

quent Solutions of conjugal Society would mightily disturb.

§ 81. But tho these are Ties upon *Mankind*, which make the *conjugal Bonds* more firm and lasting in Man than the other Species of Animals; yet it would give one Reason to inquire, Why this *Compact*, where Procreation and Education are secured, and Inheritance taken care of, may not be made determinable, either by Consent, or at a certain time, or upon certain Conditions, as well as any other voluntary *Compacts*, there being no Necessity in the Nature of the thing, nor to the ends of it, that it should always be for Life; I mean, to such as are under no Restraint of any positive Law, which ordains all such Contracts to be perpetual.

§ 82. But the Husband and Wife, tho they have but one common Concern, yet having different Understandings, will unavoidably sometimes have different Wills too; it therefore being necessary that the last Determination, *i. e.* the Rule, should be placed somewhere; it naturally falls to the Man's Share, as the abler and the stronger. But this reaching but to the things of their common Interest and Property, leaves the Wife in the full and free Possession of what by Contract is her peculiar Right, and gives the Husband no more Power over her Life than she has over his. The *Power of the Husband* being so far from that of an absolute Monarch, that the *Wife* has in many cases a Liberty to separate from him; where natural Right, or their Contract allows it, whether that Contract be made by themselves in the State of Nature, or by the Customs or Laws of the Country they live in; and the Children upon such Separation fall to the Father or Mother's Lot, as such Contract does determine.

§ 83. For all the ends of *Marriage* being to be obtained under politick Government, as well as in the State of Nature, the Civil Magistrate doth not abridge the