honouring and relieving them, yet it was by them thought obligatory to the frustrating of that Commandment : But that Opinion (as the Annotator goes on) is more ordinarily received by the Antients, which *Origen* had from a *Hebrew*, and is thus explained by *Theophylact* ; The *Pharisees* persuading Children to give nothing to their Parents, but to consecrate all to the Treasury of the Temple, taught them to say, *O Father, that which thou desirest to be profited by me, that is relieved, is a Gift that is consecrated to the Temple* ; and so they divided with the Children, all that they had, and the poor old Parents were left without any Relief in their old Age. This Interpretation is probable also, yet seems not to be agreeable to the *Jewish* Practice ; for among them appears no Footsteps of devoting to God, or consecrating in this Matter.

But

But though the Doctors of the *Jews* have given a Toleration to unnatural Children, who refuse Sufenance to their Parents, overwhelmed with Age and Poverty, yet they have judicial Laws againſt the Fathers who reſuſe to perform the Duties of Nature, in which they diſtinguiſh the Age of the Children. When they are under ſix Years of Age, the Judge compels the Father to maintain them, whether he be rich, or poor, willing, or unwilling; after this Age the Father is cited, and it is repreſented to him, that he is crueller than the ſavage Beaſts that provide for their Young. If he yield not to thoſe Remonſtrances, an Eſtimate is taken of his Goods, and he is obliged to give to his Children an Alms, in Proportion to the Value of his Eſtate; which Charity is employed to breed up the Children: Nor is the Diſtinction of Age the only thing remarkable in this Cuſtom, but there are two Things more obſervable; the firſt, that the Father is by the Law diſpenſed with maintaining his Children after ſix Years old, and he does it afterwards only by way of Alms. Secondly, that the Law of Charity is more extenſive than the Law of Nature, ſince this Father, who is diſpenſed with maintaining his Son at ſix Years old, is forced by *Stripes* to give him an Alms, becauſe it is one of the *affirmative Precepts*, which admits of no Diſtinction of Sex, or Age; and for the Performance whereof, Recourſe may be had to *Violence* and *Scourging*.

The Honour due to Parents, is guarded by ſevere Penalties in the *Levitical Law*: If a Son preſumed to ſtrike his Father, or his Mother, ſo as to wound them, and to make the Blood come, or to leave a Mark of the Stroke, by making the Fleſh black and blue, he was put to Death, (ſtrangled ſay the *Hebrews*,) by the Sentence of the Judge; there being a competent Witneſs of the Fact, as in other Caſes: The giving them ſawcy Words, or making Mouths at them, which ſignified

Chap. 40.

Selden de Jure  
Nat. L. 6. c. 6.

Exod. xxi. 15.

Book. VI. fied Contempt, was punished also with Whipping ; there was no occasion to say any thing of killing them, for all wilful Murder was capital , and punished with Death. This Crime was so horrid, that the Laws of most Nations made no Provision against it ; *Solon*, it is observed, made no Law against it, because it was supposed, that no Man could be so wicked ; nor was this Sin known among the *Persians*, as *Herodotus* says, in his Days, nor is there any mention of it in the Law of the twelve Tables, among the *Romans* : But in after Times there were most severe Laws enacted against Parricide ; and *Plato*, particularly, would have him that killed either Father or Mother, Brethren, or Children, not only to be put to Death, but to be disgraced after his Execution, by throwing his dead Body naked , into a common Place, without the City, where all the Magistrates in the Name of the People, should every one throw a Stone at his Head, and then carrying him out of the Coasts, leave him there without Burial. But nothing of this is to be found in the *Jewish* Pandects.

To curse a Father or Mother was likewise capital, by Stoning ; and this Law the *Hebrews* interpret to concern those who cursed their dead Parents, no less than those who cursed them when they were alive ; but not without Præmonition and Witnesses as in other capital Offences ; and not unless they cursed their Parents by some proper Name of God, as Mr. *Selden* observes out of the *Jewish* Doctors ; otherwise he was only scourged. This, and the preceding Law, appointed Death as the Punishment of such Crimes, because they were a Sign (says *Maimonides*) of a desperate Malice, and audacious Wickedness ; being a Subversion of that domestic Order, which is a principal Part of good Government.

A stubborn and rebellious Son was to be stoned to Death ; by a *stubborn* Son, the *Jews* understand

Exod. xxi. 17.

Levit. xx. 9.

L. 2. de Syned.  
c. 13.

More Nevoch.  
p. 3. c. 41.

Deut. xxi. 18.

understand one that will not do what he is bid-  
den, and by a *rebellious* One, that does what he is  
forbidden; if such a One behaved not only un-  
dutifully but perversely to them, and with such  
Contempt of their Authority as argued, that he  
had not only lost all filial Affection and Reve-  
rence, but resolved, after frequent Admonitions  
and Corrections, if he could, to ruin and undo  
his Parents, they might appeal to the Court of  
Justice, and desire Officers might be sent to ap-  
prehend him; when they had brought him, the  
Judges examined the Parents, and their Testimony  
alone seems to be sufficient to convict him  
without any further Evidence. This Prosecu-  
tion, say the *Jews*, relates only to a Son, that  
was no less than thirteen Years Old and a Day,  
and so might be presumed to know his Duty,  
and be capable of good Counsel and Advice:  
They say further, that a Daughter was not in-  
cluded under this Law, because she was unable  
to do so much Mischief to a Family, as a wick-  
ed Son was. The Matter of Complaint was,  
that the Son was a Glutton and Drunkard, had  
abandoned all Reverence and Regard for his  
Parents, and was so profligate and debauched,  
that he would not only spend their Estate, if he  
had it, but was inclined to kill them that he  
might get it the sooner into his own Hands. It  
is observed, that the Sins of Gluttony and Drunk-  
eness are no where made capital by the Law  
of *Moses*, but when they were attended with re-  
bellious Disobedience to Parents; who say the  
*Hebrew* Doctors were to bring Witnesses, that  
this Son had stolen some of their Goods and  
sold them, that he might spend the Money in these  
Vices, under which others are comprehended that  
usually go along with them. And that he had  
done this after he had been admonished and chas-  
tized, so that he was not to be punished as this  
Law at last prescribes, till he was grown incor-  
rigible; for they say the Court was first to or-  
der

der him to be whipt, and not to proceed further, till upon a new Complaint it was proved, that he had run into the same riotous Courses since that Punishment; then upon this second Testimony, as they called it, the Court gave Sentence against him that he should be stoned to Death; unless the Parents, before the Sentence was pronounced, declared they gave him their Pardon. The Offender, says *Josephus*, was drag'd out of the City, in the Sight of all the People, and there executed; there he was to lye as a publick Spectacle till the Evening, and there he was buried; which was the Practice observed to Criminals, who were condemned and suffered by the Courts of Justice. The Punishment of such Children, as are here described, was very severe among other Nations, particularly among the *Romans*, after the Power was taken from Parents to sell them or put them to Death, and the Censure of them committed to the Magistrates. No Wonder therefore, that *Moses* ordained this Penalty, when a Son was come to such a Degree of profligate Wickedness, that he endeavoured to ruin and destroy his Parents; and this Severity, some States have thought fit to follow in these latter Ages; for *David Chytraeus* says, that he himself saw an Example of it at *Zurich*, in the Year one thousand five hundred and fifty, where a disobedient Son was beheaded, who had cursed his Mother and beaten her almost to Death.



## C H A P. XLI.

*The Power of Parents over their Children; the Privileges of the First-born; the Rights of Inheritance and Succession among the Hebrews.*

THE paternal Power, among the antient *Romans*, was so great, that they might put their Children to Death as they did their Slaves, without any Process before a Magistrate; and this some have conceived to be a natural Right, and imagined that God would not have commanded *Abraham* to kill his Son, but that it was a Part of his inherent Power; however this be, the *Hebrews* we find were not long intrusted with it, but it was committed to the publick Judges as the most disinterested Persons; yet there is Reason to believe, that they had a Right to sell their Children in Cases of extreme Poverty and Distress. This seems to appear from the Story of the poor Widow that cried after the Prophet *Elisha*, that the Creditor was come to take away her two Sons for Bondsmen, because she was not able to pay her Husband's Debts. The learned *Huetius* thinks, that from the *Jews* this Custom was propagated to the *Athenians*, and from them to the *Romans*; and the *Hebrew* Doctors have a Fancy that this Prophet was *Obadiab*; and that the Creditor was *Jehoram* the Son of *Abab*, which are Notions utterly ungrounded. 2 Kings 4. 17

Among the Children, the eldest Son was invested with peculiar Privileges; particularly, he had a Right to a double Portion of his Father's Estate, that is, of all that he was in Possession

Book VI. of when he died, but not (as Mr. *Selden* shews  
 to be the Opinion of the *Jewish* Lawyers) of  
 that which was his in Reversion after his Death.  
 And this Claim was so unalterable, that the Fa-  
 ther had no Power to disinherit him; for the  
 Law provides, that if a Man had two Wives,  
 and the first was less beloved than the second;  
 the Son of her who had his first Love was to  
 enjoy the Effects of it, and entitled to a dou-  
 ble Portion of all that he had; and the Reason  
 given is, because he was begot in his full Vi-  
 gour, and had a Right by antient Custom ante-  
 cedent to the Law, which made the First-born  
 the Head of the Family, and gave him as much  
 more as any of his Brethren of the Estate be-  
 longing to it, that he might be able to maintain  
 and support the Dignity of it. A Son born after  
 the Death of his Father was excluded from this  
 Privilege, but if there was no Son, and the Inheri-  
 tance was to be equally divided among the Daugh-  
 ters, the eldest Daughter had no Right to a dou-  
 ble Share of the Estate.

*De Succ. ff.*

Cap. 6.

Deut. 21. 15.

The *Jews* commonly take Notice of three  
 Prerogatives belonging to the First-born; a double  
 Part of the Inheritance, the Priesthood and the  
 Kingdom (as they speak) that is, the principal Au-  
 thority among his Brethren; the first of these, says  
 the *Chaldee Paraphrast*, was given to *Joseph*, the  
 second to *Levi*, and the third to *Judah*, because  
*Reuben* had forfeited all the Rights of his Pri-  
 mogeniture by his Incest with his Father's Wife;  
 but Mr. *Selden* (who gives a full Account of the  
*Jews* Opinion in this Matter) acknowledges, that  
 the Priesthood was not confined to the First-  
 born before the Law, as appears by *Abel's* offer-  
 ing up Sacrifice as well as *Cain*, and *Moses* be-  
 ing a Priest as well as *Aaron*, unless by this Ob-  
 servation we understand the Office of the chief  
 Priest; nor is it true that the First-born always  
 succeeded in the Kingdom, as appears evidently  
 from the regal Table of that Nation.

Lib. 1.

De Synedr. c. 16.

However,



However, the First-born among the *Old Hebrews* were eminently distinguished, as it were, by a natural Right from the rest of the Children, otherwise it could not have been so criminal in *Esau*, to have sold the Prerogative of his Birthright; by this, among other Privileges, he was entitled to a more than ordinary Blessing from his dying Father; he went in a richer Habit as the Heir of the Family, between whom and the other Sons, the Affection of the Parents usually made a Difference in their Apparel. He sat at the Table next to his Father, and enjoyed other Advantages, that gave him a Sort of Authority among his Brothers and Sisters, and the Servants of the Family. The other Sons, if there were any, had their equal Share in the paternal Estate, and the Daughters might have Legacies left them in Money and moveable Goods, which being of his own getting, the Father might dispose of them by his Will to whom he pleased.

Gen. 27. 15, 16. &c.

Gen 43. 33.

Numb. 27. 1, 2, 3, 4, &c.

If there were no Son, the Inheritance was to pass unto the Daughter, or equally to all the Daughters, and this Practice was observed before it was enjoined by a Law, at the first Division of the Land of *Canaan*: For *Zelophehad* dying in the Wilderness, being one of those that were number'd to have a Portion in the Land, left behind him no more than three Daughters; who observing, that only Males from twenty Years Old were number'd, apprehended that they being Females, were excluded from having any Inheritance among the *Israelites*, and so their Family would be extinguished. Under this Difficulty they apply to *Moses*, who after he had enquired of God; declared, that they were Heiresses to their dead Father and represented his Person, and therefore they justly put in their Claim, and had their Allotment in the Land according to this Decision. This special Case afterwards passed into a general Law, and gave Occasion to the

Book. VI. principal Rules, that relate to the Succession to the Inheritances in the *Hebrew Republick*.

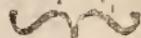
*More Nevoch.*  
P. 3. C. 42.

It was justly observed by *Maimonides*, that what a Man leaves should come to his Family, and to those that are next of Kin to him; because, says he, the nearer any Person is to us, we are inclined by natural Affection, to have the greater Regard to him: Upon a Default therefore of Daughters, the Estate passed to the Brethren of the deceased, unless the Father was alive, who undoubtedly, the *Jews* say, was the next Heir, but not mentioned because it was unnecessary, or, as some conceive, because it would have been a melancholly Thing to speak of a Father's burying all his Children without Issue. This Law is understood by the *Hebrew Doctors*, as if *Moses* had said, *If he have no Daughter, he shall give his Inheritance to the next of his Kindred, to his Father for Instance, and afterwards he shall give it to his Brethren, that is, the Children of his Father*; and the same is to be said of the Grand-Children, unto whom the Brethren of a Father dying without Issue are Heirs; for the Grand-Father stands in the same Relation to a Father, that a Father doth to his Son.

Selden de  
Success. in Bona  
Defuncti, cap. 12

If his Father has no Brethren, says the Law, *Then ye shall give it to his Kinsman, that is next of Kin to him of his Family, and he shall possess it*; that is, to his Brother's Children, or to those who are descended from them, or from his Fathers Brethren; but no Consideration was to be had of his Mother's Kindred (as the *Jewish Lawyers* say) who could never be capable of the Inheritance; which they gather, not only from these Words of the Law, which determine the Inheritance to his Family (that is, the Family of the Father before mentioned, not to the Family of the Mother) but from the frequent Mention of the *Father of Families*; or rather *Kindreds of the Fathers*, to be found in the Books of *Moses, Chronicles, Ezra* and other Places of Scripture; from whence arose

this



*ibid.* cap. 13.  
Exod. 6. 20.

this solemn Maxim of the *Talmudists*; *The Family or Kindred of the Mother is never called by the Name of Kindred*; that is, it has not the Effect of a Kindred, in Succession to Inheritances; and this is what Mr. *Selden* observes out of the old Book *Siphri*, that Families follow the Fathers. This Author has given an Example drawn up by *Maimonides* of such a Succession out of the holy Scriptures; *Amram* had two Sons, *Aaron* and *Moses*; if they had both died without Issue *Miriam* their Sister had inherited; and if she had died in like manner, the Inheritance of the Family would have reverted to *Koath* the Father of *Amram*, or he being dead to his three Sons the Brethren of *Amram*, viz. *Izhar*, *Hebron* and *Uzziel*, as the Heirs of *Koath*; and there would have been no Consideration of Primogeniture, both because none of them was the First-born, and because the Inheritance was not in the Possession of his Father at the Time of his Death.

This was ordained as a *Statute of Judgment* among the *Israelites*, as a Law whereby to determine the Right of Succession in future Times, and to be observed inviolably; so that no Father should have Power to make any other Settlement; but if either by Word or Writing he declared his Will to be that his Son should not inherit, his Act was null and void, as the *Jewish* Lawyers resolve, from the Title of the Law which was called a *Statute of Judgment*, that is, a Rule whereby to judge of Succession into Inheritances; and consequently if a Man had no Son, and made a Will in Prejudice of his Daughter or his Brethren, it had no Force, because it was expressly contrary to this Law.





## C H A P. XLII.

*The Law of Servants. Of the Redemption, and Manumission of Servants. The Rite of Boring the Ear through with an Awl.*

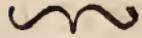
THE Servants in the *Hebrew Republick*, were commonly either such as were *Jews* by Descent, or were originally *Gentiles*; and afterwards became *Profelytes* wholly to the Religion of their Masters, or at least renounced *Idolatry*, and conformed to the Precepts of *Noah*. A *Hebrew* might come into a State of *Servitude* three Ways, He might either sell himself by reason of *Poverty*, or he might be sold by the Court of Judgment, as in a Case of *Theft*, for which he was unable to make Satisfaction; or he might be sold by his Parents, to relieve them in their Distress. It was unlawful for a Man to sell himself, till his *Poverty* became extreme, and he had nothing left; but was obliged to preserve his *Life*, by the Price that was given for him. No Man (says *Maimonides*) might sell himself to lay up the Money, or to buy Goods, or to pay his Debts, but meerly that he might get Bread to eat; neither was it lawful as long as he had so much as a *Garment* left. A *Hebrew* was not to sell himself to a *Profelyte* or to a *Gentile*, but to one of his own Nation, who was bound to treat him kindly, not as a *Slave*, or as a *Captive* taken in the Wars, over whom he had an absolute *Dominion*; but he was to be used as a hired *Servant*, who had hired himself for *Wages*, for a time, and then was at his own Disposal again: If the Master used him rigorously, the *Servant* might complain, and procure

Levit. xxv. 39.

Selden de Jure  
Nat. L. 6. c. 7.

cure a Remedy by the Authority of the Magistrate.

Chap. 42.



Such a *Hebrew* was to be discharged from his Servitude upon the seventh Year from the time of his Sale, he was to serve six complete Years, unless the *Jubilee* happened to intervene, then every one was set free, though he had not served so long.

Deut. xv. 13.

If a *Hebrew* sold himself to a Profelyte, or a Gentile, (which he ought not to do) the Sale was good, but he had the same Benefit of being redeemed, as if he had been sold to one of his own Nation; any Man of his Family might redeem him; or if after his Sale an Estate had fallen to him, he might redeem himself, and his Master could not refuse his Dismission. The Method was, to compute how long he had served, and what time was still behind, and what Price was paid for him; and then according to the Number of Years gone, and to come, the Master was to make his Demands. The Service he had done was to be valued as the Labour of an Hireling, (who worked for so much by the Day or Year,) and deducting that from the Price which was given for him, the remainder was the Price of his Redemption. If he had served but a few Years, and there were many to come before the *Jubilee*, then less was to be deducted from what his Master gave for him, and the Price of his Redemption was higher; but if there remained but few Years, less was to be given for his Redemption, because he had been a long time in his Master's Service. It is evident, that a Servant sold to a Profelyte, had not the Benefit of being discharged the seventh Year as *Hebrew* Servants, who served *Hebrew* Masters had; for it had been unequal if *Hebrews* sold to Profelytes or Strangers, had been released from their Service so soon; when the Children of Profelytes, sold to *Hebrews*, were to be their Inheritance for ever; it was more reasonable (and therefore enacted) that the *Hebrews* sold to Profelytes,

Levit. xxv. 48.

Book VI.  selytes, should not be free till the Year of *Ju-  
bilee*, unless they were redeemed by themselves,  
or by their Friends. A Profelyte was bound,  
when he bought a *Hebrew* Servant, to maintain  
his Family while he served him, as the *Hebrews*  
were bound to do, when they bought one of their  
own Nation.

To prevent the Cruelty of Masters over their  
 Exod. xxi. 26. Servants, the Law provided, that if a Master struck  
 out the Eye, or the Tooth of a Servant, he had  
 a Right to his Freedom, and could demand his  
 Liberty: It is but reasonable, that this Privilege  
 should extend to all Servants, though of another  
 Nation, not meerly to those who were *Jews*;  
 and so *Maimonides* seems to allow, when he says,  
 This is a Precept of Pity and Mercy to poor  
 Wretches, who should not be any longer afflicted  
 with Servitude, when they have lost a Member  
 of their Body. And therefore the common Re-  
 solution of their Doctors is very cruel, that  
*Gentile* Servants (whom they call *Canaanites*) who  
 were not circumcised, should not have the Benefit  
 of this Law; for they thus distinguish Servants  
 of another Nation: Some were circumcised, and  
 baptized, others still remained *Gentiles*, or were  
 only Profelytes of the Gate; the former kind  
 might be set free three Ways, by being redeemed  
 by a Price, paid by themselves or any other  
 Friend, by Manumission, and by Virtue of this  
 Law, upon the Loss of any Member; for though  
 only an Eye or a Tooth be mentioned, yet  
 all other principal Members of the Body are in-  
 cluded; which being mutilated, cannot be re-  
 paired, which they reckon to be four and twenty  
 in all. If they did not dismiss such a Servant  
 thus maimed, the Court of Judgment, upon an  
 Appeal to it, compelled them to give him his Li-  
 berty, with a Certificate of it; but the second  
 Sort of *Gentile* Servants, could be made free,  
 only by the two first Ways, having (according to  
 this

De re Nevoch.  
 p. 7. c. 41.

this Doctrine) no manner of Advantage from the Indulgence of this Law. Chap. 42.

The Court of Judgment had Power to sell a Thief, that was unable to make Satisfaction to the Person that received the Damage, and he was to be a Servant for six Years; but this Sale, they say, did not extend to both Sexes, for a Woman was not to be sold for Theft: Not but that his Servitude might end sooner, by Manumission, or Redemption, or by the Death of his Master, if he were a *Gentile* or a Profelyte; or if he were an *Hebrew* his Death put an end to it, in case he had no Son. His Master also was bound to maintain his Wife and Children (if he had any) all the Time, giving them Food and Raiment, and a Dwelling, though they were not to be his Servants: If the Man was single, so he was to depart; but if he was married when he was sold, as the Master was not to let his Wife and Children want the Necessaries of Life, while he continued his Slave, so when he was free, he was not to meddle with them, or to detain them from their Father, or their Husband. Unto such a Servant as this, his Master might give a *Gentile* Maid to his Wife, (and no other *Hebrew* but such as he might marry a *Gentile*,) that he might beget Children of her, who were to be the Master's Servants or Slaves for ever. The *Hebrew* Doctors say, that the Masters could not do this, unless such a Servant had a lawful Wife and Children before of his own, who might not be kept from him; but he might get Children for himself as well as for his Master, who could not impose upon him more than one Maid Servant, to be his Wife. He that sold himself was not subject to this Law; but as his Master could not force a Wife of this Sort upon him, so neither was he bound when the Servant went free, to bestow any Gift upon him; which was due only to him that was sold by the Court for Theft. After the Expiration of six Years, the Master was allowed

Exod. xxi. 2.

Levit. xxv. 41.

Deut. xv. 13.

to

Book VI.



Isa. xvi. 14.

to furnish such a Servant with what was necessary for his comfortable Subsistence, and to set him up in the World, for all he got during his Service was his Master's; and says the Law, *he was worth a double hired Servant* who served at most for three Years only, and had Wages paid him all the Time, whereas he had served twice as long, and for nothing; so that considering what Wages he gave the other, and how small a Price, perhaps, the Master paid for this, he would find himself sufficiently a Gainer, and therefore should think it no hardship to give him a Gratuity, when he went away. But this is to be understood of such as went out free, after they had served six Years, not of those who were redeemed by their Friends, or redeemed themselves with their own Money; for such might be supposed to have no Occasion for their Master's Kindness, as they had, who had nothing to help them when they were out of their Slavery. The Law obliged the Master to furnish the Servant liberally out of his Flock, out of his Floor, and out of his Winepress; no certain Measure is prescribed to his Bounty, but every one is left to express his Affection freely; and the *Hebrew* Doctors have determined, that the Master is obliged to give the Servant at the least thirty Shekels of Silver.

It must be observed, that the Wife of such a Servant was a Slave as well as himself when he married her, and she was given to Wife merely that he might beget Slaves of her; who therefore continued with the Master as well as their Mother, when the Man had his Liberty; for they were not so much his, as his Master's Goods, who had such a Power over them, that he might circumcise them as he did his own Children, without their Consent. But if the Love of the Man to such a Wife and Children, (who were not properly his own) was greater than his love of Liberty, which made him still desire their Company, and choose to stay with his Master after  
his

his six Years Service was expired, and if the Master had a mutual Affection to the Servant, he was obliged to bring his Slave before the Court of Justice, that it might appear, he was not fraudulently or forcibly detained against the Law, but at his own Desire; and when the Case had been heard, and the Judges had given Sentence, the Master was to bring him to the Door, or the Door-post of his House, and there to fix him, by boring his Ear through with an Awl: Thus was he fastened to his House, and might not step over the Threshold, without leave of his Master, but to be obedient to his Will, till his Death, (for his Son could not detain him, when his Father was dead) or till the Year of *Jubilee*; unless he chose to release him, or he was redeemed. This is to be understood, only of a Servant that was sold by the Court, not of him that sold himself; and though the *Hebrews* take this to have been a Mark of Infamy, set upon a Man who chose Servitude before Liberty; yet it being his Choice out of Love to his Master, it cannot be supposed that they intended by this Act to disgrace him; it rather seems to be a solemn Devoting him to his Master's Service, which was done, it is probable, in the Presence of the Judges. This Custom of boring the Ears of Slaves, was, as the learned *Bochart* observes, the common Practice in *Syria*, and *Arabia* for many Ages. This Ceremony, if we believe the *Hebrew Doctors*, was not used to Maid Servants, who were willing to stay with their Masters, they only addicted themselves in a solemn Form of Words, to their Service for ever.

Hierozoiic.  
L. 3. c. 6.

In Servitude (says the *Talmud*,) there are three Differences; He that selleth himself, is sold for six Years, or more than six; he that is sold by the *Sanhedrim*, is sold for six Years only, he that selleth himself, is not bored through the Ear with an Awl; he that is sold by the *Sanhedrim*, is bored through; he that selleth himself, they provide

Kiddus fol.  
14. c. 2.

Book VI. provide no *Viaticum* for him; one sold by the *Sanhedrim* they do provide for; a Man that selleth himself, his Master cannot give him a *Canaanitish* Handmaid to Wife; to him that is sold by the *Sanhedrim* he may.

## C H A P. XLIII.

*The Selling of Children for Servants; the Case of a Maiden Sold. The buying of Slaves of other Nations.*

Exod. xxi. 7. **B**ESIDES the two former Sort of Persons sold to be Servants, there was a third, which were Children sold into Servitude by their Parents; the Case of a Son was much the same with that of a poor *Hebrew* (who sold himself) but a Daughter was favour'd with better Conditions, which are thus explain'd by the *Jewish* Writers. She was to be a Virgin under Age, that is less than twelve Years Old and a Day; if she was more than that, it was not lawful for the Father to sell her, and when she came to be of Age it put an end to her Servitude, as well as the Year of Jubilee did, or Redemption, or the Death of her Master; besides, her Father might not sell her, unless he were reduced to extreme Poverty, if he did without such Necessity, he was forced by the Court of Judgment to redeem her, and she was not to be sold neither, unless there was some Probability that the Master or his Son would take her to Wife. Concerning this there was a previous Agreement, and there was no Occasion for other *Esposals*; but if the Master changed his Mind and refused to marry her, she was obliged to serve him for six Years, and she was sold for so long, unless she was redeemed (which her Master could not refuse) or manumitted, or set free by the Year of Jubilee, or by

by the Death of her Master, or (which was peculiar in this Case) the Signs of her being ripe for Marriage appeared. He could not sell her to an *Hebrew* of another Family, but after the Years expired, she was set free for nothing, and her Master was obliged to bestow Gifts upon her for her Support, after she obtained her Liberty. If her Master's Son thought fit to marry her, she was to be used in all Respects like a Wife; and if he thought fit to take another Wife after her, he was still bound to execute all that belong to a Wife, to provide her Food and Raiment, and at certain Times to cohabit with her as a Husband. From this Law the *Hebrews* have made a general Rule, that these three Things are owing to all Wives from their Husbands, Alimony, Clothes, and the Conjugal Duties; which they have attempted to settle with infinite Niceties, too tedious and empty to be mentioned in this Place.

Levit. xxv. 44.

If the *Hebrews* wanted Slaves, they were to be such of other Nations, as were sold to them, or were taken Captive in their Wars. But it does not appear, that they had any great Number of them, for they were very laborious themselves, breeding their Children to look after their Land, and their Cattle (in which their Estates chiefly consisted) and being also very numerous in a small Country. But upon Occasion, they had Liberty to purchase the Children of Profelytes both of Circumcision, and of the Gate, and to make them Slaves. When they were bought they became their proper Goods, and continued with them as their Lands did, unless they found Means to obtain their Liberty, by the Methods above-mentioned, but they received no Advantage from the Year of Jubilee; the very Bodies of such Slaves and of their Children, they had power to bequeath after their Death, and had the same Power and Dominion over them, as they had over their Lands, their Goods, or their Cattle.

A Servant says the *Talmud*, is like a Farm in respect of buying, for he is bought with Money,

Bab. Kiddushin, Fol. 2a.

OR

Book VI. or with a Writing, or by some Service done as a Pledge or Pawn. A Servant bought by Service, looseth the Buyer's Shoe, carrieth such Things after him as are necessary for the Bath, he uncloaths him, washes, anoints, rubs, dresses him, puts on his Shoes, and lifts him up from the Earth, The Price of a Slave, according to *Maimonides*, was thirty Pieces of Silver, whether Male or Female, great or little, without any Regard to Sex, or Shape, or Size, or intrinsic Value.

In Nizkei. Ma-  
mon. Per. 11.

Exod. xxi. 20.

But notwithstanding this absolute Right, if a Master struck a *Gentile* Servant with a Rod (as the Law speaks) and he died while he was beating him, he was punished (say the *Hebrew* Doctors) with Death. But others are of Opinion, that he was rather to be punished for his Cruelty, as the Judge who examined the Fact thought fit; for his striking him with a Rod, not with a Sword was an Evidence that he intended only to correct and not to kill him; and besides no Man could be thought willing to lose his own Goods as such Servants were. If the Servant continued alive a Day and a Night, the Master suffered no Penalty, because it might be presumed he did not die of those blows, and his Death being a loss to his Master, he might well be judged not to have any Intention to kill him, and was supposed to be sufficiently punished by losing the Benefit of his Service.

Deut. xxiii. 25.

A Servant of another Nation, if he became a *Jew* was not to be carried by his Master out of *Judea* against his Will, if he was, and afterwards fled from him, he might not be delivered up, but permitted to dwell in the Land of *Israel*; this the *Jews* also understand of a Servant that fled from his Master out of any of the Countries of the *Gentiles* into *Judea*, which was to be a safe Refuge to him; if he embraced the *Jewish* Religion, he was not to be abridg'd of his Liberty, but allowed to settle himself where he pleased, in any Part of the Country without any Disturbance. If he became a perfect Profelyte by Circumcision, he was to be treat-  
ed

ed as a Native *Jew*, and to have the same Privileges with themselves in Things Civil and Sacred; he was admitted to eat of the Paschal Lamb, and of the Peace-Offerings, and no Difference was made between him and an *Israelite*, only say the *Jews*, a Stranger was not allowed to be a Member of the Great *Sanhedrim*.

There is an express Law which forbids any Hardships or Injuries to be offered to Strangers; if they were Profelytes of the Gate only, they were called *Sojournors*, and were to be used with Humanity; they might trade in the Country, though they could not purchase Land in it; they were not to be upbraided with their being Strangers, or for their worshipping of Idols heretofore, but to be used kindly, though not with such strict Friendship as other Profelytes, who observed the whole Law; if they were Poor, they were to be relieved, either by Alms or by Money, but without Usury; and the Charity of the *Jews* increased so far, that they entertained the Unfortunate of other Countrys, by building Hospitals for their Reception. Profelytes of Righteousness, whether Servants or not, were obliged to observe the Law of the Sabbath; but other Profelytes might work; yet if any such Person was a Servant to a *Jew*, his Master might not employ him on the Sabbath-Day in any Business of his, but the Man might work for himself if he pleased, being not obliged by this Law.

Levit. xix. 32.

Levit. xxv. 36.

Exod. xx. 16.





## C H A P. XLIV.

*The Art of War among the Hebrews. The Military Laws, concerning the Seven Nations of Canaan. Of proclaiming War, and making Peace.*

De Rep. Hebr.  
Prefat.

OF the Military Discipline of the *Hebrews*, says *Cunæus*, a very imperfect Account is transmitted to Posterity, yet must every one confess, that for Bravery and true Courage they were inferior to no Nation in the World; for consider them under the Circumstances of banished Men when they came out of *Egypt*, and had wander'd up and down in the Deserts of *Arabia*, for the space of Forty Years, and how surprizing is it, that they should encounter mighty and valiant Nations, expel them and possess their Country, where they built new Towns, and dedicated a most magnificent Temple to the Almighty God. But by the leave of this great *Writer*, this Remark seems to contradict, what is observed by one who was well acquainted with their Disposition, and asserts that *they gat not the Land in Possession through their own Sword, neither was it their own Arm that helped them, but the Right Hand of God, and his Arm, and the Light of his Countenance, because he had a Favour unto them*: It is certain, that in the beginning of their Republick (notwithstanding the Figure they made in after Ages, when they served under *Xerxes* and *Alexander*; in whose Wars they fought valiantly) they were a timorous and dastardly People, their Spirits were broken with Bondage, and they were more inclined to run away back into Slavery, than to fight their Way into *Canaan*; this base Temper appeared plainly in many Instances, particularly when they heard the Report

Pfalm xliv. 3, 4.

Namb. xiv. 1, 2.

port of the Spies concerning the Inhabitants of the Land, which put the whole Congregation into a Fit of Despair, and made them resolve to return into *Egypt*. Chap. 44.

And this Behaviour seems the more unaccountable, if we consider the great Encouragements and divine Helps that were promised them, in order to inspire them with Bravery, when they engaged their Enemy; the *Angel of God* (supposed by the *Jews* to be *Michael*) was to go before them, and to strike a Terror into the Inhabitants of the Land to make their Conquest the easier; unusual swarms of *Hornets* so infested the Natives before the *Hebrews* came among them, that many of them were forced to leave their Country, and to fly into other Places, and when they came to give them Battle, those Creatures attacked them so violently, that they soon determined the Victory. *The Book of Wisdom* calls them the *Forerunners of God's Host*, and *Kimchi* says, they flew into the Eyes of the *Canaanites*, and made them so blind that they could not see to fight; and when they fled, they seem to have pursued them into their lurking Holes, where they had hid themselves after the Battle. Indeed the People of the seven Nations were not to be destroyed at once, lest the Land that was uninhabited should be possessed by wild Beasts, which might have been dangerous to the *Israelites* in other Parts, where they were settled; for the *Hebrews* were not yet sufficiently numerous to People the whole Country, especially when two Tribes and a half were settled upon the other side *Jordan*. However, they were sure of an intire Conquest, had they acted consistently with God's Commands, who threatens them with utter Destruction, if they did not drive out the Natives; who notwithstanding were suffered to remain among them unsubdued, and therefore they were Pricks in their Eyes, and Thorns in their Sides; they were frequently overcome by their Enemies, who triumph'd over them, and reduced them into the Rank of Slaves. Exod. xxiii. 20.  
Josh. xxiv. 12.  
Deut. vii. 20.  
Numb. xxxiii. 55.

Z The

## Book VI.

*Schickard Jus  
Reg. Theor. 16.*

Deut. xx. 10,  
&c.

Gen. xv. 19.

Josh. ix. 1, 2.

Josh. xxiv. 11.

Deut. xxiii. 3, 4.

The Wars ingaged in by the *Hebrews*, were either such as were enjoyned expressly by a divine Command, or such as were enter'd upon by the Prince for the Enlargement of his Territories, and the Honour of his Sovereignty. In the first Case, the King had absolute Power to declare War and to impress Soldiers, and no one could plead a Privilege and Exemption from Service; but the Bridegroom, say the *Rabbins*, was obliged to have his Spouse upon the first Night. In the latter, a voluntary War could not be undertaken by the Prince by Virtue of his Prerogative, without the Consent of the great *Sanhedrim*, and whoever was by Law excused from Service, might plead his Privilege, and stay at Home. The Wars appointed by divine Precept were to be waged against the seven Nations of *Canaan*, which were to be utterly destroyed without Mercy: These were the *Hittites*, the *Amorites*, the *Canaanites*, the *Perizzites*, the *Hivites* and the *Jebuzites*, and *Gergashites*. There were ten Nations inhabited this Country in the Days of *Abraham*, but three of them were either worn out since that Time, or being but a small People were incorporated with the rest; for the *Kenites* and the *Kenizzites* are not mentioned by *Moses*, and the *Rephaim* possessed but a small part of *Canaan*, the great Body of them being in *Basban* on this side *Jordan*. The *Gergashites*, are likewise said by some to have fled upon the first Summons of *Joshua* unto *Africa*, and therefore are not named among those who gathered themselves to fight against the *Hebrews*: But the true Reason of this seems to be, that these were a People mixed among the rest, and did not live in a separate Part of the Country by themselves; but it is evident, that they opposed *Joshua*, as well as other Nations, and were deliver'd into his Hand. This Law of utter Excision is applied by some of the *Jewish* Writers, to the *Amorites*, and the *Moabites*; to the first, because they had not Compassion upon the *Israelites*, when they were distressed in the Wilderness, nor shew'd them that

that Civility which is commonly expressed to Strangers in their Travels; to the latter, for that with the Assistance of the *Midianites*, they invited *Balaam* by the Promises of a great Reward to come from the *Eastern* Countries to curse them. But the more sober Expositors conceive, that they were not to be treated with the same Severity as the seven Nations, for though the *Hebrews* were not to offer them Peace, as they were obliged to do to all People, but to the seven Nations devoted to Destruction, yet if they desired Peace they were bound to grant it. *Grotius* is of another Opinion in his Observations upon *St. Matthew*, that God did not give the *Jews* any Right to their Country (as appears from Scripture) and therefore the intent of the Law is, that they should make no League with them of mutual Assistance, they should admit them into no conjugal Society, but look upon them as dangerous Enemies, who being near Neighbours would take all Opportunities to disturb and suppress them.

Chap. 44.

Numb. xxii. 5, 6.

Chap. v. 43.  
Deut. i. 19.

There is an Instance of great Severity used by *David* against the *Ammonites*, after he had taken *Rabbah* one of their Cities by Storm; the Occasion of the War was a vile Indignity offered to his Embassadors against the Law of Nations, and therefore he gave the City to be plunder'd by his Soldiers; and the Inhabitants he forced to inexpressible Tortures, some of them he caused to be sawn in sunder, over others Horses drew Harrows with great Iron Teeth, others were drawn over sharp Sickles or sharp Stones; or rather he dragged them through the Place where Bricks were made, and there grated their Flesh upon the ragged Pieces of broken Bricks. This dreadful Punishment was to terrifie other Countries from breaking through the Right of Nations by abusing publick Embassadors; though many have thought it too severe, and looked upon it as an Argument that *David* did this in the State of his Impenitence, when the mild and gentle Spirit of God was departed

2 Sam. x. 4.

2 Sam. xii. 31.

Book VI.

2 Chron. xxv.  
12.

from him, and he was become Cruel and Furious, as well as Luffful and Incontinent. The Captives of the *Edomites* taken by *Amaziab*, were likewise used with uncommon Severity, for he took ten Thousand of them alive, and brought them to the Top of a Rock and cast them down, that they were broken all in Pieces. This was a very antient Punishment among the *Romans* and other Nations, and was in use upon other Occasions among the *Israelites*, who threw *Jezabel* down upon the Stones out of the Window at the Command of *Jehu*.

Lev. xviii. 3.

No Terms of Peace, say some of the *Jews*, were to be offered to the seven Nations, which were to be utterly extirpated as abominable Idolaters, Magicians, Witches, and Necromancers, for which and other Crimes, God thought them unfit to live longer upon the Earth; and therefore commanded them to be utterly destroyed in War, which was undertaken by his Order, and called therefore *the War of the Lord*. But *Maimonides* is of a contrary Opinion, and asserts it to be unlawful to make War upon any one whatsoever, before they offered them Terms of Peace; and that such of the seven Nations, as renounced Idolatry, were to be received into Amity and Friendship. As for that Objection which seems to be against this about the *Gibeonites*, who had no Occasion by Craft to have obtained a League with the *Israelites*, if this Doctrine were true, his Answer is, that *Joshua* had sent a Summons to them with offers of Peace which they rejected, but would afterwards have gladly received, when it was not to be admitted, and therefore they contrived that cunning way to be received into Friendship. It is certain, that the most antient Writers of the *Jews* say, that *Joshua* sent three Messages to the seven Nations before he invaded them, though he undertook the War with a Command from God to destroy them; the subject of the two first Messages was either to fly or to make Peace, the last was a Declaration of War.

Selden, l. 6. &c.  
Jure Nat. &  
Gent. c. 13.

War. After this no Mercy was to be shewn, but all were to be killed without Distinction of Age or Sex, unless they repented and offered to become *Profelytes of the Gate*, which seems to have been the antient Practice, because we find the remains of these People often mentioned in Scripture; and this Custom is agreeable to the general Law of Nations, that such as beg for Mercy should be saved.

But whatever was the Law of War with regard to the seven Nations, the People of other Countries and Cities were offered Conditions of Peace before War was proclaimed. The Terms proposed were three, the first, that they should take upon them the Observation of the seven Precepts of the Sons of *Noah*, and consequently renounce Idolatry; the second, pay an yearly Tribute; the third, become their Subjects, live in due Subjection to them as their Governours, who though they could not make them Slaves, yet might employ them in their publick Works, in repairing the King's Palace, the Walls and Fortifications of Cities, and other Business of the same Nature. If the Conditions were refused, every Male near a State of Manhood was to be destroyed, but the Women, the Male and Female Children were to be spared, and the Cattle, the Money, the Household Stuff, and all Manner of Goods were to be made a Prey to the Victors.

Deut. xx. 10.

Leidekker de Rep. Heb. 1. 7.

c. 6.

Antiq. 1. 4. c. 8.

The Laws of War are given by *Josephus*, who introduces *Moses* speaking to the *Hebrews* in this Manner. " If it shall be the Fortune of your selves, or your Posterity to undertake a War, God grant that it may happen without the confines of your Country, but if the Matter must be decided by the Sword, you shall first send Heralds to your Enemies; for before you engage in Battle, it will be necessary to parley, and to inform them that you have a great Army, that you are furnished with numbers of Horses

Book VI. “ that you have military Weapons and Stores, and  
 “ (above all this) that you fight under the Favour  
 “ and Assistance of God; if they condescend to  
 “ reasonable Conditions, accept them, but if they  
 “ offer to injure you, lead your Army against  
 “ them, having God for your General, and for  
 “ your Lieutenant, him whom your selves shall  
 “ choose, on the Account of his Conduct and  
 “ Courage. When the Battle is over and the  
 “ Day your own, kill those Enemies that resisted  
 “ you in the Fight, the rest reserve as Tributa-  
 “ ries, except the People of the Land of *Canaan*,  
 “ for they and all their Families are to be de-  
 “ stroyed; give your Enemies burial by Night;  
 “ take heed, but especially in War, that no Wo-  
 “ man use a Man’s Apparel, nor Man a Woman’s  
 “ Habit. Forget not the Injuries you suffered by  
 “ the *Amalekites*, lead out your Armies against  
 “ them, and take Vengeance of them for the  
 “ Wrongs they did you when you were in the  
 “ Desert.

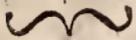
Deuteron. xxv.  
 17. These *Amalekites* were devoted to utter Extir-  
 mination by the Express Command of God; and  
*Abarbinel*, enquiring why such Severity was used  
 against his People, when the *Edomites*, who were  
 of the same Race, were favourably dealt with;  
 observes four Reasons given by *Moses*, why the  
*Hebrews*, when they were settled in *Canaan* and  
 were able to effect it, should remember, and not  
 forget to extinguish and destroy this Nation. The  
*First* is, that whereas Men undertake War  
 against others, either to defend their own Terri-  
 tories or to subdue the Country of their Enemies,  
 the *Amalekites* could pretend no such Cause; for  
 the *Israelites* did not pass by their Country, and  
 consequently gave them no Apprehension of an  
 Invasion, nor had they any Land of their own  
 which might tempt the *Amalekites* to covet it and  
 drive them thence; but they engaged in this War  
 with a petulant Malice only to reduce them a-  
 gain into a State of Slavery: Unto which he  
 might

might have added, that their Barbarity was much aggravated by assaulting them when they were newly deliver'd from grievous Oppressions, and were unaccustomed to War and without Provocation. He gives this as a second Reason, that it being the Custom of all Countries by the Law of Nations, before they begin a War, to denounce it by Heralds and to shew the Grounds of it; they fell upon the *Israelites* unexpectedly, which was an Instance of the basest Treachery; they assaulted them, says one of their *Rabbins*, like a Bear in their Way to devour the Mother of the Children. The *Third* Cause is, that they did not offer the *Hebrews* a pitched Battle, but only fell upon their Rear, and cut off those who for Weariness were obliged to lagg behind; what some of the *Jews* say, that the *Amalekites* cut off the privy Members of certain of the Tribe of *Dan* in Derision of Circumcision, is disowned by others of them as having no Foundation. He gives this as a last Reason; that the *Amalekites*, though they knew how wonderfully the *Hebrews* were deliver'd from Bondage, yet had no Sense of the Fear of God, but attempted to enslave those whom God had lately freed, and continued under the Protection of a glorious Cloud. Upon these Accounts the *Amalekites* were to be cut off without Mercy when the *Israelites* were fully settled: For the Command was not to be immediately executed, but after they were possessed of the Land. This Injunction was never to be forgotten, but imprinted deeply on their Hearts and Minds, and accordingly the *Jews* pretend to have had their Hearts so set upon it, that when the Officers were about to proclaim Freedom from War, to those who had a Right to be excused; they always excepted the War against the *seven Nations*, and *Amalek*, in which every Body was bound to assist.

Chap. 39.

Pirke Eliezer  
cap. 44.Schickard Jus.  
Reg. p. 113.

Deuter. 20. 5. 6



## C H A P. XLV.

*The Age qualified to enter into the Service.  
Persons exempt from bearing Arms.*

**T**HE Age that was thought proper to bear Arms was from twenty to fifty; then a Soldier had Liberty to claim a Discharge, but if he pleased he might continue in the Service. At the first mustering of the Army the Priest *anointed of War*, or proper Heralds appointed by him, made Proclamation, that if *any Man had built a new House and had not dedicated it, or had planted a Vineyard and had not eaten of it, or had betrothed a Wife and had not taken her, or was timorous and faint-hearted he might return Home.* These Privileges were allowed only in Wars that were made voluntarily; the first is understood by the *Jewish* Writers, to signify a House that the Man had not yet dwelt in, for nothing of a Religious Consecration is here intended: At the first Entrance into an House they made a Feast, which being the first Meal eaten in it, was called *Chanach* or Dedication; and because a Year is allowed to a Man, to enjoy his Wife before he is obliged to go to the Wars, they indulge the same Time in these other Cases, as many have observed; and this they understand not only of a new built House, but of a House newly come into a Man's Possession, either by Purchase, Succession or Gift, yet not of such Houses as were unfit for Habitation.

Concerning the Planting of a Vineyard it must be observed, that no one could lawfully eat of the Fruit of it for the three first Years after it was planted, and in the fourth Year the Fruit of it was to be carried to *Jerusalem* and eaten there, after which the Fruit of the fifth Year was wholly

Deut. XX. 2, 3  
En.

Levit. 19. 29.

wholly the Man's own, when it was no longer sacred but common to every one's Use. The Man, as the *Jews* say, had Liberty to return home, if he had made any other Plantation wherein were Fruit-Trees fit for Food, if there were five of them planted together in good Order. The Reason for this and the foregoing Privilege is given by *Josephus*, lest from a longing Desire after these Things, they should be sparing of hazarding their Lives and reserving themselves for the Enjoyment of them, not fight manfully; but many think this was a bare Concession to such Persons, who, if they could overcome their Affection to all Things, but the Love of their Country, might remain in the Camp and go to the Battle. The Law concerning a betrothed Wife has been already explained, and what relates to the fearful and the Faint-hearted, is refer'd by some Writers to old Soldiers, in whom that Heat and Vigour which makes Men valiant is quite abated; upon which Account they would not admit one, who had no Children, to go to War (if we may believe *Maimonides*) because he was not thought Masculine enough, or rather because they would not cut off all Hope of his having Posterity. But there are those who understand this Permission, *of the Terrors of an evil Conscience*, for they did not admit of the Practice that we follow in these Days (to send the wickedest Villains into the Wars) but if they knew any Man to be guilty of a great Crime, they thrust him out of the Army, lest they should all suffer upon his Account. All these who were thus dismissed were bound, if required, to furnish the Army with Victuals and Water, to clear the Way, and to take up their Quarters.

The Soldiers among the *Hebrews*, when they were enter'd into the Service, were trained up by proper Officers in the Art of War; the military Exercises, were such as were in Use likewise among other Nations. To be swift of Foot was

Chap. 45.

Antiq. lib. 4.  
c. 8.Schickard Jus  
Reg. c. 5.  
Theorem 18.

Book VI. an Accomplishment highly valued among Warriors, the better to attack and pursue the Enemy; and St. *Jerome* speaks of an old Custom among the *Jews* that was practised in his Time, to set their Youth to lift great Weights to confirm their Strength, and to prepare them for the Fatigues of War.

2 Sam. 2. 18.  
In Zechari. 12;  
3.

## C H A P. XLVI.

### *Military-Weapons* Offensive and Defensive; *Engines of Battery*

THE warlike Weapons of the *Hebrews*, were either such as were to defend the Persons that wore them, or such as were to hurt and incommode the Enemy. Of the former Sort, were first a *Helmet* to cover and defend the Head. This was Part of the military Provision, which that warlike King *Uzziah* prepared for his vast Army; and we read before this, that Part of *Saul's* Armour was a *Helmet of Brass*. It was used by the *Philistines*, for *Goliath* had a *Helmet of Brass upon his Head*. And this martial Cap for the Head, was worn by the *Persians* and *Ethiopians* when they fought.

2 Chron. xxvi.  
14.  
1 Sam. xvii. 3.  
2.

1 Sam. xvii. 5.  
Ezek. xxxviii.  
6.  
1 Sam. xvii. 5.  
2 Chron. xxvi.  
14.  
Isai. lix. 17.  
Jerem. xlvi. 14.

Another defensive Piece of Armour used in those early Times, was a *Breast-Plate* or *Corset*; *Goliath* was accoutred with this Defence, which we translate a *Coat of Mail*. This is mentioned among the *Jewish* Armory, and is called an *Habergeon*: Between the Joynts of this Harness (for so we english it) King *Abah* was casually struck with a Dart. To this Species of Armour the Prophet *Isaiab* alludes, where the same *Hebrew* Word is used, that is in the forementioned Texts, but is here render'd a *Breast-Plate*; and in *Jeremiah* a *Brigandine* is our *English* Word for it: So that

that according to what may be gather'd from this various rendring of it, it seems to answer the *Cuirasse*, or *Corset-Armour*, both for Back and Breast. It is likely, that it was chiefly designed to defend this latter, and thence had its Denomination. But some had it made so long as to come over all their other Clothes; which is the Reason, why in some Places it is otherwise translated.

The *Shield*, to defend the whole Body in Time of Battle, and to keep off the Enemies Insults, which was either *Tsinah* the great Shield or Buckler, or *Magen* the lesser Kind of this Weapon, was of great Service in old Times. It was frequent among the *Jews* in their Wars, and used by the *Babylonians*, *Chaldeans* and *Assyrians*, and by the *Egyptians*. *David*, who was a great Warriour, often mentions a *Shield* and *Buckler* in his divine Poems, to signify that Defence and Protection of Heaven which he expected, which he experienced and wholly trusted in. And when, he says, *God will with Favour compass the Righteous as with a Shield*, he seems to allude to the Use of the great Shield *Tsinah* (which is the Word he uses) with which they cover'd and defended their whole Bodies. King *Solomon* caused two different Sorts of Shields the (*Tsinah*, which answers to *Clypeus* among the *Latins* such a large Shield) as the Infantry wore, and the *Maginnim*, *Scuta*, used by the Horsemen, which were of a far less Size) to be made. The former of these are translated *Targets*, and are double in Weight to the other. The *Philistines* came into the Field with this Weapon: So we find their formidable Champion was appointed, one bearing a Shield went before him, whose proper Duty it was to carry this and some other Weapons, with which to furnish his Master upon Occasion.

A *Shield-Bearer* was an Office among the *Jews* as well as the *Philistines*, for *David* when he first went to Court was made King *Saul's* Armor-Bearer,

Chap. 40.

Psalms v. 126

2 Chron. ix. 15, 16.

1 Sam. xvii. 7.

1 Sam. xvi. 21

er,

Book, VI. er, and *Jonathan* had a young Man who bore his  
*Armour* before him. Besides this *Tfinnab*, this  
 great massy Shield, *Goliab* was furnished with a  
 less one, which is not expressed by one of the  
 forementioned Words, but is called *Cidon*, which  
 we render a *Target* in one Place and a *Shield* in a-  
 nother, and was of a different Nature from the  
 common Shields, and (as I conceive) was not only  
 to hold in his Hand when he had Occasion to use  
 it, but could also conveniently at other times be  
 hung about his Neck and turned behind, wherefore  
 it is added, that *it was between his Shoulders*. This  
*Target* as well as his *Helmet*, and some other Pie-  
 ces of his *Armour* were of Brass, which was the  
 usual Metals with which their Arms were made  
 in those Times. The Loss of the *Shield* in Fight  
 was excessively resented by the *Jewish* Warriors,  
 as well as condoled by them, for it was a signal  
 ingredient of the publick Mourning, that *the Shield*  
*of the mighty was vilely cast away*. *David* a Man  
 of Arms, who composed the Funeral Song upon  
 the Death of *Saul*, was sensible how disgraceful a  
 Thing it was for Soldiers to quit their *Shields* in the  
 Field, yet this was the sad and deplorable Case  
 of the *Jewish* Soldiers in that unhappy Engage-  
 ment with the *Philistines*, they fled away and left  
 their Shields behind them; this vile and dishonou-  
 rable *casting away* of that principal *Armour*, is the  
 deserved Subject of this lofty Poet's Lamenta-  
 tion.

It may be further observed, that their *Shields*  
 were used to be oiled, scoured and polished, as in-  
 deed it was the Custom to be equally careful of  
 their other *Armour*, as may be gather'd from the  
 Expressions of the Prophets, of *furbishing the Spears*  
*and making bright the Arrows*. But more especially  
 their *Shields* (which were Weapons they highly  
 valued, and upon which they generally engraved  
 their Names and warlike Deeds, if they atchieved  
 any, whereas those that had none of these were  
 called *Blank-Shields*) these Weapons were care-  
 fully

1 Sam. xiv. 1.  
 1 Sam. xvii. 6.  
 So 45.

2 Sam i. 21.

1 Sam. xxxi. 7.

Jer. lxvi. 4. &  
 31. 11.

fully polished with *Oil*, and made exceeding bright; whence two Places of Scripture (if we give Credit to some Expositors) may receive some Light; the former occurs in the Chapter before cited, where it is said, *The Shield of the mighty is vilely cast away, the Shield of Saul as if it had not been anointed with Oil.* For so the latter Clause may be understood to refer to the *Shield* and not to *Saul*, and the *Hebrew* Text will bear this Version. The meaning then is (according to this Construction which the Reader is to judge of) the *Shields* were cast away and trodden under Foot, as if they had not been made *bright with Oil*, as if there had not been that Care taken about them. And that other Passage of the Prophet, *anoint the Shield*, is a plain Reference to this antient Custom of polishing their Shields with Oil, and therefore the Import of these Words is this, *furbish and make ready that Weapon and prepare for Battle*: It might be further observed, that as they anointed their Shields to give them a Brightness and Lustre, so they cover'd them with a Case when they used them not, to preserve them from being rusty and soil'd, thence we read of *uncovering the Shield*, which preparing for War, and having that Weapon especially in Readiness.

Another defensive Provision in War, was the *Military Girdle*, which was for a double End; *First*, In order to the wearing the Sword, for this hung as it does this Day at the Soldier's Girdle or Belt. *Secondly*, It was necessary to gird their Clothes and Armour together, thus *David* girded his Sword upon his Armour. To gird and to *arm* are Synonymous Words in Scripture; for those that are said *to be able to put on Armour*, are, according to the *Hebrew* and the *Septuagint*, *girt with a Girdle*, and from hence comes the Expression of *girding to the Battle*. There is express Mention of this *warlike Girdle*; where it is recorded, that *Jonathan*, to assure *David* of his entire Love and Friendship by some visible Pledges,

Isaiah xxi. 5.

Isaiah xxii. 6.

1 Sam. xvii. 39.

1 Kings xx. 11.

Isa. viii. 9.

2 Sam. xxii. 40.

1 Sam. xviii. 4.

Book VI. Pledges, stript himself not only of his usual Garments, but his military Habiliments, *his Sword, Bow, and Girdle, and gave them to David.*

*Boots* were part of their defensive Harness of old, because it was the Custom to cast certain ἐμπρόδια *Impediments*, (so called, because they entangled the Feet) afterwards known by the Name of *Gall-traps*, which since, in *Heraldry*, are corruptly called *Call-trops*,) in the Way before the Enemy; the military *Boot*, or *Shoe*, was therefore necessary to guard the Legs and Feet from the iron Stakes, placed in the Way to gall and wound them; and thus are accounted for *Goliath's Greaves of Brass upon his Legs*.

Offensive Weapons, are either such as they made use of when they came to a close Engagement, or when they were at a Distance. Of the former Sort were the *Sword, Chereb*, and the *Battle-Ax Mapheng*. The first of these is the antientest

Gen. xxxiv. 25. Piece of Armour that we read of, (except the *Bow*, of which afterwards,) for we find it was treacherously handled by *Jacob's Sons*, when they invaded the *Shechemites*; and it was likewise used by the *Israelites* in the Wilderness. If it be enquired how they furnished themselves with this, and other

Exod. xiii. 18. Weapons in that Place, since as (it is generally said) they left *Egypt* without taking any Arms with them? there is no occasion to answer as some do, that the great Winds and Tide, upon the return of the red Sea, beat the *Egyptians* Arms upon the Shore, where the *Israelites* had pitched their Tents; for this is more than can be proved, and so indeed is their Supposal that the *Israelites* came unarmed out of *Egypt*, for the contrary plainly appears, *The Children of Israel went up harnessed*,

Exod. xiii. 18. that is, *girt or armed, out of the Land of Egypt*; and then it is no wonder that we read of their being armed in the Wilderness. This may be meant when it is said, *they borrowed of the Egyptians Rayment*, in which may be included military Habits; however, they are comprehended in

what

what follows, *The Lord gave the People favour in the Sight of the Egyptians, so that they lent unto them whatever they required, and they spoiled the Egyptians.* The Israelites left Egypt not only with leave, but with the Consent of the Inhabitants; for the last Plague, which slew all their first-born in one Night, put them upon hurrying them away, and to be rid of them, they were willing to part with any thing; and accordingly, they not only suffered them to carry off their own Goods and Cattle, but gave them a great deal of Gold and Silver, and all sorts of rich Materials, with which afterwards they furnished the *Tabernacle*; and among other Things, they doubtless carried with them Weapons of War, for they who willingly lent them Jewels, would scarce deny them Armour.

Chap. 46.

Exod. iii. 22.

The *Battle-Ax*, mentioned by the Prophet *Jeremiah*, was another Weapon which they antiently fought with, when they came to a close Engagement: We have no particular Account of this martial Implement, but it is reasonable to believe that it was a weighty Weapon, or Hammer, made use of when there was occasion to break asunder any hard thing that stood in their Way, and to beat down the Enemies, and lay them prostrate, and to bruise and batter their Armour. It is likely it was a sort of *Poll-Ax*, but proper to the Cavalry; which I gather from the following Verse, which speaks of *breaking in Pieces with it the Horse and his Rider, and the Chariot and his Rider.*

Jerem. li. 20.  
23.

The Weapons offensive, to wound and hurt the Enemy at some distance, were the *Spear* or *Javelin*, which were of different Kinds, according to their Length and Make. Some of them might be thrown or darted, others were a sort of long *Swords*; and some of them were piked, or pointed at both ends.

1 Sam. xviii. 16.

Numb. xxv. 8.

2 Sam. ii. 23.

A *Sling*, with which they slung Stones at the Enemy, is reckoned a part of Warlike Provision, and

2 Chron.

xxvi. 14.

- Book VI. and *David* made use of one of these to a good Purpose, when he slew the Giant of *Gath*. The *Benjamites*, (but properly the *Benjaminites*,) were famous in Battle, because they had attained to a great Skill and Accuracy in handling this Weapon, they could sling Stones to a hair's breadth, and not miss; and whereas it is said they were left handed; it should rather be rendered *Ambodexters*, for we are told, they could use both the Right Hand and the Left; that is, they did not constantly use their right Hand as others did, when they shot Arrows, or flung Stones, but they were so expert in their military Exercises, that they could perform them with their left Hand, as well as with their Right.
- Bow* and *Arrows* are of great Antiquity, indeed no Weapon is mentioned so soon, take thy Weapons, thy Quiver and thy Bow; though it is true, these are not spoken of as used in War, but in Hunting, and so they are supposed and implied before this; where it is said of *Ishmael*, that he became an Archer, he used Bows and Arrows in shooting of Wild Beasts. This afterwards became so useful a Weapon, that care was taken to train up the Hebrew Youth to it betimes. When *David* had in a solemn Manner, lamented the Death of King *Saul*, he gave orders for teaching the young Men the use of the Bow, that they might be as expert as the *Philistines*; by whose Bows and Arrows *Saul* and his Army were slain. These were part of the military Ammunition, (for in those Times Bows were instead of Guns, and Arrows supplied the Place of Powder and Ball.) From *Job* it may be collected, that the warlike Bow was made of Steel, and consequently was very stiff and hard to bend, wherefore they used their Foot in bending their Bows; and therefore, when the Prophets speak of treading the Bow, and of Bows trodden, they are to be understood of Bows bent, as our Translators rightly render it; but the Hebrew Word which is used in these Places,

Judges xx. 16.

1 Chron. xii. 2.

Gen. xxvii. 3.

Gen. xxi. 20.

1 Sam. i. 18.

Job xx. 24.

Jerem. l. 14.

Isa. v. 28.

xxi. 15.

Places,

Places, signifies *to tread upon*. This Weapon was thought so necessary in War, that it is there called *The Bow of War*, or the *Battle-Bow*.

Chap. 46.  
Zech. ix. 10.  
x. 14.

It was common in the *Eastern Countries*, to fight in open Chariots, or *War-Coaches*, and without doubt the Chariots of *Pharaoh* were of this kind, with which he pursued the *Israelites*; for he appointed *Captains over them*, which proves that they were fighting Chariots: About fifty Years afterwards, we find this military Vehicle among the *Canaanites*, who used them in that Campaign Country, and struck such Terror to the *Hebrews*, that made them despair of conquering that Part of the Nation.

Exod. xiv. 7.  
Jof. xvii. 16. 18.

We learn from the Scriptures, that when they were besieged of old, they made use of *Engines on their Towers, and Bulwarks to shoot Arrows and Stones withal*, and when they set down before a Place, and resolved to besiege it, they dug *Trenches*, they drew a Line of *Circumvallation*, they made *Ramparts*, they built *Forts against it*, and cast a *Mount against it*; and set the *Camp also against it*, and set *battering Rams also against it round about*. These *Engines of Shot* (as our Mar-

2 Chron. xxvii. 15.  
2 Sam. xvii. 20.  
Lam. ii. 8.  
Ezek. iv. 2.  
Jer. vi. 6.

gin renders it, in the Prophecy of *Jeremiah*) without doubt resembled in some measure the *Balista*, and *Catapultæ* among the *Romans*; which were used for throwing Stones and Arrows; and were to them of old, instead of Mortars and Carcases. I might observe, that to give notice of an approaching Enemy, and to bring the dispersed Inhabitants of the Country together, they used to set up *Beacons on the Tops of Mountains*, as a proper Alarm upon those Occasions. " King *Uzziah*, says *Josephus*, taught his Soldiers to march in a *Battalia*, (after the manner of the *Macedonian Phalanx*,) arming each of them with *Swords, Targets, and Corslets of Brass*, with *Arrows, and Darts*. He also made great Provision of *Engines*, to batter *Cities*, and to shoot *Stones, and Darts*; besides *Hooks of*

Antiq. Lib.  
9. c. 12.

Book. VI. " different Fashions, and other such like Instruments.

Deut. xx. 19.

Shikard Jus

Arg. 1. c. 1.

There is a Law which expressly forbids the cutting down of Fruit Trees, in order to employ them in a Siege; not but, say the *Rabbins*, such Trees might be cut down, in order to shorten the Siege, if the Enemy made Advantage of them, for their Archers to shelter themselves behind; and if they brought no Fruit, or if the Fruit would not be so profitable as the Wood, for Building and other Uses, or if they hindered the Growth of better Trees, they might (say they) be destroyed in time of Peace. Such as were not *Trees for Meat*, might be cut down to raise Bulwarks, or otherwise to distress the Enemy; but not for the Sake of Waste and Desolation only.

## C H A P. XLVII.

### *The Discipline of War. The Ceremonies before and after the Battle.*

**I**N the Beginning of their Republick, the Armies of the *Hebrews* consisted all of Foot, not that the Use of Horses was absolutely forbidden; for *Solomon* had a Body of twelve thousand Horse, and fourteen hundred Chariots, some with two, and others with four Horses belonging to them; but whether they served for Pomp, or for War is uncertain: These Chariots and Horses were brought from *Egypt*, but not without paying a great Toll; six hundred Shekels for a Chariot, and one hundred and fifty for a Horse. This Prince prevailed upon his Father in Law, the King of *Egypt*, to remit this Tribute, upon Payment of a certain Sum of Money by the Year; by this means he got rid of the Custom that was exacted from other Nations, and his Merchants

Merchants could afford to sell Chariots and Horses to the *Syrians*, at a lower Price than they could have them out of *Egypt*. Chap. 47.

The Soldiery was paid out of the King's Treasury, and to incite their Valour, there were Rewards publickly bestowed upon such as had signalized themselves against the Enemy: The military Honours were such as these, a Sum of Money, a Belt, a Woman of Quality for a Wife, an Exemption from Taxes, a principal Commission in the Army; and other Distinctions, attended with great Profit and Reputation. 2 Sam. xviii. 11. Jos. xv. 16. 1 Sam. xvii. 25. 1 Chron. xi. 6.

The General was the commanding Officer in the Army, under him were Tribunes, who had each the Command of a thousand Men, Centurions who commanded a hundred were the next; they had under them Commanders over fifties, and the last commanded over ten: There was a Secretary of War, who took an Account of the Number of the Forces, and Heralds to send of Messages to declare War, and to treat of Peace. Exod. xviii. 21. 2 Chron. xxvi. 11.  
The *Hebrews* made use of *Spies*, to enquire into the State of the Enemy, and were not unacquainted with Stratagems of War, by which they got many Victories. Judg. xi. 12.

It has been observed, that before they invested a City, they were obliged to offer Conditions; if they were refused, they did not begirt it all round, but only on three Sides, leaving one naked, that the Besieged might fly away if they pleased, by which means Effusion of Human Blood was prevented; but this Privilege was not allowed to the *Amalekites*, and the *Seven Nations* of *Canaan*. A Siege, say the *Jewish* Doctors, must be begun three Days before the Sabbath, and then it may be continued every Day, even upon the Sabbath, till the City be taken; and this may be done in a War that is engaged in voluntarily; agreeable to this, in some measure, is what *Kimchi* remarks of the Siege of *Jericho*, "The Ark of the Lord compassed the City the first time," Hilkoth Schabbath. in Josh. vi. 15.

Book VI.

“ time, upon the first Day of the Week. So  
 “ our *Doctors* of pious Memory have delivered,  
 “ that the seventh Day whereon the City was ta-  
 “ ken was the Sabbath, though they killed and  
 “ burnt upon that Day ; for he that commanded  
 “ the Sabbath to be observed, commanded it now  
 “ to be prophaned, for the Destruction of *Je-*  
 “ *richo* :” If the Peace that was offered was ac-  
 cepted, the League was ratified, by a solemn  
 Oath on both Sides. Whether the Ceremony  
 of dividing a *Heifer*, and both Sides passing be-  
 tween the Parts of it was in use is uncertain, tho’  
 the Prophet *Jeremiah* speaks something of this  
 Rite, when he charges the Princes of *Judab* and  
*Jerusalem*, with violating the Covenant which  
 they made before God, when *they cut the Calf in*  
*twain, and passed between the Parts thereof.*

Gen. xv. 10.

xxxiv. 18, 19.

*Arias Montanis*  
*in Nabum* 1.

When a Peace was concluded, it was publick-  
 ly proclaimed by order of the Magistrates : They  
 sent Heralds or Cryers upon the Top of all the  
 Hills, who made Proclamation, which being car-  
 ried from one to another, Notice was soon given  
 to all the Country about ; and this might con-  
 veniently be done, the rising Grounds being man-  
 ny, and the Valleys of a small Extent.

Numb. x. 9.

*Antiq.* 1. 3. c. 11.

Before they engaged in Battle, the Law of *Mo-*  
*ses* appointed two Priests to blow with two Sil-  
 ver Trumpets, which are described by *Josephus*  
 to have been a Cubit long, and narrow like a  
 Pipe, but wider as ours are at the Bottom ; no  
 more than two were at first ordered for present  
 Use, but more were afterwards made when the  
 Priests and the People were increased. There  
 were others called Trumpets of Rams Horns,  
 (from their Shape I suppose) which were used in  
 War, to incite the Soldiers to fight. These In-  
 struments were blown to call the People to the  
 Sanctuary to pay their Devotion, and to pray to  
 God before they engaged ; and they were found-  
 ed with a particular Blast, that they might know  
 the Meaning of the Summons : Then *the anoint-*

*Josh.* vi. 4.

*ed*

*ed for the War*, going from one Batallion to another, was to exhort the Soldiers (in the *Hebrew Language*, and no other) to fight valiantly. The *Rabbins* have a Conceit, that the *Romans* learnt both the Form of Encamping, out of the Law of *Moses*, and also to make Orations to their Armies, before they went to fight; but it is more reasonable to think they taught those that were Leaders of others, to encourage them to follow their Example. There were Officers whose Duty it was to make Proclamation, that those whose Business it was, should make sufficient Provision for the Army before they marched; and every tenth Man was appointed for that Purpose.

Chap. 47.

Deut. xx. 2.

Miscb. So' a c. 8.

Josh. i. 10.

Judges xx. 10.

When they gave the On-set, they rushed upon their Enemies with Shoutings and Cries, and after they had obtained the Victory, they sung Hymns, and Songs of Triumph, and went in publick Procession with the Women and Children, dancing and playing upon Musical Instruments; and sometimes they erected a Triumphal Arch (as *St. Jerome* observes of *Saul*, when he had overcome the *Amalekites*;) of Olive Branches, Myrtle, and Palm, as a Token of Victory. The Land that was subdued, was divided by Lots, and the Crown of the conquered King, was set upon the Conqueror, who had likewise assigned him, as we find in the *Talmud*, the Furniture of the King's Palace, or Pavillion, as his share of the Spoils. A City after it was taken, they usually dismantled or laid waste, and sometimes sowed it with Salt, not to make the Place barren; (for the Strewing it with Salt could not destroy the natural Fruitfulness of the Soil,) but in token of Hatred, as wishing that the City might continue unbuilt, and be a perpetual Desolation.

Exod. xv. 12.

&c.

1 Sam. xv. 12.

Grotius de jure Belli l. 3. c. 6.

2 Sam. xii. 30.

Judges ix. 43.

## C H A P. XLVIII.

*The Discipline of the Hebrews in their Camps, and the Form of their Encampments.*

Deut. xxiii. 9.

**A** Strict Discipline, and an outward Decency and Purity, was observed in the Camps of the *Hebrews*; If a Soldier chanced to be unclean by a nocturnal Pollution, which was no moral Impurity, he was obliged to go out of the Camp, lest by touching, he should defile others, and continue excluded till the Evening, when he was to wash himself all over, and after the Sun was set, he was admitted again; to the End, says *Maimonides*, that all should believe their Camp ought to be as the Sanctuary of God, where no Man might enter in his Uncleaness; and not like the Camps of the *Gentiles*, where allmanner of Wick- edness, Filthiness, and Rapine, is freely practised. They were not allowed so much as to *ease Nature* within the Limits of the Camp; this promoted Cleanness, and contributed to the Preservation of their Health; and hereby, as the *Rabbins* observe, they were distinguished from Brute Beasts, which commonly ease themselves before any Body, and in any Place: But *Moses* gives a much better Reason, which has respect to the divine Majesty, dwelling between the Cherubims, over the Ark which was carried with them in their Wars; and therefore all Uncleaness, though in it self natural, was to be removed far off. By such Actions as these, *Maimonides* observes, God intended to confirm the Strength and Faith of the Soldiers, that he dwelling among them, would go along with them, and fight for them against their Enemies; and *Abarbinel* remarks thus, The Camps of the

*More Nervooh.*  
p. 3. c. 67.

*More Nervooh.*  
p. 3. c. 41.

in Deut.  
xxiii. 14.

the *Israelites* ought to be holy, having a special Providence of God among them; for they do not make War by meer human Power and Courage, but by the Power of God, and of his Spirit, on which they depend for Deliverance from all Evil, and for Victory over their Enemies. The Place for this Evacuation, was to be at some Distance from the Camp, and every Soldier was to have a Paddle of Iron to fix upon the End of his Sword, which would dig a Hole in the Ground; this he was to fill again when his Purpose was served, that there might be no Appearance nor Scent of it remaining. The *Jews* will have it, that they were to accustom themselves to do this Business, in the Morning as soon as they were up, and thus (as *Leo of Modena* tells us in his History of them) Part I. C. VI. the *Jews* do at this Day, afterwards washing their Hands, that they may go clean to their Devotions. In this Matter, as I have remarked, the *Essenes* were extremely Superstitious, for as *Josephus* relates, they would not ease themselves at all upon the Sabbath, because they looked upon it as a Labour to dig in the Earth, and Excrements not fit to be seen upon that Day.

But many Rites in the *Levitical* Law were relaxed during the Time of Encampment; the Soldiers were allowed, say the *Rabbins*, to use forbidden Meats even Swines Flesh, to eat without washing their Hands before Meals, not to observe the Severity of the Sabbatical Rest, to fetch Wood where they could find it, to raise Bulwarks and Fortifications, and other Privileges, which would have been Penal, if not Capital in time of Peace.

The Disposition of the *Hebrews* Encampment was at first laid out by God himself; every Family and Household had their particular Ensigns, besides the great Banner under which they encamped and marched, it being pitched and carried in the midst of them. How these Banners and Ensigns were distinguished one from another, we have no certain Knowledge. The later *Jews* say, particular-

*Schikard Jus*  
*Reg. c. 5.*

*Numb. ii. 1,*  
*2. &c.*

Book. VI. ly *Aben Ezra*, that *Judah* carried in his Standard the Figure of a *Lion*, and *Reuben* the Figure of a *Man*, *Ephraim* of an *Ox*, and *Dan* of an *Eagle*, for which there is no manner of Foundation; for though *Judah* be compared to a *Lion*, yet the Reasons he gives for the other are very absurd, with which I shall not trouble the Reader; but only observe, that there is not one Word of any such Thing in their antient Writers, no not in the whole Body of the *Talmud*; and it is not likely, that they who had so lately smarted for making the golden Calf, would adventure to make any other Images, and expose them to the Eyes of all the People. Nor is it impertinent to observe, that when *Vitellius* in after Ages was to march against the *Arabians* through *Judea*, the great Men of the Nation met him, and beseeched him to march another Way, the Law of their Country not allowing Images (such as were in the *Roman* Ensigns) to be brought into it; for which one can see no Reason, if their Ancestors in the Wilderness had by the Command or Allowance of *Moses* carried an *Eagle* in any of their Standards. It is more probable, if there be room for Conjecture in this Matter, that the Name of *Judah* might be embroidered in great Letters in his Standard, and *Reuben* in his, and so of the Rest, or they were distinguished by their Colours only, as now our Regiments are.

The Camp of *Israel* called the *Army of God* was of a Quadrangular Form, surrounded say the *Jews* with an inclosure of the height of ten Hands breadth, to prevent the Soldiers from flying from their Colours. It was not a regular Square, for the Court of the Tabernacle being in the midst of the Camp, and the Sides of that being unequal, those towards the *East* and *West* of no more than fifty Cubits Length, but those towards the *North* and *South* of the Length of a hundred Cubits, it made the Encampment about it also unequal. The Distance of the Camp from the Tabernacle, is reasonably

Joseph. Antiq.  
L. 18. c. 7.

Mischna Eru-  
bin, cap. 1.

ably judged to have been about two Thousand Cubits ; at the *East* End were the Tribes of *Issachar*, *Judah*, and *Zabulon*, at the *West* were *Manasseh*, *Ephraim*, and *Benjamin*; at the *North* were *Aser*, *Dan*, and *Naphthali* ; at the *South* were *Simoon*, *Reuben*, and *Gad*. This Camp say the *Jews* made a Square of twelve Miles in Compass about the Tabernacle. Within this was another called the Camp of the *Levites* ; they were divided into three Families the *Gershonites*, *Kohathites*, and *Merarites* ; the first guarded the West-end of the Tabernacle, the second stood on the South-side, and the third was placed towards the *North*. Eastward was the Station of *Moses* and *Aaron*, and their Families, who lay between the Standard of *Judah* and the Tabernacle ; which was the honourable Post, where the Priests were with great Reason placed, together with *Moses* the chief Governour, because they were to guard the Holy Place, that none might go into it but themselves. When the Camp was to move, the Priests were to sound four Alarms with the Silver Trumpets, but in what Order they marched, have been described in another Part of these Antiquities. The Tents they lived under were much the same as are now in Use, as may be collected from a Passage in *Isaiab*, *Enlarge the Place of thy Tent, and let them stretch forth the Curtains of thy Habitation, spare not, lengthen thy Cords, and strengthen thy Stakes.*

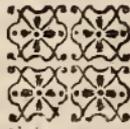
Chap 48.

Numb. iii. 17,  
18, &c.

Numb. x. 5.

Book iii. Chap.

7.  
Chap. 54. v. ii.





## C H A P. XLIX.

*The Dividing of the Spoils. Purifications  
observed after the Battle.*

THE Practice of the *Hebrews* concerning the Division of what they had taken in War was not always the same; but before this Distribution be inquired into, it may be observed, that what they took was commonly of three Kinds, the Persons of their Enemies called Captives, the Beasts called the Prey, and Money and Goods called the Spoil. Every thing that breathed, that belong'd to the *Seven Nations of Canaan*, and to the *Amalekites* was to be destroyed; if they were not of the seven Nations, the Men were to be cut off, but the Women and the little ones, the Prey and the Spoil they might keep for themselves; yet this Rule was not always followed; for after a Victory over the *Midianites*, the *Hebrews* were commanded to kill all the Males, and the Women that had known Man, but the Virgins they were allowed to keep alive for their own Use, either to be sold as Slaves to any other Nation, or to be kept as Servants, or taken to be their Wives after such Preparation as the Law required.

Numb. xxxi. 16,  
17, &c.

The whole Army that went out to War were to stay without seven Days before they were admitted into the Camp, and such as had had their Hands in Blood, or had touched a dead Body, though killed by another were to be purified on the third, and on the seventh Day by the Water of Separation. All Spoil of Garments, or other things that they had taken, were to be purified in the same Manner, or to be washed in running Water, as the Method was in other Cases. All sorts of Metals had, besides Sprinkling with the Water of Separation,

Levit. xi. 32, 33.

paration, a Purification by Fire, and what would not bear the Fire passed through the Water, before it could be applied to Use.

In the Distribution, the King had antiently the tenth Part of what was taken, but in following Times, say the *Talmudists*, he had all the Gold and Silver, and Things of Value, and half of the rest of the Prey, that was divided between him and the People. What was taken from the *Midianites* was divided by Divine Appointment into two Parts; the Army that won the Victory had one, and those that staid at Home had the other, because it was a common Cause in which they engaged, and the rest were as ready to fight, as those that went out to Battle; this Division was by a special Direction, but was not the Rule in after Ages; for after the General had taken what he pleased for himself, the rest was divided among the Soldiers, as well those who kept the Baggage, or were disabled by Wounds or Weariness, as those who were engaged in the Fight, but the People had no share; and this was ordained, as a Statute to be observed throughout their Generations: But in the Time of the *Maccabees* the *Jewish* Army thought fit to recede from the Strictness of this military Law, for when they had obtained a Victory over *Nicanor* under the Conduct of *Judas*, they divided among themselves many Spoils, and made the maimed, Orphans, Widows, yea and the Aged also equal in Spoils with themselves.

In the *Midianitish* War, after the Distribution of the Spoils among the Army and the People, there was another Division made for the Service of the Priesthood, and the Levitical Ministry. The Priests out of the Share that fell to the Army were allotted one out of five Hundred of all the Women, and Children, and Cattle that were taken, and the *Levites* from the Part that fell to the People received one out of Fifty, so that the Priests had just a tenth Part of what was allowed to the *Levites*, as they had a tenth Part of the Levitical Tythes, which was paid them for their constant,

Gen. xiv. 20.

Numb. xxxi. 27.

1 Sam. xxx. 24.

2 Maccab. viii. 28, 30.

Num. xxxi. 28, 29, &c.

Book. VI. stant Support; but whether this was the Practice in future Wars is uncertain. Sometimes all the Spoils were by Divine Appointment ordered to be destroyed; and there is an Instance in the Siege of *Jericho*, when all the Silver and the Gold (except the Gold and the Silver of their Images, which were to be consumed utterly) and Vessels of Brass and Iron were devoted to God, and appropriated to his Service. They were to be brought into the Treasury which was in the Tabernacle, after they were purified by making them pass through the Fire according to the Law; the *Jews* conceive, that these Spoils (called in Scripture, *the accursed Thing* on the account of their being devoted, with a *Curse* upon him, who should take them for his own Use) were given to God, because the City was taken upon the Sabbath Day.

Josh. vi. 18.  
Deut. vii. 25, 26.

## C H A P. L.

*The Rites of Burial among the Hebrews,  
The Method of Embalming, Shrouding,  
Laying out, and bearing the  
Dead.*

Gen. xlix. 2.

THE *Funeral Rites* among the *Hebrews* were solemn and magnificent; when a Man was dying, his near Relations, especially his Children attended upon him, to whom he gave good Counsel concerning their future Conduct, together with his Blessing before his Departure; for it was an antient Opinion, that the Souls of all excellent Men, the nearer they approached their End, the more Divine they grew, and had a clearer Prospect of Things to come. The Practice among the more modern *Jews*, was to send ten Persons with a *Rabbi*, before whom the sick Man repeats the Confession of his Sins, which is composed in

in an Alphabetical Order, each Letter of the Alphabet containing one of the Sins that are usually committed. As this Confession is only made for the Ignorant and for common Use, those that have a more lively Sense of their Faults, and a more comprehensive Knowledge, enter into the Particulars of their Sins, after the manner of penitent *Christians*. The sick Person also prays God to restore him his Health, or to take care of his Soul, and especially he begs that Death may serve for an *Expiation*. His Friends go to the Synagogue to pray to God for the Sick *under another Name*, to signify, that he had changed his Life.

Chap. 50.  
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Those that continue in the Chamber, wait the Moment when the Soul must separate from the Body and leave the Earth, they made it a particular Piece of Devotion to be present, and they thought to reap great Benefit by it, especially, when it was a Person eminent for his Learning and Piety; the next Relations kiss the Dying Person, and this Use is very antient; for *Philo*, relating *Jacob's* Complaint upon the unexpected Death of his Son, makes him say, that he shall not have the Comfort of closing his Eyes, and giving him the *last Kiss*; this was the last Farewel and Sign of Affection given to those that left the World; and this Practice was dispersed among the *Heathens*, who pleased themselves with receiving the last Breath of Persons that were dear to them, and this they called *the Soul of the Dying*.

Gen. 1. 1.

They had such a Veneration for the Book of the *Talm. Bava Kama, P. 17.* Law, that they would not allow it to be laid upon the Bed of a Person leaving the World, lest it should be polluted by touching the Dead.

The first Thing after one expired, was to close his Eyes (which was performed likewise among *Greeks* and *Romans*) by the nearest Relations or the dearest Friends. Then did the Company rend their Clothes, which was a Custom of great Antiquity, and the highest Instance of Mourning in the earliest Ages; this Practice was never omitted  
by

Gen. xlvi. 4.  
Menoeh de Rep.  
Heb. L. 2. c. 4.

Book VI. by the *Hebrews* upon sorrowful Events; but was so particularly used for the Dead, that it was forbidden to the high Priest, who never tore his Robe but out of Zeal when he heard Blasphemy; at present there is but a faint Imitation of this ancient Custom, for the *Jews* only cut some Part of their Garment, to shew they are afflicted. It is pretended that there is another old Use; which is, to throw all the Water into the Street that is found in the House and in the Neighbourhood, but it is peculiar to the modern *Jews*, and we do not find it was practised by the Antients. The Design is to give Notice, that there is a Person dead in that Place, that he may be regretted and lamented, and this is what is found in Antiquity: For God threatned *Jehoiakim* as with a terrible Curse, that no Body should lament him at the Hour of his Death.

Jerem. xxii. 18.

Hal. Ebbel. c. 4.

Minhagim. cap. ult.

The Management of the Dead (says *Maimonides*) among the *Israelites* is thus; they close the Eyes of the deceased, and if the Mouth gapes, they bind up the Jaws; they stop up the Passages of the Body after they have cleaned away the Excrements, by pressing the Belly, and then they anoint it with various Kinds of Spices and Perfumes. After Death, they lay out the Body upon a Cloth on the Earth, with the Face covered, it being no longer lawful to see it: And says a Book of the *Jewish Rituals*, they bend the Thumb into the Hand, which they tye with the Strings of his *Thaled*, because the Thumb having the Figure of the Name of God, *Schaddai*, the Devil dares no more come near it; the rest of the Hand remains open, to signify that he abandons all; whereas Children come into the World with their Hands closed, to shew, say they, that God has put all the Riches of the Earth into their Hands. Then was the Body washed, which is a Custom difficult to give a Reason of; the Notion of the *Jews* is, that the Body ought to appear clean before God. But it is a more probable Conjecture, that the Ointments and Perfumes

Perfumes might more easily enter into the Pores when they were opened by warm Water; the Women performed this Office, which was always esteemed an Act of great Charity and Devotion.

Chap. 50.



The *Hebrews* formerly embalmed the Bodies of their Dead; for *Joseph* after he had fallen upon his Father and kissed him, commanded his Servants the Physicians, to embalm him, and this agrees with what *Herodotus* and *Diodorus Siculus* relate, that there were those in *Egypt* who professed the Art of preserving Bodies from Corruption, in which they excelled all other People, Bodies of their embalming remaining whole unto this Day, and are often brought into these Countries. The Authors above mentioned, give an Account of the different Prices at which this Operation was performed, and tell us there were three Rates according to the Cost that Men would bestow upon their Friends. Upon the first Rank of Funerals, they expended a Talent of Silver; the second cost about twenty Pound, about the third they made but small Expence. The Manner of embalming was thus, they scooped out the Brain with a bent Iron, and threw in Medicaments to fill up the Vacuum; they also drew out the Entrails; and having stuffed the Body with Myrrh, Cassia, and other Spices, except Frankincense, that were proper to dry up the Humours, they pickled it in Nitre where it lay a soaking seventy Days; longer than which, neither the Bodies of the better nor of the meaner Sort were to be salted. After that, they were wrapped up in Bandages of fine Linnen and Gums, to make it stick like Glue, and so they deliver'd the Body to the Kindred of the Deceased entire, in all its Features, the very Heirs of the Eeylids being preserved. The Kings of *Judah* were for many Ages embalmed, and after the Manner of the old *Egyptians*, had Spices and Perfumes burnt before them at their Funerals, and as *Kimchi* observes, they burnt the Bed on which they lay, and other Household-stuff, that none might have the Honour to use them when

Gen. 1. 2.  
Diodor. lib. 1.  
Sect. 2.  
Herodot. Euterpe, c. 86, 87,  
&c.

2 Chron. xvi 6, 7,  
in locum

Book VI. when they are gone. Private Persons, as well as Kings, were at prodigious Expences upon this Account, and if we may believe what the *Jews* say, when *Gamaliel* the Son of *Simeon*, the Grand-child of *Hillel* (at whose Feet Saint *Paul* sat) was buried, *Onkelos* burnt seventy Pound of Frankincense on his Sepulchre; but this is a Fable invented to raise the Credit of the *Targum of Onkelos*, which (say some) was not known till many Ages after. The best of the *Jews* believe this burning of sweet Spices and Woods, was first intended merely to prevent the Offence, which the Smell of dead Bodies might possibly sometimes give, but the Vanity of particular Persons often made them exceed beyond Necessity. This Practice is still kept up in the *East*, where Perfumes are more common and not so dear, but in *Italy* the *Jews* are contented, to put dry Roses and Chamomil in the Water, which they use to wash the Dead Body.

When the Body is washed it is *shrouded*, the Head is bound about with a Napkin, and the Body is swathed with a Linen Cloth, tho' in most Places they only put on a pair of Drawers and a white Shift. *Abrabinel* affirms, that *Samuel* was buried with the Cloak wherewith he cover'd himself as a Prophet, but this Conjecture is only founded upon the Sorcery of the *Pythonefs*, who shew'd *Saul Samuel's* Apparition with his Mantle, which is much suspected. Others say, that they sumptuously appressed the Dead, and that the Funeral Expences grew so excessive, that they were sometimes forced to fly and abandon the Corps; but *Gamaliel* the old restrained this Abuse, by ordering them only to cover their dead Body with a Linen Cloth, without any Distinction of Conditions, which was executed. They wrapped them up with Fillets, as is observed in the *Egyptian* Mummies, and this Reformation of the Doctors was approved, his own Body was buried without Pomp, and the Nation followed his Example.

There

In Juchasin

R. Saadia  
in Sephur He-  
munch

There is a Controversy among the Rabbins, about the Kind of Habits that are put upon the Dead; some are persuaded that they may bury them in a Cloth mingled with Wool, Thread or Silk; it would be a Crime in the Living, to wear such, because they are forbidden by the Law, but they believe that Death dispenses with its Observation; and they add the Words of *David*, who complained that he was *free among the Dead*; others maintain, that if it be lawful to cloath the Dead with Linsey-woolsey Habits, it can only be for the Time they are exposed in the Coffins, and that they must be divested of them when they are carried to the Grave. The devout cause themselves to be buried in the Clothes they wore in their life Time. Some add to the Habit, or to the Shift, a Kind of Rochet of very fine Lincen; they put the *Thaled* over it, and a white Cap upon the Head.

O. P. S. 49. 10.

The Body was exposed for some Time before it was carried to the Grave, and a Candle was placed at the Head which always burns. Some have imagined, that this Light was ordered to enlighten the Soul, that returns to visit the Body and to facilitate its Entrance; but the *Jews* reject this Accusation, and say, that this very antient Custom among them, was established only to ridicule the Sorcerers, who maintained, that the lighting a Wax Candle near the dead Body, was sufficient to cause violent Pains in the separate Soul.

Then he was placed in the Coffin, which was formerly a Kind of Bed so made, that the Body laid upon it might be easily carried. The History of the *Kings* tells us, that *Asa* being dead, they laid him in the Bed which was filled with sweet Odors. *Josephus*, describing the Funeral of *Herod the Great*, says, that his Bed was adorned with precious Stones, that his Body rested under a purple Covering, that he had a Diadem and a Crown of Gold upon his Head, a Scepter in his Hand, and that all his House followed the Bed. About the Bier were his Sons and Relations; and the Guards of *Thra-*

2 Chron. xvi 4.

De Bell. 1. 1. c.

22.

Book VI.

Jofipp. m. p.  
124.Cap. 4. Efel.  
Sect. 2.

*arians, Germans and Gauls*, went before in Order, as if they were going to the Wars; the rest of the Soldiers followed their Captains and Leaders, and five hundred Servants carried Perfumes. He was born upon the Shoulders of the prime Nobility of *Israel*, with slow and solemn Pomp into the Castle called *Herodion*, where according to his own Appointment, he was interred: The Ceremony of carrying out the Corpse of private Persons, is thus described by *Maimonides*; they bear the Dead upon their Shoulders till they come to the Place of Sepulture, and the Bearers are not allowed to be shod with Sandals, lest a Latchet should break, and so the Solemnity of the Proceffion be interrupted; they dig a Cave in the Earth, and they make a Hollow in the Side of it, and there they bury the Dead with his Face upwards; they use Coffins of Wood, and those who attend upon the Funeral, solemnly pronounce *go in Peace*. One Corpse is never placed upon another, nor do they bury two at one time, but an Infant is allowed to be buried with its Mother. No Part of the Dead could be applied to any Use except the Hair, which is an Excrefcence and no integral Part of the Body; nor was any Linen, or Cloth, or Veffels, that were used about the Dead to be preserved for common Purposes, but to be carried with him or given to the Poor; a Corpse once buried is never to be removed.



## C H A P. LI.

*Musick used at Funerals. Concerning the Body of Adam; Places of Burial.*

**A**MONG the *Jews*, the Time of Burial is in the Day time; the nearest Friends and Relations follow the Dead Body, which is usually carried in Procession through the Streets and publick Places. It is unlawful (says a learned *Rabbi*) by our Constitutions for the King to accompany a dead Corps to the Grave, but he might inourn at home, though *David* thought fit to follow the Bier when *Abner* was buried; but this, says another famous Writer among them, *Mikotzi*, was indifferent; the King might do as *David* did if he pleased, who to purge himself from all Suspicion of being concerned in the Death of *Abner*, and to shew his extreme Grief upon the Occasion, attended the Solemnity and did him that publick Honour.

*Sanhedrin*  
Cap. 2. Sect. 13.

<sup>2</sup> Sam. iii. 31.

It was accounted the highest Instance of Respect to lament the Dead, for which Purpose, in the later Times of their Republick, they hired Persons who dolefully played upon musical Instruments, a Custom borrowed from the Rites and Manner of the *Gentiles*; for the old Practice was to begin the Lamentation with the Voices of old Women, who in a sad Modulation strove to extort Sorrow from those that were present, and this Ceremony it seems the Children in the Street were used to act and imitate. When Musick was introduced at Funerals, the Trumpet was used for Persons of Quality, and the small Pipe or Flute for those of ordinary Rank, and says *Maimonides*, the poorest among the *Israelites* ought to be mourned for with two Pipes, and one lamenting Woman; but if he be rich let all Things be done according to

*Matth. ix. 23.*

*Hesek. c. 4.*

Book VI. his Degree. Besides the Musicians, there were Men and Women hired for the Purpose, which were paid and procured by the Heir of the deceased, unless upon his Death Bed he had given express Orders to the contrary. When they came to the Grave and laid the Corps there, it was the Custom to make great and loud Lamentations, which are sometimes called Howlings in the Prophetical Language. In some Places they carried lighted Torches with the Corps, but it does not appear from any Passage of Scripture, that the ancient *Jews* carried Torches in their Funerals in the Day-time, and those that cite *Josephus* for their Voucher, as if he had lighted Lamps and Fires at *Herod* the Great's Funeral are mistaken; for the Historian makes no mention of it.

Page 120.  
4th Edit.

There is a most curious Collection of Traditions, to be found in the Works of the most learned Mr. *John Gregory*, concerning the Body of *Adam*, and the manner of the Funeral; you must know, says he, that it is a most confessed Tradition among the *Eastern Men*, (and *St. Ephraim* himself is very principal in the Authority) that *Adam* was commanded by God, and left the same in charge to his Posterity, that his dead Body should be kept above Ground, till the Fulness of Time should come, to commit it to the middle of the Earth, by a Priest of the most high God; for *Adam* prophesied this Reason for it, that there should be a Redeemer of him, and all his Posterity. The Priest that was to officiate at this Funeral, they say was *Melchisedec*, and that he buried his Body at *Salem*, which might very well be the Middle of the habitable World as then, and indeed it was so afterwards. Therefore, as they say, this Body of *Adam* was embalmed, and was transmitted from Father to Son by a reverend and religious Way of Conveyance, till at last it was delivered up by *Lamech*, into the Hands of *Noah*, who being well advised of that Fashion of the old World which was to worship God toward a certain Place; and



and considering with himself that this could not be towards the Right, (which was the *East*) under the Inconstancy and Inconvenience of a Ship, appointed out the middle of the Ark for the Place of Prayer, and made it as holy as he could, by the reverend Presence of *Adam's* Body. Towards this Place, the following Prayer was said, not as terminating the least part of divine Worship in the Body, (it were a stupid thing to think so,) but (where it ought to be, and where all Worshipers do, or should do so,) in God himself, and only him, as the Tradition distinctly clears the Case. So soon as ever the Day began to break, *Noah* stood up towards the Body of *Adam*, and before the Lord, he and his Sons *Shem*, *Ham*, and *Japheth*, prayed, *O Lord, excellent art thou in thy Truth, and there is nothing great in comparison of thee; look upon us with the Eye of Mercy and Compassion, deliver us from this Deluge of Water, and set our Feet in a larger Room; by the Sorrows of Adam, the first made Man, by the Blood of Abel, thy holy One, by the Righteousness of Seth, in whom thou art well pleased; number us not among those who have transgressed thy Statutes, but take us into thy merciful Care, for thou art our deliverer; and thine is the Praise from all the Works of thy Hand, for evermore:* The Sons of *Noah*, and the Women answered from another part of the Ark, (which shews the Antiquity of the Custom of the sitting of Women a-part from the Men, in the *Houses of God*) *Amen, Lord.* The Blood of *Abel*, it seems was so holy and reverend a Thing, in the Sense and Reputation of the old World, that the Men at that Time used to swear by it. The learned Mr. *Selden* observes, that the *Sethians* took a solemn Oath upon the Blood of *Abel*, that they would not go down from their holy Mountain into the Plain of the *Cainites*. But enough has been said upon this Subject.

*Catena Arab.*  
c. 25. fol. 56. 6.

Book VI.

y Sam xxxi.

12.

Geierus de Ebr.  
Luctu, cap. 5.De Rep. Hebr.  
Lib. 1. c. 7.

It is certain, that there was no such Custom among the antient *Hebrews*, as burning the Bodies of the Dead; notwithstanding we read that the Bodies of *Saul*, and of his Sons were burnt, which is supposed to have been done by the *Benjamites*, out of an Affectation of Singularity, and in compliance with the Superstition of the *Gen-tiles*. The Practice from the Beginning, was to bury their Dead, and their common Cemeteries were in publick Places, as they are with us, but generally of a considerable Distance without the Cities. The *Talmudical* Writers, says *Cunæus*, allow this Privilege to *Jerusalem*, above other Towns of *Judea*, that no House in the City after one Year, could be retained by the Buyer: It was not lawful to plant Orchards or Gardens there; dead Bodies which were carried any where, were not admitted into the City, out of respect to the Holiness of the Place; only two Sepulchres were there, of the House of *David*, and of *Huldah* the Prophetess, built, they say, by the old Prophets: Yet were the *Levites* bound up by a more strict Religion, being prohibited to bury their Dead in their Cities, and in the Field of the Suburbs too; wherefore, by divine Appointment, they received from the other Tribes, a parcel of Ground without their own Borders, where they might lay the Bones of their Dead to rest. In other Towns it was not unlawful to bury, provided seven honest Men consented to it; but when once the Corpse was carried out of the Gate, it could not be received again within the Walls, though all the People should desire it.



## C H A P. LII.

Sepulchers of the Hebrews, particularly  
of the Hebrew Kings.

**T**HE most noble Sepulchres were hewn out of some Rock, with great Art and Expencc; they are thus described by the *Jewish* Writers: To those that entered the sepulchral Cave, and carried the Bier, there was a Floor where they stood and set down the Bier, in order to let the Body down into the Sepulchre. The Floor within the Entrance consists of a Square, according to the Dimensions of the Bier, and of them that bear it; the Cave contains thirteen Sepulchers, four on each Side, and three before, one on the right Hand of the Door, and another on the Left; and the Sepulchers were in a hollowed Place, deeper than the Floor, by four Cubits.

The Cave of *Machpelah*, bought by *Abraham* Gen. xxiii. 9. for a Burying-Place, has given great Trouble to Expositors; for though it be the most probable Conjecture, that it was the proper Name of a Place, yet the *Talmudists* generally conceive the Word to signify (as the vulgar *Latin*, also with the *Seventy* understand it) a *double Cave*; yet they cannot agree in what Sense it was so, whether they went through one Cave into another, or there was one above another; for by a Cave, is certainly meant a Vault arched over with Stones or Wood, and was the same with the *Crypte* of the Antients. *Benjamin* of *Tudela*, in his *Itinerary* Itiner. p. 49. relates, that being in a Valley near *Hebron*, he found this *double Cave*, of which he gives a Description; Here, says he, is a Temple that bears the Name of *Abraham*, and was formerly a Synagogue. The *Christians* have built six Sepulchers,

Book VI.



pulchers, to which they have given the Names of *Abraham* and *Sarah*, of *Isaac* and *Rebekah*, of *Jacob* and *Leah*, and they shew them to Travellers for Money; but when a *Jew* comes there, the Porter, when he is paid, opens an Iron Gate, which was made in the Time of the Patriarchs; the *Jew* enters in with a Wax Candle in his Hand, passes the first and second Cave without finding any thing, but in the third, are the Sepulchers of all the Patriarchs, distinguished by their Names; these Tombs have a Lamp continually burning by them: There are also great Casks full of dry Bones, because the *Israelites* continue to carry their dead Bodies thither. At the End of the Field of *Machpelah* is *Abraham's* House, and a Fountain before it. *Jacob* had not an Opportunity to carry his Wife *Rachel* to this Sepulchre of his Father's, and therefore he buried her in the Highway of *Bethlehem*, and erected a Pillar upon her Grave as a Monument, which continued for many Ages. The *Jew* abovementioned relates, that five hundred Paces from *Bethlehem*, he saw *Rachel's* Sepulchre, upon which was a Pillar composed of twelve Stones, with reference to *Jacob's* twelve Children which is covered with a Vault, supported by four Pillars, and all the *Jews* that travel thither engrave their Names upon one of the twelve Stones. It is certain the *Hebrews* antiently had their Sepulchers upon great Roads, to awaken the Curiosity of the Travellers, and keep up the Memory of the Dead; they have placed them likewise in Gardens, and the more modern *Jews* at the Entrance of their Synagogues; or rather they have taken up a Custom of building Synagogues, near the Tombs of Saints, and great Men: And here on their Festivals, the *Jews* meet in Multitudes, and having read the History of their Deliverance, they revel it out, just as the *Christians* do about the Churches, on the Festivals of the Saints, to whose Honour they were built.

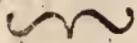
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The latter *Jews* have held strange Conceits, Chap. 52. concerning the Place of Burials, and are persuaded, that if an *Israelite* be buried in any strange Country, out of the promised Land, he shall not be a partaker so much as of the Resurrection, except God vouchsafe to make hollow Passages under the Earth; through which, his Body, by a continual Volutation and Rowling, may be brought into the Land of *Canaan*. The Ground of this, is taken from the Charge of *Jacob*, to his Son *Joseph*, that he should not bury him in the Land of *Egypt*, but in *Canaan*; for which Charge they assign three Reasons, first, because he foresaw by the Spirit of Prophecy, that the Dust of that Land should be afterward turned into Lice; secondly, because those who died out of the holy Land, would not rise again, without a pitiful rowling and tumbling of their Bodies through these hollow Passages; thirdly, lest he should be made an Idol, and an object of false Worship among the *Egyptians*.

*Solom. Jarchi.*  
Gen. xlvii. 29.

The Sepulchers of the *Hebrew Kings*, were exceeding Grand, and Magnificent, and are supposed to be at present, the only true Remains of old *Jerusalem*, that are to be seen by Travellers. This royal Burying-Place discovers so great an Expence, both of Labour and Treasure, that we may well suppose it to have been the Work of Kings, and is generally ascribed to King *Solomon*: It lies now without the Walls of *Jerusalem*, but it is probable was formerly within them, before that City was destroyed by the *Romans*. You approach it (says the judicious Mr. *Maundrel*, from his Observations upon the Spot) at the *East* Side, through an Entrance cut out of the natural Rock, which admits you into an open Court of about forty Paces Square, cut down into the Rock, with which it is encompassed instead of Walls. On the Southside of the Court, is a Portico nine Paces long, and four broad, hewn likewise out of a natural Rock: This had a kind of Archi-  
trave

*Journey from*  
*Alep. to Jerus.*  
Edit. 4. p. 76.



trave running along its Front, adorned with Sculpture of Fruits and Flowers, (still discernible) but by much time defaced. At the End of the Portico on the left Hand, you descend to the Passage into the Sepulchers: The Door is now obstructed with Stones and Rubbish, that it is something difficult to creep through it; but within, you arrive in a large fair Room, about seven or eight Yards square, cut out of the natural Rock. Its Sides and Cieling are so exactly square, and its Angles so just, that no Architect with Levels and Plummetts, could build a Room more regular; and the whole is so firm and entire, that it may be called a Chamber hollowed out of a Piece of Marble. From this Room we passed into (I think) six more, one within another all of the same Fabrick with the first of these, the two Innermost are deeper than the rest, having a second Descent of about six or seven Steps into them.

In every one of these Rooms, except the first, were Coffins of Stone, placed in Niches in the Sides of the Chambers: They had been at first covered with handsom Lids, and carved with Garlands, but now most of them were broke in Pieces by Sacrilegious Hands. The Sides and Cieling of the Rooms were always dropping with moist Damps condensing upon them, to remedy which Nufance, and to preserve these Chambers of the Dead polite and clean, there was in each Room, a small Channel cut in the Floor, which served to drain the Drops that fall constantly into it; but the most surprizing Thing belonging to these Subterraneous Chambers, was their Doors, of which there is only one that remains hanging, being left, as it were, on purpose to puzzle the Beholders: It consisted of a Plank of Stone, about six Inches in Thickness, and in its other Dimensions, equally the Size of an ordinary Door, or somewhat less; it was carved in such a manner, as to resemble a Piece of  
Wainscot,

Wainſcot. The Stone of which it was made, Chap. 52.  
 was viſibly of the ſame Kind with the whole  
 Rock, and it turned upon two Hinges, in the  
 Nature of Axles. Theſe Hinges were of the  
 ſame intire Piece of Stone with the Door, and  
 were contained in two Holes of the immoveable  
 Rock, one at the Top, the other at the Bottom.

The Cuſtom among the *Hebrews*, was to bury Antiq. lib. 7.  
c. 12.  
 great Riches and Treafure in the Sepulchers of  
 their Kings; *Joſephus* relates, that *Solomon* in-  
 terred his Father *David* with great Grandeur,  
 and Solemnity in *Jeruſalem*, with all the Cere-  
 monies proper to be uſed at Royal Obſequies,  
 and among others, he buried a prodigious Value  
 of Riches with him; the incredible Eſtimate of  
 which, may be conjectured from that which  
 follows; for one thouſand three hundred Years  
 after, the high Prieſt *Hircanus*, being beſieged  
 by *Antiochus*, ſurnamed *the Wicked*, and willing  
 to give him a Sum of Money to induce him to  
 raiſe the Siege, and unable to procure it by any  
 other means, he opened one Cabinet of the Mo-  
 nument of *David*, from whence he took three  
 thouſand Talents; which he delivered to *Antio-  
 chus*: And a long time after this, *Herod* opened  
 another Cabinet, from whence he took an im-  
 menſe Sum. A learned Country-man of our  
 own, has offered many Reaſons to ſhew the Im-  
 probability and the Fiction of this Account, Prideaux Con-  
n<sup>o</sup> Et. Part 2.  
Book. 5.  
 which, I confeſs, give me no Satisfaction.





## C H A P. LIII.

## Ornaments fixed upon Tombs. Superstitious Customs at the Sepulchres of the Dead.

1 Macchab xiii.  
27, 28, &c.

Chap 32. & 27.

Massech.  
femabb. c. 14.

THE Tombs of great Men were usually set out with Ornaments suited to the Actions and Atchievements for which they were distinguished. We have this Description of the Tombs of the warlike *Macchabees*: *Simon* built a Monument upon the Sepulchre of his Father and his Brethren, and raised it aloft to the Sight with hewn Stone behind and before: Moreover, he set up seven Pyramids one against another, for his Father and his Mother and his four Brethren, and in these he made cunning Devices, about the which he set great Pillars, and upon the Pillars he made all their Armour for a perpetual Memory, and by the Armour Ships carved, that they might be seen by all that sail on the Sea. This is the Sepulchre which he made at *Modin*, and it standeth yet unto this Day. The Prophet *Ezekiel* alludes to this Custom of hanging the Arms of deceased Warriors at the Heads of their Tombs, where he threatens the *Egyptians*, that *they shall not be buried with the Mighty, and though they have laid their Swords under their Heads, yet their Iniquities should be upon their Bones.*

It was Sacrilege, says *Josephus*, in the Place above, for any Man to deface the Tombs of Princes, which were magnificently built, and not to be violated; and the Sepulchres of private Persons were held likewise in great Reverence and Veneration; it was unlawful to cross them with an Aqueduct or a Highway, to gather Wood there, or to lead Flocks to Pasture; they were not allowed to walk



walk among the Tombs with Phylacteries fastned to their Heads, nor with the Book of the Law hanging at their Arm, with other Niceties too insignificant to insert; these Observations grew at last into Superstition, and the Jews at length resorted to the Sepulchers of their Saints for the Purposes of Devotion, and to offer up their Prayers; for they believed they had a Power to assist and succour them in their Distress. Thus, say they, *Caleb* escaped from the Hands of his Persecutors, because he went to the Tomb of his Ancestors to pray them to intercede for his Safety; and for this Custom they allege four different Reasons. They believe that the Souls return and hover about the Tombs where their Bodies are buried. They conceive that there is a sensitive Virtue in it which being made active by the Prayer of the Devout, goes and awakes the Soul in Heaven and admonishes it to pray. They are also persuaded, that the divine Influences are communicated to Men by the Bones of the Dead; and *Lastly*, They imagine that to visit the Sepulchres is the way to learn more pressing Motives to Repentance and Humility; for, say they, this Lesson naturally arises from viewing a Tomb, *you are all dead like these unless you be converted.* The old Hebrews had an Idolatrous Custom among them, of going among the Tombs in order to receive Dreams, by which they judged of Events and how to manage their Affairs, for they are charged by the Prophet *Isaiab* with *remaining among the Graves, and lodging in the Monuments*, which is render'd by the *Seventy*, with *sleeping in the Tombs* upon the Account of Dreams; and it is reasonable to believe, that the Sepulchre of *Moses* was purposely concealed, lest in after Times it should become an Object of Worship and Adoration; for says *R. Levi ben Gersom*, future Generations perhaps might have made a God of him, because of the Fame of his Miracles; for do we not see how some of the *Israelites* erred on the Account of the Brazen Serpent, which *Moses* made?

Wagenfeil Excerpt. Gem.

Chap. 65. 4.

The

Book VI.

Matth. xxiii.

27.

The *Jews* had a Custom of marking the Graves with Chalk, and drawing upon them the Figure of human Bones; and every Year they whited them with Lime, in the Month of *February*, that they might be known, for fear of defiling themselves in passing by; these Graves were otherwise grown over with Grass, and not to be distinguished from other ordinary Ground; so that it was necessary they should be mark'd that no one might go over them, and by that means contract a legal Pollution. It is certain, that the dead Bodies defile and render those that touch them unclean, but the Impurity is not contracted till the Soul is perfectly separate from the Body and there remains no Motion; then a Piece of a dead Body no bigger than an Olive, a Nut-shell of Ashes, any Part of a Bone, a little Quantity of Blood, are sufficient to propagate the Contagion. But some Doubt is raised concerning the Gate or Pales, that shut up or encompass the Tombs; some maintain that they can't defile, except when some Particles of a dead Body are observed upon them. Others that are more rigid, will have every touch of the Sepulchral Stones or Planks to be impure. When they plow up a burial Place, they may plant Trees and sow Grain in it which is mowed and reaped, but it is not lawful to sow such as is plucked up, because the Root carries with it Dust and Bones with the Earth; at least the Grain that has been thus gather'd must be twice sifted, to avoid contracting Impurity. In order to purify the burial Places; they add new Earth to them, or take a certain Quantity from them; but the surest Way is to cover them with great Tables of Stone fastened together, for fear that by moving them in walking, a Quantity of Bones or Dust may fly out and defile.

## C H A P. LIV.

*Epitaphs upon the Tombs of the Jews. Ceremonies used at the Grave, and after the Funeral. Self-Murderers denied the Privilege of Burial.*

**I**T has been disputed by learned Men, whether *Epitaphs* or *Inscriptions* were in use among the ancient *Hebrews*. *Benjamin of Tudela* travelling Itiner. p. 492 into *Judaea* relates, that he read the *Inscriptions* upon the *Tombs* of the *Patriarchs* that were buried at *Machpelah*; this is the *Sepulchre* of *Abraham* our *blessed Father*; but the *Christians*, who for a long *Time* had the *Custody* of these *Tombs*, had made these *Inscriptions* to deceive devout *Travellers*, and to get the more *Money* by them. The *Scripture* says, that *Jacob* having buried *Rachel* in the *Way* to *Bethel*, erected a *Pillar* there. The *Author* of the *Vulgar*, has translated it a *Title*; and hence it has been concluded that it was an *Epitaph*, since the *Heathens* engraved some *Verses* upon the *Tombs* of the *Dead*, and those *Verses* were called *Titles*. But though the *Use* of *Epitaphs* may not be of that *Antiquity*, yet the *Jews*, it is certain, have long since received this *Custom*. We may Buxtorfs Talmud. read those produced by *Buxtorf*; *I have set this Stone for a Monument, over the Head of the venerable B. Eliakim deceased,---God grant he may repose in the Garden of Eden, with the rest of the Saints of the Earth, Amen, Amen, Selah.* Here is the *Elegy* of a *Maid*, *I have erected this Monument on the Head of the most holy, most chaste, and most excellent Rebecca, Daughter to the holy Rabbi Samuel the Levite; who has lived in good Reputation, and who died the Eighth of December, in the Year 135* (that

Book. VI. (that is, in the Year 1375.) *Let her Soul be bound in the Garden of Eden.* We find another for *R. Baruch*, who descended towards those who are among the Cedars; and God is prayed to, that his Soul may be in the Bundle of Life. It would be usefess to multiply these Inscriptions which are so frequently to be met with in the Writings of that Nation.

The Sepulchre, one would think, should be called *the House of the Dead*; but on the contrary, the *Jews* give it the Title of *the House of the Living*, or *House of the Age*, and they imagine that these Names were invented by the *Pharisees*, who would teach their Enemies, the *Sadduces*, that the immortal Soul lived after its Separation from the Body, and that the Body shall rise in the World to come.

But to return to the Rites of Burying, of which there being so few Foot-Steps in Scripture, we must have Recourse to the Practice of the later *Jews*. When they come to the burying Place, a Speech is made to the Dead. *Blessed, say they, be God who has formed thee, fed thee, maintained thee, and taken away thy Life O Dead! He knows your Numbers, and shall one Day restore your Life. Blessed be he that takes away Life, and restores it.* They put the Coffin in the Ground, and if it be a Person of Merit they make his Elogy. The holy *Job*, they say, alluded to this Custom, when he considers it as a Curse to the Wicked, *whose Root shall be dried up, and his Branch cut off, his Remembrance shall perish from the Earth, and he shall have no Name in the Street*; they urge likewise, that *David* when he had the News of *Jonathan's* Death, made a Kind of Funeral Oration for his Friend, but these Proofs are very weak; for *Job* speaks of Reputation which is lost after Death, and the *Street* does not signify a *Cametery*. Nor did *David* assist at the Funeral of *Saul* and *Jonathan*, he only made a Song of Lamentation upon the Loss of the Battle

Buxtorf Syag.  
Heb. p. 502.

Job xviii. 17.

Battle and the Death of the Princes that were killed in it. Chap. 54

After the Encomium, they make a Prayer which they call the *Righteousness of Judgment*, because they give thanks to God for having pronounced an equitable Sentence upon the Dead; and it begins with these Words of *Deuteronomy*, *He is the Rock, his Work is perfect*. Then they turn the Face of the Dead toward Heaven, and say *go in Peace*. Those that most scrupulously observe the Rites of the *Talmudists* say, *go to Peace*; because the first of these Benedictions, was given by *David* to *Ab-salom*, who remained hung in the Forest by his Hair, and the other was given to *Moses* by *Jethro* his Father in Law, whose Journey after it, was prosperous. They lay a little Bag of Earth upon the Head of the Dead, and nail up the Coffin. Ten Persons turn seven times round it, and say a Prayer for the Soul of the deceased, but this is not done in all Places; the nearest Relation tears a Corner of his Cloaths, then they lay the Body into the Grave, and as they let down the Coffin, they must take care that there has been none laid there before, because they will not allow two Bodies to be placed one upon another. The Relations of the Dead are the first that throw Earth upon the Coffin. Each of those present throw in handfuls, or with a Shovel till the Grave be filled. Before they leave the Cæmetery, each plucks up Grass three times and throws it behind him, saying, *they shall flourish like Grass of the Earth*, and this in hopes of the Resurrection which shall restore the Bodies, or to teach that *all Flesh is Grass, and the Glory of Man is like the Flower of the Field*. They also put Dust upon their Heads, to remember that they are Dust and shall return to Dust. Some add as taking farewell of the Dead, *We shall follow thee as the Order of Nature shall require*. They wash, sit down, and rise nine times saying, *He that dwelleth in the secret Places of the most high*; and at last the Company departs.

Salom. Ben Vir-  
gæ Hist. Jud. p.  
293.

Book VI. The *Jews* distinguish the Age of the Children that die; if the Child expires thirteen Days after the Birth, a Woman carries it in her Lap; if it be a little older they make it a Coffin, but they don't carry it on their Shoulders like a bigger Corpse, one or two Women make the Funeral Pomp. It is not lawful to alter this Order; because, if there were two Women and one Man, they might both yield to be corrupted, whereas two Men don't so easily agree to debauch one Woman. At least this is the Notion of the *Rabbins*, which is founded upon the great Distance of Cæmeteries, from the Cities which give Opportunity of Temptation by the Way. In the mean Time they tell, that a Woman carrying her Child to the burying Place, under Pretence it was dead though it was still alive, to find Opportunity of committing Adultery with him that accompanied her, suffer'd her self to be dishonoured by ten Men that followed her. This extraordinary Event shews, they had Reason to take Precautions for the maintaining a Decorum, and prevent the Disorders occasioned by the Weakness of Women.

After the Burial, a Feast followed, which ridiculous Practice the *Jews* are supposed to espouse, because the Author of *Ecclesiasticus* says, that *Delicates poured upon a Mouth shut up, are as Messes of Meat set upon a Grave*; but the Author does not attribute to his own Nation the Custom of setting Dishes upon the Graves, but alludes only to that of the Heathens, who made many Collations, and brought Meat and Wine to the Tombs, as if the Dead could be replenished with them. It is certain that the *Gentiles* invited their Friends and Relations to eat upon the Sepulchre of the Dead, where they made a Feast. One would think that this Custom had come among the *Jews*, since *Tobias* advised a Man to *pour out his Bread on the Burial of the Just*. God likewise threatens his People by the Prophet *Jeremy*, as with a great Calamity, that Men shall not give them the Cup of

Consola-

Gloss. in Kid.  
dush, fol. 80. 2.

Eccles. xxx. 18.

Tob. iv. 17.

Jer. xvi. 17.

Consolation to drink for their Father or their Mother; and *Josephus* observes, that *Archelaus* after he had lamented *Herod the Great* seven Days, gave a magnificent Treat to the People; and that the Custom ruined most of the *Jews*, who were not able to bear the Expence of those Feasts, and yet they would have been thought Atheists, if they had not done it.

*Saint Jerome* relates another Custom of the *Jews* of his Time, who rolled themselves in Ashes, and in Imitation of the *Pharisees*, they first eat Lentils, to remember that they had lost their Birthright. At present the Relations of the Dead being returned Home sit upon the Ground, and having taken off their Shoes, Bread and Wine and hard Eggs are brought them, and they eat and drink. Give strong Drink unto him that is ready to perish, and Wine to those that be of heavy Hearts. He that says the common Grace to the Meat, is used to add some Words of Consolation. In the *Levant* and in many other Places, the Friends and Relations usually send in for seven Days together, Night and Morning, to the near Kindred of the Dead, Provisions for great and sumptuous Entertainments, and also go and eat with them to comfort them. As soon as the Dead is carried out of the Doors, they double up the Quilts, and roll up the Coverings which they leave upon the Mat, then they light a Lamp at the Head-board, which burns uninterruptedly for seven Days. They also take down all the Beds of the House; some say this is done the very Moment the Dead is carried out, others when the Grave is shut up; and the Controversy is so nice, that the *Talmudists* have left it undecided. The Reason assigned for this Custom is, that the Friends of *Job* sat with him near the Earth; but the Practice at present is, for the Relation of the Dead to continue in the House seven Days, sitting on the Ground and eating in this Posture.

Chap. 54.

De Bell. l. 1. c. ult.

Prov. xxxi. 16.

Leo de Mod.

p. 181.

## Book VI.

Jacob Pontan.  
Progymn. Lat.  
l. 4. Deuter. 21.  
23.

De Jure Bell.  
l. 2. c. 19.

The Privilege of Burial among the *Hebrews*, was denied to none but *Self-Murderers* who laid violent Hands upon themselves; these had their right Hand cut off, and were thrown out to rot above Ground. Malefactors that were hanged upon the Gallows (which was a Circumstance of the greatest Ignominy) were always buried the same Day; which was done, say the *Rabbins*, out of Reverence to the Image of God wherein Man was created; and though God, says *Grotius*, has sometimes punished some Persons with the Loss of Burial, yet this he did by his own peculiar Right, as his Authority is above all Laws. And whereas *David* kept the Head of *Goliath*, to shew it as a Token of his Victory; this was done to an Alien, to a Contemner of the true God, and under that Law wherein the Word *Neighbour* was confined to the *Hebrews* alone. There is, however, this one Thing remarkable concerning Burial, that in the *Jewish* Law, an Exception was made of those that laid violent Hands upon themselves, as *Josephus* informs us; and no wonder since no other Punishment can possibly be inflicted upon them who esteem Death itself to be none. Yet some of the *Hebrews*, as the same Author goes on, except one Case out of the Law against Self-Murder, as a Kind of *commendable Transport*, when a Man plainly perceives that his Life is like to be nothing for the future but a Reproach to God himself; for since it is concluded, that the Right over our own Lives is not in our selves but in God; they are of Opinion, that the Will of God made known to us by sure Tokens, is the only lawful Reason why a Man should hasten his Death. To this Purpose they alledge the Example of *Sampson*, who found the true Religion was made a Mock of in his Person, and that of *Saul* who fell upon his own Sword, that he might not be insulted by his and God's Enemies; for they will have it, that he repented as soon as *Samuel's* Ghost had foretold him his Death; and though he knew

he should die in case he fought, yet that he would not refuse to fight for his Country and the Law of God, having attained eternal Praise thereby as *David* declares; and hence it was, that he so highly commends those who had given *Saul* an honourable Burial.

Chap. 55.

## C H A P. LV.

*Rites of Mourning for the Dead.*

**T**O *mourn* for the Dead, was esteemed an affirmative Precept by the *Jews*, and it was accounted a Sign of a Cruel and Savage Disposition, to deny this last Tribute to the Deceased. This Duty more peculiarly was paid to the nearest Relations; and says *Maimonides*, a Man is bound by the Obligation of the Law, to mourn for his Mother, his Father, his Son, his Daughter, his Brother, and his Sister by the same Father; and he is obliged by the Judgment of our Ancestors, to mourn even for a Wife betrothed, before he has cohabited with her. If a Relation of this Kind died in another Country, and a Man had notice of it within thirty Days, or upon the thirtieth Day after the Decease, he was obliged to observe seven Days of Mourning, with all the Ceremonies belonging to it; and to reckon from the Day when the News was brought him. This was the Rule for Relations that were grown Persons.

*Hefel c. 2.*

The *Jews* make a Distinction between *Weeping* and *Mourning*, and (if I understand the Difference) the first denotes all *outward* Expressions of Grief, the other signifies *inward* and silent Sorrow; which is always understood to be most sincere. Children that were abortive, were allowed the Ceremony of Weeping, and others

Book. IV. that were about five or six Years old, had the same Privilege. Persons that were lawfully executed for capital Crimes against the King, might be mourned for, and though their Estates were forfeited to the King, their Bodies were buried in the Sepulchers of their Ancestors. Such as suffered by the Sentence of the Judges, for private Offences, had a Mourning allowed for them, but were not buried among their Fore-fathers, till their Flesh was perished from the Bone, their Estate however descends to their Heirs; when their Bones are laid up in the Sepulchre, then the Solemnity of Mourning begins. A Person drowned in a River, or torn by wild Beasts, for such, the Day of Mourning commenced from the time that any Part of the Body was found; or when the Relations despaired of finding the least Member of it. One that laid violent Hands upon himself, was denied the Ceremony of Weeping and Mourning, and so were all wicked and prophane Persons, who neglected the Worship of the Synagogue, and the Observation of the Law: For these, the nearest Relations were forbidden to mourn; their Brethren and Neighbours at their Death, were to put on *white Garments*, and to rejoice, because an Enemy of God, and of Religion, was taken out of the World. Upon the Death of a Servant Man or Maid, there was no Weeping or Mourning, nor was any more regard had to them, than to an Ox or an Ass when it died; which was this, that the Neighbours usually wished to the Master, *The Lord make up thy Loss.*

*Geierus de Lucif  
Ebr. c. 3.*

*Maimonides  
Hesl. c. 1.*

*2 Chron. xxxii.*

33.

*Schikard Jus  
Reg. c. 6.*

The Obsequies of a King were celebrated with peculiar Honours; among others, says *Maimonides*, a Company of Students in the Law were appointed to sit at his Sepulchre, and to mourn seven Days together. All the Horses in the King's Stable were ham-strung after his Death, and so were the Mules that were used to Burdens: His Servants, Men and Maids, were not to submit

to vulgar Offices, but kept in their Employments, by the Successor. But the *Queen Dowager* suffered the severest Discipline, she was bound never to marry, not the Brother of her deceased Husband ; but to remain in her Widowhood all the Days of her Life. The King, the high Priest, and Priests of a lower Order, were exempt by the Law of *Moses*, from the principal Ceremonies of Mourning ; but these Immunities being already explained, in the former Part of this Work, are not to be repeated in this Place.

The time of Mourning for the Dead, was longer or shorter, according to the Dignity of the Person. The *Jews* have a Tradition which distinguishes between the Days of Weeping and Mourning, the former of which never exceeded a Month, which was the time they wept for *Moses* ; the latter never lasted more than a Year, as they gather from the Example of the greatest Doctor they ever had, *Rabbi-Judah*, who composed the *Mischna*, for whom they mourned twelve Months. The nearest Relation was usually the principal Mourner, and the Neighbours were Comforters ; and say the *Rabbins*, when they returned from the Grave, they went forward a little, and then sat down, partly to comfort the Mourner, partly to weep themselves, and partly to meditate upon the Subject of Mortality ; then they stood up again, and went on a little, and sat down again, and so for seven Times ; and these seven Standings or Sittings for the Dead, must not be diminished. The Mourner always sits Chief, and the Comforters were not to speak a Word till he broke Silence first. There are many other Niceties to this Purpose, too trifling to be inserted, which may be judged of by these already mentioned. The three first Days of Mourning were observed with more Severity than the other : Upon the first Day, it was not lawful for the Mourner to wear his Phylacteries, to eat of holy Things, nor indeed to eat of any Thing of his

*Bava Bathra.*  
fol. 100. 2.

Book VI.



own : All the three Days he might do no servile Work, no not privately ; and if any one saluted him, he was not to salute him again ; for the first seven Days, he was not to use his Wife, nor to put on his Sandals, to do no servile Work publickly ; not to wash himself in warm Water, nor his whole Body in Cold, nor to anoint himself, nor to read the *Mischna*, or the *Talmud*, nor to cover his Head. All the thirty Days he was not to be shaved, nor to wear any Clothing that is white, or whitened, or new, nor to sew up the Rents that he made in his Garments, for the Party deceased. They go to the Sepulchers, says another Tradition, for three Days, the very Height of Mourning is not till the third Day ; for three Days the Spirit wanders about the Sepulchre, expecting it may return into the Body, but when it sees the Form or Aspect of the Face is changed, then it hovers no more, but leaves the Body to it self.

*Rambam in  
Moed. Katon.  
cap. ult.*

*Beveshrabba,  
fol. 114. 3.*

The common time for Mourning, among the more modern *Jews*, is for seven Days ; ten Persons come Evening and Morning to pray with the Afflicted, they read the forty ninth *Psalms*, pray for the Soul of the Dead, and administer their Comforts in proportion to the Loss. They dress themselves in Mourning, according to the Custom of the Country where they live, without being obliged to it by any Commandment. At the seven Days end, they come out of Doors, to go to the Synagogue, where many cause Lamps to be lighted, Prayers to be said, and promise Alms for the Soul of the Dead ; which they repeat again at the End of the Month and Year. If the Dead be a *Rabbi*, or some considerable Person, they make on these Days his *Esped*, that is, his Funeral Oration. The Son was used to say every Day, Night, and Morning, in the Synagogue, his Prayer *Cadisc*, or *Holy*, for the Soul of his Father or Mother, and this for eleven Months

Months together ; and some fast every Year on the Day that one or the other of them died. Chap. 55.

The *Mourning Habit* among the *Hebrews* was Black, and the Tokens of Sorrow Publick and Private were doleful and affecting; to cover the Head was a Sign of the severest Grief and Distress, and to suffer the Beard to grow rude and disorderly, expressed the greatest Confusion and Calamity. It was a Funeral Ceremony to go bare-foot, which was used likewise on the great Fast, or Day of Expiation, though the Doctors say, they might put on Woollen or Linnen Socks, but no Leathern Shoes. Their Feet also were unwashed, which made Men very fordid, especially in hot Weather, when the Smell of them was strong and offensive; nor did they wash their Shirt, or any of the Linnen which they wore, for their woollen Garments were never washed. To rend the Clothes was antiently the highest Degree of Mourning, which they did upon occasion of any great Misfortune, or the Commission of any great Crime; and this Custom continued in the Times of the Prophets, who make it criminal that Men did not rend their Cloths, when grievous Sins were committed. To put Dust upon the Head was an Expression of great Grief, and though the Holy *Job* shaved his Head (or rather plucked off the Hair) in his Affliction, yet it was not allowed to be shaved during the Days of Mourning, and to pull off the Hair was equally unlawful. The *Hebrews* were expressly forbidden to make any Baldness between their Eyes for the Dead, and to mar the Corners of their Beards; these Prohibitions certainly refer'd to the Superstitious Customs among the *Gentiles*, in their Ceremonies of Mourning. Some of the *Heathen*, says *Theodoret*, cut off all their Hair and offered it to the Dead, they threw it into the Sepulchre with the Bodies of their Friends, or laid it upon the Face or Breasts of the deceased as an offering to the Infernal Gods. Others shaved their Beards, their Eye-brows and Eye-lids, or (which

Ezek. xxxi. 15.

2 Sam. xv. 30.

Codex Joma, cap. 8.

2 Sam. xix. 24.

Job i. 20.

Deut. xiv. 1.  
Lev. xix. 27.

In Deut. Quest. 13.

some

Book VI. some think is the meaning of *between their Eyes*) the Hair in the forepart of their Head, or near their Temples; which seems to be the Design of the *Jerusalem Targum*, which translates it, ye shall not make any Baldness in the House of your Countenance; and whether it were done with the Razor, or they used any Art by Plaisters or Ointment to make the Hair fall off, it was the same Offence against this Law. The *Heathen* had another Practice, which was to cut themselves with their Nails, or with Knives, or with sharp Instruments in order to pacifie the Infernal Spirits, and make them favourable to the Dead. These Incisions were forbidden, and *Huetius* conceives that Law of *Solon's*, which was transcribed by the *Romans* into the twelve Tables, that Women in Mourning should not scratch their Cheeks, had its Original from this Institution of *Moses*.

Lev. xix. 28.

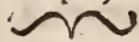
Demon. Evang.  
Propos. 4. c. 12.

No *Mark* was to be printed upon their Bodies in Imitation of the *Gentiles*, who made Impressions upon their Flesh at the Funeral of their Friends, that by the Compunction and Pain they felt, they might pacifie and appease the Infernal Powers.

There were other Ceremonies of Mourning which being less significant, to mention only will be sufficient; such as profound Silence, Elevation of the Hands, the letting the Nails grow, lying upon the Ground, with Watching and Fasting; a Garment of Sackcloth was sometimes wore next the Flesh, and sometimes over their Clothes. It was made of harsh and coarse Materials, which some conjecture to be Camels Hair. It was common in Mourning and great Afflictions, to beat the Breast and the Thigh. The Prophet *Nabura* says, that *the Queen being a Prisoner, her Maids accompanied her as with the Voice of Doves, tabring upon their Breasts*; this Passage has been thought obscure. To make the Queen march with the found of Tabers, as many Interpreters do, is a sign of Joy, rather than Grief. It is therefore more natural to ascribe to those Maids, who fol-

Nahum ii. 7.

lowed



lowed the Princess in her Captivity, *the Mourning of Doves*, and to make them beat their Breast with the same vehemence as a Taber is beaten. Sometimes they laid their Hand upon their Head, as well as upon the Thigh. *Jeremy* mentions both these Customs. *Thou shalt go forth from him, and thine Hands upon thy Head, for the Lord hath rejected thy Confidence, and thou shalt not prosper in them. I have laid my Hand upon my Thigh,* says he in another Place; and this Custom has continued to this Day.

*Jerem. ii. 37.*

*Jer. xxxi. 19.*

## C H A P. LVI.

### *The Hebrew Coins.*

IT does not appear that there was any pecuniary Traffick before the Flood, and it is probable, that bartering one Thing for another was the Practice of those Times, as it still is among the most barbarous Nations. And even after the Flood this way Commerce did not cease, as when there was a Dissention between the Servants of *Abraham* and *Abimelech* about the Well that *Abraham* dug, we read that *he took Sheep and Oxen and gave them to Abimelech*, which perhaps denote his Bartering for the Well, no less than furnishing him with Beasts for Sacrifice, by which they made a Covenant with one another.

The most antient mention of Money or Coin, is when we are told that *Abraham was very rich in Silver and Gold*; and that Money was used in the Days of that Patriarch, is evident from the Text which speaks of *a Servant that is bought with Money*, or as the Hebrew has it, *that is the Acquisition of Silver*; and concerning the same Patriarch, it is said, that *Abraham weighed to Ephron four Hundred Shekels of Silver for a burying Place*, which is called *Current Money with the Merchants*, such as

*Gen. xiii. 2.*  
*Gen. xvii. 13.*

*Gen. xxiii. 16.*

Book VI.



passed to the Trader, which he would take as well as give. This is undeniable Evidence, that Money, Silver Coin, was in Use betimes, even in those first Ages of the World. From this Time we constantly read, that Things were purchased with *Keseph*, Money, properly Silver, and therefore render'd by the Seventy *אֶפְרָסִימוֹן*. This is the Word for a *Shekel* in all those Texts, where it is put absolutely and alone by it self, it is generally translated a *Piece of Silver*, but by the Prophet *Isaiab*, a *Silverling*.

Money was not antiently stamp'd, but it was received by its Bulk and Weight, which being very troublesome, they learnt in Time to set a Mark upon it to free it from that Inconvenience; for having the publick Stamp, that made it Current at a known Value. This must not be understood of Foreign Money, which was still weigh'd though stamp'd; but of that of their own Country, which they were sure was worth so much as the Mark expressed. Yet it continued to be weigh'd among the *Jews* till *David's* time, and even till the Captivity of *Babylon*, and indeed the very Word *Shekel* comes from *Shakal* to weigh, and may properly be interpreted *the Weight*. From hence it appears, that there is no Truth in what the *Jews* say, that *Joshua*, *David*, and *Mordecai*, nay *Abraham* coin'd Money in their Days. To support which Fiction they have counterfeited some Coins with the Inscription of *Senex and Anus* on one side, and *Juvenis and Virgo* on the other, as if *Isaac and Rebekah* were now married, or *Abraham* had Power to coin Money in a Country where he did but sojourn and was no Sovereign. The Tradition upon this Occasion runs thus, *On Abraham's Money were stamped on one side an old Man and an old Woman, on the other a young Man and a young Maid; on Joshua's Money on one side an Ox, on the other a Monoceros; on David's Money on one side a Staff and a Scrip, on the other a Tower; on Mordecai's Money, on one side Sackcloth and Ashes, on the other a Crown.*

1 Chron. xxi.

25.

Jer. xxxii. 9.

In Bereshith  
Rabba.

What

What is the Jerusalem Money says another Tradition? the Answer is, *David and Solomon were stamped on one side, and on the reverse Jerusalem the Holy City.* But the Truth of all this depends upon the Credit of the Authors, which I fear is but of small Signification.

Chap. 36.

*Βίβα Κανά.*  
fol. 24. 2.

Among the Antients the way of reckoning their Money was by Talents; so the *Hebrews*, so the *Babylonians*, so the *Greeks*, and the *Romans* did reckon; and of these Talents they had Subdivisions, which were usually into *Mina's* and *Drachms*, that is of their Talents into *Mina's*, and of their *Mina's* into *Drachms*. The *Hebrews* had besides these their *Shekels*, and *half Shekels* or *Beka's*, and the *Romans* their *Denarij*, which last were near of the same Value with the *Drachms* of the *Greeks*. What was the Value of an *Hebrew Talent*, appears from a Passage in *Exodus*, where six hundred Thousand and three Thousand five hundred and fifty Persons being taxed at a *half Shekel* a Head, they must have paid in the whole, three hundred Thousand, and one Thousand seven hundred and seventy five *Shekels*, and that Sum is said in the Text to amount to a hundred Talents, and a Thousand seven hundred and seventy five *Shekels* over; if therefore we deduct the one Thousand seven hundred and seventy five *Shekels* from the Number, thirty Thousand and one Thousand seven hundred and seventy five, and divide the remaining Sum, that is, three hundred Thousand by a hundred, this will prove each of those Talents to contain three Thousand *Shekels*. Each of these *Shekels* weigh'd about three Shillings of our Money, and sixty of them *Ezekiel* tells us made a *Mina*, and therefore fifty of those *Mina's* make a Talent.

*Exod. xxxviii.*  
25; 26.

*Ezek. xlv. 12.*

As to their *Drachms*, it appears by the Gospel, that it was a fourth Part of a *Shekel*, that is nine Pence of our Money, for there the Tribute Money annually paid to the Temple by every *Jew* (which was half a *Shekel*) is called *Διδραχμων*, that is the *two Drachm Piece*; and therefore if a

*Matth. xvii. 24.*

*half*

Book VI. *half Shekel* contained two *Drachms*, a *Drachm*



must have been the quarter Part of a *Shekel*, and every *Shekel* must have contained four of them;

Antiq. Lib. 3.  
c. 9.

and so *Josephus* tells us it did, for he says that a *Shekel* contained four *Attic Drachms*, which is not exactly to be understood according to the weight,

but according to the Valuation in the Currency of common Payments; for according to the Weight the heaviest *Attic Drachms* did not exceed eight Pence Farthing half Farthing of our Money, and an *Hebrew Drachm*, as I have said was *nine Pence*:

But what the *Attic Drachm* fell short of the *Hebrew* in Weight, might be made up in the Fineness, and its ready Currency in all Countries (which last the *Hebrew Drachm* could not have) and so might be made equivalent in common Estimation among the *Jews*.

Allowing therefore a *Drachm*, as well *Attic* as *Jewish*, as valued in *Judea* to be equivalent to nine Pence of our Money, a *Beka* or *half Shekel*, will be one Shilling and six Pence, a *Shekel* three Shillings, a *Mina* nine Pound, and a *Talent* four hundred and fifty Pound.

So was it in the Time of *Moses* and *Ezekiel*, and so was it the same in the Time of *Josephus* among that People; for he tells us, that a *Hebrew Mina* contained two *Litra's* and a half, which comes exactly to nine Pound of our Money; for a *Litra* being the same with a *Roman Libra*, contained twelve Ounces *Troy-weight*, that is ninety six *Drachms*, and therefore two *Litra's* and a half must contain two hundred and forty *Drachms*; which being estimated at nine Pence a *Drachm*, according to the *Jewish* Valuation, comes exactly to sixty *Shekels*, or nine Pound of our Money.

The quarter of a *Shekel* was called *Zusa* by the *Talmudists*, and the *Gerah* was the twentieth Part, and is translated *ὄβολος* by the *Seventy* Interpreters.

Antiq. l 14.  
c. 12.

1 Sam. ii. 36.

Exod. xxx. 13.

The *Shekel* was sometimes called the *Shekel of the Sanctuary*, because there the Standard was kept, by which such Money was to be examined; as *Justinian* commanded the Weights and Measures, where-

where-

where-

where-

where-

whereby all others were to be regulated to be kept in the great Church of every City; for there is no Foundation for that Opinion, that there were two sorts of *Shekels* among the *Jews*, one *Sacred* (as valuable again as the other) and the other *Common*, but strong Arguments against it: The Cabinets of the Curious pretend to shew a *Jewish Shekel* among their Collections; one side is marked with the *Pot of Manna*, or as others think, *Aaron's Censer* or the *Incense Cup*, and round this Vessel are written these Words, *The Shekel of Israel in Samaritan Characters*; on the Reverse side was represented *Aaron's Rod Budding*, with this Inscription about the Coin, *Jerusalem the Holy*.

The Valuations of the *Hebrew Money* hitherto mentioned, must be understood only of *Silver Money*, and not of *Gold*, for that was much higher. The Proportion of *Gold* to *Silver* was among the antients most commonly as ten to one, sometimes it was raised to it as eleven to one, and sometimes as twelve, and sometimes as thirteen to one. The present Proportion among us in *England*, is as sixteen to one, but the Understanding of the *Hebrew Coin* will be much easier by the following Table of Calculation.

|                                                                                                                                            | l.   | s. | d. q. |
|--------------------------------------------------------------------------------------------------------------------------------------------|------|----|-------|
| The <i>Gerah</i>                                                                                                                           | 000  | 00 | 01 3  |
| An <i>Hebrew Drachm</i> or <i>Zuz</i>                                                                                                      | 000  | 00 | 09    |
| Two <i>Drachms</i> made a <i>Bekah</i> ,<br>or <i>half Shekel</i> , which was<br>Tribute Money paid by e-<br>very <i>Jew</i> to the Temple | 000  | 01 | 06    |
| Two <i>Bekabs</i> made a <i>Shekel</i>                                                                                                     | 000  | 03 | 00    |
| Sixty <i>Shekels</i> made a <i>Mina</i>                                                                                                    | 009  | 00 | 00    |
| Fifty <i>Minas</i> made a <i>Talent</i>                                                                                                    | 450  | 00 | 00    |
| A <i>Talent</i> of <i>Gold</i> sixteen to one                                                                                              | 7200 | 00 | 00    |



## C H A P. LVII.

Hebrew *Weights.*

Scripture  
Weights.  
Chap. 4.

THE principal Weights used by the *Hebrews* were the *Shekel*, the *Talent* and the *Mina* or *Maneh*; the *Shekel* (says Dr. *Cumberland*) was just of the weight of half an Ounce *Averdupoise* now, and antiently used in *England*, or it weigh'd 219 Grains used in our *Troy-weight*, and so wanted 21 Grains of the half Ounce *Troy*, and this he proves from many *Shekels* still remaining that differ not sensibly from this Weight; which may reasonably be thought to have been tried by the *Jewish* Standards when they were coined. Of these *Villalpandus* reckons up many, and *Greaves*, two, one in the Library of King *Charles the First*, of blessed Memory, weighed by Archbishop *Usher*, and another in Mr. *Selden's*, weighed by himself as he witnesseth in his learned Treatise of the *Roman Denarius*.

Page 764

I have also, says the same learned Prelate, seen and weighed two *Shekels* with *Samaritan* Inscriptions on them, which (although I had not opportunity to weigh them to a Grain) yet I do testify they weighed within a very few Grains as is above expressed. Nor can I find any sufficient Reason to reject these as counterfeit, and if any will believe them to be such, yet it must be acknowledged, that they are made so as to agree in Weight with the Testimonies of the Ancients, which is sufficient to our Purpose, because their Value in our Coin may be deduced thence; for since it is known, that now by the Laws of our Mint, 62 Pence are coined out of every *Troy Ounce*, it will follow that 2 s. 4 d. and a Farthings worth of Silver with three Centesimals of a Penny over, must be contained in 219 Grains, which is the *Shekels* Weight.

By

By this Analogy; as 480 *s.* are to 62 *d.* so 219 *s.* are to *d.* 28, 28 Decimals of a Penny which make 1 Farthing, and near the 8th Part of a Farthing. Chap. 57.

Such was the *Shekel of the Sanctuary*. Another half so heavy is contended for by some Modern *Jews* and *Christians*. There is certainly a Piece of that Weight, but it constantly bears the Inscription of *half a Shekel*, called a *Bekah*, whose Weight must be 109 Grains and a half. The Quarter called *Zuzah*, is Gra. 54, 75. Its twentieth Part which is the *Gerab* (and is understood to be the same with *Agurah*, which we translate indefinitely a *piece of Silver*) must be Gr. 10. 95: Which wanting but the twentieth Part of a Grain, of eleven Grains may pass for just so many.

1 Sam. ii. 35.

The Weights less than a *Shekel* being stated, those which are greater may be called Sums of *Shekels*, and are the *Talent*, and the *Maneh*. A *Talent* was 3000 *Shekels*, as may be collected by halving the Number of the *Israelites* (because each one brought half a *Shekel*) which half of their Number is 301775, and is the Sum of the *Shekels* which they all contributed. Now *Moses* assures us, that these amounted to 100 *Talents* with 1775 *Shekels* more, wherefore that Number which dividing 301775 will quote 100, and leave 1775 in Remainder, is the Number of *Shekels* in a *Talent*, but only 3000 will do this, therefore 3000 *Shekels* are a *Talent*. Now we may easily reduce the *Talent* to Ounces or Pounds *Averdupoize* used in Weight among us; for two *Shekels* are our Ounce *Averdupoize*, therefore 1500 Ounces are in a *Talent*: Which Number divided by 16, the Ounces of a Pound *Averdupoize*, gives the Pounds in a *Talent*, thus 16) 1500 (93, 75. The Quote shews that 93 Pounds and three Quarters of a Pound *Averdupoize* are in a *Talent*. This Weight is the same now and in former Ages; but the true Value of this Weight of Silver or Gold alters in several Ages considerably, as Coins do every where.

Exod. xxviii. 25, 26.

Book. VI. The *Maneh*, being set for a meer Weight, without respect to the Coinage, contained just 100 *Shekels*: This seems clear by comparing the Text, where it is said, that in each of *Solomon's Shields* were three *Maneh's*, or 'as we translate it, *Pounds of Gold*, with another, where our Translation affirms, that 300 *Shekels* of Gold went to one of those Shields. And indeed, although the Word *Shekel* be not in the Original express, yet it must be understood, because *Ezekiel* assures us that by the *Shekel*, the *Maneh* was adjusted.

1 Kings x. 17.

2 Chron. ix. 16.

Levit. xix. 35.

Precept 260.

There is an express Injunction in the *Mosaic Law*, *Ye shall do no unrighteousness in Judgment, in Mete-yard, in Weight, or in Measure*; so that says *Rabbi Levi*, of *Barcelona*, he who measures or weighs has the Office of a Judge, and if he commits any Frauds in his Measures and Weights, he is a Corrupter of Judgment, and is called wicked, abominable, accursed. He observes further, that such Men are the Cause of five Mischiefs which are imputed to unjust Judges, who defile the Land, prophane the Name of God, remove the Presence of the divine Majesty, bring a Sword upon the People, and at last carry them away Captive out of their own Country: And therefore great Punishments have been enacted in all Countries, against this Crime, as destructive to human Society; particularly *Justinian* ordained that such should be sorely beaten, as impious People. The *Mete-Yard*, refers to the Measuring of Land, Cloth, and other Things; for the Word in the Original signifies the Measure of continued Quantity, that is, in Things dry.

They were obliged to be just in *Weight*, by which they paid and received Money in those Days, and sold Brass, and Iron, and things of the like Nature; and they were commanded to do no unrighteousness in *Measure*, which relates to the Measure of discrete Quantity (as we speak) as of Corn, and of all continued fluid Quantity, as of Wine and Oil; the same *Rabbi Levi* will have

have it signify the very least of such Measures, about which, says he, the Law concerns it self, that Men should be exact in them, as well as in the greatest: And so *Hesychius* notes upon this Occasion, that *Moses* provides against all Injustice, in small Things, as well as in great; for what the Possession of a Field or a House is to a wealthy Man, that the Measure of Corn, or Wine, or the Weight of Bread is to the Poor, who have daily Need of such Things for the Support of Life. The *Jewish* Doctors assert, that it was a Constitution of their wise Men, for the preventing of all Frauds in these Matters; that no Weights, Balances, or Measures should be made of any Metal, as of Iron, Lead, Tin, (which were liable to rust, or might be bent, or easily impaired,) but of Marble, Stone, or Glass; which were less subject to be abused; and therefore the Scripture speaking of the Justice of God's Judgments, in the Book of *Proverbs*, observes (according to the *Vulgate*) that they are weighed with all the Stones in the Bag. Prov. xvi. 11.

For these excellent Constitutions *Moses* was so famous, that his Name was celebrated on the Account of them in other Nations. *Apuleius* (a rude kind of Writer, but who had collected much out of better Authors) says, that *Mochus* was the Inventor of Scales, and Weights, and that his Memory is preserved in the Constellation called *Libra*: Now if for *Mochus*, we read *Moschos*, it is the very Name of *Moses*, (*viz.* *Moscheb*), Demonst. Evan. Prop. 4. cap. 7. who, as the learned *Huetius* observes, is so called by other Authors.



## C H A P. LVIII.

## Measures of Capacity, among the Hebrews.

**T**HE Measures of Capacity, are either of Things that are *Dry*, or of those that are *Liquid*; of the first Sort are the *Cab*, the least of *dry* Measures used by the *Jews*, containing about a quarter of a Peck, of our *English* Measure.

2 Kings vi. 25.

Levit. v. 11.

The *Ephab*, of the same Quantity with the *Bath*, (of which afterwards) only the one is for *dry* Things, the other for *Wet*. It may be called the *Hebrew Bushel*, because it was much about that Quantity, though some will have it to be much more, and others a considerable deal less; that is, half a Bushel, and a Pottle. Some say it contains about seven Gallons, others nine, so that we cannot fix the precise Quantity of this Measure; which neither the *Greek* Interpreters knew, though they were *Jews*, for they render the Word differently, sometimes μέτρον, sometimes πέμμα, and at other times ὑφεί, and ὑφί, and ὀφεί.

An *Homer*, or *Chomer*, is ten Baths or Ephabs, that is, ten Bushels say some; but others set it higher, making it fourteen Bushels; and others bring it lower, reducing it to about eight Bushels. This is the greatest (however the just and exact Quantity be disputed) of all *dry* Measures.

An *Omer*, or *Gnomer* in the *Hebrew*, in the *Vulgar Latin Gomor*, has been confounded by some Writers of no mean Note, with the *Homer*; and the *Seventy Interpreters* did so long before, calling both of them *Gomor*, but they are certainly two distinct Measures; for we are assured, that an *Omer* is the tenth Part of an *Ephab*, that is, the tenth

Exod. xvi. 36.

tenth Part of a Bushel, or thereabouts, and therefore is called a *Tenth Deal*; whereas the *Homer* contained ten *Ephabs*, or *Baths*, that is, ten Bushels. But yet this is an Equivocal Word, as appears from this Precept, *Ye shall bring a Sheaf of the first Fruits of your Harvest unto the high Priest.* It is the Word *Omer* which is here translated a *Sheaf*, (a far different thing from a Measure) and by the *Septuagint*, and vulgar *Latin Version*, a *Maniple*; or *Handful*; which is indeed a sort of Measure, but greatly disagreeing with the usual Signification of *Omer*; but in all other Places, the *Hebrew Name* it self is retained in the *Greek* and *Latin Versions*, as well as in ours.

Chap. 58.  
Numb. xv. 4.  
Levit. xxiii. 10.

The *Cor* is made by some a distinct Measure from those before named, but you will find that according to the vulgar *Latin*, a *Cor* and a *Chomer* are the same.

1 Kings iv. 22.  
Ezek. xlv. 13, 14.

The Measures for Liquids among the *Hebrews*, were a *Log*, which contained about half a Pint; however, this is sure that it was the least of *Liquid Measures*.

Levit. xiv. 10.

A *Hin* was somewhat bigger than a *Log*, some say it held ten *Logs*, a great Gallon I may call it.

Numb. xv. 4.

A *Bath* was yet bigger, and contained six *Hins*, that is, about six Gallons; others say four Gallons and a half: And yet it is said to be of the same Capacity with the *Ephab*, that is, a Bushel; and consequently should hold eight Gallons.

Ezek. xlv. 11.

The *Homer* was also a Measure for Liquor, as well as for Grain, and it contained ten *Baths*, as is evident from the Prophet *Ezekiel*, *Ten Baths are an Homer*; but because a *Bath* is more or less, according to the different Determinations of Writers, we cannot assign the exact Quantity of an *Homer*.

Ezek. xlv. 14.

A *Cor* (which I before mentioned, as the same with the *Chomer*, the greatest of all dry Measures,) is also a Measure for Liquids. But it is

1 Kings v. 11.

Book VI. no wonder that we have not an exact Knowledge of these *Jewish* Measures, for even those that are mentioned in *Greek* and *Latin* Authors, and very much fall short of the Antiquity of these, are but little known by us.

## C H A P. LIX.

The Antiquity of Agriculture, and the Feeding of Cattle. The Offerings of Cain, and Abel.

Gen. ii. 15. **W**HEN God placed *Adam* in Paradise, a Garden of delight, he instructed him to dress and keep it, that is, according to the *Seventy*, to *work and belabour the Ground*; to open the Earth, to let in the Influences of Heaven, to prune the Trees, and cherish the Plants, to preserve the Fruits from the Beasts and Fowls, which had Admittance into that Place, and to keep all Things in good Order, as a skilful Gardener and Husbandman; for both these made up the first Employment and Trade in the World. And when Man was ejected out of Paradise, he was still set about the same Work, and there was more need of exercising this Art now than before, the Earth not being a little endamaged by the Curse which God had denounced against it, and had executed upon it; which was one Reason why *Adam* brought up his Son *Cain* to Husbandry and *tilling the Ground*, for now it wanted Manuring and Cultivating: And as his eldest Son was brought to take care of the Fruits of the Earth, so his next was bred up to feeding of Sheep. *Jabal* advanced higher, and became the first Grasier, for so the Words may be understood, *He was the Father of such as have Cattle*, that is, other Cattle besides Sheep; for these and the keeping or feed-

Gen. iii. 23.

Gen. iv. 20.

ing

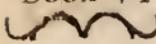
ing of them had been mentioned before: He lived upon Pasturage, and for that purpose was *the Father of such as dwell in Tents*; the Meaning of which is, that others generally lived in one fixed Place and Habitation, but he and those of his Calling went from one Place to another feeding. They travelled as their Cattle did, and for this Reason it was requisite they should have Tents; accordingly that they might take Care of their Flocks and Herds the better; they invented these Coverings, that they might be out in the Fields all Night under this Shelter. This was the primitive State of Things, *Adam* and his First-born Son were Husbandmen, and others of his Race were busied in feeding of Cattle. Such was the Employment of those that were the first Heirs of the World.

For a long time after, in the first and most uncorrupted Ages, this was the Entertainment of the greatest Persons, the old Patriarchs embraced this kind of Life, and the Wealthiest of them lived by looking to their Grounds, and to their Flocks. *Moses*, the great Law-giver of the *Hebrews*, was a Shepherd; *Nabal* and *Absalom* were *Sheep-Masters*; *Elijah* when he was busy at the Plough, was called to the Prophetick Dignity and Office; and *Amos* of a Herdsman, became a divine Messenger, and Preacher: *Shamgar* was taken from the Herd to be a Judge in *Israel*, and with the same Goad that he drove his Oxen, he slew six hundred Men; *Gideon's* Seat of State and Justice, was in a *Threshing-Floor*: The renowned *Jair*, and *Jephthah*, were fetched from that Employment to be *Judges*; and *David* the Son *Jesse*, was taken from the *Sheepfolds*. Thus the Pastoral Art was a Preludium to Empire and Government. King *Uzziab* was a *Lover of Husbandry*; and the wise *Solomon* confessed, that the *Profit of the Earth was for the Advantage of all*; and more especially (as it is in the *Hebrews*.) *the King himself is a Servant to the Field.*

<sup>2</sup> Chron. xxvi.  
10.

Ecclef. v. 9.

Book VI

Gen. iv. 3.  The first Oblations that were made to God were of *the Fruit of the Ground*, and of *the Firstlings of the Flock*: They were offered by *Cain* and *Abel*, in *process of Time* as the Text speaks; in the *Hebrew* the Words are *in the End of Days*, that is, in the Conclusion of the Year, or after Harvest. This was a very seasonable Time to make their Acknowledgements to God, who had given them a fruitful Year, and blessed them with Increase. The first of these Offerings were the most antient Sacrifices among the *Gentiles*, both *Greeks* and *Romans*, as their Authors tell us; and therefore it is supposed, that *Adam* began with these Oblations of *Herbs*, *Flowers*, *Frankincense*, *Meal*, &c. in which *Cain* followed him, being of the same Profession, and provided with such Things. Now as there were some *solemn Times* of making their devout Acknowledgments to God, so without question there were some *set Places* where they met for that Purpose, for it is said, they *brought* their Offerings; and the Word in the *Hebrew* is never used about domestick, or private Sacrifices, but always about those publick Sacrifices, which *were brought to the Door of the Tabernacle of the Congregation*, to be offered by the Priest, as it is expressed in *Leviticus*, *He shall bring the Bullock to the Door*, &c. which occurs all along, especially in the ninth Chapter of that Book.

Levit. iy. 4.

And therefore, I suppose they brought their Sacrifices here mentioned, to some fixed Place, looking towards the *Shechinah*, or glorious Presence of God, at the Entrance of the Garden of *Eden*, from which *Adam* had been expelled: for there being no doubt some settled Place, where they performed sacred Offices, it is most reasonable to think it had respect to the *Shechinah*, or the divine Majesty. Wheresoever that appeared, there they appeared (as the Scripture speaks) *before God*, because there he manifested his special Presence, which moved them to go thither to  
worship

worship him, to give him Thanks, or to enquire of him.

Chap. 59.



What Kind of Sacrifices these were is a Question among learned Men. The *Talmudists* are of Opinion that they were *whole Burnt-Offerings*, and that there was no other before the Law was given, nor would the *Jews*, after the giving of the Law, permit the *Gentiles* to offer any other at their Temple. It is their Opinion also, that *Cain* and *Abel* brought these Sacrifices to be offered by *Adam*; but the most difficult Question is, how they came to sacrifice at all, either *Meal* or *Beasts*? since we read of no divine Command requiring them to bring such Oblations; which induced some to conclude, that Men did this out of a grateful Inclination to return God some of his own Blessings, though they had no Directions from him about it. But if this were true, How came *Abel* to believe, that his Sacrifice of a Beast would be so acceptable to God; as the Apostle says, it was by *Faith*? That *Faith* had certainly something else to warrant it than barely his own Reason. *Adam* in all likelyhood had received some Order concerning it, and sacrificed by Direction from the *Shechinah* or divine Majesty, from whence a Voice spake to him upon several Occasions. This Order indeed is not recorded, no more than many other Things which *Moses* has omitted in the Book of *Genesis*; but it does not seem probable, that *Adam* would have presumed to invent a Way of Worship, by killing Beasts and burning their Fat, especially since one cannot perceive any Inclination to it in Nature. And therefore *Eusebius* very judiciously observes, in my Opinion, that this way of Worship was not taken up by Chance, or by a human Notion, but suggested to them by a divine Intimation. *Plato*, one would suppose, had some Thought of this, when he forbids his Lawmaker (in his *Epinomis*) to make any Alterations in the Rites of Sacrificing, because it is not possible for our mortal Nature to know any thing about such Matters.

Heb. xi. 4.

Gen. ii. 16, 17.  
iii. 8, 9.

Demonst. Evan.  
L. I. c. 10.

The

Book. VI.

Hist. of Tythes  
Chap. I.

Heb. xi. 4.

Levit. ix. 24.

Judges vi. 21.  
66.

The Offering of *Abel* was of the *Firstlings* of his *Flock*; and therefore many have fancied from hence that *Cain's* Guilt lay in this; that he did not bring the *first* of his Fruit as he ought to have done, as the Heathens ever did, or were bound to do by the pontifical Laws (as Mr *Selden* observes) in their *Præmessum*, that is, the first Fruits of their Corn, or their *Calpar*, which was the richest of their Wine: For it is only said, he brought of the *Fruit of his Ground*, when *Abel* brought of the *Firstlings of his Flock*. And *Moses* also adding, that *Abel* brought of the *Fat thereof*, that is the very best, they think that *Cain's* Fault was, that he brought not the fullest Ears of Corn (which he kept for himself) but the leanest, and offered them with a niggardly Hand, or a grudging Mind. Thus *Palladius* in his *Life of St. Chrysostome* says, *He was the first that tasted the first Fruits, and kept the best Things for his own Belly*. But there is no Certainty of this; and the Apostle to the *Hebrews* has directed us to a better Account. *Abel* offered with a pious Mind, *Cain* without a due Sense of God and sincere Affection to him. He offered the Fruit of his Ground, but did not devote himself to God, therefore he did not so much as shine upon his Sheaves, much less make them ascend up to Heaven in a Smoke, though he were the elder Brother and brought his Offering first. God testified his Acceptance of *Abel's* Sacrifice, say the *Jews*, by a Fire from Heaven (or rather I think by a Stream of Light, or a Flame from the *Shechinah* or glorious Presence of God to whom it was offered) which burnt up his Sacrifice. Thus it is expressed in the Translation of *Theodotion*, *He looked upon Abel's Sacrifices and set them on Fire*; of which there were many Examples in future Times, to be met with in the holy Scriptures.

## C H A P. LX.

## Of Ploughing Sowing, and Reaping.

**I**N the first Ages of the World, Men were chiefly employed in digging and throwing up Gen. ix. 20. the Earth with their own Hands, but *Noah* advanced the Art of Husbandry, and found out fitter Instruments for Ploughing than were known before. This Patriarch is called a *Man of the Ground*, but in our Translation a *Husbandman*, because of the Improvements he made in Agriculture, and of the Inventions he found out to make the Earth more tractable and fruitful. It was a Curse upon the Earth after the Fall, that it should bring forth Thorns and Thistles: These Obstructions were to be removed, which required a great deal of Pains; and the Ground was to be corrected by Ploughing.

The *Hebrews* were forbidden by the Law of *Moses*, to plough with an Ox and an Ass together. Deut. xxii. 10. This Precept, without doubt, had respect to some Magical Rites, used by the Idolatrous Nations of the *Eastern* Countries; who thought their Fields would be more fruitful, if according to some Directions which had been given by their Gods, they were ploughed: For it can scarce be supposed, that Men of themselves, would join together two Creatures so different in their Temper and Motions, to draw in the same Yoke, if they had not been led to it by some Superstition; for as *Eben-Ezra* observes upon this Law, *The Strength of an Ass is, not as the Strength of an Ox;* whence it was, that *Ulysses*, to make it be believed that he was mad, joined a Horse, and an Ass to plough. The *Jews* commonly think this Law extends to all other Creatures of different Species, which might not be yoked; but some understand it so, that they might join several Kinds together, provided

Book VI. vided one was not unclean, and the other clean :

2 Cor. vi. 14.

And there are those who think the Apostle alludes to this, when he says, *Be not unequally yoked together with Unbelievers.*

Judges iii. 31.

There is no Account of Ploughing in Scripture, but with Oxen drawing by Pairs, in a Yoke, which without doubt, was practised before the Time of *Moses*, who was long before *Ceres*, or *Triptolemus* ; to whom this Invention is ascribed by the *Greeks*. *Elisha* was ploughing with twelve Yoke of Oxen, when *Elijah* found him, which shows him to have been a great Man ; who, according to the Manners of those antient Times, looked after his Business himself ; his Servants managed the rest, he himself drove the last. *Shamgar*, who was called to be a *Judge* in *Israel*, it is supposed was at Plough when the *Philistines* came to invade his Country ; and gave them such a Repulse, with the loss of Six Hundred of their Men, without any other Weapon than an *Ox Goad*. And thus

Behav L. 3.  
Canaan c. 18.

*Lycurgus* is said to have overthrown the Forces of *Bacchus*, without any other Arms, but *επιλαῖνι*, an *Ox Goad*. The ingenious Mr. *Maundrel*

Edit. 4. p. 110.

in his Journey from *Jerusalem* to *Aleppo*, relates, that when he was near *Jerusalem*, he came to a certain Place, where (says he) “ The Country People were every where at Plough in the Fields, in order to sow Cotton : ’Twas observable, that in Ploughing, they used *Goads* of an extraordinary Size ; upon measuring of several, I found them to be about eight Foot long, and at the bigger End, six Inches in Circumference. They were armed at the lesser End with a sharp Prickle, for driving of the Oxen, and at the other End, with a small Spade, or Paddle of Iron, strong and massy, for cleansing the Plough from the Clay that incumbers it in working. May we not from hence conjecture, that it was with such a *Goad* as one of these, that *Shamgar* made that prodigious Slaughter related of him. I am confident,

“ fident, that whoever should see one of these Chap. 60.  
 “ Instruments, would judge it to be a Weapon,   
 “ not less fit, perhaps fitter, than a Sword for  
 “ such an Execution: *Goads* of this Sort I saw  
 “ always used hereabouts, and also in *Syria*; and  
 “ the Reason is, because the same single Person  
 “ both drives the Oxen, and also holds and ma-  
 “ nages the Plough; which makes it necessary to  
 “ use such a *Goad* as is above described, to avoid  
 “ the Incumbrance of two Instruments.

The Method of managing the Ground, and preparing it for the Seed, was much the same with the Practice of the present Times; for *Jeremias* speaks of *Ploughing up the fallow Ground*, Jerem. iv. 3. and *Isaiab* of *Harrowing, or breaking up the Clods*; Isa. xxviii. 24. but *Moses* gave a positive Injunction, that they should not sow their Fields *with mingled Seed*. *Philo* remarks ingeniously upon this Occasion, De Creatione Princip. *Things of the same Kind were made for Society one with another, but Things heterogeneous (as we call them) were not intended to be mixed, and associated; and therefore, he who attempts to mingle them, wickedly destroys the Law of Nature.* This Law Præcept. 250. is extended by *Rabbi Levi*, to Trees, which he says they were not to ingraft one upon another; but it concerns, they say, only such Seeds and Plants as are for Mens Food, not those that are for Medicine. But *Maimonides* found a particular More Nevoch. p. 3. c. 37. Reason for this Precept, from the Idolatrous Customs of the old *Zabij*, who not only sowed different Seeds, and grafted Trees of a different Kind upon one another, in such or such Aspect of the Planets, and with a certain Form of Words and Fumigations, but also used abominable Filthiness, at the very Moment of the Incision; which he proves out of a Book, *concerning the Incision of an Olive into a Citron*, and doubts not that God forbid his People to *sow with mingled Seed*, that he might root out the detestable Idolatry, and those preternatural Lusts which abounded in those Days.

Among

Book. VI.

Deut. xi. 14.

Deut. xxviii. 5.

Gen. 23.

More Nevoch.  
P. 3. C. 30.

Among many Rewards promised to the *Jews* for their Obedience, they were to expect the *first Rain*, to soften their Ground, before the sowing of their Seed, and after it was sown, that it might take Root in the Earth, and spring up; and *the latter Rain*, by which their Corn was brought forward when it was but in the Blade, to Earing, and so on to Harvest. They were to be blessed *in their Basket and their Store*, which signifies, their Barns should be full, where they laid up their Corn, and other Fruits of the Earth; they should be preserved from Fire, or Thieves, or other Disasters; and they should have over and above what was sufficient for their present Use. As a Curse for their Disobedience, it was threatened, that the Clouds which hung over their Country, should have no more Moisture in them than Brass, and that the Earth should be as hard as Iron, for want of Rain to soften it. The Observation of *Maimonides* is worth noting upon this Part of the Law, That the *Zabij*, an antient sort of Idolaters in the *Eastern Countries*, thought the Fruitfulness of the Earth, depended upon the Worship of the Planets, and the rest of the heavenly Bodies: “ And therefore their wise  
 “ Men, and their Prophets (as he says he found  
 “ in their Books, particularly in one, concerning  
 “ the *Husbandry of the Egyptians*,) taught the  
 “ People to keep Festivals in their Honour, be-  
 “ cause the Fruitfulness of the Earth, upon which  
 “ Men subsist, depends upon their Will and  
 “ Pleasure. In opposition to which, God order-  
 “ ed *Moses* to tell the *Israelites* in his Name,  
 “ that if they worshipped the Stars, they should  
 “ have no Rain, the Earth should be barren, the  
 “ Trees yield no Fruit, the Season prove un-  
 “ healthful, and their Lives be shortened: On  
 “ the contrary, if they worshipped Him, the  
 “ Lord of Heaven and Earth, and Him alone,  
 “ they should have Showers from above, the  
 “ Earth should bring forth abundantly, and they  
 “ should

“ should be blessed with healthful Seasons, sound Bodies, and long Life.” It is further threatened if they would not conform to their Duty, that there should be such a long Drought, that instead of Rain, Showers of Dust, blown up into the Air by the Wind, should fall down from Heaven upon them; that they should be oppressed sorely by Famine, for they should carry much Seed into the Field, but should gather little in; that Strangers should eat up the Fruit of their Land and of their Labours, and that Swarms of Locusts should devour the Produce of their Trees and of their Fields.

Chap. 60.

Deut. xxv ii. 24.  
ver. 38.

The sorts of Grain that they sowed, were Fitches, Cummin, Wheat, Barley, and Rice; there were three Months between their Sowing, and their first Reaping, and four Months to their full Harvest; their Barley Harvest was at the Passover, and their Wheat Harvest at the Pentecost. The

Isa. xxviii. 25.

Reapers made use of Sickles, and according to the present Custom *they filled their Hands with the Corn, and those that bound up the Sheaves their Bosom*: There was a Person set over the Reapers,

Weems's Works.  
Vol. 3. Tract. 2.  
p. 192.

to see that they did their Work, that they had Provision proper for them, and to pay them their Wages; the *Chaldees* call him *Rab*, the Master, the Ruler, or Governor of the Reapers. The

Ruth ii. 5.

Women were used to reap as well as the Men, and such was the Piety of antient Times, that such who came into the Field, saluted those they saw at Work in this Form, *The Lord be with you*, to which they answered, *The Lord bless thee*.

Ruth ii. 4.

This was practised by the *Gentiles* themselves, especially in Harvest-time; which they would not begin, by putting the Sickle into the Corn, till *Ceres* had been invoked; as *Virgil* relates in the first Book of his *Georgicks*. This religious Salutation became familiar among the

ver. 247. 348.

*Jews*, and was continued even to our Saviour's Days, when the *Angel* saluted the blessed *Virgin* after this Manner. The Reapers were usually

Luke v. 28.

entertained

Book VI. entertained above the Rank of common Servants, though in the time of *Boaz*, we find nothing provided for them, but Bread, and parched Corn, and their Sawce was Vinegar, it being very cool in those hot Countries. The Poor were allowed the Liberty of leasing, they were not bound to admit them immediately into the Field, as soon as the Reapers had cut down the Corn, and bound it up in Sheaves, but when it was carried off: they might choose also among the Poor, whom they thought most Worthy, or most Neecessitous.

Ruth ii. 14.

## CHAP. LXI.

### Of Threshing and Grinding the Corn.

AFTER the Grain was carried into the Barn, the next Concern was to *thresh*, or beat the Corn out of the Ear, which (as was before observed) was performed different Ways. It was done sometimes by drawing a loaded Cart with Wheels over the Corn backwards and forwards, so that the Wheels running over it, did forcibly shake out the Grain. Of this is express mention in *Isaiab*, where we read that *Ophan gnagalab*, the Cart Wheel was turned about upon some sort of Corn: And this in the next Verse, is called *Gilgal gnagalab*, which is the same; and therefore by the vulgar *Latin*, is rendered both here, and in the former Place *Rota Plaustris*. To this bruising of their Corn with loaded Carts, perhaps that place of *Amos* refers, (although otherwise applied by Expositors generally) which may be rendered thus, *I am pressed under you, as a full Cart presseth the Sheaves, or Sheaf*; (for it is in the singular Number,) It sets forth the Manner of Threshing in those Days, which was by pressing the Ears

Isa. xxviii. 27.

Amos ii. 13.

of Corn with a heavy Cart, and forcing out the Grain, by bringing the Wheels often over it. Chap. 61.

Another antient way of Threshing, was with a wooden Slead, or Dray without Wheels, full of Iron Nails or Teeth, on the Side towards the Ground, and loaded with massy Iron, or some other heavy Weights at the Top to make it heavy; and this was drawn by Oxen over the Corn, till the Ears were so pressed, that the Grain flew out. This Instrument was commonly known (as the Hebrew Masters, and Talmudists report,) by the Name of *Morag*, and also of *Cberutz*; and accordingly it has these Names given it, and both of them together we meet with in *Isaiab*, where it is translated by us a *sharp threshing Instrument*; and in the same Place it is said to have *Teeth*, which plainly refers to the aforefaid make of it; and shews that this great wooden Plank was set at the Bottom with Iron Teeth, or Spikes to cut the Sheaves, and make way for the Grain to come out: And to these Iron Nails or Teeth, the Prophet *Amos* refers, where this sort of Country Tackling is called *Threshing Instruments of Iron*. Upon the whole, it appears, that the Instrument wherewith Husbandmen at this Day break the Clods of Earth, was used heretofore (when they had not attained any great Skill in these Affairs,) in threshing the Corn; for by the Description that is given of it, it seems to have been a kind of *Harrow*.

They threshed with Oxen, who with their Hoofs (which for that Purpose were generally shod with Iron or Brass,) were used to tread out the Corn, and sometimes they brought in a whole Herd of Oxen, to trample upon it: This way of Threshing is refer'd to, when they were forbidden to muzzle the Ox when he treadeth out the Corn. And this is plainly alluded to in *Hosea*, *Ephraim is a Heifer that is taught, and loveth to tread out the Corn*; and in *Micah*, *He shall gather them as Sheaves into the Floor*, (that is, to be threshed.)

Isa. xxviii. 27.

2 Sam. xxiv. 22

Amos i. 31

Deut. xxv. 4.

Hof. xs. 11.

Mich. iv. 12, 13.

Book VI. ed.) *Arise, and thresh, I will make thy Hoofs Brass and thou shalt beat in Pieces.*

Another Method of Threshing, was that which is now in Use with us, that is, with Flails; some sort of Grain and Seeds were beaten out with this *Flagella*, (for this is the Word whence the *English* one comes,) as is clear from *Isaiab, The Fetches was beaten out with a Staff, and the Cummin with a Rod*; and generally Bread-Corn was thus threshed. Of this Nature was *Gideon* and *Araunab's* threshing of Wheat, for it is represented as their personal Action, and those general Terms *Chabat*, and *Dash*, (the Words in those Places) favour this Sense; and in the former Text, Threshing is rendered by *αβδιξον*, in the Version of the *Septuagint*, which signifies beating with Staves, Sticks, or Rods.

Sometimes they used the Feet of Horses, to tread out the Corn, as may be gathered from the Scripture, in *Isaiab, He will not ever be threshing it, nor break it with the Wheel of his Cart, nor bruise it with his Horsemen*. These Threshing Floors were Places of great Note among the old *Hebrews*, particularly that of *Araunab*, the *Jebusite*, which was the Spot of Ground made choice of by King *David*, to build the Altar of God upon; and this was the very Place where the Temple of *Solomon* was afterwards erected. These Floors were covered at the Top, to keep off the Rain, but lay open on all Sides, that the Wind might come in freely, for the Winnowing of the Corn; which being done, I suppose, they were shut up at Night, with Doors fitted to them, that if any Body lay there, he might be kept warm, and the Corn be secured from the Danger of Robbers: The Time of Winnowing, or separating the Corn from the Chaff, was in the Evening, when the Heat of the Day was over, and cool Breezes began to rise; for this Purpose, they had the same Implements which are in common

mon Use, for *Isaiab* speaks of winnowing with Chap. 61.  
*the Shovel, and with the Fan,* and God pronoun-  
 ces by his Prophet *Amos*, That *he will sift the* Isa. xxx. 24.  
*House of Israel among all Nations, like as Corn is* Amos ix. 9.  
*sifted in a Sieve; yet shall not the least Grain fall*  
*upon the Earth.*

When the Corn was to be made use of, they laid it open to the Sun to dry, or they dried it by a Fire, or in a Furnace, to get off the Husk, and this dried or parched Corn it self, without any farther Preparation, was a great Food in those *Eastern Countries*. This, as the *Rabbins* say, was first soaked in Water, and then dried, as Barley is malted among us at this Day; but generally the Drying and Parching of the Corn were to make it more capable of being ground.

The manner of *Grinding*, was either in Mortars, or in Mills; that both of these were in use, appears by the Text, where we read of *Rechuim*, Numb. xi. 8. Mills, and *Medacab*, a Mortar. In this latter they were used *Pinsere*, (for from the *Jews* this Practice descended to the *Romans*,) to pound or bray their Corn; whence *Bakers*, who did this in order to make their Bread, had their Name *Pistores*: That they used of old to beat and bruise their Wheat in a Mortar, with a heavy Pestle, may be collected from the *Proverbs*, where this Prov. xxvii. 22. hollow Vessel is called *Maatesh*. But Mills were chiefly made use of for this Purpose in those early Times; and they were of such Use and Necessity, that Men were strictly forbidden to take *the Nether or the upper Milstone to Pledge*, because Deut. xxiv. 6. it was taking a Man's Life. The Grinding at Mills, was counted an inferior sort of Work, and therefore, Prisoners and Captives were generally set to it; whence, *to take Milstones and* Isa. xlvi. 2. *grind Meal*, is part of the Description of a Slave; and to this refers *Sampson's* Grinding in the Prison Judg. xvi. 21: House: For of old Time there were Mills in the Prisons, (whence *Pistrinum* is used both for  
 E e 2 a Mill;

Book VI. a Mill, and a Prison,) and the Prisoners were used by Grinding, to earn their Living, and procure themselves Food; however, this was counted a very laborious, and slavish Employment: And this was in Use, not only among the *Jews*, and *Philistines*, but the *Egyptians* also; and thence there is mention of the *Maid Servant behind the Mill*, that is, thrusting it forward with her Arm. So among the *Chaldeans*, the young Men, the Captives of *Judea*, were taken by them to grind, but for the most Part, the Women Servants were employed in this Drudgery, as is deducible from the Gospel; Women are said to be *grinding at the Mill*, whilst the Men are *in the Field*. Therefore, *Buxtorf* observes, that the Word for *Grinders* is *Resosbeth*, of the feminine Gender, to note that Grinding was usually Womens Work. These Mills which they used in those Days, were Hand Mills, and therefore, before the Invention of others that go with greater Force, they first dried their Corn, (as I mentioned before) that they might grind it with the greater Ease.

Exod. xi. 5.

Lam. v. 13.

Mat. xxiv. 41.

Lex Chald.  
p. 586.

## C H A P. LXII.

## Of Vineyards and Oliveyards.

IT is supposed, that before the Flood Mankind were accustomed to eat Grapes, but drank no Wine (unless the Off-spring of *Cain* may be said to have debauch'd themselves with it, of whom it is recorded in the Gospel that *they drank*). The first Planter of a regular Vineyard was *Noah*, who apprehending how seasonable the Benefit of Wine would be at that Time, when the Flood had chilled the Earth and Air, and made every Thing look bleak and dismal, set Vines in the warm Place where his dwelling was. He made choice of a proper Soil for them, for *Armenia* is noted for an excellent Ground for Vines, and the Vines of that Place are celebrated by Historians. And now when the good old Man had taken this Pains, and skilfully order'd that generous Fruit by pressing out the Juice, he began to taste the Product of his Labours, which happen'd to be with ill Success, for he had chosen so excellent a Spot of Ground, and had so richly cultivated it, that the Liquor proved too potent and active for his Brain, so that through the Heat of the Weather, and of the Wine he threw off his Clothes, and *was uncover'd in his Tent*.

Luke xvii. 27.  
Gen. ix. 20.

It was ordained by the Law of *Moses*, that they should not sow their Vineyards with divers Seeds, which without doubt was an Idolatrous Custom, as the Reason given against it plainly shows. *Maimonides* says, that he found it written in a Book of the *Zabij*, that these three Things Wheat, Barley, and Grapes dried in the Sun, should be sown together in the Ground with one and the same cast of the Hand, which was so senseless a Thing, that he could not but think they learnt it from the Ways of the *Amorites*, as his Words are, that is

Deut. xxii. 9.  
*More Nechoh.*  
P. 3. c. 37.

Book VI. from the wicked Idolaters of the Country to which the *Israelites* were going when this Law was given; for Wheat being sown properly at one season of the Year, and Barley at another, and a Vineyard being an improper Place for the growth of either of them, this Custom could not have its Original either from God or from Man, but from the Devil the Author of Confusion, who perhaps taught them this uncouth Rite in Honour of *Ceres* and *Bacchus*, whom they joined in the same Act of Worship. If the *Israelites* had followed this Custom, it would have made the Corn and the Grapes that sprung up from such Seed, impure, because polluted by Idolatry, the very Smell of which says *Maimonides*, God would not have to remain among them. Besides, it was unlawful for the *Hebrews* to eat any of the Fruits of the Earth, till the first Fruits of them had been offered to God, which would not have been accepted by him of such Things that were expressly forbidden by his Law, and consequently the whole Crop became unclean to them, and might not be used by them.

Numb. xiii. 23.  
Page 862.

The Land of *Palestine* abounded with generous Wine, and the Clusters of Grapes, especially in the Southern Part of the Country were of an extraordinary Bigness, so that the Spies, who were sent to search the Land of *Canaan*, bore one Cluster between two on their Shoulders upon a Staff. In Confirmation of this *Foxster* in his *Hebrew Dictionary* asserts, that there was a Preacher at *Norimberg* called *Achaicus* who lived as a Monk eight Years in the Holy Land, who told him upon his sick Bed, that in his Time there were Clusters of Grapes at *Hebron* of such a Size, that one single Kernel was sufficient to quench his Thirst for a whole Day, when he lay sick there of a Tympany. The time of Vintage was a season of Joy and Feasting, and it was denounced as a Curse upon the Land of *Moab*, that in their Vineyards there should be no singing, neither shall there be shouting, the Treaders shall tread out no Wine in their

Isa. xvi. 13.

Pres-

*Presses; I have made their Vintage-shouting to cease.* Chap. 62.  
 And it is recorded of the Men of *Shechem*, that they gathered their *Vineyards*, and trod the *Grapes*, and made merry. Their Mirth consisted in plentiful Entertainments, in Dances with Musick and Songs: Which was a Practice used among the *Greeks* in Honour of *Bacchus*, when they pressed out the *Grapes*.

It was a Curse pronounced upon the *Israelites*, that upon their Disobedience, they should plant *Vineyards* and dress them, but they should neither drink of the *Wine*, nor eat the *Grapes*, for the *Worms* should eat them. It seems there is a peculiar sort of *Worms* that infest the *Vines*, called by the *Latins* *Volvox* and *Convolvulus*, because it wraps and rolls it self up in the *Buds*, and eats the *Grapes* up, when they grow towards a *Ripeness*, as the *Roman* Authors explain it.

Besides other *Fruits* that were common in *Judea*, as *Dates*, *Figs*, *Pomegranates*, they had regular Plantations of *Olives*; and among the *Judgments* with which God threatned the *Israelites* for their *Sins*, it was denounced, that though they had *Olive-trees* through all their *Coasts*, yet they should not anoint themselves with the *Oil*, for the *Olive* should cast her *Fruit*; being blasted (as the *Jerusalem Targum* explains it) in the very *Blossom*, the *Buds* should drop off for want of *Rain*, or the *Fruit* should be eaten with *Worms*. *Maimonides* observes, that the *Idolaters* in those *Countries* pretended by certain *Magical Arts* to preserve all manner of *Fruit*, so that the *Worms* should not gnaw the *Vines*, nor either *Buds* or *Fruits* fall from the *Trees* (as he relates their *Words* out of one of their *Books*): Therefore to deter the *Israelites* from all idolatrous Practices, *Moses* pronounces that they should draw upon themselves those very *Punishments*, which they endeavour'd by such means to avoid.

The *Fruit* of *Trees* that were planted for *Food*, was to be accounted impure for the three first Years

Book VI. Years, which Command in the *Levitical Law* is understood by some *Jews* to refer only to the Vine, which, say they, if it be not cut for sometime, its Grapes are not so large, nor the Wine so good, nor fit to be offered at the Altar. But *Moses* expressly mentions *all manner of Trees for Food*, and therefore there can be no Pretence for this Limitation; and a very good Account, as *Nachmanides* observes, may be given of this Prohibition, if we have Respect only to natural Reason; for young Trees grow better, if they are stript of their Fruit, the Juice which is waterish and unconcocted, having neither a pleasant Smell nor Taste; and therefore not proper for Food, and upon that account not fit to be offered as the first Fruits to God.

*More Necho.*  
p. 3. c. 37.

But, besides all this, *Maimonides* asserts, that there was an idolatrous Custom among the *Zabij* to which this Law of *Moses* may reasonably be thought to be opposed; for they imagined all Trees would be blasted, or their Fruit fall off, whose first Fruit was not offered in their Idol Temples, and the other Part eaten there. And therefore God commanded his People to forbear to eat the Fruit of any Tree till the fourth Year, and not doubt of the Fruitfulness of their Plantations, though they did not consecrate the Fruit of the foregoing Years, after the manner that the *Gentiles* did. The Fruit of the fourth Year was to be offered as the first Fruit to God, and for their Obedience to this Precept, he promises they should lose nothing by staying, till the fifth Year for the Fruit of their Trees, for by forbearing so long, their Trees should be the more exceeding fruitful; and therefore says *Maimonides*, they were sure to receive abundant Increase, though they did not use the wicked Arts which the *Zabij* did; for it was their Custom to let certain Things lie till they are putrified, and when the Sun was in such a Degree to sprinkle them about the Trees which they had planted, using certain Magical Ceremonies, by which they fancied Flowers and Fruits would be produced

ced sooner, than they could have been without these Practices. Chap. 63.

## C H A P. LXIII.

## Of the Feeding of Cattle.

THE Riches of the Old *Hebrews* consisted in Flocks and Herds, and very much Cattle, that is in Camels, in Oxen, and black Cattle, in Goats and Sheep, and Asses; to look after them was the Business of the antient Patriarchs, and of their Children, their Daughters not being exempted from taking Charge of them, whose Office it was to water them, and tend them in their Pasture. They were very expert in this Profession, and *Jacob* particularly gave a nice Testimony of his Skill when he bargain'd with *Laban* his Father-in-Law, about the Hire he was to have for taking Care of his Cattle. The Contract stood thus, Gen. xxx. 32, &c.

He was to separate all the Sheep and Goats, and then out of those that were of one Colour he was to have all that should prove hereafter to be spotted or speckled. Now this was a Thing so unlikely to happen, that *Laban* greedily embraced the Motion, thinking that white or black Cattle, would bring forth none but such as were like themselves. This Separation being made it would appear, that if *Jacob* had any spotted, they were not taken from *Laban's* Flocks, but given by God as a Reward of his honest Diligence. *Laban* therefore went and separated the spotted Cattle from the rest, and then, lest *Jacob* should procure any of them to mix with those of one Colour, he committed them to his own Sons to be set apart by themselves; he removed them to the Distance of three Days Journey, that time might be in Danger to stray to the Cattle which were fed by *Jacob*, unto whose Care were committed all that had no Spots at all.

Now

Book VI.

Now *Jacob* to obtain his Purpose made use of three Artifices. The first was this, he procured some Rods of green Poplar, and of the Hazel (or rather of the Almond) and Chesnut Tree, and peel'd off the Bark from the Rods, till the white appeared between the Bark, which was of a different Colour. These Rods thus discoloured, he laid in the Channels of Water at that Time, when the Cattle were used to couple; that their Fancies might be painted with such divers Colours as they saw in the Rods. The *Greek* Fathers ascribe this to the miraculous Operation of God, as *Bochart* observes, but the *Latin* Fathers, particularly *St. Jerome*, look upon it as done by the natural working of the Imagination. For which he alledges the like Practice followed in *Spain* among Horses and Mares, and brings *Quintilian* and *Hippocrates* to justify the like Conceptions in Women, which he supports with a great Number of Authorities out of *Galen* and other Writers, who have observed indelible Marks to have been impressed upon Children, by the Objects that were presented to the Mother's Fancy at the Time of her Conception. *St. Austin* asserts, that the *Egyptians* by the like Device with this of *Jacob's*, had still a new *Apis* or *Pied Bull*, to succeed that which died, to whom they gave Divine Honour. But whatever Power there might be in natural Imagination to produce such Effects, it must be confessed, that God gave an extraordinary Blessing to this Contrivance, as appears by the Vision which *Jacob* says he had, wherein God (who had directed him to this Invention) promised to give it Success.

This Stratagem took Effect, those young Cattle (whether Lambs or Kids) which were brought forth spotted, he did not suffer to remain with the Flock of *Laban*, lest he should say, he did him wrong by letting them mix together, and so bring spotted Cattle, (and perhaps he might think also that they looking upon *Laban's* one coloured Cattle might bring forth young Ones like to them.)

But

*Hierozoicon*, p.  
g. 1. ii. c. 9.

Gen. xxxi. 10,  
11, 12.

But instead of this way of enriching himself he had a *second* Artifice, which was to put the spotted Cattle (produced by the former Device) *foremost*, so that *Laban's* Flock should always look upon them, and thereby be the more apt to conceive the like. Those which brought forth spotted by this second Artifice he also put by themselves, and suffered them not to be mingled with *Laban's* Cattle, as before he had separated those that were brought forth spotted, by looking upon the Rods.

This was the third Device, which is thus expounded by the *Chaldee*, and many other Authors; he laid the Rods before the Cattle only in the Spring time, when the Sun was ascending, and the Cattle lusty and vigorous: But let them alone, when the Cattle came together in *September*, or the Declension of the Year (for they bred twice a Year in those Countries) at which Time they were become more feeble. If he had always laid the Rods before the Cattle, there might have been none but spotted, and so *Laban* have been quite impoverished; therefore he chose to do it in their first and prime Copulation, which was in the Spring time, and omitted in the latter which was in the Autumn. Our famous Mr. *Mede* follows this Interpretation. But there is no certainty in it; for *Pliny* and *Columella* prefer these begot in Autumn to those begot in the Spring. And therefore our Translation is most proper, which represents *Jacob* using this Artifice of laying the Rods before them, when the stronger Cattle came together, and not when the weaker. And so the Seventy understood the Words, without Respect to the former or latter breed, and this is the proper Sense of the *Hebrew*. Some have made it a Question, whether *Jacob* got his Stock of Cattle honestly, because *Laban* did not think of his using any Art, but only of bare casual Productions; but as what was not directly against the Contract, may be thought to be allowed by it, so it is certain, that *Jacob* might lawfully take what God bestowed upon

*Bochart. Hieroz.*  
P. 1. l. ii. c. 46.

*Discourse 45.*

Book VI.



upon him, who seems to have directed him by an Angel to this Artifice, or at least testified his Approbation of it: Intending to transfer unto *Jacob* the Wealth of *Laban*; as he gave the Riches of the *Egyptians* to the *Israelites*; for the World is his and the Fulness thereof, and he may dispose of every Thing in it, as he pleases.

There was nothing particular in the Pastoral Art as exercised by the *Hebrews*, from the common Practice of the present Times. It was the Custom with them, as it is with us at the Time of Sheep-shearing to make a Feast, and to invite their Kindred and Friends to it, which appears sufficiently from the Story of *Absalom*; for in those Countries where they had vast Flocks, Sheep-shearing was a kind of Harvest, which made that Time to be observed with great Joy, whence the Servants of *David* said to *Nabal*, that they were come to him on a good Day, for he was shearing his Sheep.

2 Sam. xiii. 23.

3 Sam. xxv. 2.

Levit. xi. 19.

The *Hebrews* were commanded by the Law, not to let their Cattle gender with a diverse Kind, as Horses with Asses, Goats with Sheep; but if they came together of themselves, it was lawful to use such Heterogeneous Creatures, as were so produced: For they did not abhor the Use of Mules, which were either accidentally begotten among them, or brought to them from other Countries. The Reason commonly given by the *Jews*, for this Precept, is, because God having made all Things perfect in their Kind, it was a presumptuous Attempt, to go about to mend his Creation, and add to his Works. By this means also, Men were deterred from unnatural Mixtures, which they saw to be abominable in Brutes. But after all, there might possibly be a Respect in this Precept, to some Idolatrous Customs, which *Moses* intended to prevent, or abolish; for it is supposed, that the *Gentiles* were used at this Time, or in after Ages, to procure such mixtures of Creatures, in honour of their Gods.

When

When *Joseph* was going to introduce his Father, Chap. 63. and his Brethren to the *Egyptian* Court, he instructs them to say that they were *Shepherds*, that they might be separated from the *Egyptians*, and be seated together in the Land of *Goshen*; which was a Country abounding with Pasturage, and next adjoining to *Canaan*, unto which they might the more easily return when the time came. Upon this occasion, the sacred Writer remarks, that every Shepherd is an Abomination to the *Egyptians*, which Text has given much trouble to Expositors. *Cunæus*, I think, has given the most reasonable Account of it, whose Words I shall translate, and with which, I shall conclude this Book. “ A third Part of the People lived at a Distance, in the Plains of *Egypt*, and in the Marshes; These were the *Shepherds*, active and able Men, but execrable to all the *Egyptians*, because they would not suffer them to be secure in their idle Course of Life: These often made great Commotions, and sometimes created Kings for themselves, wherefore the *Romans* in after Times, when they easily held the rest of *Egypt* in obedience, placed a strong Garrison in all these Parts. When you have taken the most exact View in all Things, you will find this was the Reason that made the *Egyptians* even from the first, so ill affected unto *Shepherds*, because those sedentary Men and Opificers, could not endure their fierce and active Spirits. *Pharaoh* himself, when he had decreed to abate and depress the growing Multitude of the *Israelites*, speaks to his Subjects in this Manner, *The Israelites are stronger than we, let us deal wisely, that they increase not, lest when War ariseth, they join themselves unto our Enemies, and take up Arms against us.* That Opinion I think to be true, nor can I assent to them that impute the Cause of this publick Hatred to their Superstition, as if the *Hebrews* Keepers of Flocks and Herds, could “ not

Gen. xlvii. 34.

De Rep. Hebr. Lib. i. c. 4.

Book VI.

“ not be suffered by that Nation, who revered  
 “ some Sheep, some Goats, some other four  
 “ footed Beasts ; being persuaded there was in  
 “ them something of Divinity. But this Reason  
 “ is very improbable, for what will they answer,  
 “ when either they shall learn out of the *Pen-*  
 “ *tateuch*, that *Pharaoh* had innumerable Flocks  
 “ of Sheep, or when they shall see so many  
 “ Monuments of Histories to be produced, ma-  
 “ king it evident, that a considerable Part of the  
 “ *Egyptians* lived in Pastures, and among Cattle ?  
 “ And yet is that Saying notable in Scripture,  
 “ All Shepherds are hated by the *Egyptians* :  
 “ This could not be said of Husbandmen, nor  
 “ indeed, could their Valour (which was none  
 “ at all) be feared, or hated ; for the lazy  
 “ Clowns had all their Hopes placed, not in  
 “ the industrious Manuring of the Ground, but  
 “ in the River *Nile*. The overflowing Stream  
 “ nourished and increased their Corn, nor did  
 “ it bring only Fruitfulness to the Earth, but  
 “ Earth it self ; for being exceeding muddy, it  
 “ enlarged the Fields, and by a yearly Addition,  
 “ stretched out the Boundaries of their Land.

The E N D.





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