

Sermon,
preached in the
High Church
Edinburgh
2. Oct. 1694

by
James Webster.

Edinburgh
1694.

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SCS # 1425

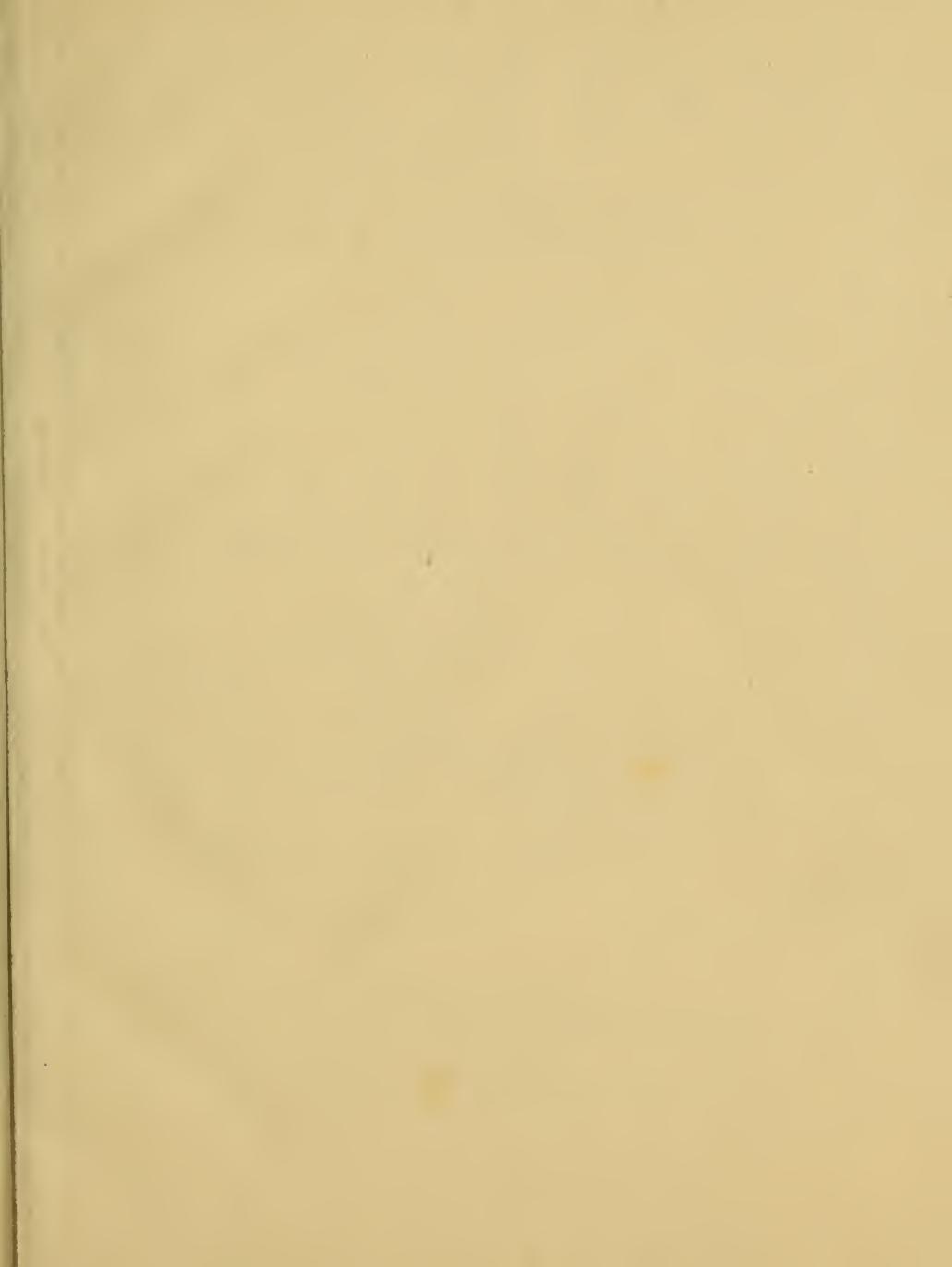
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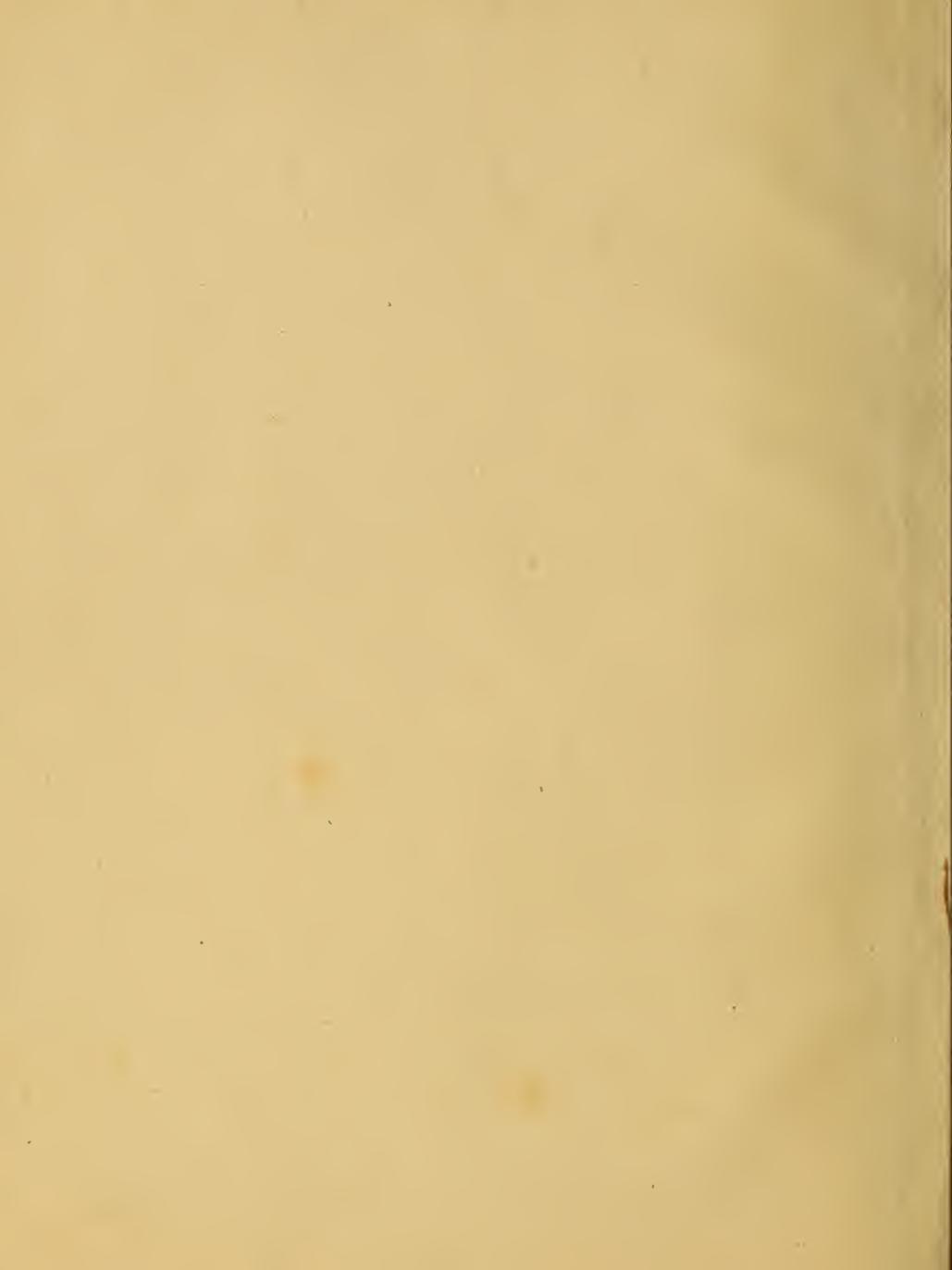
Thomas F. Torrance

SALE
1919

James J. Bell

SCS #1425





A
SERMON

Preached in the

High Church

OF

EDINBURGH,

At The

ELECTION

Of the MAGISTRATES of the
CITY.

On the 2d of Octob. 1694.

By JAMES WEBSTER,
Minister of the GOSPEL.

EDINBURGH.

Printed by George Mosman, and are to be Sold at his Shope in the
Parliament Clofs. 1694.

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WILLIAMSON

OF THE

MAGISTRATES OF THE CITY

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Pfal 101. verse 1. 2.

I will sing of Mercy and Judgement-----

O when wilt thou come unto me ?

THE best, and most perfect model of Government ever obtain'd in the World, the Jews enjoy'd under their Judges; It being indeed a pure *Theocracy*; God himself was their political Head and King, and (as it were) their Supreme Magistrate, both Sacred and prophane History; bear witness to this: In Him were Lodg'd all the Prerogatives Royal, all the Rights of Majesty; He gave them their Laws immediatly from Heaven, went forth before their Armies, fought their Battels, appointed their Rulers, Deputies under him, and exacted from them Tribute. Briefly after a narrative of his Glorious Appearances, and mighty Works for them, and of their deep Obligations to him; He Offers, and they accept of him to be their King, And by a mutual Covenant they bind themselves one to another.

But His stupid People, ignorant of their true interest, and weary of their Happinets, shake off the yoke of God, and exchange it for mans, call to *Samuel* to give them a King; And by no means would be diverted from their Rebellion and Treason; Having 'tis likely) a design at once to change their God and their King, to throw off their Religion and their Allegiance together. However, in Anger they have their desire, They get a King who lived Wicked and died Miserable. To him doth our Psalmist succeed, according to a promise the Lord had given him; And betwixt the promise and its accomplishment, (as some think) or immediatly after the accom-

James Curro

plishment (as others) he composes this Psalm, where he comes under solemn Engagements and Vows, not to abuse his power as *Saul* had done; but to employ and manage it for God. *1st le sing &c.*

The Psalm is one continued chain of *David's* Resolutions to Govern for the Lord; And in our Text, he promises to have a particular regard to Righteousness and Mercy, the two Great Vertues of a Ruler, and the two Great Pillars of a Government: This Mercy is a Generous Compassion, inclining Rulers, to Observe, Countenance, Hearken to, Judge and Reward, the Good, the Innocent, and the Oppressed: He binds and obliges himself to this so necessary a Work. The melancholy scene, and the great variety of Miseries people groan under, should invite the Rulers Pity; Draw out his Bowels, and open his Eyes, his Heart and Hand to their Relief: This is his proper Province; This is the Original Design of Government. Mercy is not (as the Disciples of *Zeno* thought) a weakness of Soul, a littleness and meanness of Spirit, and a down-right Vice: No, Our Psalmist puts a just value on it, and Vows it shall have a fixed residence, and constant Lodging in his Royal and Religious Breast.

But least this compassion (to which (as is well observed by some) we are by nature swayed, and by the very make and constitution of our Body prompted and inclin'd) should by carrying us too far, degenerate, and bound into a vice, he in great wisdom and discretion, Resolves to temper it with a mixture of Justice, by discountenancing, punishing, and being terrible to Evil-doers. *1st le sing of Judgment.*

Magistrates at all times (especially now when Wickedness takes strength from Forbearance and Indemnity, emboldens offenders, and the Government is in danger of sinking under its own Mildness) should be Sons of Thunder, and imitate him whose Ministers they are, who both gave his Laws, and Executes them in all circumstances of Terrour: Some difference is to be made betwixt *Moses*, Rod and *Aaron's*; This (to speak so) is silently Fruitful, without all noise and observation, sends forth its Buds, Blossoms and Fruit: But *that* turns unto a Serpent, Hisses, and stings unto Death. No

sooner

sooner did *Constantin* (once an Inhabitant of this Island) mount the Imperial Throne, then he sung of Mercy to the Harass'd and persecuted Christians, and of Justice to the Pagan Idolaters, to *them* he speaks in Lightning and Thunder, and is so severe and terrible unto them, that its Prophecy *Rev* 6. is easily mistaken for a description of the last Judgement.

David, to demonstrat the natural Delight, himself, and all Rulers should have in a well temper'd Government, sings his obligations and engagements to it, with a Joyfull emotion of Spirit, Voweth, when God shall come to him (as the words may be read) *i. e.* (as Interpreters say). when he shall be King, To sway, and wield his Scepter for the glory of God, and the good of his People. And whereas he Promises, *Then* to execut justice and Mercy, it is not to be understood as if he had neglected the same in his privat station; But that when in power he will be in a more publick and better capacitie to do it.

There is one textual difficulty to be removed, e're I go farther: Why doth his coming to the Throne goe under the phrase of God's coming to him? wee must remember, he had God's promise of the Kingdom; and in Scripture, God is said to come unto Men, when he accomplisheth his promise, and bestows any singular blessing on them. But more particulary to persons invested with civil power, God's word of commission comes *Psal* 82. 6. I have said, ye are *Gods*, He speaks to them, and with this Creating Word, confers upon them Power: The Serpent flattered us with a Promise that we should be *Gods*, but the Lord doth really make some Men *Gods*. The word of God mentioned *John* 10. 34. according to the best Interpreters, is the divine warrant and commission to be Magistrates; For the office and power is from God though handed down and conveyed by Men, and upon that score called by the Apostle *Peter* an humane Ordinance. Farther as soon as Men are cloathed with Authority, God comes to them, and gives them another Heart and a large measure of necessary and suitable gifts, by a plentiful effusion of his Spirit, breaths into them
noble

noble Dispositions; which, together with a Call from Men, are Heaven's credential Letters, that prepare their Reception, and command obedience and submission from the people. And in fine by phrasing it thus, the Psalmist, condemns all unjust practising to get into power, for though having been anointed by the Lords express Command, he had an undoubted Title to the Succession, he has not the Ambition to shuffle his Anointed Head under the Crown, till God by the vote of such as had right to give it, comes and puts it on, which he knows, will make it to fit the surer, and shine the brighter.

The proposition that lyes before us, and is the scope of the words, is, *Persons in Authority should manage their Government with an equal mixture of Mercy and Justice.* A Government well temper'd with them two, should be the Magistrates delight Job 29 from 14 to 18. *I put on Righteousness, and it cloathed me: my Judgment was a Rob and a Diadem: I was eyes to the Blind, and feet was I to the Lame. I was a Father to the poor: and the cause which I knew not, I searched out. And I brake the Jaws of the wicked, and pluckt the spoil out of his teeth.* It appears from the History, Job was not only a Good Man, and a Good Citizen, but a good Magistrat, and he answers this Character, by his sincere Love to Justice and Mercy, like a Good Ruler, he makes the Impartial Administration of Justice his chief Business and delight, his Ornament and Glory, 'tis better in his account, than a Diadem and Robs, and indeed, one single Act of Justice, is of far greater value than those; which without it, are meer pageantry: A good Ruler puts on Righteousness in the Morning, wears it all the day; and on the bench wraps it so closely about him, that no Temptation can blow it aside. From the forcited place, 'tis evident, that Job has no less regard to the Exercise of Mercy; *I was eyes to the blind &c. Micah 6.* God reckons the Exercise of Justice and Mercy, the whole of our obedience, and prefers it before Ten thousand Rivers of Oyl and Rom. 13, 4. the two very different sets of Men, *There,* make the Exercise of Mercy and Justice equally necessary. *For he is the Minister of God to thee*
for

for good: But if thou do that which is evil, be afraid for he beareth not the Sword in vain: For he is the Minister of God, a Revenger to execute wrath upon him that doth evil.

I shall follow forth this Head, First by taking a separate view of Mercy and Justice, the two essential parts of a well manag'd Government. 2. Consider them in Conjunction, as giving mutual help and support one to another. 3. Demonstrate, that in all publick Administrations, Magistrats should have a particular regard to them. 4. Bring home all to practice.

As to the first, I shall begin with Mercy, not only because our Psalmist does so, but because this sweet and gentle method, all Magistrates should observe: Drawing the Sword is the last remedy, and never to be used, save in Extremity, when all other ways prove uneffectual, and nothing else can serve the turn. God himself Reckons Justice his *Strange Work*, a forreign part of his Providence, and which he never works till constrained, and ev'n then with some aversion: Mercy is God's Darling and triumphant Attribute, the immediat off-spring of his nature, but for this divine affection, the World long since had fallen about our ears: Mercy challengeth the present scene as its own; And the conclusion of time is almost All that is reserved for Justice?

The Mercy of Rulers ought to be a copy of that wondrous Compassion God shewed to a destroyed World, and as far as possible, an exact Transcript of that Grand exemplar, and consisteth in their protecting and defending the Innocent from all unjust violence and oppression. They are by sacred Writers stiled *Gods*, and by both sacred and prophane *Fathers*, for the great tenderness they should Exercise towards their people that are their Children and creatures; A Cruel Father, is an *Unnatural*, and a Cruel God is a *Monstrous* thing. Magistrats are appointed to be Cities of Refuge, where the oppressed may take Sanctuary, and therefore should be all *Eye* to spy out the peoples Burdens, all *Ear* to hear their Complaints, and all *Hands* to relieve them, and avenge them of their Adversaries. The Unjust Judge in the Gospel, is not branded with
any

any wrongful Sentence, or Act of Unjustice, but with want of a Merciful Disposition, he had not Bowels enough towards the injured Widow, who makes many a vain Journey to his Lodgings.

This mercy, in the second place, is much concerned in regulating the Execution of the Laws on Offenders; Magistrates may not go to the utmost rigour against them, some consideration would be had of the disadvantageous circumstances mankind labours under: Humane Frailties and Infirmities, Surprises and ignorance, plead strong for some abatement and moderation; else the best and wisest Law-givers can't so frame their Laws, as that a strict and rigorous Execution of them, shall not be an unsupportable severity; for the highest act of Justice, is a kind of unjustice; and it were hard to urge the letter of the Law too farre, when neither the intention of the Law-giver, nor common Equity (the standard of all Laws) are violated: and where the cause is doubtfull they should incline to mercy as the safer side; for better spare ten Guilty, then destroy one Innocent; of the injury done the latter, no reparation can be made, the fault can not be mended; but though the other may for some time flie from the hand of justice, Vengeance will not suffer them always to escape. 'Tis somewhat strange what is storied of a sentence of the *Areopagi*, the great court of *Athen*, before whom a Lady was arraign'd, and accused for killing her Husband and Son, because they had kill'd a Son of hers by another Husband: the Judges ordered her and her Accuser to appear before them, some hundred of years after, declaring thereby, they would not absolve, and could not condemne her, but leave the determination of the cause to the gods.

I come now to the Second, the Exercise of justice, the Magistrats weareth not God's Sword in vain, but to Manage and weild it as God himselve Would, were he on the earth.

A Godly Ruler Proposeth to himselve the best and most Excellent Laws, by which he is to Govern, and takes up a fixt resolution, never to swerve from, nor do any thing that's contrary

trary or disagreeable to them, Yea, in the smallest circumstances, and on all Occasions to exercise Justice, without being diverted from the same, by any temptation, of promises or threats, or nearness of relation; Justice is Blind, and has no regard to these forreigne considerations, but only to the merit of the cause.

Rulers are under the greatest obligation to this, whither wee consider their relation to God, or to the Law, or to the People: As to the first, They are the Ministers of a righteous God who loveth, and delighteth in Righteousness: to do Judgement, is more to him, than all Sacrifices and whole Burnt-Offerings: *These*, without *That*, are unprofitable, unacceptable and an abomination, *Iza. l. 11, 12, 13.* 17. These Solemn and August Ordinances, though Commanded and Rewarded by the Lord, yet when divorced and separated from Justice, are but bright Sins in his account: He puts upon them a *Slight*, as solemn as their Institution, *Who required those things at your hands?* The practice of Rulers should have a conformity to the eternal Law of Righteousness; For the Power, the Bench, the Judgement, are the Lord's, and must not be made Tools and Weapons of Unrighteousness, this were to profane the most sacred Things,

They are likewise appointed to be the Guardians of the Laws, trusted with the keeping and execution of them: They should be a living Law: The best Laws without Execution are a dead Letter, they want edge: The Law must take special hold of Persons guilty of gross Immoralities and Disorders, unsupportable to any Government, such Disturbers of human Society, have need to be mortified; For they are a Scandal to Christianity, a Reproach of Mankind, and draw down Judgements on themselves and others: Compassion to the Innocent makes the Punishment of others sometimes necessary; and the Perverseness of some Men accents the Song of Judgement against them.

Lastly, Their relation to the People (who have lodged in them all exercise of Power) is a strong Bond: They have trusted them with all their most precious Things, their Estates, their Liberties,

their Lives, and, which is to them dearest of all, their Religion: Now, to betray under Trust, those unvalueable Priviledges, were an unpardonable Treachery.

We come now to the Second Thing proposed, the consideration of the Two, in conjunction, and First, They make the Magistrate the lively Image of God, who is both Merciful and Just, those Two Divine Attributes have their different Actings on their proper Objects, without doing prejudice one to another, and in the Proclamation God makes of himself to *Moses*, Mercy is the first, and Justice the last part of his Name. Besides, his two eternal Decrees concerning Man's final state, are commonly thought Acts of the highest Mercy and Justice, *Rom. 9. 18.* And farther his glorious Providences, shine bright with a wise mixture of them: In every Dispensation, Mercy and Justice kiss each one other. Such an Administration, is also an Emblem of the Great and General Judgement, which God has design'd for the Manifestation of his Mercy and Justice. *Secondly*, The double Title of Father and Ruler, of God and Judge, the Magistrate wears, is to be considered; The one Designation, is as full of Pity, as the other is of Terrour. *Thirdly*, They are a counterpart of, and fitly answer the two essential Peeces of Sanctification, *Love to Good, and hatred of Evil.* *Fourthly*, By a Government so qualified, God doth in a manner, make streight that which seem'd crooked: What is wanting in immediat Providence, with respect to the Evil and the Good, is here supplied; so that the *Atheist* has no reason to talk so much of prosperous Wickedness, and oppressed Innocence.

In the Third place, I come to shew, That 'tis very necessary and reasonable, that Persons in Authority should in all their publick Administrations, mingle Mercy and Justice together, and here I shall confine my self to one main Topick, as most proper for the Day, namely, The mighty and universal Influence such a Government has on the publick Happiness and Prosperity of human Society, *Prov. 14. 34. Righteousness exaltes a Nation: Two*

things prove this, 1. "The Justice of the Divine Dr. Tillot.
Serm.
 " Providence. Indeed as to particular Persons, the Pro-
 " vidences of God are many times promiscuously administred in
 " this World; so that no Man can certainly conclude God's Love
 " or Hatred to any person, by any thing that befalls him in this
 " Life. But God do's not deal thus with Nations; because pub-
 " lick Bodies and Communities of Men, as such, can only be re-
 " warded and punished in this World: For in the next, all those
 " publick Societies and Combinations, wherein Men are now
 " link'd together, under several Governments, shall be dissolved.
 " God will not then reward or punish Nations, as Nations. *And*
a little after. " In the usual Course of his Providence, he recom-
 " penseth Religious and Vertuous Nations, with temporal Bless-
 " ings and Prosperity. For which Reason *Austin* tells us, That
 " the mighty Success and long prosperity of the *Romans*, was a
 " Reward given them by God for their eminent Justice. ——— This
 the Scripture declares to be the settled Course of God's Providence;
 That a Righteous Nation shall be Happy, *The work of Righteous-*
ness shall be Peace, and the effects of Righteousness, Quietness and
Assurance for ever. Thus far the Learned Primate.

2. Their joint exercise, doth in its own nature conduce to the
 publick interest. When Rulers do checker their Administrations
 with Mercy and Justice, this tends to make men live together in
 Peace; and like a Cement to the Common-Wealth, unites and holds
 all fast together. There cannot be a more certain presage of a de-
 clining State, than dissolution of manners, through the neglect of
 Mercy and Justice.

But to come a little nearer, an equal mixture of Mercy and Justice,
 does by ballancing the procedure of Rulers, prevent all the evil
 consequences of bad Administration, For, as on the one hand, an
 effeminate Pity and undiscereet Compassion makes both the Laws and
 Authority to be trampled on; so, on the other hand, unmix'd wrath
 turns men desperate, and we can't tell what men driven to extremi-
 ties may do,

But let us yet take a nearer view & prospect of the matter, and we shall observe how admirably the two are adjusted to the two great governing passions of man, *Hope and fear*, that are as the helme of Societies; a well temper'd Government, by taking hold of *Them*, constrains men to Good, and restrains from evil. Some Persons are of a Good and Generous disposition; such are a proper province for Mercy to gain; they must be drawn with Cords of a man, and bands of Love; Others have a more ackward temper, and tempt the Ruler to instruct them, as *Gideon* did the men of *Succoth* with Briers and Thorns. In fine, the great variety of Peoples conditions and manners, and their different circumstances, call for different treatment to some, the Melancholy tune of Justice must be Sung, Others must be comforted with the calm and still voice of Mercy.

I come now in the last place, to make some improvement of what is said, by bringing it home to the business of the Day. And I beg liberty to address my self to those Honourable Persons, who had the Government of the City this last year, and are now to lay down the Staff, and commit their power to Others. I trust that ye with respect to your publick management, have the approbation of Heaven and the Testimony of your own Consciences, and honour from men, and, to use our Psalmists Phrase, since God came to you, he has been ever with you, and ye have walk'd with him, and been *Just ruling in the fear of God, and as the light of the Morning, when the Sun riseth, as a morning without Clouds, as the tender Grass springing out of the Earth, by clear shining after Rain*, ye are under the deepest Obligations, to preserve the power in its proper subject, by handing it down to Faithful men; for ye are the Image of God, as ye are men, as Christians, as Magistrats, and as Ministers of Mercy and Justice to the People, look therefore that the Persons ye Elect this day, have the Qualifications required in a good Ruler, *Exod. 18. 21.* *Moreover thou shalt provide out of all the People, able men, such as fear God, men of Truth hating Covetousness, and place such over them to be Rulers, &c.* Let this Text serve as an Authentick Directory to your present Work; for, without a due observance of it in your E-
lection.

lection, there will be an utter neglect of Mercy and Justice. Ye are to chuse Men of great abilities of mind, Persons of good Judgment and prudence. Magistrates should be wise as an Angel of God, of a discerning Spirit, and vast comprehension; they are likewise to be *such as fear God*; "Religion in a Magistrate, (as one well sayeth) strengthens his Authority, because it procures veneration, and gains reputation to it, and in all the Affairs of the World, so much reputation is really, so much power. The Magistrate must have the Greatness of God, and the deformity of vice, and the condition of the People fall in his Eye, which he cannot have, If his heart be not possessed with awful impressions, and a lively sense of the Divine Majesty. This Holy and Religious fear, serves as a powerful restraint on mens Natures, and makes them invincible, though assaulted with the great temptations that accompany their Office. They are also to countenance and encourage Religion by their good example, "The lewd practice of a Ruler (as one sayeth) is very infectious, makes a thousand fall at his side, and ten thousand at his right hand. The best of men are in danger to turn a little worse by promotion, and how much Religion soever they carry to the Bench, it will be found little enough when it comes there. Ye must likewise look out for men that are *lovers of truth*, Judges ought to make a Critical Search, an exact and diligent inquiry after Truth, *The Cause I knew not, says Job, I searched out*; They should copy after our Lord, who judged not by the appearance of the eye. They must not be imposed upon, nor abus'd by an artful representation, and cunning disguise of matters, and gilding of falshood with a fair shew of Truth. And to compleat the Character of men fit to be chosen, they must be *haters of Covetousness. i. e.* Not only innocent of, but full of aversion to that base Vice; it was the Emperour *Hadrian's* common proverb, I am to enrich the People, not my self. and a saying of *Ptolmeus*, the Riches of my subjects are my plenty. Its fit that Magistrates have a flourishing and plentiful fortune; that in dispensing of justice, they may have a single regard to the publick interest, and no mercenary respect to their own. And above all, they

are:

are to have a perfect indignation at that gross perverter of all Justice, *Bribery*, Judges were wont to be pictur'd without hands. To shut up this exhortation, see ye manage your Election with all possible sincerity; consider ye are a Congregation of Gods, and the supreme God is among you, observing and recording all your ways, and weighing your Designs, and penetrating into the most inward and hidden Springs of your Actions; *In the mid'st of you*, diffusing his influences as the Centre of your happiness.

In the second place, I have a word to you, to whom God shall come this day, Take on *David's* vows, to sing of Mercy and Judgement; This hath been God's way with you, let it be your way with the "people. "Know, that though you be Gods on Earth, ye are Subjects of Heaven, and accountable to Him that is Higher than the "Highest. Suffer me to give you a few Directions 1. Exercise Mercy and Justice with Christian Courage, In the Lords cause be bold as a Lyon; let difficulties only serve to whett your Resolutions, kindle your Zeal, and be a Spur to your endeavours. *Solomons* Throne of Judgement was supported by Lyons, an embleme of Courage. The Cowardice of sorry Peasants is altogether unworthy of your Character. He deserves not to wear God's Sword that has not a Heart to draw it, put an intire confidence in the divine protection, and fear nothing. Know, that Providence Exerciseth a peculiar care over Magistrates in the practise and obedience of their Duty? *He is with you in Judgement*: Ye are fenc'd and rail'd about with his Infinit wisdom, Almighty Power, and unchangeable Faithfulness; Trust God for once, and be Jealous for him; Breath Life into the languishing Laws, by Executing them on Notorious Offenders; say to the mighty, list not up the Horn, rise up for God against evil doers. Many disorders abound in the City, make it your business, to drain that deluge of Impiety, that has over-run it; Sin unpunish'd, blows up a Government; 'tis therefore your Wisdom, Interest and Duty, by the due execution of Justice to prevent it. 2. Ye must do it speedily, this seems to be the Dictat of Nature, *Ezra 7: 26*. Slow pac'd Justice, is the next degree to Unjustice: And un-

neces-

necessary Delay in giving of Judgement is a great Grievance. 3. Yet ye would act with great deliberation, which serves as a Check upon the former. Hasty and rash Judgement is a most dangerous thing. An Omniscient God will not punish a *Sodom*, though their Wickedness was notoriously known, till he first bring them to a Trial. The Ruler is to have two Ears to hear both Parties. It was an ingenious Check *Machetas* gave *Philip* of *Macedon*, for giving rash Judgement against him, the King having slumbered all the while the Case was a pleading: *Machetas*, at the giving of the Sentence, with a loud Voice, call'd out, I Appeal, at which *Philip* being surprized, demanded, To whom, To yourself Sir, said he, when you are well awake.

I conclude all with a serious Advice to the Magistrates and the People, to Read, and Consider well that 13 *Romans*, where we have the true Measures of the People Submission, and the Rulers Power.

FINIS.

At this time were Elected Magistrates,

THE RIGHT HONOURABLE

ROBERT CHEISLY, Lord Provost,

John Robertson,

George Hume;

Archibald Rule,

Adam Broun.

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finis

Baillies.



Hugh Blair, Dean of Gild.

Patrick Thomson, Thesaurer.

at this tyme was going of william kitchison bayly

James Currie







