

BOOK 4

**FROM THE REJECTION OF
THAT GENERATION TO THE
DEATH OF MOSES**

Flavius Josephus

Chapter 1

Fight of the Hebrews With the Canaanites

1. Now this life of the Hebrews in the wilderness was so disagreeable and troublesome to them, and they were so uneasy at it, that although God had forbidden them to meddle with the Canaanites, yet could they not be persuaded to be obedient to the words of Moses, and to be quiet; but supposing they should be able to beat their enemies, without his approbation, they accused him, and suspected that he made it his business to keep in a distressed condition, that they might always stand in need of his assistance. Accordingly they resolved to fight with the Canaanites, and said that God gave them his assistance, not out of regard to Moses's intercessions, but because he took care of their entire nation, on account of their forefathers, whose affairs he took under his own conduct; as also, that it was on account of their own virtue that he had formerly procured them their liberty, and would be assisting to them, now they were willing to take pains for it. They also said that they were possessed of abilities sufficient for the conquest of their enemies, although Moses should have a mind to alienate God from them; that, however, it was for their advantage to be their own masters, and not so far to rejoice in their deliverance from the indignities they endured under the Egyptians, as to bear the tyranny of Moses over them, and to suffer themselves to be deluded, and live according to his pleasure, as though God did only foretell what concerns us out of his kindness to him, as if they were not all the posterity of Abraham; that God made him alone the author of all the knowledge we have, and we must still learn it from him; that it would be a piece of prudence to oppose his arrogant pretenses, and to put their confidence in God, and to resolve to take possession of that land which he had promised them, and not to give ear to him, who on this account, and under the pretense of Divine authority, forbade them so to do. Considering, therefore, the distressed state they were in at present, and that in those desert

places they were still to expect things would be worse with them, they resolved to fight with the Canaanites, as submitting only to God, their supreme Commander, and not waiting for any assistance from their legislator.

2. When, therefore, they had come to this resolution, as being best for them, they went against their enemies; but those enemies were not dismayed either at the attack itself, or at the great multitude that made it, and received them with great courage. Many of the Hebrews were slain; and the remainder of the army, upon the disorder of their troops, were pursued, and fled, after a shameful manner, to their camp. Whereupon this unexpected misfortune made them quite despond; and they hoped for nothing that was good; as gathering from it, that this affliction came from the wrath of God, because they rashly went out to war without his approbation.

3. But when Moses saw how deeply they were affected with this defeat, and being afraid lest the enemies should grow insolent upon this victory, and should be desirous of gaining still greater glory, and should attack them, he resolved that it was proper to withdraw the army into the wilderness to a further distance from the Canaanites: so the multitude gave themselves up again to his conduct, for they were sensible that, without his care for them, their affairs could not be in a good condition; and he caused the host to remove, and he went further into the wilderness, as intending there to let them rest, and not to permit them to fight the Canaanites before God should afford them a more favorable opportunity.

Chapter 2

The Seditious of Corah and of the Multitude Against Moses

1. That which is usually the case of great armies, and especially upon ill success, to be hard to be pleased, and governed with difficulty, did now befall the Jews; for they being in number six hundred thousand, and by reason of their great multitude not readily subject to their governors, even in prosperity, they at this time were more than usually angry, both against one another and against their leader, because of the distress they were in, and the calamities they then endured. Such a sedition overtook them, as we have not the like example either among the Greeks or the Barbarians, by which they were in danger of being all destroyed, but were notwithstanding saved by Moses, who would not remember that he had been almost stoned to death by them. Nor did God neglect to prevent their ruin; but, notwithstanding the indignities they had offered their legislator and the laws, and disobedience to the commandments which he had sent them by Moses, he delivered them from those terrible calamities which, without his providential care, had been brought upon them by this sedition. So I will first explain the cause whence this sedition arose, and then will give an account of the sedition itself; as also of what settlements made for their government after it was over.

2. Corah, a Hebrew of principal account, both by his family and by his wealth, one that was also able to speak well, and one that could easily persuade the people by his speeches, saw that Moses was in an exceeding great dignity, and was at it, and envied him on that account, (he of the same tribe with Moses, and of kin to him,) was particularly grieved, because he thought he better deserved that honorable post on account of great riches, and not inferior to him in his birth. So he raised a clamor against him among the Levites, who were of the same tribe, and among his kindred, saying,

"That it was a very sad thing that they should overlook Moses, while hunted after and paved the way to glory for himself, and by ill arts should obtain it, under the pretense of God's command, while, contrary to laws, he had given the priesthood to Aaron, the common suffrage of the multitude, but by his own vote, as bestowing dignities in a way on whom he pleased." He added, "That this concealed way of imposing on them was harder to be borne than if it had been done by an open force upon them, because he did now not only their power without their consent, but even they were unapprised of his contrivances against them; for whosoever is conscious to himself that he deserves any dignity, aims to get it by persuasion, and not by an arrogant method of violence; those that believe it impossible to obtain honors justly, make a show of goodness, and do not introduce force, but by cunning tricks grow wickedly powerful. That it was proper for the multitude to punish such men, even while they think themselves concealed in their designs, and not suffer them to gain strength till they have them for their open enemies. For what account," added he, "is Moses able to give, why he has bestowed the priesthood on Aaron and his sons? for if God had determined to bestow that honor on one of the tribe of Levi, I am more worthy of it than he is; I myself being equal to Moses by my family, and superior to him both in riches and in age: but if God had determined to bestow it on the eldest be, that of Reuben might have it most justly; and then Dathan, and Abiram, and [On, the son of] Peleth, would have it; for these are the oldest men of that tribe, and potent on account of their great wealth also."

3. Now Corah, when he said this, had a mind to appear to take care of the public welfare, but in reality he was endeavoring to procure to have that dignity transferred by the multitude to himself. Thus did he, out of a malignant design, but with discourse to those of his own tribe; when these words did gradually spread to more people, and when the hearers still added to what tended to the scandals that were cast upon the whole army was full of them. Now of those that conspired with Corah, there were two hundred and fifty, and those of the principal men also, who were eager to have the

priesthood taken away from Moses's brother, and to bring him into disgrace: nay, the multitude themselves were provoked to be seditious, and attempted to stone Moses, wad gathered themselves together after an indecent manner, with confusion and disorder. And now all were, in a tumultuous manner, raising a before the tabernacle of God, to prosecute the tyrant, and to relieve the multitude from their slavery under him who, under color of the Divine laid violent injunctions upon them; for had it been God who chose one that was to the office of a priest, he would have raised person to that dignity, and would not produced such a one as was inferior to many others nor have given him that office; and that in he had judged it fit to bestow it on Aaron, he would have permitted it to the multitude to bestow it, and not have left it to be bestowed by his own brother.

4. Now although Moses had a great while ago foreseen this calumny of Corah, and had seen the people were irritated, yet was he not affrighted at it; but being of good courage, because given them right advice about their affairs, and knowing that his brother had been made partaker of the priesthood at the command of God, and not by his own favor to him, he came to the assembly; and as for the multitude, he said not a word to them, but spake as loud to Corah as he could; and being very skillful in making speeches, and having this natural talent, among others, that he could greatly move the multitude with his discourses, he said, "O Corah, both thou and all these with thee (pointing to the two hundred and fifty men) seem to be worthy of this honor; nor do I pretend but that this whole company may be worthy of the like dignity, although they may not be so rich or so great as you are: nor have I taken and given this office to my brother because he excelled others in riches, for thou exceedest us both in the greatness of thy wealth; (1) nor indeed because he was of an eminent family, for God, by giving us the same common ancestor, has made our families equal: nay, nor was it out of brotherly affection, which another might yet have justly done; for certainly, unless I had bestowed this honor out of regard to God, and to his laws, I had not passed by myself, and given it to another, as being nearer

of kin to myself than to my brother, and having a closer intimacy with myself than I have with him; for surely it would not be a wise thing for me to expose myself to the dangers of offending, and to bestow the happy employment on this account upon another. But I am above such base practices: nor would God have overlooked this matter, and seen himself thus despised; nor would he have suffered you to be ignorant of what you were to do, in order to please him; but he hath himself chosen one that is to perform that sacred office to him, and thereby freed us from that care. So that it was not a thing that I pretend to give, but only according to the determination of God; I therefore propose it still to be contended for by such as please to put in for it, only desiring that he who has been already preferred, and has already obtained it, may be allowed now also to offer himself for a candidate. He prefers your peace, and your living without sedition, to this honorable employment, although in truth it was with your approbation that he obtained it; for though God were the donor, yet do we not offend when we think fit to accept it with your good-will; yet would it have been an instance of impiety not to have taken that honorable employment when he offered it; nay, it had been exceedingly unreasonable, when God had thought fit any one should have it for all time to come, and had made it secure and firm to him, to have refused it. However, he himself will judge again who it shall be whom he would have to offer sacrifices to him, and to have the direction of matters of religion; for it is absurd that Corah, who is ambitious of this honor, should deprive God of the power of giving it to whom he pleases. Put an end, therefore, to your sedition and disturbance on this account; and tomorrow morning do every one of you that desire the priesthood bring a censer from home, and come hither with incense and fire: and do thou, O Corah, leave the judgment to God, and await to see on which side he will give his determination upon this occasion, but do not thou make thyself greater than God. Do thou also come, that this contest about this honorable employment may receive determination. And I suppose we may admit Aaron without offense, to offer himself to this scrutiny, since he is of the same lineage with thyself, and has done nothing in his priesthood that can be liable

to exception. Come ye therefore together, and offer your incense in public before all the people; and when you offer it, he whose sacrifice God shall accept shall be ordained to the priesthood, and shall be clear of the present calumny on Aaron, as if I had granted him that favor because he was my brother."

Footnote:

1. Reland here takes notice, that although our Bibles say little or nothing of these riches of Corah, yet that both the Jews and Mahommedans, as well as Josephus, are full of it.

Chapter 3

Those That Stirred Up This Seditious Were Destroyed

1. When Moses had said this, the multitude left off the turbulent behavior they had indulged, and the suspicion they had of Moses, and commended what he had said; for those proposals were good, and were so esteemed of the people. At that time therefore they dissolved the assembly. But on the next day they came to the congregation, in order to be present at the sacrifice, and at the determination that was to be made between the candidates for the priesthood. Now this congregation proved a turbulent one, and the multitude were in great suspense in expectation of what was to be done; for some of them would have been pleased if Moses had been convicted of evil practices, but the wiser sort desired that they might be delivered from the present disorder and disturbance; for they were afraid, that if this sedition went on, the good order of their settlement would rather be destroyed; but the whole body of the people do naturally delight in clamors against their governors, and, by changing their opinions upon the harangues of every speaker, disturb the public tranquillity. And now Moses sent messengers for Abiram and Dathan, and ordered them to come to the assembly, and wait there for the holy offices that were to be performed. But they answered the messenger, that they would not obey his summons; nay, would not overlook Moses's behavior, who was growing too great for them by evil practices. Now when Moses heard of this their answer, he desired the heads of the people to follow him, and he went to the faction of Dathan, not thinking it any frightful thing at all to go to these insolent people; so they made no opposition, but went along with him. But Dathan, and his associates, when they understood that Moses and the principal of the people were coming to them, came out, with their wives and children, and stood before their tents, and looked to see what Moses would do. They had also

their servants about them to defend themselves, in case Moses should use force against them.

2. But he came near, and lifted up his hands to heaven, and cried out with a loud voice, in order to be heard by the whole multitude, and said, "O Lord of the creatures that are in the heaven, in the earth, and in the sea; for thou art the most authentic witness to what I have done, that it has all been done by thy appointment, and that it was thou that affordedst us assistance when we attempted any thing, and showedst mercy on the Hebrews in all their distresses; do thou come now, and hear all that I say, for no action or thought escapes thy knowledge; so that thou wilt not disdain to speak what is true, for my vindication, without any regard to the ungrateful imputations of these men. As for what was done before I was born, thou knowest best, as not learning them by report, but seeing them, and being present with them when they were done; but for what has been done of late, and which these men, although they know them well enough, unjustly pretend to suspect, be thou my witness. When I lived a private quiet life, I left those good things which, by my own diligence, and by thy counsel, I enjoyed with Raguel my father-in-law; and I gave myself up to this people, and underwent many miseries on their account. I also bore great labors at first, in order to obtain liberty for them, and now in order to their preservation; and have always showed myself ready to assist them in every distress of theirs. Now, therefore, since I am suspected by those very men whose being is owing to my labors, come thou, as it is reasonable to hope thou wilt; thou, I say, who showedst me that fire at mount Sinai, and madest me to hear its voice, and to see the several wonders which that place afforded thou who commandedst me to go to Egypt, and declare thy will to this people; thou who disturbest the happy estate of the Egyptians, and gavest us the opportunity of flying away from our under them, and madest the dominion of Pharaoh inferior to my dominion; thou who didst make the sea dry land for us, when we knew not whither to go, and didst overwhelm the Egyptians with those destructive waves which had been divided for us; thou who didst bestow upon us the

security of weapons when we were naked; thou who didst make the fountains that were corrupted to flow, so as to be fit for drinking, and didst furnish us with water that came out of the rocks, when we were in want of it; thou who didst preserve our lives with [quails, which was] food from the sea, when the fruits of the ground failed us; thou didst send us such food from heaven as had never been seen before; thou who didst suggest to us the knowledge of thy laws, and appoint to us a of government, - come thou, I say, O Lord of the whole world, and that as such a Judge and a Witness to me as cannot be bribed, and show how I never admitted of any gift against justice from any of the Hebrews; and have never condemned a man that ought to have been acquitted, on account of one that was rich; and have never attempted to hurt this commonwealth. I am now and am suspected of a thing the remotest from my intentions, as if I had given the preisthood to Aaron, not at thy command, but out own favor to him; do thou at this time demonstrate that all things are administered by thy providence and that nothing happens by chance, but is governed by thy will, and thereby attains its end: as also demonstrate that thou takest care that have done good to the Hebrews; demonstrate this, I say, by the punishment of Abiram and Dathan, who condemn thee as an insensible Being, and one overcome by my contrivances. This thou do by inflicting such an open punishment on these men who so madly fly in the face of thy glory, as will take them out of the world, not in an manner, but so that it may appear they do die after the manner of other men: let that ground which they tread upon open about them and consume them, with their families and goods. This will be a demonstration of thy power to all and this method of their sufferings will be an instruction of wisdom for those that entertain profane sentiments of thee. By this means I shall be a good servant, in the precepts thou hast given by me. But if the calumnies they have raised against me be true, mayst thou preserve these men from every evil accident, and bring all that destruction on me which I have imprecated upon them. And when thou hast inflicted punishment on those that have endeavored to deal unjustly with this people, bestow upon them concord and peace. Save this multitude that follow thy commandments, and preserve them free from

harm, and let them not partake of the punishment of those that have sinned; for thou knowest thyself it is not just, that for the wickedness of those men the whole body of the Israelites should suffer punishment."

3. When Moses had said this, with tears in his eyes, the ground was moved on a sudden; and the agitation that set it in motion was like that which the wind produces in waves of the sea. The people were all aftrighted; and the ground that was about their tents sunk down at the great noise, with a terrible sound, and carried whatsoever was dear to the seditious into itself, who so entirely perished, that there was not the least appearance that any man had ever been seen there, the earth that had opened itself about them, closing again, and becoming entire as it was before, insomuch that such as saw it afterward did not perceive that any such accident had happened to it. Thus did these men perish, and become a demonstration of the power of God. And truly, any one would lament them, not only on account of this calamity that befell them, which yet deserves our commiseration, but also because their kindred were pleased with their sufferings; for they forgot the relation they bare to them, and at the sight of this sad accident approved of the judgment given against them; and because they looked upon the people about Dathan as pestilent men, they thought they perished as such, and did not grieve for them.

4. And now Moses called for those that contended about the priesthood, that trial might be made who should be priest, and that he whose sacrifice God was best pleased with might be ordained to that function. There attended two hundred and fifty men, who indeed were honored by the people, not only on account of the power of their ancestors, but also on account of their own, in which they excelled the others: Aaron also and Corah came forth, and they all offered incense, in those censers of theirs which they brought with them, before the tabernacle. Hereupon so great a fire shone out as no one ever saw in any that is made by the hand of man, neither in those eruptions out of the earth that are caused by subterraneous

burn-rags, nor in such fires as arise of their own accord in the woods, when the agitation is caused by the trees rubbing one against another: but this fire was very bright, and had a terrible flame, such as is kindled at the command of God; by whose irruption on them, all the company, and Corah himself, were destroyed, (1) and this so entirely, that their very bodies left no remains behind them. Aaron alone was preserved, and not at all hurt by the fire, because it was God that sent the fire to burn those only who ought to be burned. Hereupon Moses, after these men were destroyed, was desirous that the memory of this judgment might be delivered down to posterity, and that future ages might be acquainted with it; and so he commanded Eleazar, the son of Aaron, to put their censers near the brazen altar, that they might be a memorial to posterity of what these men suffered, for supposing that the power of God might be eluded. And thus Aaron was now no longer esteemed to have the priesthood by the favor of Moses, but by the public judgment of God; and thus he and his children peaceably enjoyed that honor afterward.

Footnote:

1. It appears here, and from the Samaritan Pentateuch, and, in effect, from the psalmist, as also from the Apostolical Constitutions, from Clement's First Epistle to the Corinthians, from Ignatius's Epistle to the Magnesians, and from Eusebius, that Corah was not swallowed up with the Reubenites, but burned with the Levites of his own tribe. See Essay on the Old Testament, p. 64, 65.

Chapter 4

The Thirty-Eight Years in the Wilderness

1. However, this sedition was so far from ceasing upon this destruction, that it grew much stronger, and became more intolerable. And the occasion of its growing worse was of that nature, as made it likely the calamity would never cease, but last for a long time; for the men, believing already that nothing is done without the providence of God, would have it that these things came thus to pass not without God's favor to Moses; they therefore laid the blame upon him that God was so angry, and that this happened not so much because of the wickedness of those that were punished, as because Moses procured the punishment; and that these men had been destroyed without any sin of theirs, only because they were zealous about the Divine worship; as also, that he who had been the cause of this diminution of the people, by destroying so many men, and those the most excellent of them all, besides his escaping any punishment himself, had now given the priesthood to his brother so firmly, that nobody could any longer dispute it with him; for no one else, to be sure, could now put in for it, since he must have seen those that first did so to have miserably perished. Nay, besides this, the kindred of those that were destroyed made great entreaties to the multitude to abate the arrogance of Moses, because it would be safest for them so to do.

2. Now Moses, upon his hearing for a good while that the people were tumultuous, was afraid that they would attempt some other innovation, and that some great and sad calamity would be the consequence. He called the multitude to a congregation, and patiently heard what apology they had to make for themselves, without opposing them, and this lest he should embitter the multitude: he only desired the heads of the tribes to bring their rods, (1) with the names of their tribes inscribed upon them, and that he should receive the priesthood in whose rod God should give a sign. This was agreed

to. So the rest brought their rods, as did Aaron also, who had written the tribe of Levi on his rod. These rods Moses laid up in the tabernacle of God. On the next day he brought out the rods, which were known from one another by those who brought them, they having distinctly noted them, as had the multitude also; and as to the rest, in the same form Moses had received them, in that they saw them still; but they also saw buds and branches grown out of Aaron's rod, with ripe fruits upon them; they were almonds, the rod having been cut out of that tree. The people were so amazed at this strange sight, that though Moses and Aaron were before under some degree of hatred, they now laid that hatred aside, and began to admire the judgment of God concerning them; so that hereafter they applauded what God had decreed, and permitted Aaron to enjoy the priesthood peaceably. And thus God ordained him priest three several times, and he retained that honor without further disturbance. And hereby this sedition of the Hebrews, which had been a great one, and had lasted a great while, was at last composed.

3. And now Moses, because the tribe of Levi was made free from war and warlike expeditions, and was set apart for the Divine worship, lest they should want and seek after the necessaries of life, and so neglect the temple, commanded the Hebrews, according to the will of God, that when they should gain the possession of the land of Canaan, they should assign forty-eight good and fair cities to the Levites; and permit them to enjoy their suburbs, as far as the limit of two thousand cubits would extend from the walls of the city. And besides this, he appointed that the people should pay the tithe of their annual fruits of the earth, both to the Levites and to the priests. And this is what that tribe receives of the multitude; but I think it necessary to set down what is paid by all, peculiarly to the priests.

4. Accordingly he commanded the Levites to yield up to the priests thirteen of their forty-eight cities, and to set apart for them the tenth part of the tithes which they every year receive of the people; as also, that it was but just to offer to God the first-fruits of the entire product of the ground; and

that they should offer the first-born of those four-footed beasts that are appointed for sacrifices, if it be a male, to the priests, to be slain, that they and their entire families may eat them in the holy city; but that the owners of those first-born which are not appointed for sacrifices in the laws of our country, should bring a shekel and a half in their stead: but for the first-born of a man, five shekels: that they should also have the first-fruits out of the shearing of the sheep; and that when any baked bread corn, and made loaves of it, they should give somewhat of what they had baked to them. Moreover, when any have made a sacred vow, I mean those that are called Nazarites, that suffer their hair to grow long, and use no wine, when they consecrate their hair, (2) and offer it for a sacrifice, they are to allot that hair for the priests [to be thrown into the fire]. Such also as dedicate themselves to God, as a corban, which denotes what the Greeks call a gift, when they are desirous of being freed from that ministration, are to lay down money for the priests; thirty shekels if it be a woman, and fifty if it be a man; but if any be too poor to pay the appointed sum, it shall be lawful for the priests to determine that sum as they think fit. And if any slay beasts at home for a private festival, but not for a religious one, they are obliged to bring the maw and the cheek, [or breast,] and the right shoulder of the sacrifice, to the priests. With these Moses contrived that the priests should be plentifully maintained, besides what they had out of those offerings for sins which the people gave them, as I have set it down in the foregoing book. He also ordered, that out of every thing allotted for the priests, their servants, [their sons,] their daughters, and their wives, should partake, as well as themselves, excepting what came to them out of the sacrifices that were offered for sins; for of those none but the males of the family of the priests might eat, and this in the temple also, and that the same day they were offered.

5. When Moses had made these constitutions, after the sedition was over, he removed, together with the whole army, and came to the borders of Idumea. He then sent ambassadors to the king of the Idumeans, and desired him to give him a passage through his country; and agreed to send him what

hostages he should desire, to secure him from an injury. He desired him also, that he would allow his army liberty to buy provisions; and, if he insisted upon it, he would pay down a price for the very water they should drink. But the king was not pleased with this embassy from Moses: nor did he allow a passage for the army, but brought his people armed to meet Moses, and to hinder them, in case they should endeavor to force their passage. Upon which Moses consulted God by the oracle, who would not have him begin the war first; and so he withdrew his forces, and traveled round about through the wilderness.

6. Then it was that Miriam, the sister of Moses, came to her end, having completed her fortieth year (3) since she left Egypt, on the first (4) day of the lunar month Xanthicus. They then made a public funeral for her, at a great expense. She was buried upon a certain mountain, which they call Sin: and when they had mourned for her thirty days, Moses purified the people after this manner: He brought a heifer that had never been used to the plough or to husbandry, that was complete in all its parts, and entirely of a red color, at a little distance from the camp, into a place perfectly clean. This heifer was slain by the high priest, and her blood sprinkled with his finger seven times before the tabernacle of God; after this, the entire heifer was burnt in that state, together with its skin and entrails; and they threw cedar-wood, and hyssop, and scarlet wool, into the midst of the fire; then a clean man gathered all her ashes together, and laid them in a place perfectly clean. When therefore any persons were defiled by a dead body, they put a little of these ashes into spring water, with hyssop, and, dipping part of these ashes in it, they sprinkled them with it, both on the third day, and on the seventh, and after that they were clean. This he enjoined them to do also when the tribes should come into their own land.

7. Now when this purification, which their leader made upon the mourning for his sister, as it has been now described, was over, he caused the army to remove and to march through the wilderness and through Arabia;

and when he came to a place which the Arabians esteem their metropolis, which was formerly called Arce, but has now the name of Petra, at this place, which was encompassed with high mountains, Aaron went up one of them in the sight of the whole army, Moses having before told him that he was to die, for this place was over against them. He put off his pontifical garments, and delivered them to Eleazar his son, to whom the high priesthood belonged, because he was the elder brother; and died while the multitude looked upon him. He died in the same year wherein he lost his sister, having lived in all a hundred twenty and three years. He died on the first day of that lunar month which is called by the Athenians Hecatombaeon, by the Macedonians Lous, but by the Hebrews Abba.

Footnotes:

1. Concerning these twelve rods of the twelve tribes of Israel, see St. Clement's account, much larger than that in our Bibles, 1 Epist. sect. 45; as is Josephus's present account in measure larger also.
2. Grotius, on Numbers 6:18, takes notice that the Greeks also, aswell as the Jews, sometimes consecrated the hair of their heads to the gods.
3. Josephus here uses this phrase, "when the fortieth year was completed," for when it was begun; as does St. Luke when the day of Pentecost was completed," Acts 2:1.
4. Whether Miriam died, as Josephus's. Greek copies imply, on the first day of the month, may be doubted, because the Latin copies say it was on the tenth, and so say the Jewish calendars also, as Dr. Bernard assures us. It is said her sepulcher is still extant near Petra, the old capital city of Arabia Petraea, at this day; as also that of Aaron, not far off.

Chapter 5

How Moses Conquered Sihon and Og

1. The people mourned for Aaron thirty days, and when this mourning was over, Moses removed the army from that place, and came to the river Arnon, which, issuing out of the mountains of Arabia, and running through all that wilderness, falls into the lake Asphaltitis, and becomes the limit between the land of the Moabites and the land of the Amorites. This land is fruitful, and sufficient to maintain a great number of men, with the good things it produces. Moses therefore sent messengers to Sihon, the king of this country, desiring that he would grant his army a passage, upon what security he should please to require; he promised that he should be no way injured, neither as to that country which Sihon governed, nor as to its inhabitants; and that he would buy his provisions at such a price as should be to their advantage, even though he should desire to sell them their very water. But Sihon refused his offer, and put his army into battle array, and was preparing every thing in order to hinder their passing over Arnon.

2. When Moses saw that the Amorite king was disposed to enter upon hostilities with them, he thought he ought not to bear that insult; and, determining to wean the Hebrews from their indolent temper, and prevent the disorders which arose thence, which had been the occasion of their former sedition, (nor indeed were they now thoroughly easy in their minds,) he inquired of God, whether he would give him leave to fight? which when he had done, and God also promised him the victory, he was himself very courageous, and ready to proceed to fighting. Accordingly he encouraged the soldiers; and he desired of them that they would take the pleasure of fighting, now God gave them leave so to do. They then, upon the receipt of this permission, which they so much longed for, put on their whole armor, and set about the work without delay. But the Amorite king was not now like to

himself when the Hebrews were ready to attack him; but both he himself was affrighted at the Hebrews, and his army, which before had showed themselves to be of good courage, were then found to be timorous: so they could not sustain the first onset, nor bear up against the Hebrews, but fled away, as thinking this would afford them a more likely way for their escape than fighting, for they depended upon their cities, which were strong, from which yet they reaped no advantage when they were forced to fly to them; for as soon as the Hebrews saw them giving ground, they immediately pursued them close; and when they had broken their ranks, they greatly terrified them, and some of them broke off from the rest, and ran away to the cities. Now the Hebrews pursued them briskly, and obstinately persevered in the labors they had already undergone; and being very skillful in slinging, and very dexterous in throwing of darts, or any thing else of that kind, and also having nothing but light armor, which made them quick in the pursuit, they overtook their enemies; and for those that were most remote, and could not be overtaken, they reached them by their slings and their bows, so that many were slain; and those that escaped the slaughter were sorely wounded, and these were more distressed with thirst than with any of those that fought against them, for it was the summer season; .and when the greatest number of them were brought down to the river out of a desire to drink, as also when others fled away by troops, the Hebrews came round them, and shot at them; so that, what with darts and what with arrows, they made a slaughter of them all. Sihon their king was also slain. So the Hebrews spoiled the dead bodies, and took their prey. The land also which they took was full of abundance of fruits, and the army went all over it without fear, and fed their cattle upon it; and they took the enemies prisoners, for they could no way put a stop to them, since all the fighting men were destroyed. Such was the destruction which overtook the Amorites, who were neither sagacious in counsel, nor courageous in action. Hereupon the Hebrews took possession of their land, which is a country situate between three rivers, and naturally resembled an island: the river Arnon being its southern ; the river Jabbok determining its northern side, which running into Jordan loses its own name, and takes the

other; while Jordan itself runs along by it, on its western coast.

3. When matters were come to this state, Og, the king of Gilead and Gaulanitis, fell upon the Israelites. He brought an army with him, and in haste to the assistance of his friend Sihon: but though he found him already slain, yet did he resolve still to come and fight the Hebrews, supposing he should be too hard for them, and being desirous to try their valor; but failing of his hope, he was both himself slain in the battle, and all his army was destroyed. So Moses passed over the river Jabbok, and overran the kingdom of Og. He overthrew their cities, and slew all their inhabitants, who yet exceeded in riches all the men in that part of the continent, on account of the goodness of the soil, and the great quantity of their wealth. Now Og had very few equals, either in the largeness of his body, or handsomeness of his appearance. He was also a man of great activity in the use of his hands, so that his actions were not unequal to the vast largeness and handsome appearance of his body. And men could easily guess at his strength and magnitude when they took his bed at Rabbath, the royal city of the Ammonites; its structure was of iron, its breadth four cubits, and its length a cubit more than double thereto. However, his fall did not only improve the circumstances of the Hebrews for the present, but by his death he was the occasion of further good success to them; for they presently took those sixty cities, which were encompassed with excellent walls, and had been subject to him, and all got both in general and in particular a great prey.

Chapter 6

Balaam the Prophet

1. Now Moses, when he had brought his army to Jordan; pitched his camp in the great plain over against Jericho. This city is a very happy situation, and very fit for producing palm-trees and balsam. And now the Israelites began to be very proud of themselves, and were very eager for fighting. Moses then, after he had offered for a few days sacrifices of thanksgiving to God, and feasted the people, sent a party of armed men to lay waste the country of the Midianites, and to take their cities. Now the occasion which he took for making war upon them was this that follows :--

2. When Balak, the king of the Moabites, who had from his ancestors a friendship and league with the Midianites, saw how great the Israelites were grown, he was much affrighted on account of his own and his kingdom's danger; for he was not acquainted with this, that the Hebrews would not meddle with any other country, but were to be contented with the possession of the land of Canaan, God having forbidden them to go any farther (1) So he, with more haste than wisdom, resolved to make an attempt upon them by words; but he did not judge it prudent to fight against them, after they had such prosperous successes, and even became out of ill successes more happy than before, but he thought to hinder them, if he could, from growing greater, and so he resolved to send ambassadors to the Midianites about them. Now these Midianites knowing there was one Balaam, who lived by Euphrates, and was the greatest of the prophets at that time, and one that was in friendship with them, sent some of their honorable princes along with the ambassadors of Balak, to entreat the prophet to come to them, that he might imprecate curses to the destruction of the Israelites. So Balsam received the ambassadors, and treated them very kindly; and when he had supped, he inquired what was God's will, and what this matter was for which the

Midianites entreated him to come to them. But when God opposed his going, he came to the ambassadors, and told them that he was himself very willing and desirous to comply with their request, but informed them that God was opposite to his intentions, even that God who had raised him to great reputation on account of the truth of his predictions; for that this army, which they entreated him to come and curse, was in the favor of God; on which account he advised them to go home again, and not to persist in their enmity against the Israelites; and when he had given them that answer, he dismissed the ambassadors.

3. Now the Midianites, at the earnest request and fervent entreaties of Balak, sent other ambassadors to Balaam, who, desiring to gratify the men, inquired again of God; but he was displeased at [second] trial (2) and bid him by no means to contradict the ambassadors. Now Balaam did not imagine that God gave this injunction in order to deceive him, so he went along with the ambassadors; but when the divine angel met him in the way, when he was in a narrow passage, and hedged in with a wall on both sides, the ass on which Balaam rode understood that it was a divine spirit that met him, and thrust Balaam to one of the walls, without regard to the stripes which Balaam, when he was hurt by the wall, gave her; but when the ass, upon the angel's continuing to distress her, and upon the stripes which were given her, fell down, by the will of God, she made use of the voice of a man, and complained of Balaam as acting unjustly to her; that whereas he had no fault find with her in her former service to him, he now inflicted stripes upon her, as not understanding that she was hindered from serving him in what he was now going about, by the providence of God. And when he was disturbed by reason of the voice of the ass, which was that of a man, the angel plainly appeared to him, and blamed him for the stripes he had given his ass; and informed him that the brute creature was not in fault, but that he was himself come to obstruct his journey, as being contrary to the will of God. Upon which Balaam was afraid, and was preparing to return back again: yet did God excite him to go on his intended journey, but added this injunction, that

he should declare nothing but what he himself should suggest to his mind.

4. When God had given him this charge, he came to Balak; and when the king had entertained him in a magnificent manner, he desired him to go to one of the mountains to take a view of the state of the camp of the Hebrews. Balak himself also came to the mountain, and brought the prophet along with him, with a royal attendance. This mountain lay over their heads, and was distant sixty furlongs from the camp. Now when he saw them, he desired the king to build him seven altars, and to bring him as many bulls and rams; to which desire the king did presently conform. He then slew the sacrifices, and offered them as burnt-offerings, that he might observe some signal of the flight of the Hebrews. Then said he, "Happy is this people, on whom God bestows the possession of innumerable good things, and grants them his own providence to be their assistant and their guide; so that there is not any nation among mankind but you will be esteemed superior to them in virtue, and in the earnest prosecution of the best rules of life, and of such as are pure from wickedness, and will leave those rules to your excellent children; and this out of the regard that God bears to you, and the provision of such things for you as may render you happier than any other people under the sun. You shall retain that land to which he hath sent you, and it shall ever be under the command of your children; and both all the earth, as well as the seas, shall be filled with your glory: and you shall be sufficiently numerous to supply the world in general, and every region of it in particular, with inhabitants out of your stock. However, O blessed army! wonder that you are become so many from one father: and truly, the land of Canaan can now hold you, as being yet comparatively few; but know ye that the whole world is proposed to be your place of habitation for ever. The multitude of your posterity also shall live as well in the islands as on the continent, and that more in number than are the stars of heaven. And when you are become so many, God will not relinquish the care of you, but will afford you an abundance of all good things in times of peace, with victory and dominion in times of war. May the children of your enemies have an inclination to fight against you; and may

they be so hardy as to come to arms, and to assault you in battle, for they will not return with victory, nor will their return be agreeable to their children and wives. To so great a degree of valor will you be raised by the providence of God, who is able to diminish the affluence of some, and to supply the wants of others."

5. Thus did Balaam speak by inspiration, as not being in his own power, but moved to say what he did by the Divine Spirit. But then Balak was displeased, and said he had broken the contract he had made, whereby he was to come, as he and his confederates had invited him, by the promise of great presents: for whereas he came to curse their enemies, he had made an encomium upon them, and had declared that they were the happiest of men. To which Balaam replied, "O Balak, if thou rightly considerest this whole matter, canst thou suppose that it is in our power to be silent, or to say any thing, when the Spirit of God seizes upon us? - for he puts such words as he pleases in our mouths, and such discourses as we are not ourselves conscious of. I well remember by what entreaties both you and the Midianites so joyfully brought me hither, and on that account I took this journey. It was my prayer, that I might not put any affront upon you, as to what you desired of me; but God is more powerful than the purposes I had made to serve you; for those that take upon them to foretell the affairs of mankind, as from their own abilities, are entirely unable to do it, or to forbear to utter what God suggests to them, or to offer violence to his will; for when he prevents us and enters into us, nothing that we say is our own. I then did not intend to praise this army, nor to go over the several good things which God intended to do to their race; but since he was so favorable to them, and so ready to bestow upon them a happy life and eternal glory, he suggested the declaration of those things to me: but now, because it is my desire to oblige thee thyself, as well as the Midianites, whose entreaties it is not decent for me to reject, go to, let us again rear other altars, and offer the like sacrifices that we did before, that I may see whether I can persuade God to permit me to bind these men with curses." Which, when Balak had agreed to, God would not, even

upon second sacrifices, consent to his cursing the Israelites. (3) Then fell Balaam upon his face, and foretold what calamities would befall the several kings of the nations, and the most eminent cities, some of which of old were not so much as inhabited; which events have come to pass among the several people concerned, both in the foregoing ages, and in this, till my own memory, both by sea and by land. From which completion of all these predictions that he made, one may easily guess that the rest will have their completion in time to come.

6. But Balak being very angry that the Israelites were not cursed, sent away Balaam without thinking him worthy of any honor. Whereupon, when he was just upon his journey, in order to pass the Euphrates, he sent for Balak, and for the princes of the Midianites, and spake thus to them: - "O Balak, and you Midianites that are here present, (for I am obliged even without the will of God to gratify you,) it is true no entire destruction can seize upon the nation of the Hebrews, neither by war, nor by plague, nor by scarcity of the fruits of the earth, nor can any other unexpected accident be their entire ruin; for the providence of God is concerned to preserve them from such a misfortune; nor will it permit any such calamity to come upon them whereby they may all perish; but some small misfortunes, and those for a short time, whereby they may appear to be brought low, may still befall them; but after that they will flourish again, to the terror of those that brought those mischiefs upon them. So that if you have a mind to gain a victory over them for a short space of time, you will obtain it by following my directions: - Do you therefore set out the handsomest of such of your daughters as are most eminent for beauty, (4) and proper to force and conquer the modesty of those that behold them, and these decked and trimmed to the highest degree able. Then do you send them to be near camp, and give them in charge, that the young men of the Hebrews desire their allow it them; and when they see they are enamored of them, let them take leaves; and if they entreat them to stay, let give their consent till they have persuaded leave off their obedience to their own laws, the worship of that God who established them to worship

the gods of the Midianites and for by this means God will be angry at them (5). Accordingly, when Balaam had suggested counsel to them, he went his way.

7. So when the Midianites had sent their daughters, as Balaam had exhorted them, the Hebrew men were allured by their beauty, and came with them, and besought them not to grudge them the enjoyment of their beauty, nor to deny them their conversation. These daughters of Midianites received their words gladly, and consented to it, and staid with them; but when they brought them to be enamored of them, and their inclinations to them were grown to ripeness, they began to think of departing from them: then it was that these men became greatly disconsolate at the women's departure, and they were urgent with them not to leave them, but begged they would continue there, and become their wives; and they promised them they should be owned as mistresses all they had. This they said with an oath, and called God for the arbitrator of what they promised; and this with tears in their eyes, and all such marks of concern, as might shew how miserable they thought themselves without them, and so might move their compassion for them. So the women, as soon as they perceived they had made their slaves, and had caught them with their conversation began to speak thus to them: -

8. "O you illustrious young men! we have of our own at home, and great plenty of good things there, together with the natural, affectionate parents and friends; nor is it out of our want of any such things that we came to discourse with you; nor did we admit of your invitation with design to prostitute the beauty of our bodies for gain; but taking you for brave and worthy men, we agreed to your request, that we might treat you with such honors as hospitality required: and now seeing you say that you have a great affection for us, and are troubled when you think we are departing, we are not averse to your entreaties; and if we may receive such assurance of your good-will as we think can be alone sufficient, we will be glad to lead our lives with you as your wives; but we are afraid that you will in time be weary

of our company, and will then abuse us, and send us back to our parents, after an ignominious manner." And they desired that they would excuse them in their guarding against that danger. But the young men professed they would give them any assurance they should desire; nor did they at all contradict what they requested, so great was the passion they had for them. "If then," said they, "this be your resolution, since you make use of such customs and conduct of life as are entirely different from all other men, (6) insomuch that your kinds of food are peculiar to yourselves, and your kinds of drink not common to others, it will be absolutely necessary, if you would have us for your wives, that you do withal worship our gods. Nor can there be any other demonstration of the kindness which you say you already have, and promise to have hereafter to us, than this, that you worship the same gods that we do. For has any one reason to complain, that now you are come into this country, you should worship the proper gods of the same country? especially while our gods are common to all men, and yours such as belong to nobody else but yourselves." So they said they must either come into such methods of divine worship as all others came into, or else they must look out for another world, wherein they may live by themselves, according to their own laws.

9. Now the young men were induced by the fondness they had for these women to think they spake very well; so they gave themselves up to what they persuaded them, and transgressed their own laws, and supposing there were many gods, and resolving that they would sacrifice to them according to the laws of that country which ordained them, they both were delighted with their strange food, and went on to do every thing that the women would have them do, though in contradiction to their own laws; so far indeed that this transgression was already gone through the whole army of the young men, and they fell into a sedition that was much worse than the former, and into danger of the entire abolition of their own institutions; for when once the youth had tasted of these strange customs, they went with insatiable inclinations into them; and even where some of the principal men were

illustrious on account of the virtues of their fathers, they also were corrupted together with the rest.

10. Even Zimri, the head of the tribe of Simeon accompanied with Cozbi, a Midianitish women, who was the daughter of Sur, a man of authority in that country; and being desired by his wife to disregard the laws of Moses, and to follow those she was used to, he complied with her, and this both by sacrificing after a manner different from his own, and by taking a stranger to wife. When things were thus, Moses was afraid that matters should grow worse, and called the people to a congregation, but then accused nobody by name, as unwilling to drive those into despair who, by lying concealed, might come to repentance; but he said that they did not do what was either worthy of themselves, or of their fathers, by preferring pleasure to God, and to the living according to his will; that it was fit they should change their courses while their affairs were still in a good state, and think that to be true fortitude which offers not violence to their laws, but that which resists their lusts. And besides that, he said it was not a reasonable thing, when they had lived soberly in the wilderness, to act madly now when they were in prosperity; and that they ought not to lose, now they have abundance, what they had gained when they had little: - and so did he endeavor, by saying this, to correct the young inert, and to bring them to repentance for what they had done.

11. But Zimri arose up after him, and said, "Yes, indeed, Moses, thou art at liberty to make use of such laws as thou art so fond of, and hast, by accustoming thyself to them, made them firm; otherwise, if things had not been thus, thou hadst often been punished before now, and hadst known that the Hebrews are not easily put upon; but thou shalt not have me one of thy followers in thy tyrannical commands, for thou dost nothing else hitherto, but, under pretense of laws, and of God, wickedly impose on us slavery, and gain dominion to thyself, while thou deprivest us of the sweetness of life, which consists in acting according to our own wills, and is the right of free-

men, and of those that have no lord over them. Nay, indeed, this man is harder upon the Hebrews than were the Egyptians themselves, as pretending to punish, according to his laws, every one's acting what is most agreeable to himself; but thou thyself better deservest to suffer punishment, who presumest to abolish what every one acknowledges to be what is good for him, and aimest to make thy single opinion to have more force than that of all the rest; and what I now do, and think to be right, I shall not hereafter deny to be according to my own sentiments. I have married, as thou sayest rightly, a strange woman, and thou hearest what I do from myself as from one that is free, for truly I did not intend to conceal myself. I also own that I sacrificed to those gods to whom you do not think it fit to sacrifice; and I think it right to come at truth by inquiring of many people, and not like one that lives under tyranny, to suffer the whole hope of my life to depend upon one man; nor shall any one find cause to rejoice who declares himself to have more authority over my actions than myself."

12. Now when Zimri had said these things, about what he and some others had wickedly done, the people held their peace, both out of fear of what might come upon them, and because they saw that their legislator was not willing to bring his insolence before the public any further, or openly to contend with him; for he avoided that, lest many should imitate the impudence of his language, and thereby disturb the multitude. Upon this the assembly was dissolved. However, the mischievous attempt had proceeded further, if Zimri had not been first slain, which came to pass on the following occasion: - Phineas, a man in other respects better than the rest of the young men, and also one that surpassed his contemporaries in the dignity of his father, (for he was the son of Eleazar the high priest, and the grandson of [Aaron] Moses's brother,) who was greatly troubled at what was done by Zimri, he resolved in earnest to inflict punishment on him, before his unworthy behavior should grow stronger by impunity, and in order to prevent this transgression from proceeding further, which would happen if the ringleaders were not punished. He was of so great magnanimity, both in

strength of mind and body, that when he undertook any very dangerous attempt, he did not leave it off till he overcame it, and got an entire victory. So he came into Zimri's tent, and slew him with his javelin, and with it he slew Cozbi also, Upon which all those young men that had a regard to virtue, and aimed to do a glorious action, imitated Phineas's boldness, and slew those that were found to be guilty of the same crime with Zimri. Accordingly many of those that had transgressed perished by the magnanimous valor of these young men; and the rest all perished by a plague, which distemper God himself inflicted upon them; so that all those their kindred, who, instead of hindering them from such wicked actions, as they ought to have done, had persuaded them to go on, were esteemed by God as partners in their wickedness, and died. Accordingly there perished out of the army no fewer than fourteen (7) [twenty-four] thousand at this time.

13. This was the cause why Moses was provoked to send an army to destroy the Midianites, concerning which expedition we shall speak presently, when we have first related what we have omitted; for it is but just not to pass over our legislator's due encomium, on account of his conduct here, because, although this Balaam, who was sent for by the Midianites to curse the Hebrews, and when he was hindered from doing it by Divine Providence, did still suggest that advice to them, by making use of which our enemies had well nigh corrupted the whole multitude of the Hebrews with their wiles, till some of them were deeply infected with their opinions; yet did he do him great honor, by setting down his prophecies in writing. And while it was in his power to claim this glory to himself, and make men believe they were his own predictions, there being no one that could be a witness against him, and accuse him for so doing, he still gave his attestation to him, and did him the honor to make mention of him on this account. But let every one think of these matters as he pleases.

Footnotes:

1. What Josephus here remarks is well worth our remark in this place also; viz. that the Israelites were never to meddle with the Moabites, or Ammonites, or any other people, but those belonging to the land of Canaan, and the countries of Sihon and Og beyond Jordan, as far as the desert and Euphrates, and that therefore no other people had reason to fear the conquests of the Israelites; but that those countries given them by God were their proper and peculiar portion among the nations, and that all who endeavored to dispossess them might ever be justly destroyed by them.
2. Note that Josephus never supposes Balaam to be an idolater, nor to seek idolatrous enchantments, or to prophesy falsely, but to be no other than an ill-disposed prophet of the true God; and intimates that God's answer the second time, permitting him to go, was ironical, and on design that he deceived (which sort of deception, by way of punishment for former crimes, Josephus never scruples to admit, as ever esteeming such wicked men justly and providentially deceived). But perhaps we had better keep here close to the text which says Numbers 23:20, 21, that God only permitted Balaam to go along with the ambassadors, in case they came and called him, or positively insisted on his going along with them, on any terms; whereas Balaam seems out of impatience to have risen up in the morning, and saddled his ass, and rather to have called them, than staid for their calling him, so zealous does he seem to have been for his reward of divination, his wages of unrighteousness, Numbers 23:7, 17, 18, 37; 2 Peter 2:15; Jude 5, 11; which reward or wages the truly religious prophets of God never required nor accepted, as our Josephus justly takes notice in the cases of Samuel, Antiq. B. V. ch. 4. sect. 1, and Daniel, Antiq. B. X. ch. 11. sect. 3. See also Genesis 14:22, 23; 2 Kings 5:15, 16, 26, 27; and Acts 8;17-24.
3. Whether Josephus had in his copy but two attempts of Balaam in all to curse Israel; or whether by this his twice offering sacrifice, he meant

twice besides that first time already mentioned, which yet is not very probable; cannot now be certainly determined. In the mean time, all other copies have three such attempts of Balaam to curse them in the present history.

4. Such a large and distinct account of this perversion of the Israelites by the Midianite women, of which our other copies give us but short intimations, Numbers 31:16 2 Peter 2:15; Jude 11; Revelation 2:14, is preserved, as Reland informs us, in the Samaritan Chronicle, in Philo, and in other writings of the Jews, as well as here by Josephus.
5. This grand maxim, That God's people of Israel could never be hurt nor destroyed, but by drawing them to sin against God, appears to be true, by the entire history of that people, both in the Bible and in Josephus; and is often taken notice of in them both. See in particular a most remarkable Ammonite testimony to this purpose, Judith 5:5-21.
6. What Josephus here puts into the mouths of these Midianite women, who came to entice the Israelites to lewdness and idolatry, viz. that their worship of the God of Israel, in opposition to their idol gods, implied their living according to the holy laws which the true God had given them by Moses, in opposition to those impure laws which were observed under their false gods, well deserves our consideration; and gives us a substantial reason for the great concern that was ever shown under the law of Moses to preserve the Israelites from idolatry, and in the worship of the true God; it being of no less consequence than, Whether God's people should be governed by the holy laws of the true God, or by the impure laws derived from demons, under the pagan idolatry.
7. The mistake in all Josephus's copies, Greek and Latin which have here fourteen thousand instead of twenty-four thousand, is so flagrant, that our very learned editors, Bernard and Hudson, have put the latter number directly into the text. I choose rather to put it in brackets.

Chapter 7

The Hebrews Fought With the Midianites

1. Now Moses sent an army against the land of Midian, for the causes forementioned, in all twelve thousand, taking an equal number out of every tribe, and appointed Phineas for their commander; of which Phineas we made mention a little before, as he that had guarded the laws of the Hebrews, and had inflicted punishment on Zimri when he had transgressed them. Now the Midianites perceived beforehand how the Hebrews were coming, and would suddenly be upon them: so they assembled their army together, and fortified the entrances into their country, and there awaited the enemy's coming. When they were come, and they had joined battle with them, an immense multitude of the Midianites fell; nor could they be numbered, they were so very many: and among them fell all their kings, five in number, viz. Evi, Zur, Reba, Hur, and Rekem, who was of the same name with a city, the chief and capital of all Arabia, which is still now so called by the whole Arabian nation, Arecem, from the name of the king that built it; but is by the Greeks called - Petra. Now when the enemies were discomfited, the Hebrews spoiled their country, and took a great prey, and destroyed the men that were its inhabitants, together with the women; only they let the virgins alone, as Moses had commanded Phineas to do, who indeed came back, bringing with him an army that had received no harm, and a great deal of prey; fifty-two thousand beeves, seventy-five thousand six hundred sheep, sixty thousand asses, with an immense quantity of gold and silver furniture, which the Midianites made use of in their houses; for they were so wealthy, that they were very luxurious. There were also led captive about thirty-two thousand virgins. (14) So Moses parted the prey into parts, and gave one fiftieth part to Eleazar and the two priests, and another fiftieth part to the Levites; and distributed the rest of the prey among the people. After which they lived happily, as having obtained an abundance of good things by their valor, and

there being no misfortune that attended them, or hindered their enjoyment of that happiness.

2. But Moses was now grown old, and appointed Joshua for his successor, both to receive directions from God as a prophet, and for a commander of the army, if they should at any time stand in need of such a one; and this was done by the command of God, that to him the care of the public should be committed. Now Joshua had been instructed in all those kinds of learning which concerned the laws and God himself, and Moses had been his instructor.

3. At this time it was that the two tribes of Gad and Reuben, and the half tribe of Manasseh, abounded in a multitude of cattle, as well as in all other kinds of prosperity; whence they had a meeting, and in a body came and besought Moses to give them, as their peculiar portion, that land of the Amorites which they had taken by right of war, because it was fruitful, and good for feeding of cattle; but Moses, supposing that they were afraid of fighting with the Canaanites, and invented this provision for their cattle as a handsome excuse for avoiding that war, he called them arrant cowards, and said they had only contrived a decent excuse for that cowardice; and that they had a mind to live in luxury and ease, while all the rest were laboring with great pains to obtain the land they were desirous to have; and that they were not willing to march along, and undergo the remaining hard service, whereby they were, under the Divine promise, to pass over Jordan, and overcome those our enemies which God had shown them, and so obtain their land. But these tribes, when they saw that Moses was angry with them, and when they could not deny but he had a just cause to be displeased at their petition, made an apology for themselves; and said, that it was not on account of their fear of dangers, nor on account of their laziness, that they made this request to him, but that they might leave the prey they had gotten in places of safety, and thereby might be more expedite, and ready to undergo difficulties, and to fight battles. They added this also, that when they

had built cities, wherein they might preserve their children, and wives, and possessions, if he would bestow them upon them, they would go along with the rest of the army. Hereupon Moses was pleased with what they said; so he called for Eleazar the high priest, and Joshua, and the chief of the tribes, and permitted these tribes to possess the land of the Amorites; but upon this condition, that they should join with their kinsmen in the war until all things were settled. Upon which condition they took possession of the country, and built them strong cities, and put into them their children and their wives, and whatsoever else they had that might be an impediment to the labors of their future marches.

4. Moses also now built those ten cities which were to be of the number of the forty-eight [for the Levites;]; three of which he allotted to those that slew any person involuntarily, and fled to them; and he assigned the same time for their banishment with that of the life of that high priest under whom the slaughter and flight happened; after which death of the high priest he permitted the slayer to return home. During the time of his exile, the relations of him that was slain may, by this law, kill the manslayer, if they caught him without the bounds of the city to which he fled, though this permission was not granted to any other person. Now the cities which were set apart for this flight were these: Bezer, at the borders of Arabia; Ramoth, of the land of Gilead; and Golan, in the land of Bashan. There were to be also, by Moses's command, three other cities allotted for the habitation of these fugitives out of the cities of the Levites, but not till after they should be in possession of the land of Canaan.

5. At this time the chief men of the tribe of Manasseh came to Moses, and informed him that there was an eminent man of their tribe dead, whose name was Zelophehad, who left no male children, but left daughters; and asked him whether these daughters might inherit his land or not. He made this answer, That if they shall marry into their own tribe, they shall carry their estate along with them; but if they dispose of themselves in marriage to

men of another tribe, they shall leave their inheritance in their father's tribe. And then it was that Moses ordained, that every one's inheritance should continue in his own tribe.

Footnote:

1. The slaughter of all the Midianite women that had prostituted themselves to the lewd Israelites, and the preservation of those that had not been guilty therein; the last of which were no fewer than thirty-two thousand, both here and Numbers 31:15-17, 35, 40, 46, and both by the particular command of God; are highly remarkable, and show that, even in nations otherwise for their wickedness doomed to destruction, the innocent were sometimes particularly and providentially taken care of, and delivered from that destruction; which directly implies, that it was the wickedness of the nations of Canaan, and nothing else, that occasioned their excision. See Genesis 15:16; 1 Samuel 15:18, 33; Apost. Constit. B. VIII. ch. 12. p. 402. In the first of which places, the reason of the delay of the punishment of the Amorites is given, because "their iniquity was not yet full." In the second, Saul is ordered to go and "destroy the sinners, the Amalekites;" plainly implying that they were therefore to be destroyed, because they were sinners, and not otherwise. In the third, the reason is given why king Agag was not to be spared, viz. because of his former cruelty: "As thy sword hath made the (Hebrew) women childless, so shall thy mother be made childless among women by the Hebrews." In the last place, the apostles, or their amanuensis Clement, gave this reason for the necessity of the coming of Christ, that "men had formerly perverted both the positive law, and that of nature; and had cast out of their mind the memory of the Flood, the burning of Sodom, the plagues of the Egyptians, and the slaughter of the inhabitants of Palestine," as signs of the most amazing impenitence and insensibility, under the punishments of horrid wickedness.

Chapter 8

Moses Disappeared From Among Mankind

1. When forty years were completed, within thirty days, Moses gathered the congregation together near Jordan, where the city Abila now stands, a place full of palm-trees; and all the people being come together, he spake thus to them: -

2. "O you Israelites and fellow soldiers, who have been partners with me in this long and uneasy journey; since it is now the will of God, and the course of old age, at a hundred and twenty, requires it that I should depart out of this life; and since God has forbidden me to be a patron or an assistant to you in what remains to be done beyond Jordan; I thought it reasonable not to leave off my endeavors even now for your happiness, but to do my utmost to procure for you the eternal enjoyment of good things, and a memorial for myself, when you shall be in the fruition of great plenty and prosperity. Come, therefore, let me suggest to you by what means you may be happy, and may leave an eternal prosperous possession thereof to your children after you, and then let me thus go out of the world; and I cannot but deserve to be believed by you, both on account of the great things I have already done for you, and because, when souls are about to leave the body, they speak with the sincerest freedom. O children of Israel! there is but one source of happiness for all mankind, the favor of God (1) for he alone is able to give good things to those that deserve them, and to deprive those of them that sin against him; towards whom, if you behave yourselves according to his will, and according to what I, who well understand his mind, do exhort you to, you will both be esteemed blessed, and will be admired by all men; and will never come into misfortunes, nor cease to be happy: you will then preserve the possession of the good things you already have, and will quickly obtain those that you are at present in want of, - only do you be obedient to those

whom God would have you to follow. Nor do you prefer any other constitution of government before the laws now given you; neither do you disregard that way of Divine worship which you now have, nor change it for any other form: and if you do this, you will be the most courageous of all men, in undergoing the fatigues of war, and will not be easily conquered by any of your enemies; for while God is present with you to assist you, it is to be expected that you will be able to despise the opposition of all mankind; and great rewards of virtue are proposed for you, if you preserve that virtue through your whole lives. Virtue itself is indeed the principal and the first reward, and after that it bestows abundance of others; so that your exercise of virtue towards other men will make your own lives happy, and render you more glorious than foreigners can be, and procure you an undisputed reputation with posterity. These blessings you will be able to obtain, in case you hearken to and observe those laws which, by Divine revelation, I have ordained for you; that is, in case you withal meditate upon the wisdom that is in them. I am going from you myself, rejoicing in the good things you enjoy; and I recommend you to the wise conduct of your law, to the becoming order of your polity, and to the virtues of your commanders, who will take care of what is for your advantage. And that God, who has been till now your Leader, and by whose goodwill I have myself been useful to you, will not put a period now to his providence over you, but as long as you desire to have him your Protector in your pursuits after virtue, so long will you enjoy his care over you. Your high priest also Eleazar, as well as Joshua, with the senate, and chief of your tribes, will go before you, and suggest the best advices to you; by following which advices you will continue to be happy: to whom do you give ear without reluctance, as sensible that all such as know well how to be governed, will also know how to govern, if they be promoted to that authority themselves. And do not you esteem liberty to consist in opposing such directions as your governors think fit to give you for your practice, - as at present indeed you place your liberty in nothing else but abusing your benefactors; which error if you can avoid for the time to come, your affairs will be in a better condition than they have hitherto been. Nor do

you ever indulge such a degree of passion in these matters, as you have oftentimes done when you have been very angry at me; for you know that I have been oftener in danger of death from you than from our enemies. What I now put you in mind of, is not done in order to reproach you; for I do not think it proper, now I am going out of the world, to bring this to your remembrance, in order to leave you offended at me, since, at the time when I underwent those hardships from you, I was not angry at you; but I do it in order to make you wiser hereafter, and to teach you that this will be for your security; I mean, that you never be injurious to those that preside over you, even when you are become rich, as you will be to a great degree when you have passed over Jordan, and are in possession of the land of Canaan. Since, when you shall have once proceeded so far by your wealth, as to a contempt and disregard of virtue, you will also forfeit the favor of God; and when you have made him your enemy, you will be beaten in war, and will have the land which you possess taken away again from you by your enemies, and this with great reproaches upon your conduct. You will be scattered over the whole world, and will, as slaves, entirely fill both sea and land; and when once you have had the experience of what I now say, you will repent, and remember the laws you have broken, when it is too late. Whence I would advise you, if you intend to preserve these laws, to leave none of your enemies alive when you have conquered them, but to look upon it as for your advantage to destroy them all, lest, if you permit them to live, you taste of their manners, and thereby corrupt your own proper institutions. I also do further exhort you, to overthrow their altars, and their groves, and whatsoever temples they have among them, and to burn all such, their nation, and their very memory with fire; for by this means alone the safety of your own happy constitution can be firmly secured to you. And in order to prevent your ignorance of virtue, and the degeneracy of your nature into vice, I have also ordained you laws, by Divine suggestion, and a form of government, which are so good, that if you regularly observe them, you will be esteemed of all men the most happy."

3. When he had spoken thus, he gave them the laws and the constitution of government written in a book. Upon which the people fell into tears, and appeared already touched with the sense that they should have a great want of their conductor, because they remembered what a number of dangers he had passed through, and what care he had taken of their preservation: they desponded about what would come upon them after he was dead, and thought they should never have another governor like him; and feared that God would then take less care of them when Moses was gone, who used to intercede for them. They also repented of what they had said to him in the wilderness when they were angry, and were in grief on those accounts, insomuch that the whole body of the people fell into tears with such bitterness, that it was past the power of words to comfort them in their affliction. However, Moses gave them some consolation; and by calling them off the thought how worthy he was of their weeping for him, he exhorted them to keep to that form of government he had given them; and then the congregation was dissolved at that time.

4. Accordingly, I shall now first describe this form of government which was agreeable to the dignity and virtue of Moses; and shall thereby inform those that read these Antiquities, what our original settlements were, and shall then proceed to the remaining histories. Now those settlements are all still in writing, as he left them; and we shall add nothing by way of ornament, nor any thing besides what Moses left us; only we shall so far innovate, as to digest the several kinds of laws into a regular system; for they were by him left in writing as they were accidentally scattered in their delivery, and as he upon inquiry had learned them of God. On which account I have thought it necessary to premise this observation beforehand, lest any of my own countrymen should blame me, as having been guilty of an offense herein. Now part of our constitution will include the laws that belong to our political state. As for those laws which Moses left concerning our common conversation and intercourse one with another, I have reserved that for a discourse concerning our manner of life, and the occasions of those laws;

which I propose to myself, with God's assistance, to write, after I have finished the work I am now upon.

5. When you have possessed yourselves of the land of Canaan, and have leisure to enjoy the good things of it, and when you have afterward determined to build cities, if you will do what is pleasing to God, you will have a secure state of happiness. Let there be then one city of the land of Canaan, and this situate in the most agreeable place for its goodness, and very eminent in itself, and let it be that which God shall choose for himself by prophetic revelation. Let there also be one temple therein, and one altar, not reared of hewn stones, but of such as you gather together at random; which stones, when they are whited over with mortar, will have a handsome appearance, and be beautiful to the sight. Let the ascent to it be not by steps (2) but by an acclivity of raised earth. And let there be neither an altar nor a temple in any other city; for God is but one, and the nation of the Hebrews is but one.

6. He that blasphemeth God, let him be stoned; and let him hang upon a tree all that day, and then let him be buried in an ignominious and obscure manner.

7. Let those that live as remote as the bounds of the land which the Hebrews shall possess, come to that city where the temple shall be, and this three times in a year, that they may give thanks to God for his former benefits, and may entreat him for those they shall want hereafter; and let them, by this means, maintain a friendly correspondence with one another by such meetings and feastings together, for it is a good thing for those that are of the same stock, and under the same institution of laws, not to be unacquainted with each other; which acquaintance will be maintained by thus conversing together, and by seeing and talking with one another, and so renewing the memorials of this union; for if they do not thus converse together continually, they will appear like mere strangers to one another.

8. Let there be taken out of your fruits a tenth, besides that which you have allotted to give to the priests and Levites. This you may indeed sell in the country, but it is to be used in those feasts and sacrifices that are to be celebrated in the holy city; for it is fit that you should enjoy those fruits of the earth which God gives you to possess, so as may be to the honor of the donor.

9. You are not to offer sacrifices out of the hire of a woman who is a harlot (3) for the Deity is not pleased with any thing that arises from such abuses of nature; of which sort none can be worse than this prostitution of the body. In like manner no one may take the price of the covering of a bitch, either of one that is used in hunting, or in keeping of sheep, and thence sacrifice to God.

10. Let no one blaspheme those gods which other cities esteem such; (4) nor may any one steal what belongs to strange temples, nor take away the gifts that are dedicated to any god.

11. Let not any one of you wear a garment made of woolen and linen, for that is appointed to be for the priests alone.

12. When the multitude are assembled together unto the holy city for sacrificing every seventh year, at the feast of tabernacles, let the high priest stand upon a high desk, whence he may be heard, and let him read the laws to all the people; and let neither the women nor the children be hindered from hearing, no, nor the servants neither; for it is a good thing that those laws should be engraven in their souls, and preserved in their memories, that so it may not be possible to blot them out; for by this means they will not be guilty of sin, when they cannot plead ignorance of what the laws have enjoined them. The laws also will have a greater authority among them, as foretelling what they will suffer if they break them; and imprinting in their

souls by this hearing what they command them to do, that so there may always be within their minds that intention of the laws which they have despised and broken, and have thereby been the causes of their own mischief. Let the children also learn the laws, as the first thing they are taught, which will be the best thing they can be taught, and will be the cause of their future felicity.

13. Let every one commemorate before God the benefits which he bestowed upon them at their deliverance out of the land of Egypt, and this twice every day, both when the day begins and when the hour of sleep comes on, gratitude being in its own nature a just thing, and serving not only by way of return for past, but also by way of invitation of future favors. They are also to inscribe the principal blessings they have received from God upon their doors, and show the same remembrance of them upon their arms; as also they are to bear on their forehead and their arm those wonders which declare the power of God, and his good-will towards them, that God's readiness to bless them may appear every where conspicuous about them. (5)

14. Let there be seven men to judge in every city, (6) and these such as have been before most zealous in the exercise of virtue and righteousness. Let every judge have two officers allotted him out of the tribe of Levi. Let those that are chosen to judge in the several cities be had in great honor; and let none be permitted to revile any others when these are present, nor to carry themselves in an insolent manner to them; it being natural that reverence towards those in high offices among men should procure men's fear and reverence towards God. Let those that judge be permitted to determine according as they think to be right, unless any one can show that they have taken bribes, to the perversion of justice, or can allege any other accusation against them, whereby it may appear that they have passed an unjust sentence; for it is not fit that causes should be openly determined out of regard to gain, or to the dignity of the suitors, but that the judges should esteem what is right before all other things, otherwise God will by that

means be despised, and esteemed inferior to those, the dread of whose power has occasioned the unjust sentence; for justice is the power of God. He therefore that gratifies those in great dignity, supposes them more potent than God himself. But if these judges be unable to give a just sentence about the causes that come before them, (which case is not unfrequent in human affairs,) let them send the cause undetermined to the holy city, and there let the high priest, the prophet, and the sanhedrim, determine as it shall seem good to them.

15. But let not a single witness be credited, but three, or two at the least, and those such whose testimony is confirmed by their good lives. But let not the testimony of women be admitted, on account of the levity and boldness of their sex (7) Nor let servants be admitted to give testimony, on account of the ignobility of their soul; since it is probable that they may not speak truth, either out of hope of gain, or fear of punishment. But if any one be believed to have borne false witness, let him, when he is convicted, suffer all the very same punishments which he against whom he bore witness was to have suffered.

16. If a murder be committed in any place, and he that did it be not found, nor is there any suspicion upon one as if he had hated the man, and so had killed him, let there be a very diligent inquiry made after the man, and rewards proposed to any one who will discover him; but if still no information can be procured, let the magistrates and senate of those cities that lie near the place in which the murder was committed, assemble together, and measure the distance from the place where the dead body lies; then let the magistrates of the nearest city thereto purchase a heifer, and bring it to a valley, and to a place therein where there is no land ploughed or trees planted, and let them cut the sinews of the heifer; then the priests and Levites, and the senate of that city, shall take water and wash their hands over the head of the heifer; and they shall openly declare that their hands are innocent of this murder, and that they have neither done it themselves, nor

been assisting to any that did it. They shall also beseech God to be merciful to them, that no such horrid act may any more be done in that land.

17. Aristocracy, and the way of living under it, is the best constitution: and may you never have any inclination to any other form of government; and may you always love that form, and have the laws for your governors, and govern all your actions according to them; for you need no supreme governor but God. But if you shall desire a king, let him be one of your own nation; let him be always careful of justice and other virtues perpetually; let him submit to the laws, and esteem God's commands to be his highest wisdom; but let him do nothing without the high priest and the votes of the senators: let him not have a great number of wives, nor pursue after abundance of riches, nor a multitude of horses, whereby he may grow too proud to submit to the laws. And if he affect any such things, let him be restrained, lest he become so potent that his state be inconsistent with your welfare.

18. Let it not be esteemed lawful to remove boundaries, neither our own, nor of those with whom we are at peace. Have a care you do not take those landmarks away which are, as it were, a divine and unshaken limitation of rights made by God himself, to last for ever; since this going beyond limits, and gaining ground upon others, is the occasion of wars and seditions; for those that remove boundaries are not far off an attempt to subvert the laws.

19. He that plants a piece of land, the trees of which produce fruits before the fourth year, is not to bring thence any first-fruits to God, nor is he to make use of that fruit himself, for it is not produced in its proper season; for when nature has a force put upon her at an unseasonable time, the fruit is not proper for God, nor for the master's use; but let the owner gather all that is grown on the fourth year, for then it is in its proper season. And let him that has gathered it carry it to the holy city, and spend that, together with the tithe of his other fruits, in feasting with his friends, with the orphans, and the

widows. But on the fifth year the fruit is his own, and he may use it as he pleases.

20. You are not to sow with seed a piece of land which is planted with vines, for it is enough that it supply nourishment to that plant, and be not harassed by ploughing also. You are to plough your land with oxen, and not to oblige other animals to come under the same yoke with them; but to till your land with those beasts that are of the same kind with each other. The seeds are also to be pure, and without mixture, and not to be compounded of two or three sorts, since nature does not rejoice in the union of things that are not in their own nature alike; nor are you to permit beasts of different kinds to gender together, for there is reason to fear that this unnatural abuse may extend from beasts of different kinds to men, though it takes its first rise from evil practices about such smaller things. Nor is any thing to be allowed, by imitation whereof any degree of subversion may creep into the constitution. Nor do the laws neglect small matters, but provide that even those may be managed after an unblamable manner.

21. Let not those that reap, and gather in the corn that is reaped, gather in the gleanings also; but let them rather leave some handfuls for those that are in want of the necessaries of life, that it may be a support and a supply to them, in order to their subsistence. In like manner when they gather their grapes, let them leave some smaller bunches for the poor, and let them pass over some of the fruits of the olive-trees, when they gather them, and leave them to be partaken of by those that have none of their own; for the advantage arising from the exact collection of all, will not be so considerable to the owners as will arise from the gratitude of the poor. And God will provide that the land shall more willingly produce what shall be for the nourishment of its fruits, in case you do not merely take care of your own advantage, but have regard to the support of others also. Nor are you to muzzle the mouths of the oxen when they tread the ears of corn in the thrashing-floor; for it is not just to restrain our fellow-laboring animals, and

those that work in order to its production, of this fruit of their labors. Nor are you to prohibit those that pass by at the time when your fruits are ripe to touch them, but to give them leave to fill themselves full of what you have; and this whether they be of your own country or strangers, - as being glad of the opportunity of giving them some part of your fruits when they are ripe; but let it not be esteemed lawful for them to carry any away. Nor let those that gather the grapes, and carry them to the wine-presses, restrain those whom they meet from eating of them; for it is unjust, out of envy, to hinder those that desire it, to partake of the good things that come into the world according to God's will, and this while the season is at the height, and is hastening away as it pleases God. Nay, if some, out of bashfulness, are unwilling to touch these fruits, let them be encouraged to take of them (I mean, those that are Israelites) as if they were themselves the owners and lords, on account of the kindred there is between them. Nay, let them desire men that come from other countries, to partake of these tokens of friendship which God has given in their proper season; for that is not to be deemed as idly spent, which any one out of kindness communicates to another, since God bestows plenty of good things on men, not only for themselves to reap the advantage, but also to give to others in a way of generosity; and he is desirous, by this means, to make known to others his peculiar kindness to the people of Israel, and how freely he communicates happiness to them, while they abundantly communicate out of their great superfluities to even these foreigners also. But for him that acts contrary to this law, let him be beaten with forty stripes save one (8) by the public executioner; let him undergo this punishment, which is a most ignominious one for a free-man, and this because he was such a slave to gain as to lay a blot upon his dignity; for it is proper for you who have had the experience of the afflictions in Egypt, and of those in the wilderness, to make provision for those that are in the like circumstances; and while you have now obtained plenty yourselves, through the mercy and providence of God, to distribute of the same plenty, by the like sympathy, to such as stand in need of it.

22. Besides those two tithes, which I have already said you are to pay every year, the one for the Levites, the other for the festivals, you are to bring every third year a third tithe to be distributed to those that want; (9) to women also that are widows, and to children that are orphans. But as to the ripe fruits, let them carry that which is ripe first of all into the temple; and when they have blessed God for that land which bare them, and which he had given them for a possession, when they have also offered those sacrifices which the law has commanded them to bring, let them give the first-fruits to the priests. But when any one hath done this, and hath brought the tithe of all that he hath, together with those first-fruits that are for the Levites, and for the festivals, and when he is about to go home, let him stand before the holy house, and return thanks to God, that he hath delivered them from the injurious treatment they had in Egypt, and hath given them a good land, and a large, and lets them enjoy the fruits thereof; and when he hath openly testified that he hath fully paid the tithes [and other dues] according to the laws of Moses, let him entreat God that he will be ever merciful and gracious to him, and continue so to be to all the Hebrews, both by preserving the good things which he hath already given them, and by adding what it is still in his power to bestow upon them.

23. Let the Hebrews marry, at the age fit for it, virgins that are free, and born of good parents. And he that does not marry a virgin, let him not corrupt another man's wife, and marry her, nor grieve her former husband. Nor let free men marry slaves, although their affections should strongly bias any of them so to do; for it is decent, and for the dignity of the persons themselves, to govern those their affections. And further, no one ought to marry a harlot, whose matrimonial oblations, arising from the prostitution of her body, God will not receive; for by these means the dispositions of the children will be liberal and virtuous; I mean, when they are not born of base parents, and of the lustful conjunction of such as marry women that are not free. If any one has been espoused to a woman as to a virgin, and does not afterward find her so to be, let him bring his action, and accuse her, and let

him make use of such indications (10) to prove his accusation as he is furnished withal; and let the father or the brother of the damsel, or some one that is after them nearest of kin to her, defend her. If the damsel obtain a sentence in her favor, that she had not been guilty, let her live with her husband that accused her; and let him not have any further power at all to put her away, unless she give him very great occasions of suspicion, and such as can be no way contradicted. But for him that brings an accusation and calumny against his wife in an impudent and rash manner, let him be punished by receiving forty stripes save one, and let him pay fifty shekels to her father: but if the damsel be convicted, as having been corrupted, and is one of the common people, let her be stoned, because she did not preserve her virginity till she were lawfully married; but if she were the daughter of a priest, let her be burnt alive. If any one has two wives, and if he greatly respect and be kind to one of them, either out of his affection to her, or for her beauty, or for some other reason, while the other is of less esteem with him; and if the son of her that is beloved be the younger by birth than another born of the other wife, but endeavors to obtain the right of primogeniture from his father's kindness to his mother, and would thereby obtain a double portion of his father's substance, for that double portion is what I have allotted him in the laws, - let not this be permitted; for it is unjust that he who is the elder by birth should be deprived of what is due to him, on the father's disposition of his estate, because his mother was not equally regarded by him. He that hath corrupted a damsel espoused to another man, in case he had her consent, let both him and her be put to death, for they are both equally guilty; the man, because he persuaded the woman willingly to submit to a most impure action, and to prefer it to lawful wedlock; the woman, because she was persuaded to yield herself to be corrupted, either for pleasure or for gain. However, if a man light on a woman when she is alone, and forces her, where nobody was present to come to her assistance, let him only be put to death. Let him that hath corrupted a virgin not yet espoused marry her; but if the father of the damsel be not willing that she should be his wife, let him pay fifty shekels as the price of her prostitution. He that desires

to be divorced from his wife for any cause (11) whatsoever, (and many such causes happen among men,) let him in writing give assurance that he will never use her as his wife any more; for by this means she may be at liberty to marry another husband, although before this bill of divorce be given, she is not to be permitted so to do: but if she be misused by him also, or if, when he is dead, her first husband would marry her again, it shall not be lawful for her to return to him. If a woman's husband die, and leave her without children, let his brother marry her, and let him call the son that is born to him by his brother's name, and educate him as the heir of his inheritance, for this procedure will be for the benefit of the public, because thereby families will not fail, and the estate will continue among the kindred; and this will be for the solace of wives under their affliction, that they are to be married to the next relation of their former husbands. But if the brother will not marry her, let the woman come before the senate, and protest openly that this brother will not admit her for his wife, but will injure the memory of his deceased brother, while she is willing to continue in the family, and to hear him children. And when the senate have inquired of him for what reason it is that he is averse to this marriage, whether he gives a bad or a good reason, the matter must come to this issue, That the woman shall loose the sandals of the brother, and shall spit in his face, and say, He deserves this reproachful treatment from her, as having injured the memory of the deceased. And then let him go away out of the senate, and bear this reproach upon him all his life long; and let her marry to whom she pleases, of such as seek her in marriage. But now, if any man take captive, either a virgin, or one that hath been married, (12) and has a mind to marry her, let him not be allowed to bring her to bed to him, or to live with her as his wife, before she hath her head shaven, and hath put on her mourning habit, and lamented her relations and friends that were slain in the battle, that by this means she may give vent to her sorrow for them, and after that may betake herself to feasting and matrimony; for it is good for him that takes a woman, in order to have children by her, to be complaisant to her inclinations, and not merely to pursue his own pleasure, while he hath no regard to what is agreeable to her.

But when thirty days are past, as the time of mourning, for so many are sufficient to prudent persons for lamenting the dearest friends, then let them proceed to the marriage; but in case when he hath satisfied his lust, he be too proud to retain her for his wife, let him not have it in his power to make her a slave, but let her go away whither she pleases, and have that privilege of a free woman.

24. As to those young men that despise their parents, and do not pay them honor, but offer them affronts, either because they are ashamed of them or think themselves wiser than they, - in the first place, let their parents admonish them in words, (for they are by nature of authority sufficient for becoming their judges,) and let them say thus to them: - That they cohabited together, not for the sake of pleasure, nor for the augmentation of their riches, by joining both their stocks together, but that they might have children to take care of them in their old age, and might by them have what they then should want. And say further to him, "That when thou wast born, we took thee up with gladness, and gave God the greatest thanks for thee, and brought thee up with great care, and spared for nothing that appeared useful for thy preservation, and for thy instruction in what was most excellent. And now, since it is reasonable to forgive the sins of those that are young, let it suffice thee to have given so many indications Of thy contempt of us; reform thyself, and act more wisely for the time to come; considering that God is displeased with those that are insolent towards their parents, because he is himself the Father of the whole race of mankind, and seems to bear part of that dishonor which falls upon those that have the same name, when they do not meet with dire returns from their children. And on such the law inflicts inexorable punishment; of which punishment mayst thou never have the experience." Now if the insolence of young men be thus cured, let them escape the reproach which their former errors deserved; for by this means the lawgiver will appear to be good, and parents happy, while they never behold either a son or a daughter brought to punishment. But if it happen that these words and instructions, conveyed by them in order to

reclaim the man, appear to be useless, then the offender renders the laws implacable enemies to the insolence he has offered his parents; let him therefore be brought forth (13) by these very parents out of the city, with a multitude following him, and there let him be stoned; and when he has continued there for one whole day, that all the people may see him, let him be buried in the night. And thus it is that we bury all whom the laws condemn to die, upon any account whatsoever. Let our enemies that fall in battle be also buried; nor let any one dead body lie above the ground, or suffer a punishment beyond what justice requires.

25. Let no one lend to any one of the Hebrews upon usury, neither usury of what is eaten or what is drunken, for it is not just to make advantage of the misfortunes of one of thy own countrymen; but when thou hast been assistant to his necessities, think it thy gain if thou obtainest their gratitude to thee; and withal that reward which will come to thee from God, for thy humanity towards him.

26. Those who have borrowed either silver or any sort of fruits, whether dry or wet, (I mean this, when the Jewish affairs shall, by the blessing of God, be to their own mind,) let the borrowers bring them again, and restore them with pleasure to those who lent them, laying them up, as it were, in their own treasuries, and justly expecting to receive them thence, if they shall want them again. But if they be without shame, and do not restore it, let not the lender go to the borrower's house, and take a pledge himself, before judgment be given concerning it; but let him require the pledge, and let the debtor bring it of himself, without the least opposition to him that comes upon him under the protection of the law. And if he that gave the pledge be rich, let the creditor retain it till what he lent be paid him again; but if he be poor, let him that takes it return it before the going down of the sun, especially if the pledge be a garment, that the debtor may have it for a covering in his sleep, God himself naturally showing mercy to the poor. It is also not lawful to take a millstone, nor any utensil thereto belonging, for a

pledge, that the debtor, may not be deprived of instruments to get their food withal, and lest they be undone by their necessity.

27. Let death be the punishment for stealing a man; but he that hath purloined gold or silver, let him pay double. If any one kill a man that is stealing something out of his house, let him be esteemed guiltless, although the man were only breaking in at the wall. Let him that hath stolen cattle pay fourfold what is lost, excepting the case of an ox, for which let the thief pay fivefold. Let him that is so poor that he cannot pay what mullet is laid upon him, be his servant to whom he was adjudged to pay it.

28. If any one be sold to one of his own nation, let him serve him six years, and on the seventh let him go free. But if he have a son by a woman servant in his purchaser's house, and if, on account of his good-will to his master, and his natural affection to his wife and children, he will be his servant still, let him be set free only at the coming of the year of jubilee, which is the fiftieth year, and let him then take away with him his children and wife, and let them be free also.

29. If any one find gold or silver on the road, let him inquire after him that lost it, and make proclamation of the place where he found it, and then restore it to him again, as not thinking it right to make his own profit by the loss of another. And the same rule is to be observed in cattle found to have wandered away into a lonely place. If the owner be not presently discovered, let him that is the finder keep it with himself, and appeal to God that he has not purloined what belongs to another.

30. It is not lawful to pass by any beast that is in distress, when in a storm it is fallen down in the mire, but to endeavor to preserve it, as having a sympathy with it in its pain.

31. It is also a duty to show the roads to those who do not know them,

and not to esteem it a matter for sport, when we hinder others' advantages, by setting them in a wrong way.

32. In like manner, let no one revile a person blind or dumb.

33. If men strive together, and there be no instrument of iron, let him that is smitten be avenged immediately, by inflicting the same punishment on him that smote him: but if when he is carried home he lie sick many days, and then die, let him that smote him not escape punishment; but if he that is smitten escape death, and yet be at great expense for his cure, the smiter shall pay for all that has been expended during the time of his sickness, and for all that he has paid the physician. He that kicks a woman with child, so that the woman miscarry, (14) let him pay a fine in money, as the judges shall determine, as having diminished the multitude by the destruction of what was in her womb; and let money also be given the woman's husband by him that kicked her; but if she die of the stroke, let him also be put to death, the law judging it equitable that life should go for life.

34. Let no one of the Israelites keep any poison (15) that may cause death, or any other harm; but if he be caught with it, let him be put to death, and suffer the very same mischief that he would have brought upon them for whom the poison was prepared.

35. He that maimeth any one, let him undergo the like himself, and be deprived of the same member of which he hath deprived the other, unless he that is maimed will accept of money instead of it (16) for the law makes the sufferer the judge of the value of what he hath suffered, and permits him to estimate it, unless he will be more severe.

36. Let him that is the owner of an ox which pusheth with his horn, kill him: but if he pushes and gores any one in the thrashing-floor, let him be put to death by stoning, and let him not be thought fit for food: but if his owner

be convicted as having known what his nature was, and hath not kept him up, let him also be put to death, as being the occasion of the ox's having killed a man. But if the ox have killed a man-servant, or a maid-servant, let him be stoned; and let the owner of the ox pay thirty shekels (17) to the master of him that was slain; but if it be an ox that is thus smitten and killed, let both the oxen, that which smote the other and that which was killed, be sold, and let the owners of them divide their price between them.

37. Let those that dig a well or a pit be careful to lay planks over them, and so keep them shut up, not in order to hinder any persons from drawing water, but that there may be no danger of falling into them. But if any one's beast fall into such a well or pit thus digged, and not shut up, and perish, let the owner pay its price to the owner of the beast. Let there be a battlement round the tops of your houses instead of a wall, that may prevent any persons from rolling down and perishing.

38. Let him that has received any thing in trust for another, take care to keep it as a sacred and divine thing; and let no one invent any contrivance whereby to deprive him that hath intrusted it with him of the same, and this whether he be a man or a woman; no, not although he or she were to gain an immense sum of gold, and this where he cannot be convicted of it by any body; for it is fit that a man's own conscience, which knows what he hath, should in all cases oblige him to do well. Let this conscience be his witness, and make him always act so as may procure him commendation from others; but let him chiefly have regard to God, from whom no wicked man can lie concealed: but if he in whom the trust was reposed, without any deceit of his own, lose what he was intrusted withal, let him come before the seven judges, and swear by God that nothing hath been lost willingly, or with a wicked intention, and that he hath not made use of any part thereof, and so let him depart without blame; but if he hath made use of the least part of what was committed to him, and it be lost, let him be condemned to repay all that he had received. After the same manner as in these trusts it is to be, if

any one defraud those that undergo bodily labor for him. And let it be always remembered, that we are not to defraud a poor man of his wages, as being sensible that God has allotted these wages to him instead of land and other possessions; nay, this payment is not at all to be delayed, but to be made that very day, since God is not willing to deprive the laborer of the immediate use of what he hath labored for.

39. You are not to punish children for the faults of their parents, but on account of their own virtue rather to vouchsafe them commiseration, because they were born of wicked parents, than hatred, because they were born of bad ones. Nor indeed ought we to impute the sin of children to their fathers, while young persons indulge themselves in many practices different from what they have been instructed in, and this by their proud refusal of such instruction.

40. Let those that have made themselves eunuchs be had in detestation; and do you avoid any conversation with them who have deprived themselves of their manhood, and of that fruit of generation which God has given to men for the increase of their kind: let such be driven away, as if they had killed their children, since they beforehand have lost what should procure them; for evident it is, that while their soul is become effeminate, they have withal transfused that effeminacy to their body also. In like manner do you treat all that is of a monstrous nature when it is looked on; nor is it lawful to geld men or any other animals. (18)

41. Let this be the constitution of your political laws in time of peace, and God will be so merciful as to preserve this excellent settlement free from disturbance: and may that time never come which may innovate any thing, and change it for the contrary. But since it must needs happen that mankind fall into troubles and dangers, either undesignedly or intentionally, come let us make a few constitutions concerning them, that so being apprised beforehand what ought to be done, you may have salutary counsels ready

when you want them, and may not then be obliged to go to seek what is to be done, and so be unprovided, and fall into dangerous circumstances. May you be a laborious people, and exercise your souls in virtuous actions, and thereby possess and inherit the land without wars; while neither any foreigners make war upon it, and so afflict you, nor any internal sedition seize upon it, whereby you may do things that are contrary to your fathers, and so lose the laws which they have established. And may you continue in the observation of those laws which God hath approved of, and hath delivered to you. Let all sort of warlike operations, whether they befall you now in your own time, or hereafter in the times of your posterity, be done out of your own borders: but when you are about to go to war, send embassages and heralds to those who are your voluntary enemies, for it is a right thing to make use of words to them before you come to your weapons of war; and assure them thereby, that although you have a numerous army, with horses and weapons, and, above these, a God merciful to you, and ready to assist you, you do however desire them not to compel you to fight against them, nor to take from them what they have, which will indeed be our gain, but what they will have no reason to wish we should take to ourselves. And if they hearken to you, it will be proper for you to keep peace with them; but if they trust in their own strength, as superior to yours, and will not do you justice, lead your army against them, making use of God as your supreme Commander, but ordaining for a lieutenant under him one that is of the greatest courage among you; for these different commanders, besides their being an obstacle to actions that are to be done on the sudden, are a disadvantage to those that make use of them. Lead an army pure, and of chosen men, composed of all such as have extraordinary strength of body and hardiness of soul; but do you send away the timorous part, lest they run away in the time of action, and so afford an advantage to your enemies. Do you also give leave to those that have lately built them houses, and have not yet lived in them a year's time; and to those that have planted them vineyards, and have not yet been partakers of their fruits, - to continue in their own country; as well as those also who have betrothed, or lately

married them wives, lest they have such an affection for these things that they be too sparing of their lives, and, by reserving themselves for these enjoyments, they become voluntary cowards, on account of their wives.

42. When you have pitched your camp, take care that you do nothing that is cruel. And when you are engaged in a siege; and want timber for the making of warlike engines, do not you render the land naked by cutting down trees that bear fruit, but spare them, as considering that they were made for the benefit of men; and that if they could speak, they would have a just plea against you, because, though they are not occasions of the war, they are unjustly treated, and suffer in it, and would, if they were able, remove themselves into another land. When you have beaten your enemies in battle, slay those that have fought against you; but preserve the others alive, that they may pay you tribute, excepting the nation of the Canaanites; for as to that people, you must entirely destroy them.

43, Take care, especially in your battles, that no woman use the habit of a man, nor man the garment of a woman.

44. This was the form of political government which was left us by Moses. Moreover, he had already delivered laws in writing (19) in the fortieth year [after they came out of Egypt], concerning which we will discourse in another book. But now on the following days (for he called them to assemble continually) he delivered blessings to them, and curses upon those that should not live according to the laws, but should transgress the duties that were determined for them to observe. After this, he read to them a poetic song, which was composed in hexameter verse, and left it to them in the holy book: it contained a prediction of what was to come to pass afterward; agreeably whereto all things have happened all along, and do still happen to us; and wherein he has not at all deviated from the truth. Accordingly, he delivered these books to the priest, (20) with the ark; into which he also put the ten commandments, written on two tables. He

delivered to them the tabernacle also, and exhorted the people, that when they had conquered the land, and were settled in it, they should not forget the injuries of the Amalekites, but make war against them, and inflict punishment upon them for what mischief they did them when they were in the wilderness; and that when they had got possession of the land of the Canaanites, and when they had destroyed the whole multitude of its inhabitants, as they ought to do, they should erect an altar that should face the rising sun, not far from the city of Shechem, between the two mountains, that of Gerizzim, situate on the right hand, and that called Ebal, on the left; and that the army should be so divided, that six tribes should stand upon each of the two mountains, and with them the Levites and the priests. And that first, those that were upon Mount Gerizzim should pray for the best blessings upon those who were diligent about the worship of God, and the observation of his laws, and who did not reject what Moses had said to them; while the other wished them all manner of happiness also; and when these last put up the like prayers, the former praised them. After this, curses were denounced upon those that should transgress those laws, they answering one another alternately, by way of confirmation of what had been said. Moses also wrote their blessings and their curses, that they might learn them so thoroughly, that they might never be forgotten by length of time. And when he was ready to die, he wrote these blessings and curses upon the altar, on each side of it; where he says also the people stood, and then sacrificed and offered burnt-offerings, though after that day they never offered upon it any other sacrifice, for it was not lawful so to do. These are the constitutions of Moses; and the Hebrew nation still live according to them.

45. On the next day, Moses called the people together, with the women and children, to a congregation, so as the very slaves were present also, that they might engage themselves to the observation of these laws by oath; and that, duly considering the meaning of God in them, they might not, either for favor of their kindred, or out of fear of any one, or indeed for any motive whatsoever, think any thing ought to be preferred to these laws, and so might

transgress them. That in case any one of their own blood, or any city, should attempt to confound or dissolve their constitution of government, they should take vengeance upon them, both all in general, and each person in particular; and when they had conquered them, should overturn their city to the very foundations, and, if possible, should not leave the least footsteps of such madness: but that if they were not able to take such vengeance, they should still demonstrate that what was done was contrary to their wills. So the multitude bound themselves by oath so to do.

46. Moses taught them also by what means their sacrifices might be the most acceptable to God; and how they should go forth to war, making use of the stones (in the high priest's breastplate) for their direction, (21) as I have before signified. Joshua also prophesied while Moses was present. And when Moses had recapitulated whatsoever he had done for the preservation of the people, both in their wars and in peace, and had composed them a body of laws, and procured them an excellent form of government, he foretold, as God had declared to him "That if they transgressed that institution for the worship of God, they should experience the following miseries: - Their land should be full of weapons of war from their enemies, and their cities should be overthrown, and their temple should be burnt that they should be sold for slaves, to such men as would have no pity on them in their afflictions; that they would then repent, when that repentance would no way profit them under their sufferings. "Yet," said he, "will that God who founded your nation, restore your cities to your citizens, with their temple also; and you shall lose these advantages not once only, but often."

47. Now when Moses had encouraged Joshua to lead out the army against the Canaanites, by telling him that God would assist him in all his undertakings, and had blessed the whole multitude, he said, "Since I am going to my forefathers, and God has determined that this should be the day of my departure to them, I return him thanks while I am still alive and present with you, for that providence he hath exercised over you, which hath

not only delivered us from the miseries we lay under, but hath bestowed a state of prosperity upon us; as also, that he hath assisted me in the pains I took, and in all the contrivances I had in my care about you, in order to better your condition, and hath on all occasions showed himself favorable to us; or rather he it was who first conducted our affairs, and brought them to a happy conclusion, by making use of me as a vicarious general under him, and as a minister in those matters wherein he was willing to do you good: on which account I think it proper to bless that Divine Power which will take care of you for the time to come, and this in order to repay that debt which I owe him, and to leave behind me a memorial that we are obliged to worship and honor him, and to keep those laws which are the most excellent gift of all those he hath already bestowed upon us, or which, if he continue favorable to us, he will bestow upon us hereafter. Certainly a human legislator is a terrible enemy when his laws are affronted, and are made to no purpose. And may you never experience that displeasure of God which will be the consequence of the neglect of these his laws, which he, who is your Creator, hath given you."

48. When Moses had spoken thus at the end of his life, and had foretold what would befall to every one of their tribes (22) afterward, with the addition of a blessing to them, the multitude fell into tears, insomuch that even the women, by beating their breasts, made manifest the deep concern they had when he was about to die. The children also lamented still more, as not able to contain their grief; and thereby declared, that even at their age they were sensible of his virtue and mighty deeds; and truly there seemed to be a strife betwixt the young and the old who should most grieve for him. The old grieved because they knew what a careful protector they were to be deprived of, and so lamented their future state; but the young grieved, not only for that, but also because it so happened that they were to be left by him before they had well tasted of his virtue. Now one may make a guess at the excess of this sorrow and lamentation of the multitude, from what happened to the legislator himself; for although he was always persuaded that he ought

not to be cast down at the approach of death, since the undergoing it was agreeable to the will of God and the law of nature, yet what the people did so overbore him, that he wept himself. Now as he went thence to the place where he was to vanish out of their sight, they all followed after him weeping; but Moses beckoned with his hand to those that were remote from him, and bade them stay behind in quiet, while he exhorted those that were near to him that they would not render his departure so lamentable. Whereupon they thought they ought to grant him that favor, to let him depart according as he himself desired; so they restrained themselves, though weeping still towards one another. All those who accompanied him were the senate, and Eleazar the high priest, and Joshua their commander. Now as soon as they were come to the mountain called Abarim, (which is a very high mountain, situate over against Jericho, and one that affords, to such as are upon it, a prospect of the greatest part of the excellent land of Canaan,) he dismissed the senate; and as he was going to embrace Eleazar and Joshua, and was still discoursing with them, a cloud stood over him on the sudden, and he disappeared in a certain valley, although he wrote in the holy books that he died, which was done out of fear, lest they should venture to say that, because of his extraordinary virtue, he went to God.

49. Now Moses lived in all one hundred and twenty years; a third part of which time, abating one month, he was the people's ruler; and he died on the last month of the year, which is called by the Macedonians Dystrus, but by us Adar, on the first day of the month. He was one that exceeded all men that ever were in understanding, and made the best use of what that understanding suggested to him. He had a very graceful way of speaking and addressing himself to the multitude; and as to his other qualifications, he had such a full command of his passions, as if he hardly had any such in his soul, and only knew them by their names, as rather perceiving them in other men than in himself. He was also such a general of an army as is seldom seen, as well as such a prophet as was never known, and this to such a degree, that whatsoever he pronounced, you would think you heard the voice of God

himself. So the people mourned for him thirty days: nor did ever any grief so deeply affect the Hebrews as did this upon the death of Moses: nor were those that had experienced his conduct the only persons that desired him, but those also that perused the laws he left behind him had a strong desire after him, and by them gathered the extraordinary virtue he was master of. And this shall suffice for the declaration of the manner of the death of Moses.

Footnotes:

1. Josephus here, in this one sentence, sums up his notion of Moses's very long and very serious exhortations in the book of Deuteronomy; and his words are so true, and of such importance, that they deserve to be had in constant remembrance.
2. This law, both here and Exodus 20:25, 26, of not going up to God's altar by ladder-steps, but on an acclivity, seems not to have belonged to the altar of the tabernacle, which was in all but three cubits high, Exodus 27:4; nor to that of Ezekiel, which was expressly to be gone up to by steps, ch. 43:17; but rather to occasional altars of any considerable altitude and largeness; as also probably to Solomon's altar, to which it is here applied by Josephus, as well as to that in Zorobabel's and Herod's temple, which were, I think, all ten cubits high. See 2 Chronicles 4:1, and Antiq. B. VIII. ch. 3. sect. 7. The reason why these temples, and these only, were to have this ascent on an acclivity, and not by steps, is obvious, that before the invention of stairs, such as we now use, decency could not be otherwise provided for in the loose garments which the priests wore, as the law required. See Lamy of the Tabernacle and Temple, p. 444.
3. The hire of public or secret harlots was given to Venus in Syria, as Lucian informs us, p. 878; and against some such vile practice of the old idolaters this law seems to have been made.
4. The Apostolical Constitutions, B. II. ch. 26. sect. 31, expound this law of Moses, Exodus 22. 28, "Thou shalt not revile or blaspheme the gods,"

or magistrates, which is a much more probable exposition than this of Josephus, of heathen gillies, as here, and against Apion, B. II. ch. 3. sect. 31. What book of the law was thus publicly read, see the note on Antiq. B. X. ch. 5. sect. 5, and 1 Esd. 9:8-55.

5. Whether these phylacteries, and other Jewish memorials of the law here mentioned by Josephus, and by Moses, (besides the fringes on the borders of their garments, Numbers 15:37,) were literally meant by God, I much question. That they have been long observed by the Pharisees and Rabbinical Jews is certain; however, the Karaites, who receive not the unwritten traditions of the elders, but keep close to the written law, with Jerome and Grotius, think they were not literally to be understood; as Bernard and Reland here take notice. Nor indeed do I remember that, either in the ancients books of the Old Testament, or in the books we call Apocrypha, there are any signs of such literal observations appearing among the Jews, though their real or mystical signification, i.e. the constant remembrance and observation of the laws of God by Moses, be frequently inculcated in all the sacred writings.
6. Here, as well as elsewhere, sect. 38, of his Life, sect. 14, and of the War, B. II. ch. 20. sect. 5, are but seven judges appointed for small cities, instead of twenty-three in the modern Rabbins; which modern Rabbis are always but of very little authority in comparison of our Josephus.
7. I have never observed elsewhere, that in the Jewish government women were not admitted as legal witnesses in courts of justice. None of our copies of the Pentateuch say a word of it. It is very probable, however, that this was the exposition of the scribes and Pharisees, and the practice of the Jews in the days of Josephus.
8. This penalty of "forty stripes save one," here mentioned, and sect. 23, was five times inflicted on St. Paul himself by the Jews, 2 Corinthians 11:24
9. Josephus's plain and express interpretation of this law of Moses, Deuteronomy 14:28, 29; 26:12, etc., that the Jews were bound every third year to pay three tithes, that to the Levites, that for sacrifices at

Jerusalem, and this for the indigent, the widow, and the orphans, is fully confirmed by the practice of good old Tobit, even when he was a captive in Assyria, against the opinions of the Rabbins, Tobit 1:6-8.

10. These tokens of virginity, as the Hebrew and Septuagint style them, Deuteronomy 22:15, 17, 20, seem to me very different from what our later interpreters suppose. They appear rather to have been such close linen garments as were never put off virgins, after, a certain age, till they were married, but before witnesses, and which, while they were entire, were certain evidences of such virginity. See these, Antiq. B. VII. ch. 8. sect. 1; 2 Samuel 13:18; Isaiah 6:1 Josephus here determines nothing what were these particular tokens of virginity or of corruption: perhaps he thought he could not easily describe them to the heathens, without saying what they might have thought a breach of modesty; which seeming breach of modesty laws cannot always wholly avoid.
11. These words of Josephus are very like those of the Pharisees to our Savior upon this very subject, Matthew 19:3, "Is it lawful for a man to put away his wife for every cause?"
12. Here it is supposed that this captive's husband, if she were before a married woman, was dead before, or rather was slain in this very battle, otherwise it would have been adultery in him that married her.
13. See Herod the Great insisting on the execution of this law, with relation to two of his own sons, before the judges at Berytus, Antiq. B. XVI. ch. 11. sect. 2.
14. Philo and others appear to have understood this law, Exodus 21:22, 23, better than Josephus, who seems to allow, that though the infant in the mother's womb, even after the mother were quick, and so the infant had a rational soul, were killed by the stroke upon the mother, yet if the mother escaped, the offender should only be fined, and not put to death; while the law seems rather to mean, that if the infant in that case be killed, though the mother escape, the offender must be put to death, and not only when the mother is killed, as Josephus understood it. It seems

this was the exposition of the Pharisees in the days of Josephus.

15. What we render a witch, according to our modern notions of witchcraft, Exodus 22:15, Philo and Josephus understood of a poisoner, or one who attempted by secret and unlawful drugs or philtera, to take away the senses or the lives of men.
16. This permission of redeeming this penalty with money is not in our copies, Exodus 21:24, 25; Leviticus 24:20; Deuteronomy 19:21.
17. We may here note, that thirty shekels, the price our Savior was sold for by Judas to the Jews, Matthew 26:15, and 27:3, was the old value of a bought servant or slave among that people.
18. This law against castration, even of brutes, is said to be so rigorous elsewhere, as to inflict death on him that does it. which seems only a Pharisaical interpretation in the days of Josephus of that law, Leviticus 21:20, and 22:24: only we may hence observe, that the Jews could then have no oxen which are gelded, but only bulls and cows, in Judea.
19. These laws seem to be those above-mentioned, sect, 4, of this chapter.
20. What laws were now delivered to the priests, see the note on Antiq. B. III. ch. 1. sect. 7,
21. Of the exact place where this altar was to be built, whether nearer Mount Gerizzim or Mount Ebal, according to Josephus, see Essay on the Old Testament, p. 168--171.
Dr. Bernard well observes here, how unfortunate this neglect of consulting the Urim was to Joshua himself, in the case of the Gibeonites, who put a trick upon him, and ensnared him, together with the rest of the Jewish rulers, with a solemn oath to preserve them, contrary to his commission to extirpate all the Canaanites, root and branch; which oath he and the other rulers never durst break. See Scripture Politics, p. 55, 56; and this snare they were brought into because they "did not ask counsel at the mouth of the Lord," Joshua 9:14.
22. Since Josephus assures us here, as is most naturally to be supposed, and as the Septuagint gives the text, Deuteronomy 33:6, that Moses blessed every one of the tribes of Israel, it is evident that Simeon was not

omitted in his copy, as it unhappily now is, both in our Hebrew and Samaritan copies.