

**LETTER TO LORD SAY AND SEAL**

by

**John Cotton**



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From *The History of Massachusetts Bay* by Thomas Hutchinson, 1764.

## APPENDIX.

### NUMBER II.

Certain Proposals made by Lord Say, Lord Brooke, and other Persons of quality, as conditions of their removing to New-England, with the answers thereto.

DEMAND I. THAT the common-wealth should consist of two distinct ranks of men, whereof the one should be for them and their heirs, gentlemen of the country, the other for them and their heirs, freeholders.

ANSWER. Two distinct ranks we willingly acknowledge, from the light of nature and scripture; the one of them called Princes, or Nobles, or Elders (amongst whom gentlemen have their place) the other the people. Hereditary dignity or honours we willingly allow to the former, unless by the scandalous and base conversation of any of them, they become degenerate. Hereditary liberty, or estate of freemen we willingly allow to the other, unless they also, by some unworthy and slavish carriage, do disfranchise themselves.

DEM. 2. That in these gentlemen and freeholders, assembled together, the chief power of the common-wealth shall be placed, both for making and repealing laws.

ANS. So it is with us.

DEM. 3. That each of these two ranks should, in all public assemblies, have a negative voice, so as without a mutual consent nothing should be established.

ANS. So it is agreed among us.

DEM. 4. That the first rank, consisting of gentlemen, should have power, for them and their heirs, to come to the parliaments or public assemblies, and there to give their free votes personally; the second rank of freeholders should have the same power for them and their heirs of meeting and voting, but by their deputies.

Ans.

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ANS. Thus far this demand is practised among us. The freemen meet and vote by their deputies; the other link give their votes personally, only with this difference, there be no more of the gentlemen that give their votes personally, but such as are chosen to places of office, either governors, deputy governors, councillors, or assistants. All gentlemen in England have not that honour to meet Did vote personally in Parliament, much less all their heirs. But of this more fully, in an answer to the ninth and tenth demand.

DEM. 5. That for facilitating and dispatch of business, and other reasons, the gentlemen and freeholders should fit and hold their meetings in two distinct houses.

ANS. We willingly approve the motion, only as yet it is not so practised among us, but in time, the variety and discrepancy of sundry occurrences will put them upon a necessity of sitting apart.

DEM. 6. That there shall be set times for these meetings, annually or half yearly, or as shall be thought fit by common consent, which meetings should have a set time for their continuance, but should be adjourned or broken off at the discretion of both houses.

ANS. Public meetings, in general courts, are by charter appointed to be quarterly, which, in this infancy of the colony, wherein many things frequently occur which need settling, hath been of good use, but when things are more fully settled in due order, it is likely that yearly or half yearly meetings will be sufficient. For the continuance or breaking up of these courts, nothing is done but with the joint consent of both branches.

DEM. 7. That it shall be in the power of this parliament, thus constituted and assembled, to call the governor and all publick officers to account, to create new officers, and to determine them already set up: and, the better to stop the way to insolence and ambition, it may be ordered that all offices and fees of office shall, every parliament, determine, unless they be new confirmed the last day of every session.

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ANS. This power to call governors and all officers to account, and to create new and determine the old, is settled already in the general court or parliament, only it is not put forth but once in the year, viz. at the great and general court in May, when the governor is chosen.

DEM. 8. That the governor shall ever be chosen out of the rank of gentlemen.

ANS. We never practice otherwise, chusing the governor either out of the assistants, which is our ordinary course, or out of approved known gentlemen, as this year\* Mr. Vane.

DEM. 9. That, for the present, the Right Honorable the Lord Viscount Say and Seale, the Lord Brooke, who have already been at great disbursements for the public works in New-England, and such other gentlemen of approved sincerity and worth, as they, before their personal remove, shall take into their number, should be admitted for them and their heirs, gentlemen of the country. But, for the future, none shall be admitted into this rank but by the content of both houses.

ANS. The great disbursements of these noble personages and worthy gentlemen we thankfully acknowledge, because the safety and presence of our brethren at Connecticut is no small blessing and comfort to us. But, though that charge had never been disbursed, the worth of the honorable persons named is so well known to all, and our need of such supports and guides is so sensible to ourselves, that we do not doubt the country would thankfully accept it, as a singular favor from God and from them, if he should bow their hearts to come into this wilderness and help us. As for accepting them and their heirs into the number of gentlemen of the country, the custom of this country is, and readily would be, to receive and acknowledge, not only all such eminent persons as themselves and the gentlemen they speak of, bin others of meaner efface, so be it is of some eminency, to be for them and their heirs, gentlemen of the country. Only, thus standeth our case. Though we receive them with honor and allow them

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\* 1636.

preeminence and accommodations according to their condition, yet we do not, ordinarily, call them forth to the power of election, or administration of magistracy, until they be received as members into some of our churches, a privilege, which we doubt not religious gentlemen will willingly desire (as David did in Psal. xxvii. 4.) and christian churches will as readily impart to such desirable persons. Hereditary honors both nature and scripture doth acknowledge (Eccles. xix. 17.) but hereditary authority and power standeth only by the civil laws of some commonwealths, and yet, even amongst them, the authority and power of the father is no where communicated, together with his honors, unto all his posterity. Where God blesseth any branch of any noble or generous family, with a spirit and gifts fit for government, it would be a taking of God's name in vain to put such a talent under a bushel, and a sin against the honor of magistracy to neglect such in our public elections. But if God should not delight to furnish some of their posterity with gifts fit for magistracy, we should expose them rather to reproach and prejudice, and the commonwealth with them, than exalt them to honor, if we should call them forth, when God doth not, to public authority.

DEM. 10. That the rank of freeholders shall be made up of such, as shall have so much personal estate there, as shall bethought fit for men of that condition, and have contributed, some fit proportion, to the public charge of the wintry, either by their disbursements or labors.

Ans. We must confess our ordinary practice to be otherwise. For, excepting the old planters, i.e. Mr. Humphry, who himself was admitted an assistant at London, and all of them freemen, before the churches here were established, none are admitted freemen of this commonwealth but such as are first admitted members of some church or other in this country, and, of such, none are excluded from the liberty of freemen. And out of such only, I mean the more eminent sort of such, it is that our magistrates are chosen. Both which points we should



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willingly persuade our people to change, if we could make it appear to them, that such a change might be made according to God; for, to give you a true account of the grounds of our proceedings herein, it seemeth to them, and also to us, to be a divine ordinance (and moral) that none should be appointed and chosen by the people of God, magistrates over them, but men fearing God (Ex. xviii. 21.) chosen out of their brethren (Deut. xvii. 15.) saints (1 Cor. vi. 1.) Yea, the apostle maketh it a shame to the church, if it be not able to afford wise men from out of themselves, which shall be able to judge all civil matters between their brethren (ver. 5.) And Solomon maketh it the joy of a commonwealth, when the righteous are in authority, and the calamity thereof, when the wicked bear rule. Prov. xxix. 2.

OBJ. If it be said, there may be many carnal men whom God hath inverted with sundry eminent gifts of wisdom, courage, justice, fit for government.

ANS. Such may be fit to be consulted with and employed by governors, according to the quality and use of their gifts and parts, but yet are men not fit to be trusted with place of standing power or settled authority. Ahithophel's wisdom may be fit to be heard (as an oracle of God) but not fit to be trusted with power of settled magistracy, lest he at last call for 12000 men to lead them forth against David, 2 Sam. xvii. 1, 2, 3. The best gifts and parts, under a covenant of works (under which all carnal men and hypocrites be) will at length turn aside by crooked ways, to depart from God, and, finally, to fight against God, and are therefore, herein, opposed to good men and upright in heart, Psal. cxxv. 4, 5.

OBJ. If it be said again, that then the church estate could not be compatible with any commonwealth under heaven.

ANS. It is one thing for the church or members of the church, loyally to submit unto any form of government, when it is above their calling to reform it, another thing to chuse a form of government and governors discrepant

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from the rule. Now, if it be a divine truth, that none are to be trailed with public permanent authority but godly men, who are fit materials for church fellowship, then from the same grounds it will appear, that none are so fit to be trusted with the liberties of the commonwealth as church members. For, the liberties of the freemen of this commonwealth are such, as require men of faithful integrity to God and the state, to preserve the same. Their liberties, among others, are chiefly these. 1. To chuse all magistrates, and to call them to account at their general courts. 1. To chuse such burgesses, every general court, as with the magistrates shall make or repeal all laws. Now both these liberties ate such, as carry along much power with them, either to establish or subvert the commonwealth, and therewith the church, which power, if it be committed to men not according to their godliness, which maketh them fit for church fellowship, but according to their wealthy which, as such, makes them no better than wordly men, then, in case worldly men should prove the major part, as soon they might do, they would as readily set over us magistrates like themselves, such as might hate us according to the curse, Levit. xxvi. 17. and turn the edge of all authority and laws against the church and the members thereof, the maintenance of whose peace is the chief end which God aimed it in the institution of Magistracy. 1 Tim. ii. 1, 2.

## NUMBER III.

Copy of a Letter from Mr. COTTON to Lord  
SAY and SEAL in the Year 1636.

Right honourable,

WHAT your Lordship writeth of Dr. Twisse his works *de scientiâ mediâ*, and of the sabbath, it did refresh me to reade, that his labors of such arguments were like to come to light; and it would refresh me much more to see them here: though (for my owne particular) till I gett some release from some constant labors here (which the church is desirous to procure) I can get litle, or noe oppertunity to reade any thing, or attend to any thing, but the dayly occurrences which presse in upon me continually, much beyond my strength either of body or minde. Your Lordships advertisement touching the civill state of this colony, as they doe breath forth your singular wisdome, and faithfulness, and tender care of the peace, so wee have noe reason to misinterprite, or undervalue your Lordships eyther directions, or intentions therein. I know noe man under heaven (I speake in Gods feare without flattery) whose counsell I should rather depend upon, for the wise administration of a civill state according to God, than upon your Lordship, and such confidence have I (not in you) but in the Lords presence in Christ with you, that I should never feare to betrust a greater commonwealth than this (as much as in us lyeth) under such a *perpetuâ dictaturâ* as your Lordship mould prescribe. For I nothing doubt, but that eyther your Lordship would prescribe all things according to the rule, or be willing to examine againe, and againe, all things according to it. I am very apt to believe, what Mr. Perkins hath, in one of his prefarory pages to his golden chaine, that the word, and scriptures

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of God doe conteyne a short *upoluposis*, or platforme, not onely of theology, but also of other sacred sciences, (as he calleth them) attendants, and handmaids thereunto, which he maketh ethicks, eoconomicks, politicks, church-government, prophecy, academy. It is very suitable to Gods all-sufficient wisdome, and to the fulnes and perfection of Holy Scriptures, not only to prescribe perfect rules for the tight ordering of a private mans soule to everlasting blessednes with himselfe, but also for the right ordering of a mans family, yea, of the commonwealth too, so farre as both of them are subordinate to spiritual ends, and yet avoide both the churches usurpation upon civill jurisdictions, *in ordine ad spiritualia*, and the commonwealths invasion upon ecclesiasticall administrations, *in ordine* to civill peace, and conformity to the civill state. Gods institutions (such as the government of church and of commonwealth be) may be close and compact, and co-ordinate one to another, and yet not confounded. God hath so framed the state of church government and ordinances, that they may be compatible to any common-wealth, though never so much disordered in his frame. But yet when a commonwealth hath liberty to mould his owne frame (*scripturæ plenitudinem adoro*) I conceyve the scripture hath given full direction for the right ordering of the same, and that, in such sort as may best mainteyne the *euexia* of the church. Mr. Hooker doth often quote a saying out of Mr. Cartwright (though I have not read it in him) that noe man fashioneth his house to his hangings, but his hangings to his house. It is better that the commonwealth be fashioned to the setting forth of Gods house, which is his church: than to accommodate the church frame to the civill state. Democracy, I do not conceyve that ever God did ordeyne as a fitt government eyther for church or commonwealth. If the people be governors, who shall be governed? As for monarchy, and aristocracy, they are both of them clearely approved, and directed in scripture, yet so as referrth the soveraigntie

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to himselfe, and setteth up Theocracy in both, at the best forme of government in the commonwealth, at well at in the church.

The law, which your Lordship instanceth in [that none shall be chosen to magistracy among us but a church member] was made and enacted before I came into the country; but I have hitherto wanted sufficient light to plead against it. 1st. The rule that directeth the choice of supream governors, is of like æquitie and weight in all magistrates, that one of their brethren (not a stranger) should be set over them, Deut. 17. 15. and Jethroes counsell to Moses was approved of God, that the judges, and officers to be set over the people, should be men fearing God, Exod. 18. 21. and Solomon maketh it the joy of a commonwealth, when the righteous are in authority, and their mourning when the wicked rule, Prov. 29. 21. Jab 34. 30. Your Lordship's feare, that this will bring in papal excommunication, is just, and pious: but let your Lordship be pleased againe to consider whether the consequence be necessary. *Turpius ejicitur quam non admittitur*: non-membership may be a just cause of non-admission to the place of magistracy, but yet, ejection out of his membership will not be a just cause of ejecting him out of his magistracy. A godly woman, being to make choice of an husband, may justly refuse a man that is eyther cast out of church fellowship, or is not yet receyved into it, but yet, when shee is once given to him, shee may not reject him then, for such defect. Mr. Humfrey was chosen for an assistant (as I heare) before the colony came over hither: and, though he be not as yet ioyned into church fellowship (by reason of the unsetlednes of the congregation where he liveth) yet the commonwealth doe (till continue his magistracy to him, as knowing he waiteth for opportunity of enjoying church fellowship shortly.

When your Lordship doubteth, that this corse will draw all things under the determination or the church, *in ordine ad spiritualia* (seeing the church is to, determine who (half

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be members, and none but a member may have to doe in the government of a commonwealth) be pleased (I pray you) to conceyve, that magistrates are neyther chosen to office in the church, nor doe governe by directions from the church, but by civill lawes, and those enacted in generall corts, and executed in corts of justice, by the governors and assistants. In all which, the church (as the church) hath nothing to doe: onely, it prepareth fitt instruments both to rule, and to choose rulers, which is no ambition in the church, nor dishonor to the commonwealth, the apostle, on the contrary, thought it a great dishonor and reproach to the church of Christ, if it were not able to yield able judges to heare and determine all causes amongst their brethren, 1 Cor. 6. 1. to 5. which place alone seemeth to me fully to decide this question: for it plainly holdeth forth this argument: It is a shame to the church to want able judges of civill matters (as v. 5.) and an audacious act in any church member voluntarily to go for judgment, otherwhere than before the saints (as v. 1.) then it will be noe arrogance nor folly in church members, nor prejudice to the commonwealth, if voluntarily they never choose any civill judges, but from amongst the saints, such as church members are called to be. But the former is clearer and how then can the latter be avoyded. If this therefore be (as your Lordship rightly conceyveth one of the maine objections if not the onely one) which hindereth this commonwealth from the entertainment of the propositions of those worthy gentlemen, wee intreate them, in the name of the Lord Jesus, to confider, in meeknes of wisdome, it is not any conceite or will of ours, but the holy counsell and will of the Lord Jesus (whom they seeke to serve as well as wee) that overruleth us in this case: and we trust will overrule them also, that the Lord onely may be exalted amongst all his servants. What pittie and griefe were it, that the observance of the will of Christ should hinder good things from us!

But your Lordship doubteth, that if such a rule were necessary, then the church estate and the best ordered

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commonwealth in the world were not compatible. But let not your Lordship so conceyve. For, the church submitteth itselfe to all the lawes and ordinances of men, in what commonwealth soever they come to dwell. But it is one thing, to submit unto what they have noe calling to reforme: another thing, voluntarily to ordeyne a forme of government, which to the best discerning of many of us (for I speake not of myselfe) is expressly contrary to rule. Nor neede your Lordship feare (which yet I speake with submission to your Lordships better judgment; that this course will lay such a foundation, as nothing but a mere democracy can be built upon it. Bodine confesseth, that though it be *status popularis*, where a people choose their owne governours; yet the government is not a democracy, if it be administred, not by the people, but by the governours, whether one (for then it is a monarchy, though elective) or by many, for then (as you know) it is aristocracy. In which respect it is, that church government is justly derived (even by Mr. Robinson) to be democratical, though the people choose their owne officers and rulers.

Nor neede wee feare, that this course will, in time, call the commonwealth into distractions, and popular, confusions. For (under correction) these three things doe not undermine, but doe mutually and strongly mainteyne one another (even these three which wee principally aime at) authority in magistrates, liberty in people, purity in the church. Purity, preserved in the church, will preserve well ordered liberty in the people, and both of them establish well-ballanced authority in the magistrates. God is the author of all these three, and neyther is himselfe the God of confusion, nor are his wayes the wayes of confusion, but of peace.

What our brethren (magistrates or ministers, or leading freeholders) will answer to the rest of the propositions, I shall better understand before the gentlemans returne from Connecticutt, who brought them over. Mean while two of the pricipall of them, the generall cort hath already

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condescended unto. 1. In establishing a standing councell, who, during their lives, should assist the governor in managing the chiefest affayres of this little state. They have chosen, for the present, onely two (Mr. Winthrope and Mr. Dudley), not willing to choose more, till they see what further better choise the Lord will send over to them, that so they may keep an open doore, for such desireable gentlemen as your Lordship mentioneth. 2. They have graunted the governor and assistants a negative voyce, and reserved to the freemen the like liberty also. Touching other things, I hope to give your Lordship further account, when the gentleman returneth.

He being now returned, I have delivered to him an answer to the rest of your demands,† according to the mindes of such leading men amongst us, as I thought meete to consult withall, concealing your name from any, except 2 or 3, who alike doe concurr in a joynt desire of yeilding to any such propositions, as your Lordship demanded, so farre as with allowance from the word they may, beyond which I know your Lordship would not require any thing.

Now the Lord Jesus Christ (the prince of peace) keepe and bless your Lordship, and dispose of all your times and talents to his best advantage: and let the covenant of his grace and peace rest upon your honourable family and posterity throughout all generations.

Thus, humbly craving pardon for my boldnesse and length, I take leave and rest,

Your Honours to serve in Christ Jesus,  
J. C.

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† Appendix No II.