

Part. 2.
Of Estates, or Rights to Things consisting of
Possession or Property, in several Kinds of
Estates, and the general Ways how they may be acquired.

Before I treat particular of Possession and Property, I shall
here previously shew first how Rights of Possession and Property
came to be introduced. 2^o What Things may not, and what may
be possessed or appropriated.

How Rights of Possession and Property were in-
troduced.

The Scripture tells us, that when God Created Man, he said unto
him, be fruitful and multiply, replenish the Earth and subdue
it, and have Dominion over the Fish of the Sea and Fowl of
the air, and over every thing that moveth upon the earth. Behold
I have given you every Herb bearing Seed, and every Tree bearing
Fruit for meat, Genes. 1. 28 & 29. Whence some

do infer that Adam was both Governour and Proprietor of the
whole Inferior World, and that all Rights of Government and
Property are derived from him. But the text clears, that this Gift
was not to Adam and Eve, who could neither replenish the
Earth nor subdue it, but to Mankind in their persons only, and
did not import in it, a present Right of property, but only
a Power to appropriate by Possession. So that what
was not subdued or possessed was no Mans, and every Man had
right to subdue and possess, and thereby Right to that which
before belonged to none, as well as Adams. In that first Age of
the World, there was no property distinct from Lawfull Possession, and what one ceased to possess immediately ceased to be
his, and became the next Possessor. Therefore what ever belong-
ed to any is called in Holy write their Possessions. Adam had
indeed Dominion over his Posterity, as their Father, and so
might indirectly order their possessions: But they derived
no right from him to more than he gave them, and was in
his own possession.

Some think that Man by his fall lost his right to the Creation,
untill he be restored to it by Grace; and that the sole Dominion
over them belongs to the Saints, who may take them by force
from all others. But this Maxim, that Dominion is found
in Grace, which was the Heresy of the German Anabap-
tists, is groundless and absurd. The Saints title to an eternal
Inheritance doth not carry them to the possessions of the