



Library of the Theological Seminary,
PRINCETON, N. J.

Presented by Rev. A. B. Baker - 1883

Division.....

Section

Number.....

Shelf.....

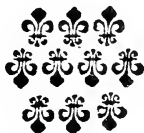
Stocks

1850

1851

A N
A C C O U N T
O F
Church-Government,
A N D
G O V E R N O U R S .

By William Lloyd



L O N D O N :

Printed for *John Wyat*, at the *Rose* in
St. Paul's Church-yard. 1701.

THE

PREFACE.

I have attempted to write a small Treatise concerning *the Government and Governours of the Church*, not because I thought my self qualified for such an Undertaking, but purely to gratifie the desires of a particular Friend, who earnestly requested it of me. The occasion was this: About *Christmas 1698.* a near Relation of mine was so kind as to let me enjoy his company at my House for a time. He had the Misfortune to be Educated altogether by Dissenters, his Parents and Guardians being rigid Presbyterians. Now tho' his own sweet temper gave him a just dislike of the censoriousness of that Party, and his natural reason convinc'd him of the unreasonable-ness of their separation from us, so that assoon as he could free himself from his Pedagogue, he forsook the Meeting-House for the Church; yet having not

The Preface.

opportunities to acquaint himself with the true nature and constitution of the Primitive Church, and the uninterrupted Succession of the several Orders of the Clergy amongst us, by Reason that he was obliged to another different Study (wherein his Diligence is such that I doubt not but he will soon be eminent in his Profession) he was not thoroughly satisfied with the Divine or at least Apostolical Institution of Episcopacy. He thought it indeed a Rational Form of Church Government, and the most agreeable to the Constitution of our State, and that the Dissenters were to blame to condemn it as Antichristian: But otherwise he thought the Legislative Power might make what Alterations they pleased in it, and that all Church Government was Prudential and might upon just Occasions be altered at the Pleasure of the State. It happened in our Conversation that we fell into some Discourse concerning the Church of *England* and the Dissenters. He seemed to think the Differences between us not so great but that they might be accommodated by Concessions on all sides; at least that we and the Presbyterians might be United by a Comprehension Act of Parliament. I gave him several Reasons,

The Preface.

as they then occurred to me, to the contrary: But that which he thought the most Material, and was enclined to believe would hinder such an Union was the Difference about the several Ordinations. I said that the Presbyterians who had been already Ordained by their Presbyters could not submit to be re-ordained by a Bishop without a tacit Acknowledgement that their first Ordination was invalid: Whereby they must confess that they had hitherto Preached the Word and Administred the Sacraments without having a just Right and Title to perform those holy Offices: Which would be a great Offence to their several Congregations who had Communicated with them and esteemed them to be true Ministers of the Word and Stewards of the Mysteries of God. He demanded of me if the Church of *England* could not admit 'em into Communion, and give them a License to Preach in our Churches and perform other Ministerial Duties without their Receiving Episcopal Ordination, having been already Ordained by Presbyters. I answered this could not be done without an Acknowledgement that Ordination by Presbyters was valid, and this being once granted the

The Preface.

Episcopal Church would soon be ruined. For if once we allowed that Presbyters might be Ordained by Presbyters and that such Ordination was sufficient, we must therewith also grant that the Episcopal Office is not necessary to the Constitution of a Church. And if this were admitted the Means would soon be found totally to abolish this Order. For when we have granted that Bishops by Divine Right and Apostolical Institution are not necessary Officers in the Church, those who gape after their Temporalities, and are desirous to possess their Lands, joyning with those who think their Office to be Antichristian, which most of our Dissenters do, would soon find a Way utterly to extirpate Episcopacy in *England*. This he said he could not desire, tho' he was not satisfied that all other Church Governments were contrary to Apostolical Institution. I replied that I looked upon 'em to be so. Upon which he told me he would gladly be informed how and when the several Orders of the Clergy as they are now in the Church of *England* were instituted : Also what it was which gave the Original to *Deans and Chapters, Archdeacons Chancellours, &c.* And desired me to give him the best Account of these Matters that I could. I did

The Preface.

did not deny this Request, because I was unwilling that one who had so well conquered the Prejudices of an unhappy Education should want any reasonable satisfaction I could give him ; neither did I know any one Book to recommend to his perusal on this Occasion, and his other Studies would not permit him to Read over so many as were necessary to give him a full Information in these Particulars. And besides I was willing to inform my self better in this Matter that I might be more ready to answer on the like Occasion. I acknowledge that there is little of my own in this Discourse, the nature of the Subject requiring me to compose it of Collections. I am also sensible my Performance must be defective, both because I am very much wanting in those natural and acquired Abilities requisite for such an undertaking : And likewise because I could not obtain many Books necessary to give me a fuller Information of these Matters. For living in an obscure Place where I could have no Recourse to any Publick Libraries, and none of the Neighbouring Clergy being able to supply me to supply me with such Books as I wanted, I was forced to make the best shift I could with that small Collection my own study

at-

The Preface.

afforded me. Therefore labouring un-
such Difficulties I would have excused
my self from this troublesome Task
had not the former Reasons prevailed
with me to attempt it. Yet I went about
it with an honest and impartial Mind,
and altho' I have not Written all that
might be well said upon this Subject, I
have nevertheless affirmed Nothing but
what I think may be depended on and
supported by very good Authority.
Where I had not the Authors themselves
by me, I have fairly quoted the Book
from which I have Transcribed those
Passages I have any where cited. Most
of the Councils I have quoted (having
them not at large) are taken from *Du
Pins* Epitome of them in his *Bibliotheca*,
wherein I have followed the English
Edition: But I would not have content-
ed my self to have Transcribed any thing
at second Hand, If I could have found
any means of obtaining the Use of the
Originals themselves. I hope therefore
that will be imputed to me as a Misfor-
tune rather than a Fault. For a slender
Income will not Supply a Clergy Man
with such Books as he ordinarily has Oc-
casion for, much less will it Furnish him
with Materials to Write on such a Sub-
ject as this. However this Treatise such

The Preface.

as it is I finished about a Year ago, and then Transcribed it for my Friends Use, and gave it to him, and he has been so kind as to acknowledge that he has received good Satisfaction by it, so that I have the Comfort to believe my Labour has not been altogether lost. I have since made some Additions and Alterations in it, and have again Transcribed it for the Use of the Publick; Hoping this imperfect Essay of mine may incite some Person of greater Learning and Opportunities to Write a more compleat Treatise on this Subject, both supplying the Defects of this Work and Correcting the Mistakes which I have any where been guilty of in it.

A N

I N D E X

O F T H E

C H A P T E R S .

Chapter.	Page.
I. O <i>F Church Power in general, and whence it is derived.</i>	1
II. <i>Of the King's Supremacy.</i>	15
III. <i>Of the several Orders of the Clergy.</i>	29
IV. <i>That Bishops and Priests are distinct Orders proved from the Scriptures.</i>	33
V. <i>That Bishops and Priests are distinct Orders proved from Testimonies of the Church.</i>	58
VI. <i>Of the Colledge of Presbyters, and the manner how the Bishop lived with his Clergy.</i>	94
VII. <i>Of the Original of Parishes and Parish Priests.</i>	107
VIII. <i>Of Deacons.</i>	114
IX. <i>Of Archdeacons.</i>	112
X. <i>Of</i>	

An Index of the CHAPTERS.

X. Of Archpriests or Rural Deans.	106
XI. Of Bishops Chancellors.	133
XII. Of Chorepiscopi or Bishops Suffragan.	140
XIII. Of Archbishops or Metropolitans.	180
XIV. Of the Election of the Bishops in the Primitive Church.	190
XV. Of Feuds or Benefices.	197
XVI. Of Investiture.	205
XVII. Of the Contests about Investitures in the Empire.	212
XVIII. Of the Contests about Investitures in England.	221
XIX. Of the Manner of Elections in England.	232
XX. Of the Congè de Eslire.	238
XXI. Of the inferior orders of the Clergy not retained in the Church of England.	251
<i>The Conclusion.</i>	259

Books Printed for *John Wyatt* at the *Rose*
in *St. Paul's Church-yard*.

A Catechetical Course of Sermons for the whole Year, being an Explanation of the Church *Catechism*, in Fifty two Distinct Discourses on so many several Texts of Scripture. Wherein are briefly contained the most necessary Points of Christian Doctrine. Recommended especially for the use of Families. In two Vol. 8vo. By *Peter Newcome* M. A. Vicar of *Aldenham* in *Hertfordshire*, Price 12 s.

Family Devotions for Sunday Evenings in Four Volumes each containing Thirteen Practical Discourses with suitable Prayers for the four Quarters of the Year. By *Theophilus Dorrington*, Rector of *Witresham* in *Kent*, the Second Edition, Price 10 s.

The Sincere and Zealous Practice of Religion recommended. In Consideration of the certainty of its Principles, the Reasonableness of its Duties ; and the great Wisdom of Mankind in Serving God. With respect both to the advantages of this Life, and the Recompences of the next. To which is added a Brief account how those who incline to Religion, may best bring their good Desires to good Effect. By *John Turner* Lecturer of *Christ-Church, London*, and Chaplain to the Right Honourable, the Earl of *Scarborough*. 8vo. Price 4 s.

A Perfwalve to a Serious Preparation for Death and Judgment. Containing Several Considerations and Directions in order thereto : Being a Supplement to the *Christian Monitor*. Suited to all Capacities and designed as an help to Reformation of Manners. *Twelves*. Price 3 d. or 20 s. the Hundred to those that Buy Numbers.

A N
A C C O U N T
 O F
Church Government, &c.

C H A P. I.

Of Church Power in General, and whence it is derived.

THE New Testament does so plainly * assert a Government in the Church, and so apparently † distinguish the Members of *Christ's* Mystical Body into *Governours* and *Governed*, that one would think this Matter could not admit of a Dispute, between those who acknowledge the Divine Authority of the Scriptures. But because there are some who call themselves Christians (as the *Independents*, and several Sects of *Anabaptists*, *Quakers*, &c. propagated from them) who if they do allow any Church-

* Eph. 4. 11. 3.
 1 Cor. 12. 2
 &
 Rom. 12. 4.
 † Heb. 13. 7.
 17.

Of Church Power in general, Chap. I.

Government at all, yet make it so perfectly Democratical that we know not how to distinguish the *Governours* from the *Governed* amongst them, their Church Officers acting only as the Servants of the Church, or particular Congregation, (which in their Sense are reciprocal Terms) and not as the immediate Ministers of *Christ* constituted by him, so that these which are appointed as *Governours*, are but Subjects to those they pretend to Govern, and by consequence no *Governours* at all, there being others also (as the *Erastians*) who place all Ecclesiastical Power and Authority in the Civil Magistrate; therefore designing to treat of the Original and continued *Government of Christ's Church*, and to prove that the *Church of England* as it is by Law established, is governed according to the Rules of the Gospel, and the Practice of the Primitive Church in the best and purest Ages, that I may obviate all Objections, I judge it necessary for me in the first Place to shew that there was a Government settled in the Church, at the beginning of its Establishment by *Christ* and his Apostles, and that this was distinct from the Government of the Civil Magistrate, independent on him, and not alterable at his Plea-

Pleasure: Then I shall consider what is the Authority of the Civil Magistrate in Ecclesiastical Affairs, He being acknowledged by the *Church of England* to be the Supreme Governour of all Persons, and in all Causes: And in the next Place I purpose to shew, who are those Persons to whom *Christ* has in a more special Manner committed the Government of the Church; and that in the Church of *England* there is no essential Variation from the Institution of *Christ* and his Apostles, nor any Alteration in the Ecclesiastical Government, other than what is necessary according to the different State of the Primitive Church and ours, that is between a Church opposed and persecuted, and a Church supported and protected by the Civil Powers.

Now that there must be a Government in the Church, is demonstrable, because it is impossible it should subsist without it: For the *Church εκκλησία* as the very Name of it imports, signifies a Congregation or Society of People, and the Christian Church being *Cætus fidelium*, comprehends that faithful Society which believes in *Jesus Christ*, and that any Society should subsist without Government, cannot be imagined; Where all are to command and none to

obey, the Society ceases and become a confused Rout: It is not therefore to be supposed that the eternal Word who is Wisdom it self, should act so foolishly, as to pretend to institute a Society without Government; to assert this, would be to make *God not the Author of Peace* (* as the Apostle has declared him to be) *but of Confusion*, and that *in all the Churches of the Saints*, where † *St. Paul* assures us 'tis his Will that *all things be done decently and in Order*. But what Decency, what Order can there be without Government? If therefore the Church have no Government in it self, how can it be any other than a riotous Assembly? But to set this Matter beyond all Dispute, the Scriptures themselves do positively assert that there is a Government in the Church, and one Supreme Governour even *Jesus Christ*, whom all that profess his Name acknowledge to be the Lord. * *He died for all, that they which live should not henceforth live unto themselves, but unto him that died for them and rose again.* † *The Church of God, therefore, which he hath purchased with his Blood, is hereby made subject to him, and he is the Head or chief Ruler over it: *For the Government is upon his Shoulder: Of the In-*

* 1 Cor. 14. 33.

† 1 Cor. 14. 40.

* 2 Cor. 5. 15.

† Act. 20. 28.

* Isa. 9. 6.

Increase of this Government and Peace there shall be no end, upon the Throne of David, and upon his Kingdom, to order it and to establish it with Judgment and with Justice, from henceforth even for ever.

The Lord hath given unto him the Throne of his Father David: And he shall reign over the House of Jacob for ever, and of his Kingdom there shall be no end.

Luke 1. 32.

God hath put all things under his Feet, and gave him to be the Head over all things to the Church. He hath the Key of David, he openeth and no Man shuteth, he shuteth and no Man openeth.

Eph. 1. 22.

Rev. 3. 7.

*And all Power is given unto him both in Heaven and in Earth: Which Power before his Ascension he delegated to certain Persons **

Mat. 28. 18.

* John 20. 21.

whom he sent into all the World with the same Power and Authority, to Collect, Settle, and Govern the Church, which he himself had before received of the Father. This Power was by no means given to all the Faithful, for if it was, all Christians must be made Governours of the Church, and then where shall we find any to be governed? At least no Man can challenge any Authority derived to him by this Commission of Christ: Yet St. Paul declares himself to have such an Authority † when he asks the Corinthians, if they will provoke

† 1 Cor. 4. 31.

him to come among them with a Rod?

§ 2 Cor. 10. 8. And ⁴ asserts to them *the Authority which the Lord had given him and the rest of*

§ 2 Cor. 13. 10. *the Apostles, and ⁵ lets them know that he has a Power from the Lord to use Sharpness to 'em, if it be found expedient, that they are not to ⁶ account of*

§ 1 Cor. 4. 1. *him and the other Pastors of the Church, as their Ministers or Servants, but as the Ministers of God and Stewards of the Mysteries of Christ, that is as Persons who have received their Commission and Authority from our Lord himself and not from the Church or Congregation of the Faithful; And he charges ⁷*

2 1 Tim. 5. 17. *Timothy that the Elders which rule Well be counted worthy of double Honour: He*

§ 1 Thef. 5. 12 *also beseeches the ⁸ Thessalonians to know them which labour amongst them, and are over them in the Lord. ⁹ The Author*

§ Heb. 13. 17. *to the Hebrews likewise ¹⁰ commands them to obey them that have the Rule over them, and submit themselves. And*

that this Obedience is required in this Place, not to temporal but Spiritual Governours is most apparent from the following Words, for, adds he, they watch for your Souls as they that must give Account.

That the Pastors of the Church also had Authority over their Flocks in all succeeding Ages is most manifest. Ignatius

one

one of the most antient Fathers who immediately succeeded the Apostles in his Epistle to the *Trallians* has this Expression. *He that is within the Altar is pure : wherefore also he is obedient both to the Bishop and Presbyters.* And there is scarce one of his Epistles wherein he says not something of the like Nature. Does not St. *Cyprian* plainly discover, that he thought himself vested with a lawful Authority to Pardon or Punish with Spiritual Censures? when he says, ¹ *I* ^{Ep. 55.} *my self almost offend by pardoning Offences more than I ought.* For he is speaking here not of private Offences committed against himself, but of publick against the Church. ² And in another ^{Ep. 6.} place he smartly rebukes those who would not be governed by the Presbyters and Deacons. But why should I trouble my self to collect particular Proofs and Authorities, when it is manifest from all Church History, that the Christian Church before it had any supreme Magistrate in its Communion for above three Centuries, was actually governed by its Pastors, and has continued to be so ever since in the greatest part of Christendom. Indeed without this Distinction of *Governours* and *Governed*, it is impossible the Church should

continue, it must needs fall and come to nothing. The Body of *Christ* consists of many Members, ³ *and if they were all one Member, where were the Body?* Accordingly therefore the Apostle says, *God hath set some in the Church, first Apostles, secondarily Prophets, thirdly Teachers, after that Miracles, then Gifts of Healing, Helps, Governments, Diversities of Tongues, Are all Apostles? are all Prophets? are all Teachers? Are all appointed to Govern? &c.* It is certain they are not, neither is it possible they should be, and the Church continue an orderly well regulated Society. Nor do these Church Officers receive their Authority from the People; for how can the People give that they have not themselves? The Supreme Authority is certainly vested in *Christ*, and therefore no Man can challenge any but as it is delegated from him, ⁴ *for no Man taketh, that is, ought to take this Honour to himself, but he that is called of God as was Aaron.* But we never find that *Christ* delegated his Power to all the People, or gave them a Commission to appoint their own Church Officers. It is true indeed the Apostles did once ⁵ *say to the Multitude of Disciples, look ye out among you seven Men of honest Report, full of the Ho-*

³ 1 Cor. 12.
20, 28.

⁴ Heb. 5. 4.

⁵ Act. 6. 3.

ly Ghost and of Wisdom, but then it follows, whom WE may appoint over this Business. So that howsoever the People chose 'em, the Apostles only appointed them, and by Virtue of Christ's Commission committed an Authority to them: And besides the People attempted not to choose and present them 'till they had the Apostles Leave to do it. For this was no Right which the Multitude could challenge to themselves, as is plain from the Practice of Paul and Barnabas, who ⁵ ordained Elders in every Church, ⁵ Act. 14. 23. without the Peoples electing 'em: And ⁶ Titus was left in Crete to ordain Elders ⁶ Tit. 1. 5. in every City, which had been perfectly needless if the People could have constituted such for themselves. But I purpose to speak more of this hereafter, when I come to consider the manner of electing Church-Officers, and therefore shall wave any further Discourse of it here. I shall only add that it is certain Church-Officers derive their Authority from Heaven, and not from the People, because St. Paul expressly declares as much to the Elders of Ephesus, saying, ⁷ Take heed therefore unto your selves, and ⁷ Act. 20. 28. to all the Flock, over which the Holy Ghost hath made you overseers.

And

And as the Governours of the Church receive not their Power and Authority from the Community of the Faithful, so neither do they receive it from the Civil Magistrate. For when *Christ* delegated his Power to the Apostles and their Successors, he sent them not to any Princes or Governours to have this Power confirmed to them, but having received their Commission, they executed it in all places where they came, and that many times even in Opposition to the Rulers that then were. And it is certain that for three Centuries and more, *Christ* had a pure and flourishing Church governed by its own Officers or Pastours, where the Civil Government was no ways concerned with it, unless it were to suppress and Persecute it, yet all this time the Rulers of this Church exercised an Authority therein, according to the Fulness of that Spiritual Power given by *Christ*. ³ They received Multitudes into their Communion by Baptism, ² others they cast out by Excommunication, ¹ Officers were chosen and appointed for the Service of the Church, and ² Overseers to govern and feed the Flock, not only ³ to reprove, rebuke and exhort, ⁴ but also to receive Accusations, and to ⁵ reject, that is to cut

³ Act. 2. 41.

² 1 Tim. 1. 20.

¹ Act. 6. 3, &c.

² Act. 20. 28.

³ 2 Tim. 4. 2.

⁴ 1 Tim. 5. 9.

⁵ Tit. 3. 10.

cut off from Church Communion, after the first and second Admonition. It is certain from the Scriptures that all this Power and Authority was given to the Church from the Beginning, and was exercised by the Apostles themselves, and divers others appointed by them for that Purpose, no one Part of it being received from the Civil Magistrate: Yet none were more loyal to Princes, none more obedient to Governours than these truly primitive Christians, and every ⁵ where they preached Obedience to the higher Powers under the Penalty of Damnation. But when they were opposed by the Rulers in the Execution of their Office, and forbid to preach the Gospel to the People, they did by no Means think themselves bound to obey, because they wisely ⁶ *judged it to be more right to hearken to God rather than Man.* Therefore notwithstanding all the Oppositions they met with in their Ministry, and all the Persecutions they suffered, they ceased not to exercise the Authority committed to them by *Christ* and to fulfil their Master's Will. They preached the Gospel, received Profelytes, gathered and settled Churches, appointed Overseers of the People whom they converted, performing

⁵ Rom. 13. 1. &
 Tit. 3. 1. &
 1 Pet. 2. 13.

⁶ Act. 4. 19.

ing

ing all the Parts and Functions of Ecclesiastical Governours: And God himself testified his Approbation of their Proceedings in this Affair, by the wondrous Gifts and Graces he bestowed upon them, and the miraculous Works he enabled them to perform, The Church therefore and the Governours of it depend immediately on *Christ*, and the Rulers of the Church receive their Authority from him only: yet this does not by any Means or in any respect exempt all or any of them from the Government of the State, they are still Subjects, and owe the same Obedience to the Higher Powers which other Subjects do, and that under the same Penalty of Damnation if they resist. For the Power of the Church is meerly Spiritual, ⁷ *Christ* would never himself exercise any temporal Jurisdiction, neither ⁸ gave he any such Authority to his Apostles or their Successors. But the Power which *Christ* himself in some Part exercised here on Earth, and which at his Ascension into Heaven he gave by Commission to his Apostles and their Successors was such a Power as the Civil Magistrate never had, and therefore made no manner of Encroachment on the Temporal Prerogative. For the

Tem-

⁷ Luk. 12.14.
 & Joh. 18. 36.
⁸ Joh. 18.11.

Temporal Power can reach no farther than to the Bodies and Goods of their Subjects, but the Church Power affects neither of these, but the Soul only. The Power of the Church and of the State are then wholly different from each other upon all accounts. The first is purely Spiritual, and to be exercised only in Spiritual Matters, such as the Magistrate meddles not with, as Preaching the Word, administering the Sacraments to such as they deem Worthy; and withholding them from the Unworthy, admonishing such as do amiss, suspending or depriving of Communion the obstinately Impenitent, absolving the returning and repenting Sinner, ordaining fit Persons for these Offices and such like: But the Magistrate acts in other Matters, uses the Sword, punishes such as break the Temporal Laws with Fines, Confiscations, Imprisonments, Banishments and Death it self. The Magistrate may justly punish even penitent Sinners, but the Church cannot when they have given due Testimonies of Repentance: And he can Pardon or remit the Punishment of Impenitent Offenders, which the Ecclesiastical Governours cannot do. The Magistrate may indeed Punish the Breach of God's
Laws

Laws as well as the Rulers of the Church, but not in the same Way; He must correct with the Sword and not with the Keys, which were never given to him. In a Word these two Powers are coordinate and perfectly distinct from each other, and may very well exist the one without the other. There have been many Kingdoms in all Ages wisely governed where *Christ* has had no Church: And on the other side, *Christ's* Church stood for Three Hundred Years, and his Ministers exercised the whole Ecclesiastical Authority, which he committed to them before it received any Countenance or Protection from the State. However tho' Church-Power be not derived from the Civil Magistrate, yet the Supreme Governour of the State is not excluded from Government over the Church, he has an Authority *circa sacra*, tho' not *in Sacris*, as I hope to make appear in the next Chapter:

C H A P. II.

Of the King's Supremacy.

IT is certain that all Persons are subject to the Temporal Government under which they live, and owe all due Allegiance to the Supreme Magistrate under whose Protection they are. ¹ *Let every Soul,* says the Apostle, *be subject to the higher Powers.* ² “Every Soul, says *St. Chrysostom* upon the Place, is to be “subject to the higher Powers, altho’ “he be an Apostle, an Evangelist or a “Prophet. And *St. Bernard* writing to a certain Arch-Bishop, quoting the same Words of *St. Paul*, has this Expression: “If every Soul, then yours also, for “who has exempted you out of all “Mankind. Neither does this Power depend on the Princes Religion, this Precept was given when the Supreme Magistrate was an Infidel, and the Church it self and its Ministers liable to Persecution, if not actually labouring under it. *Cyrus* and *Artaxerxes* had this Authority no less than *David* and *Solomon*, and *Dioclesian* as well as *Constantine*. If any Person might have been exempted from the secular Power, certainly

¹ Rom. 13. 1.

² Grot. de Imper. summ. Pot. circa sacra c. 1. §. 2.

tainly our Saviour himself had been so, yet whilst he was here on Earth he always submitted himself to it, and² paid Tribute also in token of his Acknowledgment of that Authority. His Apostles and all his faithful Servants in the Primitive Church, and all succeeding Ages have followed his Example in this particular. Nay even the *Roman-Catholicks* themselves, such as have not pinned their Faith upon the Popes Bulls have acknowledged all Persons without Exemption to be subject to the Supreme Magistrate: Thus the Faculty of *Paris*, An. 1663, declared "that Subjects owed such an Allegiance to their King, as could upon no pretence whatever be dispensed with. Even the Popish Missionaries in these Kingdoms have made the like Declarations, and would not recant them tho' they have been censured and excommunicated by the Pope for so doing, as is evident from the *Causa Valesiana* published at *London* by *Peter Walsh* a *Franciscan* Friar, and Printed by *J. Brome* An. 1684. I will give you from thence the Words of Part of a Protestation made by the *Roman-Catholick* Clergy in *Ireland*, and presented to King *Charles* the Second, about the Year 1661, and Signed by a

Bi-

Bishop and above twenty other Regulars and Seculars of that Communion. The Words are these. " Moreover we profess that all absolute Princes and Supreme Magistrates of what Religion soever they be, are God's Vicegerents on Earth, and to them respectively, according to the Laws of every Common-Wealth, Obedience is due in Civil and Temporal Matters. And for this Cause we here protest against all Doctrine and Authority to the Contrary. And in the same Instrument also they declare that " they do openly abdicate and renounce all foreign Power, be it Papal or Regal, Spiritual or Temporal which shall pretend to free, release or absolve them from their Allegiance. Indeed I never heard of any but such as had given themselves up to a blind Obedience to the Court of *Rome*, that have ever pretended that any Subjects, whether Temporal or Ecclesiastical Persons could be exempted from their due Allegiance to their Sovereign, unless it were some wild Sectaries in the time of the late Rebellion, who founded all Dominion in Grace, but I hope none of that pernicious Brood continue with us to this Day amongst any of our present Dis-

C

fenters.

senters. Briefly there can be but one Supreme Government in the same Place, and all Persons of all Orders and Conditions living within the Bounds of its Jurisdiction must be subject to it, and obedient to its Laws, ³ *not only for Wrath, but also for Conscience sake.*

³ Rom. 13. 5.

It being therefore certain that Spiritual Persons are as well subject to the Supreme Power as Temporal, it remains to be considered what Power the Sovereign Magistrate has in Spiritual Causes. The Articles of our Church confirmed by diverse Parliaments and Convocations do assert that

Art. 37. “The Queen’s Majesty (by which we understand the Sovereign Magistrate, whether King or Queen of this Realm,) has the chief Power in this Realm of *England*, and other her Dominions, unto whom the chief Government of all the Estates of this Realm, whether they be Ecclesiastical or Civil doth appertain, and is not nor ought to be subject to any foreign Jurisdiction. And in the Form of Prayer appointed to be said before all Sermons, Lectures and Homilies, Preachers and Ministers shall require the People “most especially “to pray for the King’s most excellent

Gen 55.

“lent

“lent Majesty, our Sovereign Lord
“*William* the third King of *England*,
“*Scotland*, *France* and *Ireland*, De-
“fender of the Faith, and Supreme
“Governour in these his Realms, and
“all other his Dominions, over all
“Persons, and in all Causes as well Ec-
“clesiastical as Temporal. From whence
it is most plain and evident, that both by
the Laws and Canons of this Kingdom
Ecclesiastical Causes as well as Temporal
are under the Cognizance of the So-
veraign Magistrate. And indeed if Spi-
ritual Causes might be exempted from
his Jurisdiction, his Authority would
be little and inconsiderable; It would
be no difficult Matter to make all Cau-
ses in some sense Spiritual: For where-
ever any Wrong is done, whether it be
Murder, Treason, Robbery, Trespass,
Non-payment or the like, there is an
Offence committed against God, and
consequently might all be made Spi-
ritual Causes, and the Church only should
take Cognizance of 'em as such, and
proceed against the Offenders as Wick-
ed Persons who have justly incurred its
Censures. By which Means the Civil
Power would be reduced to a very nar-
row Compass, it may be to nothing.
But as I take it, the Church and Magi-
strate

strate have in all Cases a co-ordinate Power: The Magistrate by punishing any Offender, deprives not the Church of its just Authority; neither does the Church by its Censures deprive the Magistrate of his Power. The Magistrate Punishes all Offences against his own Laws with the Sword, and the Church censures all those which break the Laws of God. Therefore where an Offender is at the same time guilty of the Breach both of Human and Divine Laws, I see not any Reason why he should be exempted from suffering both Temporal and Spiritual Punishment: And notwithstanding the Magistrate tries him at his own Tribunal, and inflicts such a Penalty on him as the Laws judge him to have deserved; yet I do not see that this hinders his proper Spiritual Judge from censuring him also for offending against the Laws of God. I do not say that he is to be cited into the Ecclesiastical Court for what has been already punished in the Temporal, that would be both hard and unreasonable: For I look upon the Ecclesiastical Courts as they are now managed, to have much more Temporal than Spiritual belonging to 'em, and it would be unjust that a Man should have two temporal Judgments

ments passed upon him for the same Crime. But my Meaning is, that notwithstanding a Man has received a temporal Punishment for his Offence, yet his own proper Pastour who has the Care of his Soul committed to him, may use his spiritual Authority to reprove, rebuke and exhort him, and even to deny him Communion too, 'till he has given Testimony of his Sincere Repentance.

But now as to pure Spiritual Matters or Causes, 'tis certain the Supreme Magistrate has Cognizance of them also, but it is only a Temporal not Spiritual Cognizance. He may judge of all Doctrines, and declare whether this or that Faith, this or that Article of Faith shall be preached in his Dominions. I do not say that such a Law binds the Ministers of *Christ* to an active Obedience, yet if it be established by the Legislative Authority it binds all Subjects to a Passive Obedience, they are obliged to submit to the Penalties inflicted by that Law, and not to resist the Authority by Humane Force. For tho' in this Matter the Supreme Power by enacting what is contrary to God's Will abuses his Authority, yet Subjects cannot judge him for it, that belongs properly

to God, to whom only all Supreme Legislative Powers are subject, for the Supreme Power where-ever it is lodged, whether in a single Person or Community can have no Superiour upon Earth: Because it implies a Contradiction that the Supreme Power should have a Superiour. The Magistrate may therefore call any of his Subjects before him, and judge him concerning his Religion, whether it be agreeable to the Laws of the State or not, and none can justly except against his Jurisdiction in this Matter. Thus *St. Paul* and the other Apostles and Primitive Preachers of Christianity were carried before Rulers and Judges, to be tried concerning their Doctrine, yet they made no Exceptions against the Temporal Authority in this Point. On the contrary *St. Paul* made his Declaration that he stood at ⁵ *CÆSAR'S Judgment Seat where he ought to be judged*, yet not according to the Divine but the Temporal Law, therefore he pleaded ⁶ that *neither against the Law of the JEWS, neither against the Temple, nor yet against CÆSAR, had he offended any thing at all*. But had they gone about to judge him Spiritually, in order to proceed to Ecclesiastical Censures against him, there is no Question but he

⁵ Act. 25. 10.

⁶ Act. 25. 8.

he would have told them that this was no part of Temporal Power, that the Keys of God's Church were not committed to them, nor was he bound in Conscience to acknowledge them proper Judges in this Affair. Neither does a Prince by becoming Christian acquire any such Ecclesiastical Power. For the Authority of all Supreme Governments is, and must be the same in every Respect be their Religion what it will. So that a Christian Magistrate has no more Power over Ecclesiastical Persons or in Ecclesiastical Causes than an Infidel. For where they are Supreme their Authority equally extends over all Persons and in all Causes to judge of them by the Temporal Laws; Difference in Religion making no Difference in the Authority: And the Grand Seignior has the same Legal Authority over the *Greek Church* within his Dominions, that the *French King* has over the *Gallican*. It is not material to enquire how they, or any other Supreme Power do or may abuse this Authority, but I will endeavour to shew how they ought to use it.

In the first Place they should employ their Power to protect and Defend the Church of God, according to that of

7 Isa. 49. 23.

the Prophet, *7 Kings shall be thy nursing Fathers and their Queens thy nursing Mothers.* They are therefore to

8 1 Tim. 2. 2.

take care particularly that all the Members of the Church under their Protection, *8 may lead a quiet and peaceable Life in all Godliness and Honesty,* for it is

9 2 Chr. 31. 4.

8. &c.

upon this Account that the Apostle exhorts the Church to pray for them. In Order to which they should see that the Ministers of *Christ* be maintained in all their just Rights and Privileges. So the Good King *Hezekiah*, when he began to reform the Abuses committed by his Predecessors, *9 commanded the People that dwelt in Jerusalem, to give the Portion of the Priests and Levites, that they might be encouraged in the Law of the Lord.* And not only commanded this, but went also himself to see it done, and appointed *Cononiah* the Levite and *Shimei* his Brother with diverse others to take Care of the Stores which were brought in, and to be Overseers of the Churches Treasury, and thus he did throughout all *Judea*.

In the next Place it belongs to the Supreme Magistrate to reform the Church when it is corrupted with Idolatry, Heresy or Superstition. Thus *Joshua* commanded the People *to put away the*

10 Jos. 24. 14.

Gods

Gods which their Fathers served on the other side of the Flood and in Egypt, and to serve the Lord. ¹ King *Asa* also put away the abominable Idols out of all the Land; and made a Law that *whosoever would not seek the Lord God of Israel should be put to Death.* And deprived his Mother *Maachab* of her Royalty, because *she had made an Idol in a Grove.* And his Son ² *Jehoshaphat* completed this Reformation by taking away the *High Places and Groves out of Judah.* The like did ³ *Hezekiah*, for *he removed the High Places, and brake the Images and cut down the Groves; and brake in Pieces the brazen Serpent which Moses had made.* For certainly the Civil Magistrate may confirm the Law of God with Civil Sanctions, and punish the Breach of 'em with corporal Penalties if he shall see Occasion. Thus beside those already mentioned, we find that ⁴ *Nehemiah* punished such as broke the Sabbath and Married strange Wives. Even Heathen Kings have done the like. ⁵ *Nebuchadnezer* made a Law that *whosoever should speak any thing amiss of the God of Shadrach, Meshach and Abednego should be cut in pieces, and their Houses should be made a Dunghil.* And ⁶ *Darius* decreed that in every Dominion

¹ 2 Chr. 15. 8, 13, 16.

² 2 Chr. 17. 6

³ 2 King 18.4.

⁴ Neh. 13. 15, &c.

⁵ Dan 3. 29.

⁶ Dan. 6. 26.

minion

minion of his Kingdom, Men tremble and fear before the God of Daniel. The ancient Christian Emperours also made many Laws to punish such as broke the Laws of God, as will be evident to any that shall read the Histories of former Ages, or but look into the *Theodosian* or *Justinian* Code. Where the Law of God is plain and manifest to all that read it, no doubt but Sovereign Powers by their own Authority may confirm 'em without advising with Ecclesiasticks. That they have Power also to do the like in dubious Cases is not, as I think, to be disputed. But sure when they do so, they do not proceed either according to the Rules of Equity, Reason or Prudence. "I have often wished (' said a once Eminent Member of the House of Commons, and no great Friend to the Church, in a Speech made to that Honourable House) " that we might decline these " dogmatical Resolutions in Divinity, I " say it again and again, that we are " not *Idonei & competentes Judices* in " doctrinal Determinations. Yet if the Supreme Powers will judge in such Matters, I know no Remedy but Patience. But sure these things belong properly to Ecclesiastical Synods: with whom

7 Sir E. D's
Speech of
Bowling at the
Name of Je-
sus.

whom the Supreme Powers ought in Equity to consult before they proceed to any Doctrinal Sanctions. Yet upon due Advice had with the Church I cannot see that the Magistrate abuses his Authority by confirming the Resolutions of his Ecclesiastical Council by his Civil Decrees: For thus was the Faith confirmed in the four first great general Councils.

Again the Supreme Magistrate may compel the Clergy to do their Duties in their several Stations by his Civil Authority: For which we have the Example of ⁸ *Jehoshaphat*, and *Hezekiah* ⁸ 2 Chr. 19. 9 & 24. 5. & 29. 5. and other godly Kings of *Judah*. ⁹ He may also appoint what Priests shall ⁹ 1 Chr. 16. 4. & 24. 3. Minister before him, and ¹ remove ¹ 1 King. 2. 35. Wicked Priests from performing their Office in his Dominions, and put better in their room. But he cannot ordain a Priest, nor appoint whom he pleases to execute that Office, for this was the ² Sin of *Jeroboam* who made ² 1 King. 9. 33. *Israel* to Sin. Neither can the Sovereign himself execute the Ministerial Office, or any Part of it himself; This was the ³ Sin of *Saul* for which God ³ 1 Sam. 13. 11, &c. first rejected him, and of ⁴ *Uzziah* who ⁴ 2 Chr. 26. 16, &c. was therefore smitten with Leprosy and cut off from the House of the Lord,
and

and deprived even of the Administration of Civil Affairs, tho' he retained the Title of King. In a Word the Magistrates Power is purely Civil, and tho' he may decree and judge in Ecclesiastical Affairs yet it must be in a Temporal not an Ecclesiastical Manner.

I have nothing more to add under this Head, but only that I would not be understood to think our King has all the Authority which I here allow to the Supreme Power, because he is tied up by Laws which he cannot alter himself alone: But at the Head of his Parliament he has certainly all the Authority here spoken of. What therefore his Majesty may do by virtue of his Royal Prerogative without the consent of the States I pretend not to determine: It is certain with their consent he has as unlimited a Power as any Prince in the World. And in this Sense I suppose our Second Canon is to be understood, which equals his Power to that of any Christian Emperour. For it is unreasonable that his Power over the Church should be greater than it is over the State, or that he should make Laws for the Government of the Church, otherwise than

than the Laws of the Land have empowered him to do.

C H A P. III.

Of the several Orders of the Clergy.

TH^O the Supreme Power over all Persons and in all Causes be vested in the Civil Magistrate, so that no Person in his Dominion is exempt from his Jurisdiction, nor any Cause from his Cognizance; yet, as I hope I have prov'd in my first Chapter, there is a particular Order of Men who have a different and co-ordinate Power in the Church, having received their Commission immediately from *Christ* himself: These are called *Clerks* or *Clergy Men* from ¹ κλήρος which signifies a *Lot* or *Portion*, ² because the Lord is their *Portion*, and they are to be maintained out of those Revenues which were given for the Service of *Christ* and his Church. These are of three Degrees or Orders: For in the Preface to *the Form and Manner of making and consecrating Bishops, Priests and Deacons*, our Church

¹ Dist. 21. c. 1.

² Num. 18. 20.

& Deut. 10. 9.

& 18. 2.

Church tells us that “ It is evident
 “ to all Men diligently reading holy
 “ Scripture and ancient Authors, that
 “ from the Apostles time there hath
 “ been these Orders of Ministers in
 “ *Christ’s Church, Bishops, Priests* and
 “ *Deacons* ; - which Offices were ever-
 “ more had in such reverend Estimati-
 “ on, that no Man by his own pri-
 “ vate Authority might presume to
 “ execute any of them, except he were
 “ first called, tried and examined, and
 “ known to have such Qualities, as
 “ were requisite for the same, and al-
 “ so by publick Prayer with Impositi-
 “ on of Hands, approved and admit-
 “ ted thereunto.

The lowest Order of the Clergy in
 the Church of *England*, is that of
Deacons, whose “ Office (as we learn
 from the *Form and Manner of ordering
 Deacons*) “ is in the Church where
 “ he shall be appointed to serve; to
 “ assist the Priest in Divine Service,
 “ and specially when he administreth
 “ the Holy Communion, and to help
 “ him in the Distribution thereof, and
 “ to read Holy Scriptures and Homi-
 “ lies in the Congregation, and to in-
 “ struct the Youth in the Catechism,
 “ to Baptise and to preach, if he be
 “ there-

“ thereto admitted by the Bishop.
 “ And furthermore it is his Office,
 “ where Provision is so made, to search
 “ for the Sick, Poor and Impotent Peo-
 “ ple of the Parish, to intimate their
 “ Estates, Names and Places where they
 “ dwell unto the Curate, that by his
 “ Exhortation they may be relieved
 “ by the Parish, or other convenient
 “ Alms.

The *Priests* (as appears from the *Form
 and Manner of ordering Priests*) “ are
 “ the Messengers, the Watchmen and
 “ the Stewards of the Lord, to teach,
 “ to premonish, to feed, and provide
 “ for the Lord’s Family, to seek for
 “ Christ’s Sheep which are dispersed
 “ abroad, and for his Children which
 “ be in the midst of this naughty World,
 “ to be saved by Christ for ever.
 And their Office is, “ to Minister the
 “ Doctrine and Sacraments, and the
 “ Discipline of Christ, as the Lord
 “ hath commanded, and as this Realm
 “ hath received the same. To be rea-
 “ dy with all faithful Diligence to
 “ banish and drive away erroneous
 “ and strange Doctrines contrary to
 “ God’s Word, and to use both pub-
 “ lick and private Admonitions and
 “ Exhortations, as well to the Sick as
 “ to

“ to the Whole within their Cures,
 “ as need shall require and Occasion be
 “ given. To maintain and set forward
 “ (as much as in them lieth) Qui-
 “ etness, Peace and Love among Chri-
 “ stians, and especially among them
 “ that are or shall be committed to their
 “ Charge.

The *Bishop*, besides what belongs to
 the Priestly Office (as is apparent from
 the Practice of this Church) has the
 Power of conferring Orders by him-
 self on *Deacons*, with the Assistance
 of his *Presbyters* on *Priests*, and of
 his *Fellow-Bishops* on *Bishops*. He has
 an inherent Right of inflicting and
 loosing Spiritual Censures. And it is
 also peculiar to his Office to confirm
 or lay Hands on Persons baptized.
 The Infliction and Loosing Spiritual
 Censures is an Office sometimes dele-
 gated to Presbyters: But Ordination
 and Confirmation are administred only
 by Bishops.

The Offices of *Deans*, *Archdeacons*,
Canons, *Chancellours*, &c. are no Or-
 ders in the Church, but were intro-
 duced very early into it for the bet-
 ter Government thereof, however I
 purpose in the ensuing part of this
 Discourse to treat of their several
 Ori-

Originals according as my Method will lead me.

C H A P. IV.

That Bishops and Priests are distinct Orders Proved from the Scriptures.

THE Offices of *Priests* or *Presbyters* and *Deacons*, are so apparently distinguished in the New Testament, that I know not that ever it was disputed by any Person: But the Distinction between *Bishops* and *Presbyters* has been in these two last Ages disputed by some. And indeed it must be acknowledged that in Scripture times the Names *Bishop* and *Presbyter* were promiscuously used to denominate the same Order, and generally that which we now call the Order of *Priests*. Those whom we now call *Bishops* being in the first Age of the Church, most commonly called *Apostles* or *Angels*, as shall be shewed hereafter. But it is not the Name, but the thing it self which we contend for. And that which we affirm is, that the Scripture in several places plainly speaks of some Persons appoint-

ed by the Apostles to govern the Flock of Christ, to Baptize, to Teach and Instruct 'em in the Doctrines of Christian Religion whom they called *Presbyters* or *Elders*, and sometimes *Bishops*, and that others were appointed to Rule, Govern and Superintend those *Elders*. In proving therefore these Orders of *Priests*, *Presbyters* or *Elders*, and *Bishops* distinct from *Priests* and appointed to Rule and Govern 'em, I shall not so much insist upon the Distinction of *Names* as *Offices*, which I look upon to have been at least apparently distinct from each other ever since the Apostles Days, and constituted so by them. And that immediately after their Days, the Names also were so plainly distinguished, and so particularly appropriated to those distinct Offices, that no Man who reads the History of the Primitive Church, in any Author that has written of those times, can doubt of their being distinct Orders.

² Vid. Beverid.
ad Can. Ap. 2.

¹ In the *Jewish Church* were three Orders of consecrated Persons appointed by God himself, The *High-Priest*, the *Priests* and the *Levites*. So likewise in the *Christian Church* as it was constituted by *Christ* himself in his own Lifetime, there was *Jesus Christ*, call'd ² *our High-*

High-Priest, then the Twelve Apostles, and lastly the Seventy Disciples, who were certainly inferiour to the Apostles, tho they were neither Ordained nor Governed by them. For it is manifest that many Christian Institutions were derived by our Saviour and his Apostles from the *Jewish Usages*. Thus the two Sacraments of *Baptism* and the *Lord's Supper* were taken from the *Jewish Baptism*, and the *Postcæniæ* after the Pass-over: And Ordination by Imposition of Hands is derived from their Ordination in the Synagogue, and our way of Excommunication is expressly taken from theirs. Our Cathedral Churches answer to their Temple of *Jerusalem*, and our Parish Churches to the Synagogues: And for this Reason it is that we find among the Ancients so much concerning one Altar, and the setting up Altar against Altar, when a Schismatical Bishop endeavoured to withdraw the People from the Communion of their true Bishop, alluding therein to the *Jewish Temple* which was but one, tho' the Synagogues were many. And therefore our Dissenters are mistaken in their Argument, when from this one Altar they would infer that a Bishop could have but one Congregation

Bishops and Priests distinct Chap. IV.
of *Christians* under his Care; for One
Altar, that is one Cathedral Church was
and is as consistent with many Commu-
nion Tables or Parish Churches as one
Temple was with many Synagogues.
And as many *Christian Institutions* were
derived from the *Jews*, so no question
are the several Orders of the Clergy;
and ³ *St. Clemens Romanus* in his first E-
pistle to the *Corinthians* under the Title
of *High-Priest, Priests and Levites*, does
manifestly design the *Bishop* his *Priests*
and *Deacons*. And it is not to be doubt-
ed but our Saviour and his Apostles and
the Primitive Church, which heartily
desired the Conversion of the *Jews*, did
therefore retain as many *Jewish* Cu-
stoms, as were consistent with Christian
Liberty and consecrated them to the ser-
vice of Christianity, making some of
them Christian Sacraments, which were
only pious Customs before,

¹ P. 119. Edit.
Colomesii.

⁴ 1 Pet. 2. 25.

The first Bishop then in the *Christian*
Church was our blessed Lord himself,
called therefore by ⁴ *St. Peter* the *Shep-
herd and Bishop of our Souls*: His twelve
Apostles were his *Presbyters*, and his *se-
venty Disciples* as it were his *Deacons*.
Whilst our Saviour lived on Earth he
ruled and governed his Church Perso-
nally, and tho' the Apostles could preach
and

and baptize and pronounce Remission of Sins, which is the Priests Office now, yet could they not perform the Functions of the Episcopal Office to give others a Commission to preach the Gospel. But when Christ was risen and ready to ascend into Heaven, then he enlarged the Apostolical Power: And gave them Authority to collect and settle Churches, and to give Commissions to others as he himself had done. ⁵ *As my Father hath sent me,* says he, *even so send I you. And when he had said this, he breathed on them, saying, Receive ye the Holy Ghost.* Signifying to them by this Emblem of breathing on them, that they should ⁶ *be baptized with the Holy Ghost* ⁶ *Act. 1. 5, 8.* in a short time, and that they should receive Power, after that the Holy Ghost was come upon them. And therefore ⁷ *Act. 2. 1. &c.* when they had received the Holy Ghost on the Day of Pentecost, they began to collect and settle the Church, and to govern it by those Rules they had received from Christ. It is certain that the Apostles by this Commission received an Additional Power to what they had before, viz. by the Holy Ghost's descending on them; Our Saviour had sent them out to preach and baptize in his own Life-time, but now he sends them

even as he himself was sent by the Father. 'Tis most certain that they could not be sent by him to be *Mediators* and *Redeemers* as he was : For ⁸ *there is but one Mediatour between God and Man, the Man Christ Jesus.* Therefore this new Commission can be understood only of the same Authority of exercising Ecclesiastical Discipline which *Christ* himself had received of the Father, and of Ordaining others to the same Office. By Virtue of their first Ordination whilst *Christ* continued with them in the Flesh they preached the Gospel, but by this last, supplying the Place of their Master, they themselves also created others with the same *Episcopal Authority* which themselves had received. For 'tis plain that this Commission was not merely personal to the *Apostles*, but designed to continue in the Church so long as it should be Militant here on Earth, because our Saviour, at the granting of it, ⁹ promised to be with them *always even unto the End of the World.*

⁸ Vid. Beverid. Ad can. Ap 2. ¹ When therefore the *Apostles* had for some time exercised this *Episcopal Authority* by themselves, because the Number of the Faithful daily encreased, and they themselves were not to live always,

lest

lest the Church should be destitute of this Authority after their Deaths, they invested others with this Power whom they set over particular Churches, that they might ordain *Elders*, and govern the Flock committed to their charge within their several Precincts. For the Apostles Commission reaching to all Parts of the World, and they being commanded to ¹ *make all Nations Disciples, to go in* ² *to all the World and to preach the Gospel* ³ *to every Creature*, could not be long fixed in any one Place: Yet it was necessary that *Pastors* and *Teachers* should be settled among all Believers, who might continue to instruct and teach 'em, to offer up Prayers for 'em in the publick Assemblies and to administer the Sacrament to 'em. Hereupon they ² *Ordain-* ² *ed them Elders in every Church*: That is a *Bishop* with a competent number of *Presbyters* and *Deacons* to assist him, as will be evident from what shall be said hereafter. ³ These were Rulers of the Church wherein they were placed, and the People were commanded to obey 'em. But tho' they were Rulers yet their Authority extended not over the whole Church, but only that Flock over which the ⁴ *Holy Ghost* had made them ⁴ *Overseers* or *Bishops*. They were fixed

¹ Mat. 28. 19, &

Mar. 16. 15.

² Act. 14. 23.

H. b. 14. 23.

⁴ Act. 10. 48.

to a particular Place, and the Spiritual Government of all Persons within those Limits was committed to 'em. And in this Division into particular Districts (which was prudential at the Apostles Discretion) the general Division of the Empire was observed. It was necessary that particular Churches should be circumscribed within certain Bounds, but it was indifferent where those Boundaries should be fixed. The Apostles therefore took the Limits already laid out for them, and accordingly settled Churches, and ' either Ordained themselves, or appointed others to *Ordain Elders in every City, or City by City*, as Dr. Hammond renders it. And herein they thought it expedient strictly to observe the Imperial Division, so that the *Council of Chalcedon* decreed, that if the^o Emperour should change the condition of a City by his " Authority, the Or-
" der of the Parish Churches should fol-
" low the Civil Constitution. Thus the^o Power, and Authority of these Elders was confined within the compass of that particular City and its Territories, where they were ordained to Minister, and all within those Limits were under their Care and Jurisdiction. They were indeed Bishops, and Presbyters of the U-
niversal

⁵ Tit. 1. 5.

⁶ Can. 17.

niversal Church (For the true Church is but one and the same in all parts of the World) but for the sake of Decency, and Order , and that each Pastor might know his own peculiar Flock, it was necessary that the Catholick Church should be divided into particular Churches. And it is observable that where the Scriptures speak of the Churches of a Province, the Plural Number is used, as the Churches of *Judea, Samaria, Syria, Cilicia, &c.* But where they speak of a City , they use the Singular Number, as the Church of *Jerusalem, Corinth, Ephesus , &c.* Yet it is evident that there were many Presbyters and Congregations in one City , as has been proved by *Dr. Maurice*, in his Treatise of *Diocesan Episcopacy*, and *Dr. Stillingfleet* in his *Unreasonableness of Separation*, and by the *Presbyterians* too, in their Writings against the *Independents*. The same will also appear plain to any one who considers that at one time in the City of *Jerusalem*, and that not long after the Descent of the *Holy Ghost* there were ⁷ *Five Thousand* Believers, and that after this ⁸ *Believers were the more* added to the Lord, *multitudes both of Men and Women*. Now let any reasonable Person judge if all these could be

⁷ Act. 4. 4.
⁸ Act. 5. 14.

of one Congregation, especially when it is scarce possible that they could have any publick Place for the Exercise of their Religion, where the chief Rulers are such Enemies to the Faith : Yet 'tis certain they were esteemed but *One Church*. And therefore even according to the Scriptures, *Church* and *Congregation* are not convertible Terms as our Dissenters would pretend.

Amongst the *Elders* set over particular Churches, there was one *Chief* or *President*, who had an Authority over the rest, and a Power to Ordain, Rule, and Censure 'em. Thus *Evodius* presided at *Antioch*, *Linus* or *Clemens* at *Rome*, and to omit many others, *Titus* at *Crete*, and *Timothy* at *Ephesus*, where they were fixed by some of the Apostles, and Exercised this Power of Ordaining, and Governing. That *Titus* Exercised this Power at *Crete*, not only the Ancient Fathers have asserted, as *Eusebius*, *Theodoret*, *Ambrose*, *Jerom*, and others, but it is plain and evident from the infallible Testimony of *St. Paul* himself, ¹⁰ *For this Cause*, (says he, writing to *Titus*) *left I thee in Crete, that thou shouldest set in Order the Things that are wanting, and ordain Elders in every City, as I had appointed thee.* That *Timothy* also had
the

⁹ Act. 15. 4.

¹⁰ Tit. 1. 5.

the same Authority, besides the like Testimony of the Fathers, the same St. Paul Teaches, by telling him why he left him in that place, and how he ought to exercise that power which he received, ¹ *by the laying on of the Hands of the Presby-* 1 Tim. 1. 7. and 5. 19. 22.
ttery. For this cause (says he) left I thee at Ephesus, that thou mightest charge some that they teach no other Doctrine. Against an Elder (or Presbyter) receive not an Accusation but before two or three Witnesses. Lay hand suddenly on no Man. Which Admonitions had been to no purpose if Timothy had not had both a Jurisdiction over Elders, and a power of Ordaining them. But now if Presbyters or Elders might have Ordained others of their own Order, I can see no reason why these two Apostolical Men were left by St. Paul, the one at Crete, and the other at Ephesus for that purpose: ² For it is certain there were Elders in the Church of Ephesus, before Timothy was left there, and probably in Crete, before Titus was settled ³ Act. 20. 17. Act. 14. 23.
 in that place, for it was St. Pauls custom to Ordain ³ Presbyters in every Church: And if these could have Ordained others as the number of Converts increased, it was certainly needless to set any Person over 'em to perform that Office.

And

And that *Timothy* and *Titus* had not this power committed to 'em as *Evangelists*, which our Adversaries pretend, is most certain, because *Evangelists* as such had not that Power: For then meer *Deacons* might have Ordained and Governed *Priests*, for such was ⁴ *Philip* the *Evangelist*. And 'tis most certain that he pretended not to any such Authority. ⁵ For when in the prosecuting his Office of an *Evangelist* (whose Duty it was to convert Unbelievers) he had converted a great many at *Samaria*, and Baptized 'em; he pretended not to Confirm 'em by the laying on of Hands, or to settle any Church Offices amongst 'em, but gave notice of what he had done to the Apostles, and they sent two of their own Order for this purpose. Wherefore tho' it should be admitted that *Timothy* and *Titus* were both *Evangelists*, which yet cannot be proved, this alone, if they were not Bishops also, as the *Evangelists* commonly were, could give them no Authority to Ordain Presbyters, or govern particular Churches, as the one did *Ephesus*, and the other *Crete*. But they (as the late Right Reverend ⁶ Bishop of *Worcester* very well remarks)
 “ who go about to Unbishop *Timothy*,
 “ and *Titus* may as well Unscripture the
 “ Epistles

⁴ Compare Act. 21. 8. with Act. 6. 5. ⁵ Act. 2. 5. &c.

⁶ Dut. & Rights of Paroch Clergy. p. 21.

“ Epistles that were written to them ,
 “ and make them only some occasional
 “ Writings, as they make *Timothy* and
 “ *Titus* to have been some particular and
 “ occasional Officers. But the Christian
 “ Church preserving these Epistles as
 “ of constant and perpetual use , did
 “ thereby suppose the same kind of Of-
 “ fice to continue, for the sake whereof
 “ these excellent Epistles were written :
 “ And we have no greater assurance
 “ that these Epistles were written by St.
 “ *Paul*, than we have that there were
 “ Bishops to succeed the Apostles in the
 “ Care and Government of Churches.

7 *Timothy* and *Titus* then had that
 Authority in the Church which our Bi-
 shops now Challenge : Wherefore St.
Paul writing to the 3 *Philippians* joyns
Timothy with himself as a Person of the
 same Order and Degree. *Paul and Ti-*
motheus, the servants of Jesus Christ,
to all the Saints in Christ Jesus which are
at Philippi with the Bishops and Deacons.
 In this Verse we have these three Orders
 mentioned which continue still in the
 Church of *England*. *Paul* and *Timothy*
 of the first Order, that is the Order of
 Bishops as they are now called, and the
 other two Orders in the last Words ;
 the Middle Order which is now called

7 *Beverid. ad.*
can. Ap. 2.
 8 *Phil. 1. 1.*

of *Priests* or *Presbyters* being then also called *Bishops*, as has been observed, those whom we now call *Bishops* being then called ⁹ *Angels* or ¹⁰ *Apostles*. The *Bishops* being Successors to the *Apostles*, and their Heirs *ex Assè* in all things Essential to their Office. As to such things as were merely personal in them, as *an immediate Call and Ordination by Christ himself, Universal Commission, Infallibility, Tongues and Miracles*, these are what our *Bishops* never pretended to, for they were extraordinary Gifts and Graces, but not Essential to the Apostolical Office so as to be convertible with it. Because these Qualifications were in diverse other Ministers of the Church who were no *Apostles*, as will appear plainly to any that shall read the Twelfth and Fourteenth Chapters of the First Epistle to the *Corinthians*. Besides these could not possibly be esteemed any Parts of the Apostolical Office, being but mere Gifts bestowed on 'em the better to enable them to perform that Office. So that we have nothing left which was peculiar to the *Apostles*, and not communicated by them to *Presbyters, Pastors, or Teachers*, but the Power of *Ordination, Confirmation, and Jurisdiction*: The *Bishops* therefore being endued with this Pow-

⁹ Rev. I. 20.

&c 2. 1.

¹⁰ Rom. 16.7.

er, were in that first Age of Christianity called *Apostles*: So says *Theodoret* (as ¹ *Dr. Hammond* has observed) *those which were after called Bishops, were in those first Times called Apostles*: So *Clemens Romanus* is by *Clemens Alexandrinus* called *Clemens the Apostle*. And *Ignatius* by *St. Chrysostom* is called *Apostle and Bishop*. So likewise *Epaphroditus* is called in the Epistle to the *Philippians*, he having Episcopal Authority committed to him in that Church. ² *I supposed it necessary, says St. Paul, to send unto you Epaphroditus, my Brother and Companion in Labour, and Fellow-Souldier, but your Apostle*. In our Translation indeed it is rendred *Messenger*, but it seems to be without good Reason so Translated, for the Original is *Apostle*. And had *Epaphroditus* been no more then a single *Messenger* sent to *Rome* from *Philippi* with Money to supply *St. Paul's* Wants whilst he was there in Prison, we cannot suppose he would have called him not only *Brother*, but *Companion in Labour* and *Fellow-Souldier*. He is not mentioned in the Supercription of the Epistle, because he was the Person by whom it was sent. ³ *Andronicus* and *Junius* also ⁴ are said to be *of note among the Apostles*: that is, Eminent Apostles or Bishops. ⁵ *And*

¹ Annot. ad Rom. lit. b.

² Phil. 2. 25.

³ Rom. 16. 7.

⁴ ⁵ 2 Cor. 8. 13.

And St. *Paul* upon another occasion speaking of *Titus* and some others of his Brethren or Fellow-Workers, call them the *Apostles of the Church of Christ*. Our Translation indeed calls 'em *Messengers*, but the Original is *Apostles*. The word *Apostle* in its Primitive Sense being no more then *Messenger*: And they were so called as being the particular *Messengers of Christ*.

And therefore as the *Bishops* are called *Apostles* by St. *Paul*, so are they called *Angels* by St. *John*: Which is another *Greek* word Signifying a *Messenger*. For 'tis evident that the *Angels* of the Seven Churches were the *Bishops* of those Churches: Their Office, Power and Commission being plainly Such as we now call Episcopal, and the Same which is exercised by our present Bishops. Particularly Episcopal Power is intimated in the Rebuke given to ' the Angel of the Church of *Thyatira*, who is reprov'd for permitting a false Prophetess to seduce the People to commit Iniquity. Which surely would not have been done unless this Angel had the Power and Authority of a Bishop, to Excommunicate and cast such a Person out of the Church, or Infiict such Ecclesiastical Censures on her as might restrain her from
her

her Folly, or at least-wise set such a Mark upon her by some publick Pen- nance, as might deter others from be- ing seduced by her. For if this Angel had wanted such a Power, he would have been unjustly condemned for the Wickedness and subtil Artifices of this pernicious *Jezabel*, since he was no otherwise partaker in her Wickedness than merely in suffering it. The same Power is also intimated to be in ⁶ the ⁶ Rev. 2. 4. Angel of the Church of *Pergamus*; since he is likewise rebuked for having in his Church them that held the Doctrine of *Balaam* and the *Nicolaitans*. For why should he be censured for this Matter, unless he had Power to cast such Per- sons out of the Church? It would be unreasonable for him to bear the Blame of other Mens Faults, if he had no Pow- er to correct 'em.

And that they held this Episcopal Office not for a limited time as mere *Chairmen* or *Superintendents* of the Pres- bytery, but for their whole Life, is plain from what is Said to ⁷ the Aangel of the ⁷ Rev. 2. 10. Church of *Smyrna*, *Be thou faithful unto Death, and I will give thee a Crown of Life.* Which surely must be meant of being faithful in his Office, since he is here apparently Spoken to, not as a private

Man, but as an Angel or Bishop of the Church, and if his Office was not for Life then this Precept had been vain. And that this also was an Office designed to continue always in the Church, and not intended to expire with the first Ages of Christianity is most apparent from the Attention which all are so frequently commanded to give to what the Spirit says unto the Churches. For, if the Spirit spoke unto an Order of Men which was not to continue beyond that Age, it would be impertinent so often to call upon all Persons to hear and attend; especially in a Book designed for the Use of the Church in all Ages to the End of the World. Certainly those Words *He that hath an Ear to hear, let him hear what the Spirit saith unto the Churches*, which are seven times repeated, are designed to let all Persons know that they are concerned in what the Spirit spoke to the Angels and with them to the Churches over which they presided: And that from the Reproof given to these Angels, all Bishops may be taught carefully to watch over their Flocks, and as much as lies in them to extirpate all Heresies and False Doctrines, and that all the People might know how they ought to be subject to their Bishops, and not to

Coun-

Countenance those who make Schisms, or otherwise provoke their just Censures.

It cannot with any shew of Reason be alledged that these *Angels* were but simple *Presbyters* or *Parish Priests* in their several Churches; for sure such eminent Cities as these seven could not be supplied by a single *Presbyter*. Nay 'tis certain that in *Ephesus* there were diverse *Presbyters* whom ⁸ St. Paul sent ⁸ Act. 20. 17. for to come to him at *Miletus*, and consequently the Angel of the Church of *Ephesus* cannot signify the *Presbyter* of that Church, because 'tis manifest the Angel was but one, and the *Presbyters* were many. Besides it plainly appears that the ⁹ Angel of the Church of *Pergamus* had Authority over the very *Presbyters*, since he is blamed for suffering the Doctrine of *Balaam* to be held in his Church; But if every Teacher there had been Independent and he had no governing Authority over other *Presbyters*, how could he prevent any ones maintaining erroneous or heretical Opinions.

And that it was the Office, not the personal Excellency of these Men which gave them the Denomination of *Angels* will appear evident to any one who considers the personal defects charged

upon the Angels of *Sardis* and *Laodicea*.

2 Rev. 3. 1, 2.

2 The former is said to be dead, that is, to Piety and Virtue, and is therefore personally called upon to repent, before any thing is said concerning the Church over which he presided: The latter is condemned for his Lukewarmness in Religion, and therefore threatened by *Christ* to be spued out of his Mouth.

7 Rev. 1. 20.

That the Angels in this Place cannot be put collectively to denote the seven Churches is most certain, for 1 the Angels and the Churches are perfectly distinguished from each other. Neither can they signify a collective Body of Presbyters, or Assembly of Elders, for then they would more properly be likened to seven Constellations, than to seven Stars: And they are all along spoken to in the singular Number as to single Persons, except where there is an an apparent *Apostrophe* to the Churches. This *Apostrophe* is so plain in every Place where the Plural Number is used, that none who reads those Passages can doubt of it, except it be in that to the Church of *Thyatira*, where indeed there does seem to be a Plurality of Persons spoken to, before the *Apostrophe* to the Church.

1 Rev. 2. 24.

2 But unto you, I say, (*ὕμῖν διλέγω*) and to the rest in *Thyatira*. But Dr. Hammond

mond says the Kings Manuscript reads it without the Conjunction (*καί*) *and*: So it runs thus, *to you I say, the rest in Thyatira.* And thus the *Apostrophe* is very plain here also. And whoever considers the Passage duly will judge this the most proper reading. These Angels therefore can be no other than those whom the Church has since called Bishops, their Power and Office is evidently the same. Bishops therefore like these Angels are by their Office Stars in the Right Hand of *Christ*, (and tho some of 'em prove like the Angels of the Churches of *Sardis* and *Laodicea*, yet are they nevertheless Stars in his Right Hand) and therefore to condemn the Episcopal Office, is to wrest the Stars out of the Right Hand of the Son of Man: which how Wicked and Presumptuous it would be let any one judge.

The Authors of *Smeckymnus redivivus* bring several trifling Arguments to prove that these Angels were not Bishops, but rather a Society of Presbyters, to all which an Answer may be given from what I have said already: And by their own Confession *Beza* and *Dr. Reynalds*, two eminent *Presbyterians* acknowledge these Angels to be single

Mr. Stephen Marshall. Mr. Edmund Calamy. Dr. Th. Young. Mr. Matthew Newcomen. Dr. W. Spurstow.

Persons. But then they tell us 'tis certain that these Angels were not Dioceſan Biſhops, and that it never was proved, nor (as they conceive) ever will be that they were ſo: For which they give this (as they thought) demonſtrative Argument, *that Pariſhes were not divided into Dioceſes in St. John's Days*: I ſuppoſe they meant *Pariſhes united into Dioceſes*, for the other Expreſſion is Nonſenſe, unleſs they meant Patriarchal or Provincial Pariſhes, which are nothing to the Purpoſe of this Controverſy. But herein theſe five Learned and Orthodox Divines (as they are called in the Title Page of their Book) diſcovered their egregious Ignorance in Church Hiſtory. For had they been any thing acquainted with the State of the Primitive Church, they would have underſtood that Episcopalian Dioceſes were eſtabliſhed long before any Pariſhes were ſetled, as I purpoſe to ſhew hereafter. I ſhall only obſerve here, that Dioceſes were divided into Pariſhes, and not Pariſhes united into Dioceſes at firſt: For the Biſhop was placed in the City with a convenient Number of Presbyters about him, Part of whom he always kept with him, and others he ſent out to Preach and Adminiſter the Sacraments

ments as he saw Occasion: But fixed Parish Priests were not settled till the End of two or three Centuries. Indeed these Authors make a great Noise about the Promiscuous usage of the Names *Bishop* and *Presbyter*, but that is not the Matter in dispute, for I have shewed that those we now call *Bishops* were then called *Apostles* or *Angels*.

But tho' during the first Century or thereabouts the Name of *Apostle* or *Angel* was generally applied to those Persons who were of the first Order in the Church, and the second Order was indifferently stiled either *Bishops* or *Presbyters*; yet immediately afterwards, whilst one of the twelve *Apostles* remained on this side Heaven, these two Names became apparently distinguished. The Succeeding Governours of the Church humbly abstaining from the Name *Apostles* were contented to be called *Bishops*: And then the second Order were called altogether *Presbyters*; And the Title of *Bishop* was from thenceforth appropriated to those who had the Power of Government, Confirmation and Ordination, as appears from the Testimony of the Ecclesiastical Writers of the First Ages which I shall in the next place attempt to prove.

And I hope that these afore cited Testimonies of Scripture joyned with the universal Suffrage of the whole Church may be sufficient to convince any unprejudiced Person, *that Bishops as they are distinct from Presbyters are of Apostolical Institution.* For there are diverse Practices in the Church derived to us from the Apostles for which we have no expresse positive Precept in the New Testament, but are gathered from the general Scope and Tenor of the Gospel and from some doubtful Places in it so and so understood and interpreted by the unanimous consent of the universal Church. For here that * Golden Rule of *Vincentius Lirinensis* must have place, *ut id teneamus quod ubiq; quod semper, quod ab omnibus creditum est.* By this we believe the Books of the Old and New Testament to be the true pure Word of God, and no other, how Divine, Orthodox or Ancient soever they be. By this we reject as Apocryphal those Books which Pope *Gelasius* and from him the Church of *Rome* have thrust into the Canon. By this Rule it is that we assemble for publick Worship on the Lord's Day, and Sanctify and keep holy the first Day of the Week instead of the seventh. And by this Rule

* Advert. Har.
cap. 3.

it is that we Baptize Infants and admit Women to the Communion of the Lord's Supper. And to name no more, I know no other Rule for distinguishing the Clergy from the Laity, or setting apart an Order of Men to Minister the Word and Sacraments. There is therefore as good Authority to distinguish the Bishops from the Presbyters as there is to have any Ministers in the Church at all. For the Scripture nowhere positively says you shall appoint a particular Order of Men to preach the Word, and administer the Sacraments, but we gather this Doctrine from the general Scope of the New Testament, (which often speaks of Elders and Rulers in the Church and enjoyns an Obedience to them) the Practice of the Apostles and the Observation of this Practice by the whole Catholick Church in all Ages and all Countries, the Knowledge of which is descended to us. And certainly, as ^s Melanthon has very well observed, *It is not safe to admit any new Doctrine for which we have received no Testimony from the ancient Church.* By which Rule the Presbyterian Government can by no Means be allowable, or indeed any other Church-Government than the Episcopal, there being no

^s Loc. Commun de Bapt. Infant.

Footsteps of any other Government in or after the Apostles Days 'till the Times of Reformation ; And then Presbytery was first established at *Geneva* by *Calvin* more thro' Necessity than Choice, and this was the first best Plea they had for it, as *Mr. Hooker* has shewed in his Preface to his *Ecclesiastical Polity*. I shall therefore proceed to shew that as we gather from diverse Passages of Scripture that there were two distinct Orders of the Clergy, one to Preach and Administer the Sacraments, the other to Govern and Ordain the Ministers, so also that these two Orders have continued apparently distinct from the Apostles Days downwards. I name only these two Orders at present, because I purpose to treat of the Deacons hereafter by themselves : They being apparently distinguished from these two and Inferiour to both.

C H A P. V.

*That Bishops and Priests are distinct Orders
proved from Testimonies of the Church.*

THE first Testimonies I shall bring from the Authority of the Church
and

and Primitive Fathers shall be taken from *Ignatius* Bishop of *Antioch*, who suffered Martyrdom within fourscore Years after our Saviour's Ascension into Heaven. In his Epistle to the *Trallians* he writes thus, *He that's within the Altar is pure: wherefore also he is obedient both to the Bishop and Presbyters.* And again in the same Epistle, *ye ought every one of you, says he, and chiefly the Presbyters to cherish your Bishop.* Writing also to the *Magnesians*, and having just before spoken of *Damas* their Bishop, he from thence takes Occasion to exhort 'em not to contemn their Bishops Age: *But, says he, pay him all Reverence according to the Will of God the Father, as I know the Holy Presbyters do, not looking upon the Youth that appears in him, but the Prudence which he has received from God.* And to the *Philadelphians* he writes; *Let the Deacons obey the Priests, and both Priests and Deacons the Bishop, the Bishop Christ, as Christ obeys the Father.* So that I think there never was a plainer Distinction of Bishops and Presbyters than is here made by this Reverend Father who was Cotemporary with the Apostles. But the Passages wherein he distinguishes the Bishops from the Presbyters are so many that it would be a tedious Work
to

* Lib. 3. C. 32.
aliter. 35.

to enumerate all of 'em, and one might almost transcribe half of his Genuine Epistles and yet not write all that he says of Bishops and Presbyters as distinct Orders: And he himself as *Eusebius* testifies, was the Second Bishop of *Antioch* after *St. Peter*, *Evodius* immediately preceding, and *Heros* succeeding him in that See. These Epistles of his, as the same *Eusebius* informs us, were written by him as he was passing from *Syria* to *Rome*, in order to suffer Martyrdom there by Order of the Emperor *Trajan*, A. D. III. He had presided over his Church almost forty Years, whereby it is certain he conversed with some of the Apostles, perhaps with most of 'em: For it is scarce probable that he should be appointed or Elected Bishop 'till he was forty Years of Age, and consequently must be born before our Saviour's Death. Our Adversaries have nothing to object against this most Reverend and ancient Father, but only that the Epistles which bear his Name are forged, but they may as well charge Forgery upon any Book of that Antiquity now extant. For his Epistles (I mean all those which are published as his Genuine Works) are every one mentioned by *Eusebius*, and cited by *St. Polycarp* the Disciple of *St. John* and

cotemporary to *Ignatius* himself, and by *St. Ireneus*, who was born before his Death, and *Origen* who was not a full Century behind him. And as for the little Cavils made against them or some Passages in them, they are all most learnedly answered and the Honour of this Holy Martyr vindicated by *Vossius*, the Reverend Primate Archbishop *Usher*, and Dr. *Pearson* late Lord Bishop of *Chester*.

My next Testimonies for Episcopal Government, and for Bishops as distinct from Presbyters shall be taken from *St. Cyprian* Bishop of *Carthage* who flourished not much above 200 Years after our Saviour's Assention. He tells us that ² Ep. 65. *our Lord himself elected Apostles, that is, adds he, Bishops and Prelates.* And in a Letter of his to *Cornelius* Bishop of *Rome*, upon Occasion of the Insolence of *Felicissimus* and *Fortunatus*, two turbulent Presbyters who disturbed the Peace of that Church, he writes thus; ³ Ep. 55. *If it be so, my dearest Brother, that the Boldness of evil Men is to be feared, and that what wicked Persons are not able to compass by Right and Equity they will effect by Rashness and Despair, the Force of Episcopacy, and the Sublime Divine Power of Church Government is lost, neither can we be or continue Christians any longer, if it come to*
this

this, that we must be afraid of the Threatnings or Snares of Profligate Wretches. Thus you see this Holy and Ancient Father calls the Episcopal Government Divine, and esteemed it so necessary to the Church of Christ, that he judged it impossible for us to be Christians if the Episcopal Authority was once contemned by Presbyters. And again writing to the Lapsed, that is such as had fallen away and renounced the Faith in time of Persecution, ⁴ our Lord, says he, whose Precepts we ought to fear and observe, settling the Honour of the Bishop and the State of the Church, speaks thus in the Gospel, and says unto Peter, I say unto thee thou art Peter, and upon this Rock will I build my Church, and the Gates of Hell shall not prevail against it; And unto thee will I give the Keys of the Kingdom of Heaven, and whatsoever thou shalt bind on Earth, shall be bound in Heaven, and whatsoever thou shalt loose in Earth, shall be loosed in Heaven. From thenceforwards the Ordination of Bishops, and the State of the Church has continued thro' all the Changes of Times and Successions, so as that the Church is founded upon the Bishops, and every Act of the Church is governed by them who are its Prelates. These Testimonies sure are sufficient to shew that

⁴ Ep. 27.

St. *Cyprian* judged that the *Bishops* from our Saviour's own Life-time here on Earth had the chief Powers in all Ecclesiastical Affairs, and that no other was equal to 'em. And that he did not think Presbyters equal to 'em or the same with 'em is most certain, for he most evidently distinguishes the Bishop from the Presbyters in his ^{Ep. 52.} Epistle to *Antonianus*, concerning the Schism in the Church of *Rome* when *Novatianus* was set up by his Party in Opposition to *Cornelius* their true Bishop. *I wrote*, says he, *to the Clergy of Rome, then without a Bishop, and to the Confessors, Maximus the Presbyter, and the rest which were in Prison with him.* Nothing can be plainer than this Distinction, for he says they were without a *Bishop*, and yet at the same time speaks of his Writing to *Maximus the Presbyter*. And the many Epistles he writes to the Presbyters and Deacons of his own Church of *Carthage*, wherein he speaks of himself as their *Bishop*, and frequently expresses himself in an Episcopal Stile, with Authority, as we say, are sufficient Evidences that these Orders of Bishops and Presbyters were distinct in his Days. And in ^{Ep. 10, 11, 12.} three Epistles together he condemns his Presbyters for not considering the Honour and

Obe-

Obedience they owed to the Bishop who presided over them, For further Satisfaction in this Matter and more Proofs from this Father concerning the Difference between Bishops and Presbyters I shall refer to the ⁷ Epistles cited in the Margent.

⁷ Ep 21, 22, 26,
28, 30, 31, 33,
34, 35, 38, 39,
65, 69, 75.

From the Testimonies of particular Persons I will proceed to the Testimony of whole Churches. I will begin with the Apostolical Canons, which (as Dr. Beveridge has learnedly proved in his Annotations on them) were Constitutions made by diverse Councils held in the second and third Centuries. They tell us that ⁸ *a Bishop shall be ordained by two or three Bishops: And a Presbyter and Deacon by one Bishop.* ⁹ *That a Bishop, Priest, or Deacon must not put away his Wife under Pretence of Religion.* ¹ *That a Bishop, Priest or Deacon ought not to involve himself in secular Affairs.* ² *That a Priest or Deacon leaving the Diocese to which he belongs, and going into another to dwell there without the consent of his Bishop, and being required by his Bishop to return, will not, shall be excommunicated.* Indeed almost all these Canons which are eighty five in Number have something in 'em shewing Bishops and Presbyter to be distinct Orders. The Council of *Eliberis*

⁸ Can. 1, 2.

⁹ Can. 5.

¹ Can. 6.

² Can. 15.

A. D. 305. mentions the three Orders of the Clergy in several Canons. ² It for- ² Can. 18.
bids Bishops, Priests and Deacons to leave their Churches to exercise Merchandize.
 It declares, ³ *That when any Person falls* ³ Can. 32.
Sick, he ought to be received into Communion by the Bishop; but if the Sickness be violent, the Priest may grant him Communion, and even the Deacon if the Bishop command him. The Council of Arles A. D. 314. ⁴ forbids *one Bishop alone to or-* ⁴ Can. 20, 21.
dain another and then immediately subjoins that *neither Priests nor Deacons should relinquish the Churches in which they were fixed by Ordination:* that is the Diocese in which they were ordained. The general Council of Nice also some few Years after this of Arles, makes a most apparent Distinction between the Orders of Bishop and Priest, especially where it expressly Ordains ⁵ *that neither Priests* ⁵ Can. 16.
nor Deacons shall be received into another Church without the consent of their Bishop.
 I might soon fill a large Volume with Citations of this Nature out of Fathers and Councils within the four first Centuries, for we have scarce any Writings of Antiquity which do not distinguish these two Orders.

The only Father of the Church our Adversaries pretend to be of their side is

⁴ Ep. 85.

St. *Jerome*: 'and he himself, tho' in the Heat of his Passion against the *Roman* Deacons he exalts the Priesthood to almost an Equality with Episcopacy, yet in the Height of his Anger allows the Bishop a Power of Ordination which he acknowledges the Priests had not. ' He also allows that the Bishop has the only Right of administering Confirmation. Yet it must be confessed that St. *Jerome* does

⁷ Dial. advers. Lucif.

⁸ Dis. 95. c. 5. Hierom. ad Cap. ad Tit.

say ⁸ *olim idem erat Presbyter qui & Episcopus*, that anciently Bishop and Presbyter were the same, but herein he plainly Opposes all Antiquity and the Tradition of particular Churches concerning their Bishops, and is perfectly singular in his Opinion: And it is manifest by the Allegations he brings in defence of his Judgment in this Point, that it was grounded chiefly on those Places of Scripture where Bishops are called Presbyters or Presbyters Bishops, and so from Community of Name would argue Community of Order: But I hope this Argument has been sufficiently answered already. And even St. *Jerome* himself allows the Distinction to have been made by the Apostles themselves for the Prevention of Schisms, when each one said I am of *Paul* and I of *Apollos* and I of *Cephas*. If any further Answer be desired to St.

Je-

Jeroms Authority I must refer to ⁹ Dr. ^{p 432, & 476.} *Maurice's* Book called, *A Vindication of the Primitive Church.* And yet if no other Reply could be given to it than only to say *St. Jerome* was mistaken, I think it would be sufficient: for I know not why his Authority should weigh more with us than the Scriptures and Councils and all the Fathers besides. But Men will take hold of any thing to maintain an Opinion they are fond of. Yet after all *St. Jerome* himself (the great pretended Patron of Presbytery) denies not Bishops to be of Apostolical, and consequently of Divine Institution, and always paid to Bishops that Obedience and Respect which was due from him to them as he was a Presbyter. And for this Reason I question not, none of his Cotemporaries or others went about formerly to confute him, because tho' he was somewhat particular in his Opinion yet it had no Influence on his or any other Bodies to make them cast off due Subjection to their Bishops.

For Modern Testimonies, some of which I cannot forbear to produce, I shall begin with part of a Speech of a Gentleman who sufficiently declared himself a professed Enemy to the established Church of *England*, since as ¹ he himself

tells us, he brought into the House of Commons that which was commonly called the *Root and Branch-Bill*, which was entituled *An Act for the Utter abolishing and taking away of all Archbishops, Bishops, their Chancellours and Commissaries, Deans, Deans and Chapters, Archdeacons, Prebendaries, Canons, and all their under Officers*. His Words are these, “ They
 “ who deny that ever any such Bishops
 “ [That is Bishops presiding over Pres-
 “ byters] were in the best and purest
 “ times; I intreat some one of ’em (if
 “ any such be here) to stand up and
 “ shew me, teach me how I may prove
 “ that ever there was an *Alexander of*
 “ *Macedon* or a *Julius Cæsar* or a *William*
 “ the *Conquerour* in the World. For, Sir,
 “ to me as plain it is that *Bishops Presi-*
 “ *dent* have been the constant, perma-
 “ nent, and perpetual Governours of
 “ the Church of God in all Ages. And
 “ this being matter of Fact, I do hope
 “ that Historical Proof will be sufficient
 “ adequate Proof in that which in its
 “ Fact is Matter of History. But Proofs
 “ herein are so manifold and clear, that
 “ I borrow the free and true Assertion
 “ of a Worthy and Learned Gentle-
 “ man. *It may be thought want of Will, ra-*
 “ *ther than want of Light which makes Men*
 “ deny

¹ Ibid. p. 127.

² Sir Tho. Ac-
 ton's Review
 of Episcopacy
 p. 1.

“ deny the Antiquity of Bishops in the pri-
 “ mitive Times. Therefore answer not
 “ me, but answer *Ignatius*, answer *Cle-*
 “ *mens*, *Tertullian*, *Irenæus*, nay answer the
 “ whole indisputed Concurrence of the
 “ *Asian*, the *European* and the *Affrican*
 “ Churches, All Ages, All Places, All
 “ Persons: Answer I say all these, or
 “ do as I do, submit to the sufficient Evi-
 “ dence of a Truth. And surely nothing
 “ but a most demonstrative Truth could
 have extorted such a Speech from a de-
 “ clared Enemy to all the Bishops in *Eng-*
 “ *land*, and a professed Foe to the Hierar-
 “ chy. But this is not all, some Pages af-
 “ ter in the same Speech he says: ³ “ Pa- ³ p. 139.
 “ rity of Degrees in Church Govern-
 “ ment hath no Foundation in Holy
 “ Scripture, and is as absonous to Rea-
 “ son as parity in a State or Family. In-
 “ deed it is a Fancy, a Dream, a meer
 “ *non Entity*, it neither hath nor ever
 “ had a Being. If it be any thing, it is
 “ absolute Anarchisme, and that is no-
 “ thing, for Privation of Government
 “ is not a Government. And then a-
 gain he shews that a Bishops Office was
 “ perpetual not Temporary, in these
 “ Words. ⁴ “ But Sir I have heard some ⁴ p. 141.
 “ among us say, if then we must have a
 “ Bishop, let him be like a Pylot, only

“ for a Voyage: Let him be like your
 “ self a Speaker only for a Parliament.
 “ But I do affirm *ab initio non fuit sic*;
 “ your Bishop of old was not occasional,
 “ *pro re natâ* and immediately degra-
 “ ded, nothing so: But continued a fix-
 “ ed, constant, perpetual Moderatour
 “ and President for Life, unless outed
 “ for his own Demerits.

I will add another modern Testimony
 which our Dissenters cannot justly ex-
 cept against. *Petrus Molinæus* in his
 Book *de munere Pastoralis*, purposely
 written to defend the Presbyterian Go-
 vernment, acknowledges “ That present-
 “ ly after the Apostles time, or even in
 “ their time, as Ecclesiastical History
 “ witnesseth, it was ordained, That
 “ in every City one of the Presbytery
 “ should be called a Bishop, who should
 “ have Preheminence over his Collegues
 “ to avoid Confusion, which frequently
 “ ariseth from Equality, and that truly
 “ this Form of Government all Church-
 “ es every where received.

^s Nalsons Col-
 lect. Vol. 2. p.
 281.

^o De Imperio
 Summarum
 Potestatum
 circa sacra c.
 11. §. 5.

^o *Grotius* also who can by no means
 be supposed Partial to Episcopal Govern-
 ment asserts that “ Episcopacy had its
 “ Beginning in the Apostolical times.
 “ This is testified by the Catalogues of
 “ Bishops left us by *Irenæus*, *Eusebius*,
 “ So-

“ *Socrates, Theodoret, and others, who*
 “ all begin from the Apostolical Age.
 “ But to detract from the Faith of such
 “ Writers and so agreeable to one ano-
 “ ther in their Assertions in an histori-
 “ cal Matter is the part only of an irre-
 “ verend and obstinate Mind. It is as
 “ much as if you should deny that to be
 “ true which all the *Roman* Histories de-
 “ liver, that the Consular Authority be-
 “ gun upon the driving out the *Tarquins*.
 “ But again let us hear *Jerome, The Pres-*
 “ *byters of Alexandria, says he, from*
 “ *Mark the Evangelist, always chose one*
 “ *whom they placed in a higher Degree a-*
 “ *mong themselves, and called him Bishop.*
 “ *Mark* died the eighth Year of *Nero*, to
 “ whom, (*St. John* the Apostle yet living,)
 “ succeeded *Anianus*, to *Anianus Abili-*
 “ *us*, to *Abilius Cerdo*, the same Apostle
 “ yet surviving *Simon* (after the Death
 “ of *James*) became Bishop of *Jerusalem*,
 “ and after the death of *Peter* and *Paul*,
 “ *Linus, Anacletus* and *Clemens*, were
 “ Bishops of *Rome* successively: And *E-*
 “ *vodius*, and after him *Ignatius*, held
 “ the See of *Antioch*. Such Antiquity sure-
 “ ly is not to be despised to which such
 “ Men give their Testimonies, as *Ignatius*,
 “ the Contemporary of the Apo-
 “ stles, *Justin Martyr* and *Irenæus*, whose

“ own Words I need not transcribe. Now
 “ indeed, says *Cyprian*, *Bishops are consti-*
 “ *tuted in all Provinces, and in all Cities.*
 “ This Bishop is of approved Divine
 “ Right, or as *Bucer* says, It seemed
 “ Good to the Holy Ghost that one a-
 “ mong the Presbyters should have a sin-
 “ gular Care of all. The Divine Apoca-
 “ lyps affords an irrefragable Argument
 “ to this Assertion: *Christ* himself com-
 “ mands to be written to the seven An-
 “ gels of the *Asiatick* Churches. They
 “ who by the seven Angels understand
 “ the seven Churches do manifestly con-
 “ tradict the sacred Writ. It is strange
 “ how far the love of Contradiction can
 “ draw Men, so as they dare confound
 “ what the Holy Ghost has so plainly
 “ distinguished. We deny not but the
 “ Name *Angel* in a general Sense may be
 “ in some Measure adapted to every Pa-
 “ stour: But here is a manifest Directi-
 “ on to one in every Church. Was there
 “ therefore but one Pastour in a City?
 “ No surely. For in *St Paul’s* time there
 “ were many Presbyters in *Ephesus* ap-
 “ pointed to feed the Church of God.
 “ Why then were Letters sent to one in
 “ each Church, if no one had a more
 “ peculiar and more eminent Function?
 “ *Under the Name of Angel,* says *Augustine,*
 “ *the*

“ *the Prelate of the Church is praised, Je-*
 “ *rome calls them Angels presiding in the*
 “ *Churches. Then he gives us the Testi-*
 “ *monies of Bullinger, Marlorat, Beza and*
 “ *Reynolds who all acknowledge these An-*
 “ *gels to be Bishops. And proceeds to shew*
 “ *also that Timothy and Titus and diverse*
 “ *others were Bishops properly so called*
 “ *and constituted by the Apostles them-*
 “ *selves. And he says positively that “ those*
 “ *which think Episcopacy repugnant*
 “ *to God’s Will, must condemn the*
 “ *whole Primitive Church of Folly and*
 “ *Impiety. He tells us also “ that vast*
 “ *Advantages have accrued to the*
 “ *Church by Episcopacy, as the Histo-*
 “ *ries of all times manifest. And here a-*
 “ *gain, says he, I will bring him for my*
 “ *Witness, who of all the Ancients least*
 “ *favoured the Bishops, that is Jerome :*
 “ *Thro all the World, says he, it was de-*
 “ *creed that for the avoiding Schisms and*
 “ *Contentions, one should be chosen out of*
 “ *the Presbyters and set over the rest. And*
 “ *elsewhere: The Safety of the Church*
 “ *consists in the Dignity of the chief Priest,*
 “ *that is the Bishop, to whom if there was*
 “ *not given a Supereminent Power over all,*
 “ *there would be as many Schisms in the*
 “ *Church as Priests. The same is also in-*
 “ *culcated by Cyprian whence proceed*
 “ *Schisms*

“ *Schisms and Hereses, unless whilst the*
 “ *Bishop who is but one and is over the*
 “ *Church is contemned by the proud Pre-*
 “ *sumption of some? Neither are single*
 “ *Churches only preserved from Schisms*
 “ *by the presidency of one, but as the*
 “ *same Cyprian says, the Catholick Church*
 “ *is knit together by this Band of Priests*
 “ *united to one another. For by the*
 “ *Bishops Letters of Communion to each*
 “ *other an Agreement was preserved*
 “ *throughout the World. Indeed Groti-*
 “ *us immediately after all this does (as*
 “ *he was obliged to do living in Holland)*
 “ *pretend to defend the Presbyterian Parity.*⁷ His first Argument is that Episco-
 “ *pacy is founded only upon Apostolical*
 “ *Example, not on any particular Precept*
 “ *of Christ. But his Presbyterian Brethren*
 “ *here in England say*⁸ *that some Scripture*
 “ *Examples in Matters of Religion are obli-*
 “ *gatory to Christians, as Patterns and Rules,*
 “ *which they are bound in Conscience to follow*
 “ *and imitate. And those Acts which are pro-*
 “ *pounded in Scripture as Patterns or Exam-*
 “ *ples, that we should act the like Good, or*
 “ *avoid the like Ill; are an obligatory Law to*
 “ *us. And these Rules they bring to prove*
 “ *that we must always preserve that*
 “ *Church Government which was used by*
 “ *the first Christians in the Scripture times.*

Then

⁷ Ibid. §. 10.

⁸ Divine Right
 of Church Go-
 vernment by
 Sundry Mini-
 sters of London.
 Printed 1646.
 P. 12, 23.

Then again this Great Man pretends that it was not universally observed that there should be but one Bishop in a City. For *Epiphanius* says this Custom was first settled at *Alexandria*: *There were not,* says he, *at Alexandria two Bishops as in other Cities.* By which one Instance we may see to what pitiful Shifts great and extraordinary Men for Parts and Learning are put when they are obliged to defend a weak Cause. *Epiphanius* treating of Heresies takes occasion to tell us that the Hereticks, because they would seem to be the true Church, would have their Bishops as well as the Orthodox: From whence it came to pass that in every City there were two Bishops, one Orthodox and Catholick, another Heretical, or at least Schismatical, only the Church of *Alexandria* was so happy as to have no Heretical or Schismatical Bishop, only one Orthodox and Catholick. Yet from this Passage partially cited would he prove that there were many Bishops in a City originally and consequently the Power of such Bishops no more than that of Presbyters: Forgetting that he had just before proved from *St. Cyprian* that a *Bishop is but one in a Church.* Indeed he does prove afterwards that there were sometimes two Orthodox Bishops
in

in a City, but he does not prove 'em both to have equal Authority. It is allowed by all that Bishops may have Assistants of their own Order, wherefore our Bishops in *England* are allowed such by Act of Parliament, whom we call Suffragans. But this proves no Equality between Bishops and Presbyters.

His last Argument which is only to shew that some reformed Churches were necessitated upon several Accounts to have no Bishops for a time, may be admitted in some Measure. Especially when he says that ' He is of *Beza's* Mind and ' and thinks the ancient Order ought to ' be restored, when the Ruins of the ' Church are repaired. It was certainly this Learned Mans Interest to have defended Presbytery more heartily if he could have done it: He said as much as the Cause will really bear. And it was not his Inclination but the Right of the thing it self caused him to argue most strongly for Episcopacy even where his Purpose was to justify another Government. He was certainly a Great and a Good Man, and our Adversaries have no Reason to except against his Testimony, since it is plain he was of their side as much as his Learning and Conscience would give him leave to be.

The

The late Right Reverend and most learned Bishop of *Worcester* Dr. *Stillingfleet* in his Treatise of *the Antiquities of the British Churches*, amongst many other Arguments to prove that Episcopal Government was originally established in this Church of *Great Britain*, even as early as Christianity it self (and that he proves to have been settled here in the Apostles Days, and probably by *St. Paul* himself) uses this as one, viz. ‘ That
 ‘ there is no other Church in the Christian World which derived from the
 ‘ Apostles, which had not a Succession of Bishops from them too; And we
 ‘ cannot trace the History of other Churches farther than we can do that
 ‘ of their Bishops. And *Tertullian* puts ^{1 De Praescr. adv. Haer. c. 32.}
 ‘ the Proof of *Apostolical Churches* upon *the Successions of Bishops from the Apostles*: which were a senseless way of
 ‘ proceeding, unless it were taken for granted [even in that early Age of Christianity, within an Hundred Years of the Apostolical Times] † that where-
 ‘ ever the *Apostles* planted Churches they appointed *Bishops* to take care of them. The consequent of this is that there were Bishops in *Britain* upon the first establishment of a Church here. For, as he adds a little after, ^{2 p. 82.} “ altho we cannot
 ‘ de-

' deduce a lineal *Succession of Bishops* as
 ' they could in other Churches, yet as-
 ' soon as thro the Churches Peace they
 ' come to have Intercourse with foreign
 ' Churches (as in the Council of *Arles*)
 ' they appeared with a proportionable
 ' number of *Bishops* with those of other
 ' *Provinces*; And their *Succession* was
 ' not in the least disputed among them,
 ' they subscribing to the Sentence and
 ' *Canons* as others did. And what *Ca-*
 ' *nons* did then pass, did, no doubt, as
 ' much concern the *British Churches* to
 ' observe, as any other Churches whose
 ' *Bishops* were there present. And a-
 ' mongst those *Canons* there enacted, there
 ' were some which related to *Bishops* and
 ' *Priests* as distinct Orders: A sure Argu-
 ' ment that they were in that early Age
 ' esteemed as such in these Churches as
 ' well as in other Parts of Christendom.

I cannot here forbear to recite the
 Words of the Reverend Dr. *Maurice* up-
 on this Occasion, who in his *Vindicati-*
on of the Primitive Church in answer to
 Mr. *Baxters Church History* thus expres-
 ses himself. ' If the Presbyterian Parity
 ' had any place in the Primitive times,
 ' as some do imagine, it must needs have
 ' been an intolerable kind of Govern-
 ' ment, since all on a Sudden it was uni-
 ' versally

‘ verſally aboliſhed ; It muſt have given
 ‘ ſtrange occaſion of Offence, when all
 ‘ the Chriſtian Churches of the World
 ‘ ſhould conſpire to abrogate this Polity,
 ‘ and to deſtroy all the Memory and
 ‘ Footſteps of it, ſo that in the lamen-
 ‘ table Diſtractions which the Church
 ‘ fell into afterwards under Biſhops, none
 ‘ ſhould ſo much as propoſe this Way of
 ‘ Relief, by returning to their ancient
 ‘ Government.

We may certainly defy all our Adver-
 ſaries to ſhew a time when there was a
 Church in any Part of the World that
 was not governed by Biſhops ‘till *Farel*
 and *Frumentius* drove out their Biſhop
 from *Geneva* about two Hundred Years
 ago. Indeed ⁴ *St. Auguſtin* does ſpeak of ⁴ *Lib. de Har.*
 one *Aerius* a Preſbyter, who taking it ill ^{S:ct. 53.}
 that he could not be made a Biſhop fell
 into the *Arian Heresy*: to which he added
 ſeveral Opinions of his own, amongſt
 which, one was that *a Preſbyter ought to*
be diſtinguiſhed from a Biſhop in nothing.
 The ſame is mentioned by ⁵ *Epiphanius* ⁵ *Har. 75.*
 who was Contemporary, and is repre-
 ſented by him as little better than a
 Madman. He was vexed to ſee that his
 Companion and Fellow-Student *Eufra-*
thius had gotten the Biſhoprick of *Sebaſ-*
tia which he aimed at, and therefore dif-

disparaged the Order he could not obtain. He was an Heretick and an inconsiderable one too: (I do not mean that his Heresy was inconsiderable, but only his Profelytes and Followers) And if our Adversaries think his Doctrines ought to be followed in one Point, perhaps some of 'em may in another also. And I am afraid if the *Church of England* should ever loose this Primitive Government by Bishops it would loose its Primitive Doctrine too, and change *Christianity* for *Socinianism*, an Heresy if possible worse than *Arianism*, and which has at this time infected many of the Churches Enemies, who labour to overturn Episcopacy, that they may more easily vent their Doctrines, and at least get their Principles to be tolerated. For 'tis observable, ' says Dr. *Maurice*, ' that in these last Ages there have been ' no Hereticks who have not likewise ' been Antiepiscopal; And at the same ' time that they become Enemies of the ' Truth, they declare War against the ' Bishops who are the Guardians of it. ' And there were more Heresies started ' here in the space of four Years after ' Bishops had been laid aside, (if *Edwards* reckons right in his *Gangrena*) ' than have been known in the Univer-

' fal

“sal Church from the Foundation of it
“to that time.

There are some who pretend that the *Presbyterian Government* was originally in the *Church of Scotland* : And that in the *second Century* or beginning of the third, there was a Church formed in that Kingdom without *Bishops*, and that it continued for some Hundreds of Years. *Selden* makes a long Differation upon this Subject in his Preface to the *Decem Scriptores*, published by Sir *Roger Twisden*. That great and learned Antiquary, thinking himself to have been ill used by some of our Bishops, who brought him into the *High-commission Court* for his *Book of Tiths*, endeavoured in part to revenge himself upon them, by destroying (if he could) the *divine Right of Episcopacy*, with a Story of the *Scotch Culdees*. A Fable invented by the *Monks* (whose Brains were always fruitful to bring forth what might any ways advance their own Honour, as this certainly was, which sets their Order above Bishops) and has not one Author to vouch it, who lived within a Thousand Years of the time when it is pretended that this *Monkish Presbyterian Government* was erected. However we are told, “that there were Monks in a
“Monastery of the Isle of *Hy*, called o-
G therwise

“therwise *Jona* or *Icolmkill*, who where
 “there settled in the first Ages of the
 “Church, and tho’ they were but meer
 “Presbyters (the Abbot himself being
 “obliged to be of that Order and none
 “other) yet exercised all episcopal Ju-
 “risdiction. And that from this Island
 “were certain fit Persons elected who
 “were sent out, by the Abbot and other
 “Presbyters in the Monastery, as Bishops
 “to govern the several Diocesefes of *Scot-*
 “*land*. And that this Way of Church-
 “Government continued till about the
 “Year 1110. when *Turgotus* being cano-
 “nically consecrated Bishop of *St. An-*
 “*drews*, the Power and Authority of the
 “Abbot and Monks of *Hy* was trans-
 “ferred to that see. But this Tale is
 most apparently fictitious, and cannot
 appear otherwise to any one who is ac-
 quainted with the Constitution of the
 Church in all other Parts of the World
 in the primitive Times. But I had al-
 most forgot one material Passage of this
 Story: which is, “That about the Year
 “of our Lord 410. *Palladius* was sent
 “by Pope *Cælestine* to the Christian *Scots*,
 “being first ordained by him Bishop of
 “that Church: And thus Bishops as they
 “are distinct from Presbyters first came
 “into *Scotland*. But *St. Columba*, who
 “died

“ died about the latter end of the sixth
 “ Century, restored the Authority of the
 “ *Culdees* whom he resettled in the Mo-
 “ nastery of *Hy*, and was himself the
 “ first Abbot of it after its Authority was
 “ thus restored. This additional Passage
 more plainly discovers the whole to be
 a Monkish Forgery. For 'tis well known
 that the Monks of all Places have forged
 Records to prove the Antiquity of their
 own Houses : And these Monks of *Hy*,
 thinking their House would not appear
 old enough if they could fix the Foun-
 dation of it no higher than the latter
 end of the sixth Century, made a legen-
 dary Story of their being settled in that
 Place about the second or third Centu-
 ries, and would pretend that *St. Colum-
 ba* was only the Restorer, whereas he
 was indeed the Founder of their House.

The present right Reverend Bishop
 of *Worcester*, *Dr. Loyd*, has therefore
 learnedly refuted this Figment, and
 shewn from most evident Proofs, “ That
 “ before *Palladius* his time there were
 “ no Christians in *Scotland*, nor any *Scots*
 “ in that Country, which is now called
 “ by that Name till long after. That
 “ his Mission was not into *Scotland* but
 “ *Ireland* : And that we have no assu-
 “ rance that he came into either of 'em,

7 Historical
 Account of
 Church Go-
 vernment.

“ much less that he made any Bishop
 “ there, or indeed any Christian. Like-
 “ wise that *Columba* found no Chri-
 “ stians at *Hy*, much less any *Culdees*
 “ there; and that he and his *Monks*,
 “ who were the only Clergy in that Part
 “ of *Scotland* where he had to do, knew
 “ no other Ordination but Episcopal, and
 “ had a Bishop amongst them for that
 “ purpose. That the *Culdees* are not
 “ mentioned by any Writer that lived
 “ within five hundred Years of *Palladi-*
 “ *us*, and are not said to have been in
 “ his Age by any Author that lived
 “ within a thousand Years after him.
 “ That Monckery was not yet in the
 “ World, much less in this *Island* at that
 “ time from which they bring down
 “ these *Culdees*. That the first Monks
 “ in *Scotland* were of no other sort than
 “ those in *France* and other Countries
 “ where the Church was wholly go-
 “ verned by Bishops. That *Columba*
 “ found nothing in *Scotland* to be re-
 “ stored, as they imagine, but began and
 “ founded a Monastery there, and his
 “ Monks (as many as took Orders) were
 “ ordained by Bishops properly so call-
 “ ed, as the Monks were in all other
 “ Countries. That commonly their Mo-
 “ nasteries were the Schools and Uni-
 versities

“ versities of those times, where Youth
 “ were brought up and fitted to be put
 “ in holy Orders; And then being
 “ chosen and recommended by their Su-
 “ perieurs, were ordained by proper Bi-
 “ shops, whether fetched from abroad
 “ or residing in the Monastery for that
 “ purpose. That the Bishop who resi-
 “ ded in the Monastery should be subject
 “ to the Abbot tho’ a Presbyter, was, as
 “ *Bede* says, *an unusual thing*. But at
 “ *Hy* there was a Reason for it as unusu-
 “ al as the thing it self. For whereas
 “ in almost all other Places there were
 “ Bishops before there were any Mona-
 “ steries, and there it was not lawful to
 “ build any Monastery without leave of
 “ the Bishop: Here at *Hy* on the contra-
 “ ry, there was no Christian before *Co-*
 “ *lumba* came thither. And when he was
 “ come, and had converted both the
 “ King and People, they gave him the
 “ *Island* in Possession for the building of
 “ a Monastery; and withal, for the
 “ maintainance of it, they gave him the
 “ Royalty of the Neighbouring *Isles*, six
 “ of which are mentioned by *Buchanan*,
 “ as belonging to this Monastery. And
 “ therefore tho’ *Columba* found it neces-
 “ sary to have a Bishop, and was plea-
 “ sed to give him a Seat in his *Island*,

“ and perhaps to put the other Isles under
 “ his jurisdiction ; yet it is not strange
 “ that he thought fit still to keep the
 “ Royalty to himself and Successours.
 “ It is no more strange that it should be
 “ so there at that time, than it is that it
 “ should be so now in many Places :
 “ And at *Oxford* particularly ; where a
 “ Bishop now lives, and is well known
 “ to be a Prelate of the *English Church* as
 “ any other ; yet the Government is vest-
 “ ed in the *University* exclusive of him,
 “ and not only the *Chancellour* and his
 “ *Deputy* have Precedence of the *Bishop*,
 “ but every *private Scholar* is exempted
 “ from his *Cognisance* and *Jurisdiction*.
 “ Yet notwithstanding this, if any one
 “ thus Priviledged happen to have a *Pa-*
 “ *rochial Cure*, tho’ in the *University* it
 “ self, they become subject to the *Bishop*
 “ as others are, and if any *Episcopal Act*
 “ be to be performed, whether it be the
 “ Consecration of any *Church* or *Chapel*
 “ of any *Colledge* or *Hall* in the *Univer-*
 “ *sity*, or *Holy Orders* or *Confirmation* be
 “ to be received by any *private Scholar*,
 “ Recourse is had unto the *Bishop* ; and
 “ in Case of Ordination the Person or-
 “ dained makes the same Recognition
 “ with others, that *he will reverently*
 “ *obey his Ordinary*. So that we see here
 the

“ the *Chancellours* and his *Scholars* have
 “ the same Authority by their Charter
 “ that *King Bridius* gave to *Columba* and
 “ his *Monks*, only it does not extend
 “ thro’ the whole *Diocefs*, but is limited
 “ according to the Pleasure of our *Kings*,
 “ who might have extended it as far as
 “ they pleased : And yet a farther Ex-
 “ tent of this Liberty (tho’ it had been
 “ such an Abridgment of the *Episcopal*
 “ Power as never was known till *Mon-*
 “ kery came into the Church) had not
 “ been a Suppressing of the Order, which
 “ is the thing our Adversaries drive at.
 “ How justly they of all Men inveigh a-
 “ gainst *Monkery* that borrow their Pat-
 “ terns from their Innovations, and
 “ where those will not reach, Piece them
 “ out with their Fables, and do as it
 “ were restore it by darkning the Church-
 “ History to destroy the Government of
 “ it : These Things I leave to the Rea-
 “ ders consideration.

The Argument which, I think, our
 Dissenters have lately gone upon to over-
 throw *Diocesan Episcopacy*, is that for the
 first two or three Centuries ; a Bishop was no
 more than the Pastour of a single Congrega-
 tion, and therefore the Pastour of a single
 Congregation is now as truly a Bishop. And
 that they were duly ordained in those Ages,

who were set apart for the Work of the Ministry by the Pastour of a single Church, with the Concurrence of some Assistants. And (they pretend) they can see no Reason why they should not be esteemed to be duly ordained now, who are accordingly set apart by the Pastour of a single Church. Mr. Baxter (but I know not whether he was the first) advanced this Notion in his Treatise of Episcopacy: This was pursued by David Clarkson, in a Book intituled, Primitive Episcopacy stated and cleared from the Holy Scriptures and ancient Records. Both these have been fully answered by the late learned Dr. Henry Maurice in two Books, one intituled, A Vindication of the Primitive Church, and the other a Defence of Diocesan Episcopacy, from which Books any that desires it may receive full Satisfaction in this Matter. For he has most learnedly and clearly refuted all the Citations of his Adversaries, and plainly shewed how they have abused and falsely represented a multitude of Testimonies of ancient Writers, directly against the Intention of the Authors, to countenance their Dream of Congregational Episcopacy: And that they have shamefully perverted the Author's Sense, sometimes leaving out or putting in a Word to make a Passage serve

serve their purposes. Yet after all, the Summ of what they pretend to prove is no more than this. 1. *That some Villages had Bishops*, which might be, and yet they might have a Territory belonging to a Village containing more than one or two Congregations. 2. *That several Citis were no bigger than our Market Towns*; But might they not therefore have Territories with many Congregations under their jurisdictions? I think there is but one Parish Church in the City of *Rochester*; yet the Bishop of that See has a great many Congregations under his jurisdiction. Nay there are some Parishes in *London*, as big as the *Metropolis Canterbury*. Is therefore the Minister of such a Parish an Archbishop? 3. They say, *that 'tis probable the greatest Cities had but one Congregation of Orthodox Christians, because that sometimes All the People are said to be present in the Church.* ⁸ In this I must refer our Adversaries to what the *Presbyterians* maintained in the late Times: viz, That in diverse Cities there were more Congregations than one, particularly in *Jersusalem*. And this they prove.

1. From the multitude of Believers in that Church, which they from the Scriptures compute to be at least thirty Thousand.

2. From

⁸ Divine Right of Church Government, P. 192.

2. From the Multitude of Church Officers in that Church. 3. From the variety of Languages there. And 4. From the manner of the Christians publick Meetings in those primitive Times in Houses, Chambers, or upper Rooms.

4. These congregational Men pretend, *that there was but one Altar in a Diocess, that is one Communion Table, and consequently one Congregation and no more.* But 'tis well known to all that have dipped into Antiquity, that only the *Communion Table* in the Cathedral Church was called the *Altar*: And therefore *one Altar* is as consistent with many Communion Tables, as *one Cathedral* is with many Churches. But suppose they could have proved these Positi-
 ons, which yet they have not been able to do, it would by no Means follow that Bishop and Presbyter are the same Order. They go upon a false Supposition, when they would make it essential to a Bishop, such as we have in the Church of *England*, to have more than one Congregation under his Care. A Bishop may have no more Souls in his Diocess than a Presbyter has in his Parish, and it actually is so with us: For I am perswaded that the Ministers of *St. Giles* in the Fields, or *St. Andrews*
Hol-

Holborn, or *St. Margarets Westminster*, have either of them more Souls in one single Parish than the Bishop of the *Ile of Man* has in the seventeen Parishes of his Diocess. Yet this Proportion of the number of Souls does not degrade the Bishop to a Presbyter, nor raise the Presbyter to a Bishop. If our Adversaries would say any thing to the Purpose, they ought to prove not that some single Congregations had Bishops; but that all who had single Congregations under 'em were Bishops, and that there was no Distinction between a Bishop and a Presbyter; And now I hope I have said enough to satisfy that this cannot be done.

And after all can it be thought reasonable, or indeed lawful, for the *Church of England* to lay aside this *Primitive Order of Bishops*? Or so far to comply with the *Presbyterians*, or other *Dissenters*, as to allow their Ordinations to be valid? This would be to act contrary to a plain *Apostolical Institution*, and the constant Practice of the whole *Catholick Church* in all Ages and all Places from the first Establishment of Christianity to the Times of the Reformation. Indeed many *poor well-meaning Dissenters* are prepossessed with a false Notion, that *Episcopacy* is a *Relick of Popery*, as they are
some-

sometimes pleased to Term it: But they are herein very much deceived, for *Po- pery* has continually more lessened than encreased the *Episcopal Authority*: As is manifested by the many Places and Or- ders exempted from the jurisdiction of their proper *Bishops*, and by the giving a greater Power and Authority to *Car- dinals* and *Legates*, tho' but meer *Priests* or *Deacons*, than to any *Bishops* except his Holiness of *Rome*. Nay these meer *Priests* or *Deacons* have exercised an Au- thority over *Bishops*; suspended them from their Office, and deprived them of their *Dignities*. It has been also affirm- ed by some Schoolmen and Canonists, ⁹ that the Pope may grant a Commission to a Clerk, to conferr such Orders as he himself has, *viz.* That a Priest by such Commission may be empowered to or- dain a Priest, and a Deacon to ordain a Deacon. Take away but the Popes Commission; and here is true Presby- terian Ordination left as a Relick of it.

¹⁰ Diff. 95. c. 3. It is also observable that *Jeroms* ¹⁰ *Olim idem erat Presbyter qui et Episcopus*, which our Dissenters make such a Noise with, is made a part of the Popish Canon-Law.

¹¹ Hist. Council. Trident. Sess. 22 Lib. 7. And it is certain, that in the Council of *Trent*, the Court of *Rome* laboured hard to have it decreed that *Bishops* as

di-

⁹ Astexanus.
Lib. 6. Tit. 3.
Art. 1.

distinct from Presbyters, were not Jure divino. And *Lainesius* the Jesuite, made a long Harangue of above two Hours to that purpose. My Lord Bishop of *Sarum* (who tho' a Bishop himself, yet cannot be thought Partial to the Function, by any one that reads his Exposition on the 23d Article of our Church, and may therefore have his Testimony used as an impartial Evidence) tells us † “ That in
 “ the ancient Church there were different
 “ Ordinations and different Functions
 “ belonging to these Offices, [*viz.* of
 “ Bishops and Priests] “ tho' the Superiour
 “ was believed to include the Inferiour.
 “ But in latter Ages both the Schoolmen
 “ and Canonists seemed on different
 “ Grounds to have designed to make
 “ them appear the same Office, and that
 “ the one was only an higher Degree in
 “ the same Order. The Schoolmen to
 “ magnifie Transubstantiation, extolled
 “ the Office by which that was perform-
 “ ed so high, and the Canonists, to ex-
 “ alt the Popes universal Authority, de-
 “ prest the Office of Bishops so low, to
 “ make them seem only the Popes Dele-
 “ gates; and that their Jurisdiction was
 “ not from Christ, that by these Means
 “ these two Offices were thought so near
 “ one another, that they differed only

† Hist. Re-for.
 Abridg. Lib.
 1. p. 206. 207.

“ in

“ in Degree : And this was so well observed at *Trent*, that the Establishing the Episcopal Jurisdiction as founded on a Divine Right, was apprehended as one of the fatallest Blows could have been given to the Papacy. If therefore this matter be rightly understood and duly weigh'd, *Presbytery* will much rather appear to be a *Relick of Popery* than the *true Orthodox Episcopacy* as it it now establish'd in the Church of *England* according to its first Primitive Institution, when *Bishops* were the chief Rulers in Ecclesiastical Affairs. Indeed I must acknowledge that there is a Relick of Popery in our Constitution, and that is that so many Places remain still exempt from Episcopal Visitation and Jurisdiction : But this I am confident is what all our Bishops would gladly have rectified, if it was in their Power, yet are forced for Peace sake to submit patiently to the inconveniency.

C H A P. VI.

Of the Colledge of Presbyters, and the manner how the Bishop lived with his Clergy.

BUt altho', as has been said, and I think in some Measure proved, the
Bi-

Bishop was Originally the supreme Governour of all Persons in his Diocess, in what related to the Church, yet he had not, or at least did not act with a Despotick Power. He was as *Ignatius* says in his Epistle to the Church of *Smyrna*, *The High Priest, bearing the Image of God; of God, I say, as to what relates to Government, but of Christ with Relation to the Priesthood.* However he did nothing of Moment by himself alone; He had his *Presbytery* or standing Council of Priests, over which he presided. With the Assistance and Advice of these he governed his Church, and ordained more *Priests* as occasion required. We have some little Account of this *College of Presbyters* in the Scriptures, where they seem to be taken Notice of as the Governours of the Church. ¹ Thus when a Collection was made at *Antioch*, for the Brethren in *Judea*, it was sent to the *Elders* or College of Presbyters, to be disposed by them to others as they had need. ² The Elders of the Church of *Ephesus* were summoned by *St. Paul* to *Miletus*, and ordered to take heed to themselves and to the Flock, over which the Holy Ghost had made them Overseers. These two Instances (as perhaps I might find more if I thought it needful) shew that

¹ A.R. 11. 27.
&c.

² A.R. 20. 17.
^{23.}

that tho' the *Bishop* (as I have already proved) was the supreme Pastour of the Church, yet the *Elders* or Presbyters had some share of Authority with him, as well in taking charge of the Flock as in disposing of Alms and the Churches Goods. ³ They assisted also and laid on Hands at Ordinations together with the Apostle or Bishop. And *Ignatius* tells us plainly that they were the Bishop's Assistants. For in his Epistle to the *Trallians*, he says, *What is the Bishop, but he that is above all Principality and Power?* That is, the chief Ruler in all Ecclesiastical Affairs within his own Diocese, for it is certain from that which immediately follows that he means no more, *What is the Presbytery, adds he, but a sacred Assembly, Counsellours and Assessours to the Bishop?* Not simply Counsellours but Assessours also, Persons that had some share of Authority with him, tho' subordinate to his. And again in his Epistle to the Church of *Smyrna*, says he, *Follow your Bishop all of you as Christ, and the Presbytery as the Apostles.* And to the *Magnesians* he writes, *The Bishop sitting in the Place of God, and the Presbyters in the Place of the Assembly of Apostles.* And again to the *Trallians*, as the Bishop is the Type of the

Fa-

¹ Compare

1 Tim. 4. 14.

and 2 Tim. 1.

6.

Father who presides over the whole, and the Presbyters as the Council of God, and joint Fellowship of the Apostles. ⁴ St. Cyprian also ⁴ Ep. 35. 42, 46. 66. speaks of the Presbytery or College of Presbyters in divers Places of his Epistles. And ⁵ St. Jerom says, that *the Church has its Senate, even the Company of Presbyters.* ⁵ Cauf. 16. 9. 1. c. 7. Ecclesia. From all which we may be satisfied that there was Originally a constant standing Presbytery to assist the Bishop and take care of the Flock together with him.

At first, in the Primitive Times, the Bishop lived together with all his Clergy in common upon the *voluntary Offerings and Oblations of the People*: And he sent abroad his Priests and Deacons to officiate in several Parts of his Diocese, as was judged expedient by him. All Persons at that time being looked upon to be under the immediate care of their Bishop. Therefore 'tis ordained by the thirty ninth Apostolical Canon, *Let the Priests and Deacons not attempt any thing without the Bishop, for to him is committed the care of the Lord's People, and he must give an Account of their Souls.* And Ignatius in his Epistle to the Church of Smyrna says, *Let no one do any thing belonging to the Church, without the License of the Bishop.* Such as to baptize, celebrate the Lord's Supper, and the like Ministerial Offices. ⁶ Tertullian also speaks to this purpose: ⁶ De baptismo. It remains for the Conclusion of this Mat- cap 17.

ter to give a caution concerning giving and receiving Baptism. The chief Priest, which is the Bishop, has the Right of administering it: From hence the Presbyters and Deacons receive a Right to administer it also, but not without the Bishop's Authority. And so likewise St. Jerom, Without the command of the Bishop, neither Priest nor Deacon has a right to Baptize. And this is still the Practice of the Church of England, where no Priest or Deacon has a Right to administer either of the Sacraments, or perform any other Ministerial Offices without a License from the Bishop of his Diocese, except in Donatives, which are true Remnants of Popery. And tho' a Priest or Deacon has a general License to perform Ministerial Duties within a certain Parish or Precinct, yet ought he not to Baptize any Person of riper Years ⁸ without a Special License or Order from the Bishop.

The Offerings and Oblations of the People were Collected for the use of the Church and all put into the Hands of the Bishop, and by him were divided into four Parts, (as ⁹ J. Gregory has observed from the Arabick Paraphrase of the Canons of the Church now in Manuscript in the Bodleian Library at Oxford: And ⁶ Pamelinus from St. Cyprian.) One part to his Clergy, another to repair the Churches, a third to the Poor, and the fourth to himself. The fourth, the thirty eighth, and the fortieth Apostolical

Canons

⁷ Alverf. Lu-
f. Tom. 2.
Op. P. 47.

⁸ Rubr. in Of-
fice of Bap-
tizing of Per-
sons of riper
Years.

⁹ Annotati-
on on Ridy's
View of Civil
and Ecclesi-
astical Law, p.
2. c. 2. sect 4.
Annot. ad.
Ep. 60. Num.
5.

Canons plainly refer to this Custom, where the Bishop is ordered *to keep his own proper Estate distinct from that of the Church, that neither the Church may receive any Wrong, nor yet his own Relations, whether Wife, Children or other Kindred.* That this was the Practice of the Church in the Apostle's Days, probable from St. Paul's Precept to Timothy.

¹ *Let the Elders that rule Well be counted worthy of double Honour.* In which Place (as most Interpreters expound it) Honour signifies Maintainance, which was to be disposed among the Clergy of *Ephesus* as Timothy their Bishop saw it convenient: That he might give to one more, to another less, according as they discharged their Duties. And this Custom seems to have taken its Original from the Practice of the first Converts to Christianity, ² *Who being Possessors of Lands or Houses sold them, and brought the Prices of the Things that were sold and laid them down at the Apostle's Feet: And Distribution was made unto every Man according as he had need.* That this Practice was in England settled upon the coming in of *Augustine* the Monk appears from ³ *Bedes History of* ³ Lib. 1. c. 27. that Mission.

Priests and Deacons living thus in common with their Bishop were not denominated from any proper Parish or Precinct of their own, but from the See of the Bishop to whom they belonged: As a Presbyter of

Deacon of the Church of *Alexandria*, of *Antioch*, of *Rome*, of *Carthage*, of *Ephesus* or the like. ⁴ And this Relation which a Clergyman stood in to the Bishop of his Diocese (as the late Bishop of *Worcester* has observed) was called a *Title*: And so *sine Titulo*, signifies without being owned by some Bishop. And if any deserted their Bishop they were liable to Deprivation. From the stipend which was given to every *Presbyter* and *Deacon* out of the Church Revenues, and from the particular Charge or Cure assigned to each of 'em by the *Bishop* at his Pleasure with the Advice and Consent of his College, I am perswaded that both *Presbyters* and *Deacons* were called *Canons*, that is, the *Presbyters Canonici Majores*, and the *Deacons Canonici Minores*. For the Civil Law calls Stipends *Canonicae Penfitationes*: And *St. Paul* calls that part of the Church committed more especially to his Care, ⁵ *the Canon which God had distributed to him*. Afterwards when some *Presbyters* and *Deacons* were taken off from the Cathedral or Mother-church, and settled in remote parts of the Diocese, then only those *Presbyters* and *Deacons* which constantly resided with the Bishop preserved the Name of *Canons*; because when fixed Parish-priests were settled and maintained by their own Parish, then these only, who lived with the Bishop received the

Canonicas

⁴ Duties and Rights of Paroch. Clergy. p. 224.

⁵ Cod. Lib. 12. tit. 62. l. 2.

⁶ 2 Cor. 10. 13.

Canonicas Penſitationes, and had the general care of the whole Church or Dioceſe under the Biſhop. For when it was found neceſſary to have Presbyters fixed in particular Diſtricts or Pariſhes, the Biſhop would not leave himſelf deſtitute of a College or Society to adviſe and aſſiſt him in conſerring Orders, diſpoſing of the Church Revenues, and putting the Canons in Execution. Yet he made no new Decrees or Rules for the Government of his Dioceſe without aſſembling his Clergy in a Dioceſan Synod. Therefore ¹ St. *Cyprian* writing to his Clergy ſays, ‘ Aſto thoſe things which my ^{Epift 6.} Compresbyters *Donatus* and *Fortunatus*, *Novatus* and *Gordius* have written to me, I can return no Answer by my ſelf alone; ſince I determined from the Beginning of my Epiſcopate to Decree nothing by my own private Sentence, without your Council, and the Conſent of all my People.

We have but a ſlender Account in Eccleſiaſtical Authors of theſe *Dioceſan Synods*, general and provincial Councils affording Matter enough to fill our Hiſtories upon this Subject: However, that there were ſuch Councils, and that Canons were ſometimes made in ’em appears from a Decree of *Boniſace VIII.* wherein he ³ ordains that a *Statute* ^{3. 2. Decret. Tit. 1. c. 2.} *made by a ſingle Biſhop ſhall not oblige any of his Subjects when they are out of his Dioceſe.* That Dioceſan Synods had alſo a Power of

constituting Canons in this Kingdom is manifest from divers Examples of that kind. ⁹ *Lindwood* in his Provincial gives us such a Constitution of *Simon Langham* about the Year 1366. And ⁵ *Spelman* in his Councils speaks of the Constitutions of *Alexander* Bishop of *Coventry*, Anno 1237. of *Walter* Bishop of *Worcester*, Anno 1240. of *Walter* Bishop of *Normich*, Anno 1255. of *Giles* Bishop of *Salisbury*, Anno 1256. all made in Episcopal Synods. The Church of *Rome* still obliges her Bishops to hold Episcopal Synods yearly, but whether she permits 'em to make Canons I know not. However, it is certain that since 25 *H. 8. c. 19.* no Canons can be made in any such Assembly in *England*. Yet surely the Bishops and Clergy ever had a Right, before the passing that Act, to make Canons for the Government of their Flocks, which they received from the Apostles: Otherwise why does ² the Author to the *Hebrews* charge that People to obey them that have the Rule over them, and watch for their Souls? It is plain from that Place, that such as had the cure of Souls had Authority given them to Rule or Govern those committed to their Charge in all Spiritual Concerns. Now there can be no Rule or Government without an Authority, not only to execute, but also to make Laws: The Bishop and the Clergy having therefore the cure of all the Souls in the Diocese must necessarily have

⁹ Tit. de consecr. c. statutum in Glos.

⁵ Tom. 2. p. 208. 240, 301.

¹ Concil. Trident. Sess. 24. c. 2. in decret. Reformat.

² Heb. 13. 17.

an Authority to make Spiritual Laws or Rules of better Government of the Flock.

All *Presbyters* of the Diocess (and perhaps the *Deacons* too) had a Vote in these Diocesfan Synods: But the Executive Power was wholly in the Bishop, for the Management whereof he had his standing College or Society of Presbyters residing with him in the City. Upon this account the

antient Canons make an apparent Distinction between the Presbyters of the City and of the Country. This standing Council of the Bishop are with us called the *Dean and Chapter*.

And our Law says, *That in Christian Policy it was thought necessary (for that the Church could not be without Sects and Heresies) that every Bishop should be assisted with a Council, viz. a Dean and Chapter. (1.) To consult with them in deciding difficult Controversies of Religion. (2.) To consent to every Grant that the Bishop shall make to bind his Successours; for the Law did not judge it reasonable to repose such a Confidence in him alone.*

Godolphin says also that *They have the Name Prebends from affording help to the Bishop.*

But the Canonists say that a *Prebend is nothing else but a Right to receive a Portion out of the Profits of the Church, as one of the College of Canons.* And therefore *Alexander the Third* in a Decretal Epistle to the Archbishop of *Canterbury* commands him to bestow the first Vacant Prebend upon a Person

3^o Can. 12. Conc. c. l. Non e. 11. & Bal. Ep. ff. Can. 592.

+ Godolph. Abrid. Chap. 7. § 1.

+ Lancelot. Inst. Jur. Civ. lib. 1. Tit. 25. Sect. 2. and Littlewood Tit. de can. Prebend Sect. 1. Escrievant verb. Prebend. 35.

whom he had before admitted into the Choir as a Canon. ⁵ For it is unfit, says he, that he should want a Prebend, who is already received into the Society of Canons. Whereby it is apparent that the Name *Prebend* is designed to denote the *Subsistence* afforded to a Particular Canon out of the Church Revenues: For which Reason the Person possessing it is called a *Prebendary*. The Head of this College or Society was originally called *Archpresbyter*, who seems to have had a considerable Authority in the Church as appears from a story cited by ⁶ Dr. Maurice out of ⁷ Sozomen concerning Peter Archpresbyter to Theophilus of Alexandria, about the Year 385. And the ⁸ fourth Council of Carthage orders the Bishop to devolve the Care of Strangers, Widows and Orphans on his *Archpriest* or *Archdeacon*. They were also called *Deans*, because originally the Number of the Society was ten, besides the chief: ⁹ *Decanos vocant eo quod sint Denis Præpositi*, says St. Augustine. But the Name *Dean* is still continued let the Number of Presbyters be more or less. Those Canons who together with the Dean manage the Revenues of the Church and govern the Choir are called the *Chapter*: *Quia sunt Capita Collegii*, says ¹ Spelman. ² The Canonists seem to dispute whether the *Dean* or *Archdeacon* should have the Precedency, and generally give it to the *Dean* within the Precincts of the Cathedral

⁵ Duret. Greg. lib. 3. tit. 5.

⁶ Vindication p. 158, 159.
⁷ Lib. 8. c. 12.

⁸ Can. 16.

⁹ De Moribus Eccles. c. 31.

¹ Gloss. Verb. Capitulum.
² Lind. de vir. & H. n. c. cler. c. ut clericis. verb. Decani

dral Church, and to the *Archdeacon* in all other Places. 'Tis well *St. Jerome* was out of the way before this Position was started, it would certainly have put him into as great a Passion as some of the *Roman Deacons* did when they sat down before the Presbyters. But this Decision of the Canonists in this Point certainly arises from a Mistake that the *Dean* had no Authority in the Diocess, but only in the Choir. Whereas the *Dean* being Head of the College of Presbyters without whose Advice and Consent the Bishop originally acted nothing of Moment, must certainly be the next Person to the Bishop himself, as well in the Diocess as the Choir. For 'tis a Mistake to think the College of Presbyters has no Authority out of the Cathedral Church, for in Conjunction with the Bishop their Jurisdiction extends as far as his. But tho' for many Ages the Bishop has acted too much by himself without advising with his College, yet from the beginning it was not so: As ² *Pamelius* has learnedly proved. ² Ad. Epistol. Cyprian. 46. n. And still of ³ common Right by the common Law of this Land, the Dean and Chapter are *Sede vacante* Guardians of the Spiritualities, and to them is committed the ^{10.} ³ Godolph. Re-
^{4.} Sect. 4. Spiritual Jurisdiction of the Diocess. Is it then reasonable that the Dean should give Place to the Archdeacon who acts only as his Officer during the vacancy? And even when the See is full derives his Power from him

him conjunctively with the Bishop, however this Right has been usurped upon. This Right of being Guardians of the Spiritualities during a Vacancy is probably as antient as the Apostles Days: That it was so in St. *Cyprian's* time within a Hundred Years after is manifest from the Epistle of the Presbyters of *Rome* to those of *Carthage*, written just after the Martyrdom of *Fabian* their Bishop, before *Cornelius* was elected. ⁴ *It is incumbent on us, say they, who seem now to be Prelates and in stead of the Pastor, to keep the Flock.*

† Cypr. Epi. 3.

This is the Original of Deans and Chapters who were so much exclaimed against in the late times. They are no Novel Institution as was then pretended, but that Presbytery or College of Presbyters which the Apostles, *Ignatius* and other ancient Fathers of the Church so often speak off. I only Wish with humble Submission that our Bishops made more use of 'em: That they would advise with 'em and be assisted by 'em in the Government of the Diocess: That they would call in their Assistance at Ordinations to examine such as are to be admitted into Holy Orders and to lay on Hands together with the Bishop, as they always did in the Primitive times; for both which Offices they, being commonly Reverend Grave Divines, are certainly more fit than Young raw Chaplains just fetched from the
Uni-

Univerſity. Theſe and ſuch like were the Offices of this venerable College originally, tho' now they are ſo little uſed, as gives too many a juſt Cauſe to think 'em an uſeleſs Burthen on the Church, and of no other uſe but to eat up the beſt of its Revenues: It is therefore, as I think, great pity they are not reduced to their Primitive Uſefulneſs.

C H A P. VII.

Of the Original of Pariſhes and Pariſh Prieſts.

AS the number of the Faithful encreaſed, it was found neceſſary to fix a Preſbyter in ſome certain Precinct to attend upon the Service of God in that Place. Upon this the Council of *Chaldecon* decreed, ^{Can. 6.} *That no Perſon ſhould be abſolutely ordained, either Prieſt or Deacon, unleſs he was particularly deſign'd to ſome Church, either in the City or the Country.* Yet tho' a Prieſt was by this Means obliged to be conſtantly reſident at ſome particular Church, either Cathedral or Parochial, yet was he not properly incumbent of that Church in the Senſe we now underſtand a Man to be an incumbent, that is to be maintained by the Church-dues ariſing within that Precinct in his own Right. The Church-revenues throughout the whole Dioceſe were ſtill collected and paid to the Biſhop, by whom they were divided into four

four Parts and distributed as has been already observed : Which Custom continued in some places till the ninth Century or longer. For in the Council of *Salisbury* convened *A. D. 807.* it was decreed, That according to ancient Custom the Tyths should be divided into four Parts, viz. one to be allotted to the Bishop, another to the Clergy, a third to the Poor, and a fourth to the Buildings belonging to the Church. It was also declared in the *Auscensian* Synod *A. D. 1068.* That all Churches of *Vascony* should pay a fourth Part of their Tythe to the Cathedral Church. Which shews that tho' incumbents then received the Tyths of their own Parishes, yet that the Cathedrals in some Places had their share.

The Original of Parishes and Parish Priests is generally attributed to the Bishops of *Rome.* Some will have this Division made by *Fabianus* about the middle of the third Century, who divided the seven Regions of the City between his seven Deacons. But this was no parochial Division. Deacons never had Cure of Souls : Neither were they employed by *Fabianus* to teach and instruct the People, but only to collect and keep a Register of the Acts of Martyrs, as *Platina* informs us in the Life of that Pope. But ² *Dionysius* who succeeded in that See about thirty Years after *Fabianus,* is said to have assigned to every Presbyter his Parish or District within the City, from whence, no doubt, it

* Spelman
Gloss. Verb.
Paroch. &
Plat. Vic. Di-
on.

it was soon derived to the suburbicary Villages which acknowledged *Rome* for their Metropolis, and from hence, by Degrees, extended to other Provinces, who soon followed this Example, finding the usefulness of it : So that by the time the Council of *Chalcedon* met, it was general over the whole Empire. ³ *Platina* says also, that *Evaristus* ¹ *Vit. Evarist.* who was Bishop of *Rome* under the Empire of *Trajan* an hundred Years before *Dionysius* divided the Titles (by which we generally understand Parishes) amongst his Presbyters. Probably this Custom was intermitted by Reason of the Persecutions, and afterwards restored by *Dionysius* : Or perhaps he was the first who called these Titles by the Name of Parishes. It is certain that in the fifth Century, all the Presbyters of *Rome* had Titles, ⁴ *Baluzius* gives us the Subscriptions ^{+ Nov. Collect. Concil. P. 1462.} of 68. to a Council there *A. D.* 499. And this, I think, is the first certain Catalogue we have of 'em. These Titles are now bestowed upon the *Cardinals*, who are properly the Parish-priests of *Rome*, tho' the Cures are supplied by others : And the *Cardinal Deacons*, are the *Deacons* of the seven Regions above-mention'd : The Subscriptions of which Deacons we have together with those of the Presbyters in *Baluzius*.

⁵ *Dr. Maurice* is of Opinion that the first ^{+ Vindication P. 65.} fixed Presbyters were at *Alexandria*; " For
 " tho', says he, other Churches had Titles
 " or

“ or Parishes it may be as early as this, yet
 “ the Presbyters were moveable at Pleasure.
 “ For *Epiphanius* in his Discourse of the *Ar-*
 “ *rian* and *Miletian* Heresies speaks of fixed
 “ Presbyters, as particular and singular in
 “ that Church. And *Valesius* infers from a
 “ Passage of Pope *Innocent’s* Epistle to *De-*
 “ *centius A. D. 416.* that altho’ there were
 “ several Titles or Churches in *Rome* then
 “ and had been long before, yet none of
 “ them was yet appropriated to any Presby-
 “ ter, but they were served in common as
 “ the greater Cities are in *Holland*, and some
 “ other reformed Countries that have seve-
 “ ral Churches and Ministers who Preach in
 “ them all by turns. So that it seems fixed
 Parish Priests were settled at *Rome* after the
 beginning and before the end of the fifth
 Century, but the precise time when, and
 the particular Person by whom they were
 so fixed, cannot be determined now : It is
 certain they were one time or other fixed
 there and in all other Places.

‘ It is said that the Division of Parishes,
 and the fixing of Parish Priests was brought
 into *England* by *Honorius* the fifth Archbi-
 shop of *Canterbury* about the Year 636. But
 I believe we are in the Dark as to that mat-
 ter too. For my own part I am of Opini-
 on, that all Places became Parochial by De-
 grees, whilst Places for publick Worship
 were built and maintained by the Bishops,
 out

6 Spelmans
 Gloss. Verb.
 Paroch.

out of the Publick Revenues of the Church, to which Use a fourth Part was annually allowed, as has been already observed. Places for this Use were few, and the Bishops sent one or two Presbyters or a Presbyter and Deacon out of their Colleges to supply the Cure, and removed 'em from one Place to another, or took 'em back again into the City as they and their Colleges thought expedient. But when private Persons were moved with a Religious Zeal to build and endow Churches for the Use of themselves and their Neighbours within a smaller Boundary than belonged to the Churches built by the Bishops; Having by this Foundation obtained a Right of Patronage, they would not then suffer the Presbyters whom they had chosen and presented to the Bishops to serve their Cures, to be removed at the Pleasure of the Bishops. For it is certain that the Rise of Patronage was originally obtained by the founding and endowing of a Church. ⁷ The Council of *Orange A. D. 441.* ⁸ The Council of *Arles A. D. 452.* and the ⁹ Council of *Toledo A. D. 655,* Give leave to those that build Churches to recommend to the Bishops some Persons to govern them, whom he shall be bound to ordain, if he finds them capable of that Office. And the Emperor ¹ *Justinian* also about the ¹ Year *547.* decreed that the ² *Founder of a Church or his Heirs should present a Person to* ^{123. C. 18.} ^{Nov. 57. C. 2. and Nov. 123. C. 18.}

the

the Bishop, who should judge of his Qualifications and Ordain him if he thought him fit : And if he found him not fit for the Cure, then the Bishop should procure one that was fit for it. If therefore the Bishops after this had pretended to remove Presbyters at their Pleasure 'tis certain this would never have been suffered. Whilst all the Revenues of the Diocess were at their Disposal they might remove Presbyters at their Pleasure, because they were bound to maintain 'em where ever they settled 'em : But this Reason ceased in a Church endowed by a private Person. And these Endowments at length grew so numerous, that the Bishops at last endowed their own Churches too which they had before maintained out of the Publick Revenues, and thus, as I am perswaded all Churches became *Parochial* and had fixed *Incumbents*. And indeed it seems more reasonable that Priests should receive their own Dues themselves than stand to the Courtesy of the Bishop and his College for their Maintenance. For by this Way of being fixed to a Cure and receiving their own Dues in their own Right every ones Maintenance became equal to his Pains and the extent of his Charge, which probably was not so when their Maintenance was arbitrary. If the Cure was large, so were the Revenues belonging to it, if small the Revenues were answerable. But this Good

der has since been strangely inverted by the Alienation of Tithes to Religious Houses first, and where they have been suppressed to Lay-Men, Deans and Chapters and Bishops, whose good Lands and Mannours were taken away in lieu of 'em, whereby it is now come to pass that the greatest Cures have generally the least Proportion of Maintenance, and the greater and more troublesome the Care of the Incumbent is, the less Encouragement he has to discharge his Duty faithfully. And I fear our Church will never be able to free her self from this true Relick of Popery.

¹ The Bishop of *Worcester* Dr. *Stillingsfleet* is of Opinion that all the Parish Churches in these Parts where the *Feudal Law* was received, were founded by the Lords of Mannours: so that all Advowsons and Rights of Patronage were *appendant* to the Mannours and not in *Gross*; because the Right came from the Endowment out of the Mannour. And probably it was so, for formerly no private Person less than the Lord of a Mannour was Rich enough to Build and Endow a Church: Besides all others held their Lands by such arbitrary Tenures, that it could not be in their Power to endow a Church tho' they had been able to Build it. There happened great Differences between the Bishops and Patrons about fixing Presbyters in the Cures; for the Particulars of

I

which

¹Dut. & Right.
of Paroch.
Cler. pag: 231

which I shall refer to his Lordship's Book : But at last the Business was accommodated somewhat according to *Justinian's* Decree above mentioned, and so continues to this Day.

C H A P. VIII.

Of Deacons.

THE third and lowest Order of the Clergy in the Church of *England* is that of *Deacons*. The first of these we read of were ¹ Ordained by the Apostles themselves not long after our Saviour's Ascension. Their Office was to take Care of the Poor : They had also Authority to Preach and Baptize as appears from the Example of ² *Philip* one of the Seven *who went down to the City Samaria and preached Christ unto them : And also Baptized those he converted to the Faith.* And that this was not *Philip* the Apostle, but the Deacon is plain, ³ Because *Peter* and *John* were sent to lay Hands on or confirm those who were before baptized by *Philip* : Which needed not to have been done if this had been an Apostle whose Power was equal to theirs. In the beginning of the Second Century ⁴ *St. Ignatius* calls the Deacons *Ministers of the Church, and of the Mysteries of Christ : Not Ministers of Meat and Drink.* And he places them below the Bishops and Presbyters as a distinct Order from them. And further adds that
with

Act. 6. 6.

Act. 8. 5, 12.

Act. 8. 14.

Epist. ad Tral.

without these three Orders, *no Church is Elected, no Congregation Holy, no gathering together of the Saints.* St. ^s Cyprian also calls ^s Epist. 65. the Deacons *Ministers of the Bishop and of the Church.* A sure Argument as *Pamelius* has well observed upon the Place, that they were not *meer Ministers or Servants of Tables,* as some would have 'em. For altho' they were first ordained and appointed to take Care of the Poor, yet they were not ordained to that Service only. That they were ordained by one Bishop only, and were an Order of the Clergy distinct from Bishops and Priests, is evident from the second and sixth Apostolical Canons.

That Deacons were not meer Lay-men, as our Adversaries pretend, is most certain, since had it been so, I cannot apprehend why they were ^s ordained to their Office by Prayer and Imposition of the Apostles Hands: ^s Act. 6. 6. neither can I see by what Authority *Philip* Preached and Baptized at *Samaria*, as the Scriptures shew he did, if he had not been more than a meer Lay-man: Nor would *Ignatius* have ordered the *Trallians* to respect and esteem the Deacons as *Ministers of the Church of Christ*: Nor would the Primitive Church have forbidden them (as it plainly does in the sixth Apostolical Canon) to follow secular Employments: For certainly meer Lay-men might follow what Employments they pleased. And that this Order

has continued in and from the Apostles Days to ours is undeniable. The⁷ Council of *Nice*, in the beginning of the fourth Century, speaks of 'em, and distinguishes them from Presbyters, forbidding them to give the Eucharist to Presbyters, because they were of an inferiour Order. They were likewise subject to the Priests as is evident from the⁸ Council of *Laodicea*, where they are commanded *not to sit in the Presence of the Priest, unless they are bidden to do it.* The⁹ Council of *Ancyra* teaches us, that their Office was *to Preach and Distribute the Bread and Wine to the People at the Celebration of the Lord's Supper.* In the beginning of the fifth Century, the Council of *Carthage* plainly distinguishes the three Orders and Determines the Age at which Deacons shall be ordained. In the sixth Century the Emperor *Justinian* exempted the Deacons, together with the rest of the Clergy, from all such Duties as were Personal. In the seventh Century the sixth general Council assembled in the imperial Palace at *Constantinople*, determined the Age at which Deacons shall be ordained.

That the Deacons Office continued still the same it was originally, we may learn from *Durandus*, who was consecrated Bishop of *Menda*, about the Year 1286. He in his¹⁰ *Rationale of the Divine Offices*, tells us, That *the Office of the Deacon is to assist the Priests*

in

⁷ Can. 18.
⁸ Can. 20.
⁹ Can. 2.
¹⁰ Lib. 2. Cap. 9.

in the Ministration of the Sacraments, to give the Bread and the Cup as the Priest shall appoint, to gather the Alms and Oblations of the People, to Baptize, to Preach, and to Read the Gospels and Epistles. And that the Office of a Deacon was originally the same, in the Church of England we may learn from ¹ *Ælfricus*, who was Archbishop of Canterbury, about the Year 980. He in an Epistle to *Wulfin*, Bishop of *Schirebourn*, tells him, That 'tis the Office of the Deacon to assist the Priest, to place the Oblations on the Altar, to Read the Gospel in the time of Divine Service, to Baptize and to Administer the Lord's Supper unto the People. The Church of England therefore had great Reason to continue this Order at the Reformation, since it was instituted by the Apostles, and continued in and from the purest Ages of Christianity down to our own time, with an uninterrupted Succession; the Office and Order being the same it was from the beginning, and a kind of Probationership for the higher Orders of Priests and Bishops: ² *For they that have used the Office of a Deacon well, purchase to themselves a good Degree*, as *St. Paul* expresses it. And it is to me a most convincing Argument that Deacons were appointed by the Apostles as an Order of the Clergy, because *St. Paul* requires almost the very same Qualifications in a Deacon which he requires in a Priest, called by him a Bishop,

¹ Lamb. Sax-
on Laws. Pag.
130.

² 1 Tim. 3. 13.

1 Tim. 3. 10. and ³ appoints that *these also be first proved; then, says he, let them use the Office of a Deacon, being found blameless.*

The Deacons were properly the Bishops Ministers or Servants to take Charge of the Church Revenues under him, and to distribute them as he and his College should appoint them to do. And the Fathers of the ⁴ Council of Nice call them the *Bishops Ministers*. St. ⁵ Epiphanius says, that *without a Deacon it was impossible for the Bishop to be, and therefore the Apostles took care that the Bishop should have his Deacons to Minister unto him.* ⁶ St. Ambrose tells us, that the Holy Deacon St. Lawrence seeing *Xystus* his Bishop dragged away to Martyrdom, fell a Weeping because he was left behind him: And Addresses himself to him in these Words: "Whither go you, my Father, "without your Son? Whither run you, O "Holy Bishop, without being accompanied "by your Deacon? You never used to offer Sacrifice without a Minister; what is "it then that has displeased you in me? Is "it because you have found that I have not "well discharged my Office? Try now whether you have chosen a good Minister: "Why do you refuse him whom you have "Consecrated, And who has Consecrated "the Holy Sacraments with you? This Pathetical Speech of this pious Martyr (who suffered about three Days after his Bishop

and Master being broil'd to Death on a Grid-iron) plainly shews us what was the Deacons Office, viz. constantly to attend and wait upon the Bishop, and to assist in all holy Offices, particularly the Administration of the Sacraments. This was about the middle of the third Century. *Deacons* were indeed the Bishops Domesticks, by them he dispatched his Orders to all Parts of his Diocese, by them he sent Stipends to the Presbyters in the Country, and Letters of Communion to other Bishops: ⁷ And to them also he delegated his Place in Councils, where he himself could not be present. ⁸ *Gratian* out of the Epistle of *Clemens Romanns* to *James* the Brother of the Lord (which tho' a Spurious Piece, yet is of great Antiquity, and may be urged as a Testimony for the Customs of the Church) tells us, that "the
 " Deacons of the Church are as it were the
 " *Eyes of the Bishop*, running to and fro, and
 " modestly looking into the Acts of the
 " whole Church, and searching diligently if
 " they see any one on the Borders of De-
 " struction, and the Brink of Sin, that they
 " may acquaint the Bishop with it. Also
 " that it is their Part to Suggest to the Bi-
 " shop what Strangers need Relief, and
 " things of the like Nature which belong
 " to the Worship and Discipline of the
 " Church. ⁹ *St. Isidore of Damiana* tells the
 Deacons that they are *the Bishops Eye*.

⁷ Can. 7. Con-
 cil. Sext. in
 Trullo.
⁸ Dist. 93. c. 12.

⁹ Lib. 1. Ep. 27.
 19.

Since the dividing Diocesēs into Parishes, and the fixing settled Permanent Incumbents in them, who receive the Church-Dues thereof in their own Right, whereby the Church-Revenues have been so appropriated, that they could no longer be divided, as anciently, into four Parts, and the Bishops also have had their own peculiar Rents appropriated wholly to themselves, one part of the Deacons Office has been dropped as needless : They are no longer concerned in the Dispensation of the Church-Revenues, which are not now any more collected into one Bank as formerly. The Poor are also otherwise provided for : whilst Religious Houses were in Being, the Poor were maintain'd by their Alms, and since their Suppression, the Civil Government has made other Provision for them. Indeed where there is a Deacon appointed to assist a Priest in any Cure, our Church says, that it appertains to his Office, *to search for the Sick, Poor and impotent People of the Parish, to intimate their Estates, Names and Places where they dwell unto the Curate, that by his Exhortation they may be relieved by the Parish, or other convenient Alms*, but there are few Places where such Provision is made or needful to be made as Matters now stand. So that we may say, that the Office of a Deacon in our Church is at present no more than a Probationership for a higher Order. I hear-

tily

tily wish ¹⁰ our Canon in this particular was more strictly observed, and that some Provision was made that Bishops might not take upon 'em to dispense with what Canons they pleased, how and when they pleased: For want of this our Canons are of very little Use.

¹⁰ Can. 32. An.
1603.

C H A P. IX.

Of Archdeacons.

THE Deacons, as has been observed, were the Bishops Eyes, who by his Order passed thro' the Diocese to visit and inspect the Lives and Behaviour of the Rural Clergy, and acquaint the Diocesan how all Duties were performed. And in Process of time, the Bishop found it necessary to communicate some Authority to his Deacons, that they might not be bare Informers, but have a Power also to admonish and censure as it should be found expedient, still reserving an Appeal to himself. But it not being thought convenient to commit such a Power to all the Deacons, one was especially appointed for this Purpose, and called the *Arch-Deacon*. If the Diocese was large, it was commonly divided into several Parts, and an Arch-Deacon set over each of them, which were from thence, called *Arch-Deaconries*. It is probable that Arch-Deacons (together with Arch-Priests or Dean

Deans of the College of Presbyters, which I have already treated of) were first instituted by ¹ *Higinus*, Bishop of *Rome*, about the middle of the second Century, for *Platina* says of him, that *he prudently reduced his Clergy into Order, and distributed Degrees.* It appears from ² *St Jerom*, as if the Bishop did not originally constitute the Arch-Deacon himself, but that he was chosen by the other Deacons. However this was, it is certain his Authority in the Church was considerable very early: For ³ *Dr. Maurice* observes, that at the time of the Council of *Chalcedon* when *Ibas*, Bishop of *Edessa* would have made one *John* Bishop of *Battina* in his Diocese, he was therein opposed and hindred by *Ibas* his Arch-Deacon of that *Place*. And another Arch-Deacon of his Excommunicated *Maras*, who was one of *Ibas* his Accusers.

Whensoever this Office was brought into the Church, after it was once settled we do not find that any other Deacons were sent to visit the Churches and inform the Bishop: This Care was wholly appropriated to the Archdeacons, who are enjoyned by the ⁴ fourth Council of *Orleans*, A. D. 541. to *take Care that the Clergy of Parishes in the Lands of great Lords do their Duty.* After this he only was called *the Eye of the Bishop*, this Appellation being no more applied to any other Deacons. He is by ⁵ diverse Canons obliged

¹ Plat. vit. Higin.

² Ep. 85.

³ Vindication P. 553.

⁴ Can. 26.
⁵ Concil. Bour. A. D. 1031. can. 4. & Concil. Lat. A. D. 1125. c. 2. & Con. Lat. A. 1139. c. 10. & Con. Tholos. A. 1119. Can. 2.

igned to be a Deacon at least, and may be
 a Priest. 7 Tho' antiently it seems to have
 been otherwise, and a Priest was judged un-
 capable of an Archdeaconry. 8 Mr. *Atterbury*
 in his Book of the Rights and Powers of an
 English Convocation proves that *Archdea-*
cons with Jurisdiction are much ancients in
England than the time of the Conquest
 however some have asserted the contrary ;
 and this he does from the very Words of
 the Conquerours Writ whereby he separates
 the Spiritual and Temporal Jurisdictions,
 for they run thus, * *Let no Bishop or Arch-*
deacon any more hold Pleas of the Episcopal
Laws in the Hundred Courts : And the pre-
 fatory Words of the Writ stile these Usages
 such as had obtained *in this Kingdom of En-*
gland even to my times. And the *Northum-*
brian Canons framed about the tenth or ele-
 venth Century set this Point beyond Dis-
 pute, for the sixth Canon enacts *That if a*
Presbyter obey not the Edict of his Archdeacon
he shall be fined 12 † Ores. And indeed it is
 highly improbable that our Church should
 differ in this particular from all the Church-
 es of the West wherein it appears from the
 Canons I have cited there were Archdea-
 cons with Jurisdiction before Christianity
 was planted amongst our Saxon Ancestors:
 Yet I deny not but that in some Dioceses
 their Authority has been enlarged since the
 Conquest, particularly in *Canterbury*, as ap-
 pears

6 Con. Lat. A.
 D. 1139. Can.
 10.

7 Du Pin. Vol.
 4. pag. 97.
 P. 321, 322.

* Selden. Nor.
 ad Eadmer.
 p. 167.

† *Ora* was a
 Piece of Money
 in value about
 the tenth Part
 of a Mark,
Gloss. ad Decem
Script. verb. O-
ra.

* Ang. Sacr. Part. p. 1. 150. * Fragment published by Mr. Wharton. * Codinus also says that in the Greek Church the Archdeacon had no Power or Jurisdiction, but was only one of the Principal Assistants in some of the chief Solemnities: And ¹ Gretser in his Commentaries upon him says that this Office was not one of the *Archonticia*, but as he reports it from *Citrus*, ‘The Archdeacon had a Precedency given him before all Deacons, whether they were honoured with Archonticious Offices or not, (that is such as were conferred only by the Emperour or Patriarch) both in the Temple and at the Altar, and Perception of the Divine Mysteries, as a Reward for his long Services. If so then their Power was taken away in that Church after the Council of *Chalcedon*, when as has been proved they had a great Authority.

* Decret. Greg. Lib. 1. tit. 23. c. 7.

The Office of an Archdeacon in the *Latin* Church is set forth by ² *Innocent* the III. to be this. ‘The Care and Ordination of Parishes belongs to him. And let the Archpresbyters, who by many are called Deans [That is Rural Deans, for Deans of Cathedral Churches were never subject to Archdeacons] ‘know that they are subject to him. For according to the *Roman* Constitution he is the greatest next the Bishop, and the very Bishops Vicar: employing all his Care and Solitude (the best he can ‘thro’

thro' God's Assistance) as well over the
 Clergy themselves as their Churches, for
 as much as he is to give an Account of
 these Things at the Day of Judgment. Al-
 so in the Epistle of Holy Pope *Clement*
 our Predecessour, the Archdeacon is call-
 ed the Bishops Eye, as one that in the Bi-
 shop's stead looks through the Diocess to
 correct and amend what he sees to need
 Amendment; unless they were of that high
 Nature that they cannot be terminated
 without the Presence of his Superiour.
 And corporal Institution [I suppose he
 means that which now we commonly call
 Induction] also belongs to him both into
 Benefices and Dignities, as likewise the Ex-
 amination of Clerks to be ordained. Also
 we decree that the same be observed in
 Collations to Benefices, that before any
 Person be admitted to an Ecclesiastical Be-
 nefice, he be examined by the Archdeacon
 and by him afterward presented to the Bi-
 shop.

³ It appertains to the Archdeacons Office
 according to *Lindwood*, to see that the Sa-
 craments be rightly consecrated and ad-
 ministred, to keep an Inventory of all
 the Utenils, Ornaments, Vestments,
 and Books belonging to the Churches,
 which they shall every Year inspect, and
 observe what Damage they have received:
 And likewise enquire every Year into the

¹ Provincial.
 De Officio Ar-
 chidiaconi.

Post

‘ Possessions of the Church that they be not
 ‘ damnified. It belongs to him also to see
 ‘ that Sentence of Excommunication be pro-
 ‘ nounced, and the Word of God Preached
 ‘ by those whose Duty it is to do these
 ‘ things: Also to see that the Churches and
 ‘ Chancels be kept in good Repair.

From these two Constitutions of the Decretal and *Lindwood* we have the whole of the Archdeacons Office as it is now exercised in the Church of *England*. Which being an Office of so great Antiquity and so very useful and Expedient in all the Parts of it, ought still to be preserved amongst us. Diocesenes are generally so large that Bishops cannot look after ’em without Assistants. And since Assistants are necessary none can be more proper and fit than such as long Custom and Prescription for many Ages have approved.

C H A P. X.

Of Archpriests or Rural Deans.

WHilst the Revenues of the Church were all collected into one Bank and the Bishop sent out Presbyters into the Country to Officiate in the several Cures erected and maintained by himself, fewer Officers were able to inspect their Lives and
 Con-

Conversations, and he could easily with the assistance of two or three Archdeacons visit every particular Church of his Diocess, and observe how they were repaired and preserved. But when the Piety of well disposed Christians had encreased the Number of Parish Churches to be abundantly greater than was before, the Bishops then saw it necessary to have more Officers under 'em for Visitation and Inspection: Hereupon they appointed one of the fixed Parish Priests in the Country to visit and inspect a certain Number of Parishes, which originally was limited to ten (I suppose in Imitation of *Moses*, ¹ who appointed Rulers of Tens as well as of greater Numbers) ^{25.} and these were called Deanries and the Persons presiding over them were called Archpriests or Rural Deans. The Authority given to these was not great, however some Authority they had, and were subject not only to the Bishop but to the Archdeacon too: And when the Bishop sent any Orders to his Archdeacon relating to his Clergy, the Archdeacon sent them to the several Rural Deans to be by them communicated to the other Parish Priests. If a Clergyman was accused, it belonged to the Rural Dean to cite him into the Court: Or any other Person who became Obnoxious

Lind Provinc.
l. 1. tit. de cons-
tit. c. 1. verb.
Decan. Rural.

¹ Exod. 18. 24.

noxious to the Spiritual Jurisdiction. For only Clergy-Men were originally employed in the Spiritual Courts. I believe they had also Authority to admonish though not to censure any of their Brethren.

The first Mention that I find made of these Rural Deans is in the Year 877. when ² *Hincmarus* Archbishop of *Rheims* speaks of 'em in an Order to his Archdeacons. And about the same time ³ *Riculphus* Bishop of *Soissons* in a Pastoral Letter orders these Deans to call Assemblies of their Clergy on the first Day of every Month, but forbids feasting at them; and enjoyns them to have Conferences about what concerns their Ministry, and the occasions of their Parishes. The first Council where I find them spoken of, is that of *Clermont* A. D. 1095. ⁴ where it is Decreed, that *the Deanries of Churches shall be bestowed only on Priests*. Sir ⁵ *Henry Spelman* is of Opinion, that the Rural Dean is the Person meant in the ⁶ Laws of *Edward* the Confessour under the Name of the Bishop's Dean. His Office as ⁷ *Lindwood* tells us, was but temporary, he having no Canonical Institution. But by a ⁸ Decree of *Innocent* the third he cannot be appointed or

² Du Pin. Vol. 7. P. 49.

³ Ibid. p. 152.

⁴ Can. 3.

⁵ Gloss. ad Verb. Decan. Rural. al. Epist.

⁶ Cap. 31.

⁷ Provinc. 1. 1. tit. de constit. c. 1. Verb.

Decan Rural.

⁸ Decret. Greg.

3. 1. tit. 23. §. Subsequenter.

remov'd by the Bishop alone, without the consent of the Archdeacon. ⁸ I know not whether this constitution be receiv'd in this Kingdom or not; yet I have been told, that when Archbishop *Sancroft* would have Nominated Rural Deans, he was opposed by his Archdeacon *Parker*.

⁸ Decret.
Greg. l. 1.
tit. 23. 9.
Subsequenter:

Spelman in his Posthumous Work of the ancient Government of England, tells us, that the Rural Dean, had a Power within his Deanery to censure the Breach of Church Peace, and to punish Incontinent and Infamous Livers, by Excommunication, Penance, &c. But if they had any such Power, I believe it must be by particular Commission from the Bishop: For the ⁹ Decretal Ordains, That the Archpresbyters, should refer all things to the Bishop, and not presume to Act without his Order. Whereby it appears, that their Power is not determin'd by the Canons, but is only such as it pleases the Bishop to confer upon them: ¹⁰ Yet by the Constitution of *Otho* the Legate, they seem to have had some Jurisdiction, and a Power to Judge and Enquire into some Causes, by Priviledge and Custom in this Realm. For which reason they are requir'd to have an Authentical Seal. They also us'd to Collect the

⁹ Decret.
Greg. T. 24.
C. 4.

¹⁰ Constit.
cum non solum,
& quoniam
Tabellionum.

¹ *Decem.*
Script. p. 2160.

Taxes impos'd on the Clergy in Convocation, and to certifie the Collection thereof, under the Seal of their Office, as ¹ *Thorn* informs us. But now their Authority and Use is almost wholly lost. There are but few Diocesses in *England*, which have any, and in those they are but Annual, and Chosen by the Clergy at their Visitations; and their Business is nothing else but to make an Entertainment for their Brethren. In some Places the Bishop gives them an Oath, and a Licence or Commission, to be Informers, and nothing more, which renders the Office odious and contemptible, I think to the great prejudice of the Church, which by this means loses a very useful, not to say necessary Officer, to preserve and maintain its Discipline.

Indeed I cannot but think it would do well, if my Lords the Bishops thought fit to divide their Burthens: If they would but appoint any Archpresbyter in every Deanry (for all our Diocesses are divided into such) they might lessen their Care by it, and the whole Church of *England* might be the better for it. Would they Constitute some Grave Divine in every Division, to be a Rural Dean, not for a Year, but *quamdiu se bene*

bene gesserit, he might visit all the Churches, and Parsonage, and Vicarage-Houses in his Deanry once a Year, (which a Bishop and Archdeacon cannot do in many) and observe in what Repair they are kept, and where he finds any thing amiss, give Orders to have it Rectified; and if it be not done in some reasonable time, then have Power to impose some light Censure on the Offenders; and if that prove insufficient, then acquaint the Superior Ordinary with it, that further Care may be taken: Whereas this Matter being left now altogether to the Minister and Churchwardens, they favour one another, and by this means many Churches are ready to fall down, and the Parsonage, and Vicarage-Houses become exceedingly Dilapidated, and the Parson and Vicar Dying Insolvent, the next Incumbent gets a View of the House, proves himself not to be the Dilapidatour; this is Enter'd upon Record in the Spiritual Court, and then the House drops down, and no body is oblig'd to Build it again. This Dean might be Impower'd to admonish any of his Clergy which live Disorderly, first by himself alone, and then in the presence of Two or Three of his Brethren, and then if there be no amend-

ment after the third Admonition, to suspend him *ab Officio*, for a Month, and if that prove ineffectual, then to acquaint the Bishop or Archdeacon with the Matter, that some further Course may be taken. He might also have Power to call the Clergy of his Deanry, once a Quarter to a Visitation, where after a Sermon Preach'd, they should confer of what concerns their Ministry, and the Occasions of their Parishes. And he might likewise be the Person to be Consulted with, when any one of Ripper Years is to be Baptized. Thus would the Offices both of Bishop and Archdeacon, be very much eas'd, if these Rural Deans might divide the Burthen with them: I am sure for want of these, many things are left undone, which ought to be done. 2 The Decretal therefore strictly enjoyns every Bishop to have his Archpresbyters, and says, *Altho' the Bishop be never so well qualified for his Office, yet he ought to divide his Burthens. And that as he presides in the Mother Church, so should the Archpresbyters in their several Precincts, that the Ecclesiastical Care may be faulty in nothing.*

Decret. Greg.
l. 1. tit. 24.
c. ult.

C H A P. XI.

Of Bishops Chancellors.

GODOLPHIN tells us, that it ¹ *Abridg. cap.*
 is most probable, that the mul- ^{10. §. 2.}
 tiplicity and variety of Ecclesiastical Ca-
 ses, produc'd the Office of Chancel-
 lers originally; for after that Princes
 had granted to Ecclesiastical Persons,
 their Causes and their Consistories, and
 Circumstances varying these Causes
 into a more numerous Multiplicity
 than were capable of being de-
 fined by like former Presidents; Ne-
 cessity call'd for new Decisions, and
 they for such Judges as were experien-
 ced in such Laws as were adapted to
 Matters of an Ecclesiastical Cogni-
 zance; which would have been too
 prejudicial an Avocation of Bishops
 from the Exercise of their more Di-
 vine Function, had not the Office of
 Chancellor in determining such Mat-
 ters been an expedient to prevent the
 said prejudice and inconvenience.

² Sir Thomas Ridley, in his *View of the* ² *Part. 2. cap.*
Civil and Ecclesiastical Law, says that Chan- ^{3. §. 2.}
 cellors, are near of as great Antiquity as
 the Bishops themselves: And that they
 are the same which the ³ Civil Law ² *C. de Episc. &*
 calls, *Ecclesieidici*, or *Ecclesiarum Ec-* ³ *Cler. c. omnem*
- ³ *S. praterea.*

Edici: But with all due submission to that Learned Doctor; tho' it be allow'd that these *Ecdici* were the same we now call Chancellors, yet are they near Four hundred Years later than the first institution of Bishops. For the first mention we find made of these *Edici*, is at the 4 Council of Carthage, A. D. 398. when *Honorius* was Emperor of the West, and *Theodosius Junier* of the East: where it is Decreed, That, because of the frequent Vexations of the Poor, with whose Troubles the Church was continually wearied, it seem'd good to all to entreat the Emperors, that Defenders [*Ecdici*] might be chosen against the Tyranny of the Rich. And that these are the same which *Justinian* and Doctor *Ridley* call *Ecclesiecdici*, is plain from the Title of this Canon, where they are call'd *Ecclesiarum Ecdici*. And that they were not constituted as Officers in Church Affairs before this time, is plain, from the very Words of the Canon. For had it been an Office in the Church before, the Council need'd not to have Petition'd the Emperors for leave to Constitute such an Officer, but would have Order'd the Bishops to have done it according to ancient Custom: As Doctor *Beveridge* has well observ'd, who in his

1 Cor. 78.

1 Annot. ad
Can. 23 Con-
cilii Chalced.

Anno-

Annotations on the Council of *Chalcedon*, has largely Treated on the Power of this Officer, and shewn from several Citations out of *Balsamon*, *Johannes Citriensis*, and other *Greek Canonists*, that this Office is much the same with that of Bishops Chancellors, and that they were frequently Laymen at first, and therefore are number'd by *Justinian* among the *Xenodochi*, *Nosocomi*, and other Lay-officers. ⁶ *Gothofred* in his Annotations affirms, that these *Ecdici* or *Ecclesiedici* who were also call'd *Pericentæ*, or *Visitors*, were Aiders and Assisters to the Bishop in his Jurisdiction thro' the whole Diocess, Supplying the absence of the Bishop; Which (as *Dr. Ridley* adds) is the very right Description of Bishops Chancellors that now are, and also distinguishes them from Commissaries, whose Authority is only in some certain Place of the Diocess, and some certain Causes of Jurisdiction, limited to them by the Bishop. But *Dr. Beveridge* has shewed from a Novel Constitution of *Heraclius*, and the Answers of *Johannes Citriensis*, and from *James Goars* Catalogues of the Officers in the Church of *Constantinople*, that there were sometimes Ten or Twelve, at other times but Four or Two *Ecdici* in that Church; and among

⁶ *Ad C. de Epi. & Cler. c. omnem § prater-*
ca.

⁷ De Offic. Cancellarij. Cap. 1. Num. 7.

⁸ Com in Colin. Cap. 4. num. 5.

⁹ Cap. 1. num. 5.

these one who was call'd *Protecdicus*, who had an Authority over the whole Diocess, and to whom the other *Ecdici* were Assistants or Assessors. And ⁷ *Codinus* says, that this *Protecdicus* was Judge of all Controversial Causes and Complaints, and Places him among the *Exocatocæli*, (who as ⁸ *Gretser* says, sustain'd much the same Place in the Church of *Constantinople*, which the Cardinals have in the Church of *Rome*) these were Principal Officers who sat in Synod with the Patriarch. There was also another *Ecdicus* in the Church of *Constantinople*, (for so is he expressly stiled by ⁹ *Codinus*) call'd *Chartophylax*, because he had the Custody of all Writings and Records belonging to the Church. He had Jurisdiction and Authority to Judge in all Ecclesiastical Causes, as the Patriarchs Right Hand : And therefore preceded the *Protecdicus*.

¹⁰ Explicat. Vocum Eccles.

That these *Ecdici* were also early in the *Latin Church*, is Prov'd by *Gretser*, from a Rescript of *Pelagius* in the Sixth Century, (which he cites out of ¹⁰ *Onuphrius*) to *Antonina*, a Patrician Lady, who had desir'd him to make a Monk whom she recommended to him, such an Officer in his Church. " The Duty of Monks says, " he, is to be Retir'd, quiet, given to " Prayer, and to Labour with their " Hands.

“ Hands: But to the *Defensores* belongs
 “ the Knowledge of Causes, Conventi-
 “ ons, Acts, publick Controversies, and
 “ whatsoever either the Ecclesiastical
 “ Constitutions, or the necessity of Sup-
 “ plicants require. This Rescript of
Pelagius is Publish’d at large by ² *Gratian*, ^{216. q. 1. c. 20.}
 and it is Supercrib’d to *Antonina a Patri-*
cian, and to Decia. The late Bishop of
Worcester says, that “ these Officers were
 “ not in *England* in the *Saxon Times*: ^{*Dut. and*}
 “ But about the time of *Henry II.* the ^{*Rights of Pa-*}
 “ Bishops took them for their Assist- ^{*roc’h. Clergy.*}
 “ ance in dispatch of Causes, when the ^{*P. 147.*}
 “ King requir’d their strict Attendance
 “ on the Publick Affairs, in the Supreme
 “ Court of Parliament. I cannot com-
 ply with this Great Man in his Opinion,
 tho’ I have no positive Proof wherewith
 to overthrow this Assertion. But it
 seems highly improbable to me, that the
 Church of *England* should in this parti-
 cular differ for so many Years, from all
 the Churches in the World besides; espe-
 cially since our Bishops, as well then as
 now, were constantly called to the Great
 Councils of the Realm, and therefore
 needed such Officers to supply their ab-
 sence in their several Diocesses. Besides,
 in *Henry the II’d’s*. Reign, when his Lord-
 ship says, the Bishops first took ’em for
 the

lib. 4. c. 9.

the dispatch of Causes, *Glanvill* speaks of the *Official* (which was but another Name for the Chancellor) as one that had ordinary Jurisdiction in the Court Christian, which is at least a probable Evidence that he was not an extraordinary Officer then newly Constituted for the Assistance of the Bishop. When they first began to be call'd Chancellors, I cannot find, but it seems not to be a very ancient Name, because I do not meet with it either in *Gratian*, the Decretal, or our *Lindwood*: But in these Books they are generally Stiled, *the Bishops Vicars*, or *3 Officials*: Tho' perhaps the *Official* is the same we now commonly call the Commissary, who is (as I take it) the proper simple *Ecdicus*, and the Chancellor, or Vicar general the *Protecdicus*; tho' there lies no Appeal from the *Official* to the Bishop, but to the Archbishop only. I suppose the Vicar general was in process of time commonly call'd Chancellor, for the same reason that the Chief Judge in Civil Affairs, is call'd by that Name: Because they sat in Chancels or Places separated by Bars, that they might not be oppress'd with Crowds, whilst they Minister'd Justice to the People.

³ *Lind. de constit. c. quia in continentia, Verb. Officialis.*

But

But altho' these *Ecdici* were at first Lay-men; yet as both Dr. *Beveridge* and *Greiser* observe, they were afterwards constantly Clergymen. Our Church at present allows them to be indifferently either. However, I am perswaded, before the passing the 4 Act of Parliament ^{4 37. H. 8.} under King *Henry VIII.* (when there ^{c. 17.} was an apparent Design to thrust Churchmen out of all Business, 'twas possible to thrust 'em out of, and to make 'em subject to Lay-judges in every thing) that never any Lay-man exercised that Authority over the Clergy our Chancellors do at this time. For 'tis plain these *Ecdici*, whilst they were but Lay-men, only heard those Causes of the Poor wherewith the Church was wont to be troubled: And afterwards when 'twas thought convenient to let 'em judge in Ecclesiastical Causes, they were ⁵ always Clergymen. ^{*Instit. jur. Can. de Vicariis, c. debet.*}

CHAP. XII.

Of Chorepiscopi, or Bishops Suffragan.

¹ *Concil. An-
cyr. Can. 13.
& Neocæs.
Can. 13. &
Antioch.
Can. 10.*

IN the Primitive Church there were Bishops frequently placed in Villages of the larger Diocesses, who were from thence called, *Chorepiscopi*: But they were subject to the Bishop of the City, under whose Jurisdiction the Village was, and therefore could act nothing but by his Licence and Commission. Opinions have been divided concerning these *Chorepiscopi*, whether they were real Bishops, or simple Presbyters, with something more of Authority than other Presbyters commonly had. ² Mr. *Mason* says, “ there were two sorts of *Chorepiscopi*, the “ the first had no Episcopal Consecration, “ which are reprov’d, and that Justly; “ for they were only Priests, and not Bishops, (and therefore could not Consecrate a Bishop, which is the Subject he is there treating upon, but were Condemned by the Bishop of *Rome* for so doing) “ and of these *Damasus* speaks in “ the Judgment of *Bellarmino*. The se- “ cond had Episcopal Consecration, “ and these tho’ they had no City, nor “ Diocess of their own, but only some “ Country Town for their See, yet in regard

² *Of the Con-
secr. of Bishops,
& of the, and
Deacons. p. 90.
Ed. 1613.*

“ regard of their Consecration , were
 “ true Bishops. But this very Learned
 Man gives us no Proofs from Antiqui-
 ty for this Opinion, and therefore the
 Truth of it may be justly suspected.

This Controversie seems to me to have
 been first set on foot in the Ninth Cen-
 tury, not long after the year Eight hun-
 dred. Then we find that “ ³ some af-
 firm’d the “ *Chorepiscopi* to be real Bi-
 “ shops by their Ordination, and that
 “ they might Ordain Priests and Dea-
 “ cons, Confirm, Consecrate Altars ,
 “ and do all the Offices of a Bishop:
 “ But others denied this, and affirm’d,
 “ that their Confirmations were Null
 “ and Void. *Charles* the great consulted
 “ Pope *Leo* III. upon this Question,
 “ who answer’d, that he was certain the
 “ *Chorepiscopi* had not this Power, and
 “ that all they had done belonging to
 “ Bishops, was *ipso facto* void, and that
 “ they ought to be depriv’d of this Pow-
 “ er. The Council of *Ratisbon* confirm’d
 “ the Pope’s Decree, and Order’d them
 “ to continue in the Rank of Priests.
 “ This Decision did not hinder, but
 “ that the *Chorepiscopi* continu’d yet in
 “ many Diocesses, and the Bishops did
 “ still allow them Priviledges belonging
 “ only to their own Order. There has
 “ been

³ *Du pin. Vol.*
 7. p. 104, 165.

“ been always many Churches, and
 “ chiefly in *Italy* and *Spain*, where the
 “ *Chorepiscopi* have been esteem’d no
 “ more than ordinary Priests, where
 “ they Re-ordain’d such as were made
 “ Priests or Deacons by them, confirm-
 “ ed anew such as they had confirm-
 “ ed, and Consecrated again such
 “ Churches as had been Consecrated by
 “ them. *Rabanus*, Archbishop of *Mentz*,
 “ and one of the most Learned Wri-
 “ ters of that Age, having understood
 “ this, undertook to defend the *Chorepi-*
 “ *scopi*. He says that their Order had
 “ its Original from the Apostles; and
 “ that they had such Assistants as could
 “ Ordain, and do the same Offices
 “ with them. He believes that *St. Li-*
 “ *nius*, and *St. Clemens*, were *Chorepisco-*
 “ *pi* to *St. Peter* and *St. Paul*, in the
 “ Church of *Rome*. He accuses those
 “ Bishops that undervalue the *Chorepif-*
 “ *copi*, and who look upon them as no
 “ more than ordinary Priests, of over-
 “ throwing the Order by their Ambition.
 “ He asserts, that the *Chorepiscopi* were
 “ establish’d for the sake of the Poor in
 “ the Country, that they might not be
 “ depriv’d of Confirmation, which they
 “ had Power to confer upon them;
 “ And that if they had not this Right,
 “ they

“ they would be of no use to the Bi-
 “ shops as they now are. And upon
 “ what it was Objected against him,
 “ that it is said in the Scripture, that the Acts 8. 14.
 “ Apostles themselves had been sent in-
 “ to *Samaría*, to bestow the Gift of
 “ the Holy Ghost, on those that were
 “ newly Baptized; He answer'd, that
 “ the Apostles were sent to *Samaría*,
 “ because there was no *Chorepiscopus* in
 “ that Place, but only the Deacon *Philip*
 “ who had Baptiz'd them. Certainly, if
 the Pope had no better Argument a-
 gainst the *Chorepiscopi*, (and I suppose
 if he had, it would have been menti-
 oned) he and his Council too had the
 least reason imaginable to Condemn
 them, and the Reply of *Rabanus* was
 unanswerable. But we know that the Bi-
 shops of *Rome* and their Councils have
 often decreed diverse Matters, upon as
 weak Authorities as this. Nevertheless,
 it is apparent, there was another Reason,
 but not proper to be urg'd, which made
 the Pope condemn the *Chorepiscopi*, which
 I shall take notice of hereafter. This
 difference which happen'd in this Ninth
 Age, has I suppose caus'd the various opi-
 nions at present concerning them; but
 for full satisfaction we must look into
 earlier times.

For

For determining this Controversie concerning the *Chorepiscopi*, I must acknowledge my self altogether beholden to Dr. *Beveridge*, who in his Learned Annotations on the *Pandectæ Canonum*, which he Publish'd, has set this Matter in the clearest Light. And I know not of any other that has so far searched into it, but they have generally given their Opinion on one side or other, without any Proofs at all; So that for the settling of this point, I shall only Translate the Sum of his Arguments.

*Annotat. ad
Can. 13.
Concil Ancy.*

“ First, says he, it is certain they had
“ Episcopal Orders. This we learn from
“ the Tenth Canon of the Council of
“ *Antioch*, which begins thus, *those who*
“ *are fix'd in Villages, or Country Places,*
“ *and called Chorepiscopi, altho' they have*
“ *receiv'd the Imposition of Hands as Bi-*
“ *shops, to which Dionysius Exiguus, in his*
“ *Translation for Explication sake, adds,*
“ *so as to be Consecrated Bishops. And*
“ *that this is the true Interpretation of*
“ *those Words, is plain, from what fol-*
“ *lows in that Canon: For immediate-*
“ *ly a Caution is put in, that altho' the*
“ *Chorepiscopi have receiv'd such Episco-*
“ *pal Orders, yet they ought to know their*
“ *Station, and be content with the Care and*
“ *Government of the Churches committed*

“ to

' to them. This shews that they had fe-
 ' veral Churches under their Care,
 ' which is certain only Bishops could
 ' have. But it is said, they were for-
 ' bidden to Ordain Priests or Deacons,
 ' both in this Canon of the Council of
 ' *Antioch*, and in the 13th of the Council of
 ' *Ancyra*. Yet this by no means de-
 ' stroys, it rather abundantly confirms
 ' our Opinion. Forasmuch as the for-
 ' bidding the *Chorepiscopi* to Ordain
 ' Priests or Deacons, plainly proves they
 ' they had sometimes done it; which
 ' they would never have offer'd at, un-
 ' less they had been actually and truly
 ' Bishops. Besides, it is observable,
 ' that they are not absolutely forbid to
 ' Ordain Priests and Deacons, but to do
 ' so without the permission of the Bishop
 ' of the City in whose Diocess their Vil-
 ' lage is Situated, as it is express'd in
 ' both these Canons. But had the *Cho-*
 ' *repiscopi* been Presbyters only, they
 ' could not have Ordain'd tho' permitted
 ' by the Bishop to do so. And besides
 ' all this, the 6 Council of *Neocesarea*
 ' plainly distinguishes between the *Cho-*
 ' *repiscopi* or Bishops in the Country, and
 ' the Presbyters in the Country. It is
 ' indeed there said that they were insti-
 ' tuted according to the Pattern of the

C. m. 13, 14.

‘ seventy Disciples, yet that they are Fel-
 ‘ low-labourers with the Bishops. And
 ‘ tho’ by the Eighth Canon of the Sy-
 ‘ nod of *Antioch* Presbyters are forbidden
 ‘ to grant any Canonical Epistles, yet
 ‘ the *Chorepiscopi* are allow’d to grant
 ‘ commendatory Epistles, no less than
 ‘ Bishops. To omit the Eighth Canon
 ‘ of the Council of *Nice*, and the second
 ‘ of the Synod of *Chalcedon*, which
 ‘ plainly distinguish the *Chorepiscopi* and
 ‘ Presbyters, the Council of *Laodicea* puts
 ‘ this matter beyond all Controversie ;
 ‘ Forbidding *Bishops to be made in Villages*,
 ‘ *but only Visitors*, and ordering *that those*
 ‘ *which are already constituted, shall act no-*
 ‘ *thing without the consent of the Bishop of*
 ‘ *the City*. And *St. Basil* in his Ninetieth
 ‘ Canonical Epistle reproves his *Chorepif-*
 ‘ *copi* for Ordaining Clerks contrary to
 ‘ the Canons without his Knowledge,
 ‘ and says that he will Depose such as
 ‘ shall so Ordain for the future. For
 ‘ whereas Bishops were Ordain’d only
 ‘ in Cities, and every City had often
 ‘ large Territories annex’d to it, the Bi-
 ‘ shop of the City could scarce perform
 ‘ the Duties of his Office in all parts of
 ‘ his Diocess : Wherefore Bishops of
 ‘ large Sees appointed one or more Co-
 ‘ adjutors to assist them, who were
 placed

placed in some part of the Country,
remote from the City. For this purpose *Chorepiscopi*, or Village-Bishops were appointed, with a Restriction that they should do nothing of Moment without the Bishop of the City to whom their Region was Subject. And we find by the Acts of Councils, That there were anciently a great number of these *Chorepiscopi*, who as well as other Bishops were present there, and Subscribed in their own Names, not as Deputies for others: Because where any Deputies Subscrib'd, they always named the Bishops by whom they were Deputed. In the first Council of *Nice* we have the Subscription of *Palladius, Seleucius, Eudemon, Gorgonius, Stephanus, Euphronion, Rhodon*, and diverse others, all *Chorepiscopi*. But this is to be Observ'd in the Subscriptions, that whereas Bishops always named the City over which they presided, these only Subscribed in this manner, *Palladius Chorepiscopus, Seleucius Chorepiscopus*, without naming any Place where they performed their Functions. For tho' they were truly Bishops, yet had they no City under them, but were themselves subject to the Bishop of some City. And therefore *Ferrandus, Diaconus*,

‘ and *Cresconius*, call them the *Vicars or*
 ‘ *Deputies of the Bishops*. And indeed
 ‘ their Deputations were sometimes so
 ‘ large that they eased the Bishop of all
 ‘ his Care: Hereupon it is Observ’d in
 7 l. 6. c. 119. ‘ the 7 Capitularies of *Charles* the Great,
 ‘ that some Unlearned Bishops *Constitu-*
 ‘ *ted Chorepiscopi, that they might give*
 ‘ *themselves up altogether to Ease and Plea-*
 ‘ *sure.* 8 *Sidonius* says the same of *Claudi-*
 ‘ *anus*, Brother to *Marcus* Bishop of
 ‘ *Vienna*.

A Prelate of the Second Rate was he,
 Easing his Brother in the Bishops See;
 For one the Bishops Ornaments did
 Wear,

The other only had the Bishops Care.

‘ Where we see *Claudianus* is called a
 ‘ Prelate in the second Decree, which
 ‘ would not have been unless he had been
 ‘ actually a Bishop, for never any Presby-
 ‘ ter was called (*Antistes*) a Prelate: But
 ‘ he is called a Prelate in the second De-
 ‘ gree, because he was not Bishop of the
 ‘ City, but only *Chorepiscopus*; yet he
 ‘ took upon him the whole Episcopal
 ‘ Charge, which was impossible for him
 ‘ to have done had he not been a Bishop:
 ‘ And so indeed *Gennadius* expressly calls
 ‘ him, in his Catalogue of Illustrious
 Men.

Men, Treating of *Salvian*, and having occasion to mention this *Claudianus*, he Stiles him Bishop of *Vienna*: And not undeservedly, when he had all the Episcopal Care laid upon him. But when this grew too common, and Bishops for their Ease and Pleasure made *Chorepiscopi* only to Devolve all their Care on them,⁹ The Council of *Meaux*, *A. D.* 845. forbid the Bishop of a City out of Idleness, or any other secular Business, or for Infirmity, to suffer the *Chorepiscopi* to exceed their Bounds. It must not be here omitted that the Office at least, altho' not the Name of the *Chorepiscopi* has been receiv'd in *England* from ancient time: For they are call'd *Bishops Suffragan*. I am not ignorant that all Bishops are call'd *Suffragans*, because they are oblig'd to give their Suffrage to, and to assist the Archbishop. For they are called in to part of the Archbishop's Care, tho' not to the fulness of his Power,

Cap. 44.

¹⁰ Provinc.
l. 1. de Con-
stit. c. qui
Verb. Suffra-
ganis.

‘ Bishops should be appointed, and that
 ‘ they should be Consecrated by the
 ‘ Archbishop and two other Bishops; but
 ‘ so that none of these should Exercise
 ‘ any Episcopal Office but such as should
 ‘ be committed to him by the Bishop in
 ‘ whose Diocess he is Constituted. And
 ‘ of this kind were the ancient *Chorepisco-*
 ‘ *pi*; who were Consecrated as other Bi-
 ‘ shops were, and had all Episcopal Pow-
 ‘ er committed to ’em, which yet they
 ‘ might not make use of but as they were
 ‘ permitted by the Bishop of the Dio-
 ‘ ccess in which they were Constituted.
 ‘ But if any of them did Consecrate
 ‘ Priests or Deacons, they were liable to
 ‘ be Punish’d, but the Orders were not
 ‘ Invalid: Neither were they liable to
 ‘ Punishment, if they had leave to Or-
 ‘ dain from the Bishop of the City: For
 ‘ the Power of Ordination arises not from
 ‘ the Assignation of a Diocess but from
 ‘ Episcopal Order.

I shall add nothing to what this Learn-
 ed Author has said, to prove the *Chorepif-*
copi to have been of the Episcopal Order,
 but I think it may be convenient to shew
 how they have continu’d in the Church,
 how they came to be called Suffragans,
 and what Reasons there are to revive the
 use of ’em. They were in the Church, as
 has

has been already observ'd, before the Council of *Nice*, because so many of them subscribed to the Acts of that Synod, and probably are as old as the Apostolical times, as *Rabanus Maurus* asserts: The Reverend Doctor has shewed that they continu'd in the Church till the time of *Charles* the Great, which was till the beginning of the 9th Century; how they were continued in Foreign Parts, I am not able to say, after this Age, for want of Books to enquire farther into this particular. They were brought into *England*, about the middle of the Seventh Century, not much above 60 Years after Christianity was establish'd amongst our *Saxon* Ancestors. For Mr. *Wharton* in his *Anglia Sacra* gives us the following Account. ^{Part 1.} 'From the time of the Blessed ^{P. 152.} *Augustine* the first Archbishop of *Canterbury* even to the time of Archbishop *Lanfranc*, of Pious Memory, by the space of 462 Years, there was no Archdeacon in the City or Diocess of *Canterbury*. But from the time of the Blessed Archbishop *Theodorus*, who was the Sixth from the Blessed *Augustine*, even to the time of the foresaid *Lanfranc*, there was in the Church of St. *Martin* in the Suburbs of *Canterbury*, a Bishop Ordain'd by St. *Theodorus*, Authorized

' thereto by Pope *Vitalianus*, who in the
 ' City and Diocess of *Canterbury* supplied
 ' the Place of the Archbishop, in his Ab-
 ' sence, by Conferring Orders, Confe-
 ' crating Churches, and performing all
 ' other Pontifical Offices. The same Bi-
 ' shop also exercised all manner of Jurisdi-
 ' ction in the City and Diocess of *Canter-*
 ' *bury*, by Authority from the Archbi-
 ' shop whilst he was absent, and the See
 ' full, and when the See was vacant over
 ' the whole Province, by the Authority
 ' of the Chapter, for the space of 399
 ' Years, even to the time of the fore-
 ' said *Lanfranc*. Upon the Death of this
 ' Bishop, the said *Lanfranc* Decreed to
 ' have no more, but Constituted one of
 ' his own Clerks Archdeacon, to whom
 ' he allowed such a Jurisdiction as he
 ' Judged expedient. This afterwards
 ' caus'd a hot dispute between the Archdea-
 ' con and the Chapter, concerning Ju-
 ' risdiction during the vacancy, as may be
 ' seen in the remaining part of this Frag-
 ' ment; but how it was ended is not set
 ' down. Likewise from the ² *Excerpta out of*
 ' *the Consuetudinary of the Church of Roche-*
 ' *ster*, we are told that ' The Church of
 ' *Canterbury* was wont to have *Chorepisco-*
 ' *pi* Residing in the Church of *St. Mar-*
 ' *tin*, who were poorly Endow'd with
 Land

² *Angl. sacr.*
Vol. 1. p. 390.

Land lying near that Place for Food and
 Raiment. These Supplied the Place of
 the absent Archbishops, and Admini-
 stred the Sacraments of the Church.
 3 *Gervasius Monachus* (who flourish'd in ^{3 Decem.}
 the Twelfth Century) in his Lives of ^{Script. p. 105.}
 the Archbishops of *Canterbury*, under the
 Life of *Egelnothus* tells us, that 'formerly
 the Archbishops of *Canterbury* had a *Cho-*
repiscopus who Resided in the Church of
St. Martin, without *Canterbury*, whose
 Office upon the coming in of *Lanfranc*
 was abolish'd, as we hear it was done
 in all Parts of the Earth. Now *Lan-*
franc flourish'd in the Eleventh Century,
 and therefore according to *Gervasius* the
Chorepiscopi were abolish'd in that Age,
 and sure he had means enough of inform-
 ing himself in so material a Point, which
 was done not above an Hundred Years
 before his own time: However, it is cer-
 tain from several Testimonies that they
 were Suppressed in the Church of *Canter-*
bury at that time. We have indeed an
 Epistle of Pope *Damasus* to the *African*
 Bishops, given us by 4 *Gratian*, wherein ^{4 Digi. 5.}
 he Decrees, *That there should be no more*
Chorepiscopi, and that their Institution is
Impious and Wicked. But we have good
 reason to question the Authentickness of
 this Epistle, because it was not urged by
 Pope

² Can. 6.
⁵ Can. 57.

Pope Leo in his Answer to *Charles* the Great above mention'd. Indeed the Councils of ⁵ *Sardis* A. D. 347. and of ⁶ *Laodicea*. A. D. 367. do Ordain, that Bishops shall not be Ordained in Villages, but that Visitors shall be appointed instead of them. However, it is certain *Chorepiscopi*, notwithstanding this Prohibition, did continue, at least in some Churches near Seven hundred Years after the last of these Councils, but then I am perswaded, as *Gervasius* says, they were Suppress'd. Yet in reality there was nothing Suppress'd but the Name, for after this Bishops assumed Coadjutors whom they call'd Suffragans. It is plain that the Bishops of *Rome* were for divers Ages Enemies to the *Chorepiscopi*, and there this is apparent Reason for it: It is certain that the Popes have always endeavour'd to get a Majority of Bishops immediately depending on themselves to Vote in general Councils, but the *Chorepiscopi* depended absolutely on their own Bishops, and when they did Vote in Synods, without dispute commonly Voted as their Bishops would have them. The Pope therefore that he might always secure a Majority, resolv'd to make Titular Bishops *in partibus infidelium aut Hæreticorum*, but could have no fair pretence to do this whilst the *Chorepiscopi*

piscopi continued, because they performed those Functions for which Titular Bishops were pretended to be necessary. For in the 7 Council of *Trent* it was declared, ^{7 Hist. Concil. Trident. Sef. 22. lib. 8.}

‘ That they were created to supply the

‘ Cures of Impotent and Infirm Bishops,

‘ or of such as upon Lawful Causes were

‘ absent from their Churches; or lastly to

‘ assist Illustrious Prelates who were taken

‘ off from the care of their Charge by

‘ more Weighty Affairs. Now this was

plainly the same end for which *Chorepiscopi*

were appointed originally; but because

8 Titular Bishops were Nominated by the ^{8 Instit. Jur. Can. lib. 1. tit. 16. de Coadjutore.}

Pope, and by him appointed Coadjutors

to other Bishops, and consequently de-

pended immediately on his Holiness,

therefore those were abolished, and these

constituted in their Place by the Name of

Suffragans. From the time of *Lanfranc*

therefore till the above mention’d Act of

Henry VIII. all our Suffragans were Titu-

lar Bishops, having their Titles *in partibus*

Infidelium aut Hereticorum, as ^{9 Thom. Ang. Sacra Vol. 1. p. 577. 790.}

Thomas Bishop of *Megara*, Suffragan to the

Bishop of *Exeter*, *Thomas* Bishop of *Lacedemon*,

Suffragan to *Hadrian de Castello*

Bishop of *Bath* and *Wells*. *Thomas Wells*

Bishop of *Sidon*, Suffragan to the Arch-

bishop of *Canterbury*, and a Multitude of

others I could name, but that Act of Par-

liament

liament made them all *Chorepiscopi* again by giving them their Titles from Villages, and for that Reason, no doubt that Act was repealed in the first year of Queen *Mary* and Revived again in the first of Queen *Elizabeth*. That these Suffragans were brought in at the Suppression of the *Chorepiscopi*, or soon after I am perswaded, because in the Year 1240. (not above 150 Years after *Gervasius* says *Chorepiscopi* were abolished) I find a Chappel belonging to the Church of *Rochester*, was Dedicated by *John* Suffragan to *Edmund* Archbishop of *Canterbury*, and I cannot think but that if he had been the first Suffragan in that See, some notice would have been taken of it.

And now I cannot but express my most hearty desires that this *Chorepiscopal* Office was reviv'd in this Church, for I am perswaded it would be very useful, especially in Dioceses of larger extent, and in those immediately subject to the Archbishops. Some of our Bishopricks are so great in Circuit, that it is impossible for one Man to take that Episcopal Care of 'em which is necessary. It must indeed be acknowledged that the ancient Dioceses were commonly larger than any now in *England*, but then they were not without their *Chorepiscopi*: 1 For *Basil* Bishop of *Cesa-*

10 *Ang. Sacr.*
Vol. 1. p. 349.

1 Maurice of
Diocesan
Episcopacy,
p. 402.

Cæsarea in *Cappadocia*, had fifty *Chorepiscopi* in his Diocess, who were Deputies for the Administration of Discipline in lesser Causes in the remoter Parts of his Bishoprick. And certainly *Chorepiscopi* are now as requisite to assist the Bishops of large Sees, as Curates are to assist the Ministers of large Parishes. Let us consider also that all our Bishops are obliged to be absent half the Year from their Charge, to attend the King in Parliament. Then for our Archbishops, besides those things common to them with other Bishops, they have the Charge of a whole Province, which must necessarily take up some of that time which would otherwise be employed in the Care of their Diocess. And his Grace of *Canterbury* (being a Privy Counsellor, and one of the Principal Ministers of State) is so continually involved in Matters of National concern, that he can have but little time to think of his peculiar Diocess. Yet his Grace the present Archbishop coming to *Canterbury* to be Inthroned in Person, then made a Visitation thro' some Parts of his Diocess, which for ought that I can find is more than any of his Predecessors have done since the Death of Archbishop *Whitgift*. Indeed the Multiplicity of Business, which so perpetually detains our Metropolitan,

politan from us is a very great Misfortune to the Clergy of this Diocess. It makes us very Heartless in our Functions, that when we have done our Parts there is no Bishop to perform his Office amongst us. For when we Baptize Infants and exhort the Godfathers to bring them to Confirmation, and they ask us when that Office will be Administred, we can give them no positive Answer. We may say that our Canons enjoyn it to be done once in Three Years. But my Lord Archbishops Grace, tho' never so willing, is not capable of performing it so often: However, when these Children now brought to be Baptized, are grown to Years of Discretion, and throughly Instructed in the Principles of Religion, according to the Directions in the Exhortation lately given you, and be ready and desirous to be Confirm'd, we can admit them to the Sacrament of the Lord's Supper, without their receiving actual Confirmation. And this is the best Answer we can make to such a Question. But there is a natural Reply returned to this, *viz.* that if the Case be thus, then it seems Confirmation is no other than a meer indifferent Ceremony which may be used or omitted at Pleasure: And to what purpose should Men trouble themselves to prepare
 their

their Children and bring them some Miles to receive an Ordinance which it matters not whether they receive or no. And when such Replies are made it is very difficult for us to return an Answer to them. All we can do is to shew that Confirmation is no indifferent Ceremony, but then it is replied again, that if the Governors of our Church thought so, care would be taken to have it more regularly and duly performed in every Diocess. A Clergyman I remember told me some Years ago that he ask'd a Sectary why he left the Church? He answer'd, because it wanted some of God's Ordinances. The Minister ask'd him what it wanted? He said the Ordinance for Imposition of Hands on Persons Baptized. The Minister replied that therein he betrayed his Ignorance of our Liturgy, wherein is an Office of Confirmation for that purpose. I know said the Sectary, that there is such an Office: But pray when has Confirmation been Administred, or when will it be done?

——— *Pudet hac opprobria nobis,*

Et dici potuisse, & non potuisse refelli.

Surely some care ought to be taken that this Sacred Office should not be so generally neglected: For tho' it be not a Sacrament, yet it is an Apostolical Institution,

† Heb. 6.1, 2.

tution, and † one of the Fundamentals of Christianity also, and if rightly and duly Administer'd may be a great means of furthering the Salvation of those who receive it as they ought, especially in an Establish'd Christian Church, where Persons are generally Baptized in their Infancy: That when they come to years of understanding the nature of the Gospel-covenant, they may as our Church says

* Introduction
to the Office of
Confirmation.

* Publickly in the presence of God and his Congregation, renew the solemn Promise and Vow that was made in their Names at their Baptism; Ratifying and Confirming the same in their own Persons; and acknowledging themselves bound to believe and do all those things which their Godfathers or Godmothers then undertook for them. I am perswaded if this Divine Ordinance was regularly and duly Administer'd, our Sectaries would not so much encrease amongst us. For if Children are well Instructed in the Principles of Christianity contained in the Church Catechism, and then duly Examin'd and Confirm'd by the Bishop, they would not as they grew in Years be easily drawn from our Communion. And our * Church seems to be of the same Opinion, when it strictly requires every Bishop to perform this Office

* Can. 60.

Office duly once in Three Years † Dr. † *Præfat. ad lib. de Confirm. §. 7.*
Hammond positively asserts, that next ‘ to
 ‘ the embracing of the true Faith, and
 ‘ the reception of the two Holy Sa-
 ‘ craments Instituted by Christ himself,
 ‘ there is nothing which so strongly binds
 ‘ us to a perpetual obsequiousness to Christ,
 ‘ and to a sincere and unchangeable
 ‘ Obedience to the Evangelical Law, as
 ‘ the Ordinance of Confirmation: There
 ‘ is nothing from the diligent and pru-
 ‘ dent Administration whereof the Chri-
 ‘ stian Commonwealth can hope for
 ‘ greater Returns of Profit and Advan-
 ‘ tage: Nothing lastly, from the neglect
 ‘ or mere formal performance whereof
 ‘ *Ex opere operato* as they say) Piety can re-
 ‘ ceive greater or more pernicious Da-
 ‘ mages. For to this end chiefly was this
 ‘ Rite anciently Instituted and Celebra-
 ‘ ted, as well that the Obedience which
 ‘ we owe to Christ, might be more firm-
 ‘ ly Promis’d and Sign’d with this Pledge
 ‘ or Seal, as that a more plentiful effu-
 ‘ sion of the Holy Spirit might by devout
 ‘ Prayers be brought from Heaven, and
 ‘ poured on the Faithful and Illuminated
 ‘ to Wash; Anoint and Strengthen them
 ‘ to lead the new Life. * And again a * *Ibid. §. 10.*
 ‘ little after he proceeds in this manner.
 ‘ Certainly if these things which have
 M ‘ beer

‘ been Piously and Prudently Ordain’d in
 ‘ the Christian Church, (either by the
 ‘ Apostles themselves, or from their Ex-
 ‘ ample, by Apostolical Men, their Suc-
 ‘ cessors both in their Chair and their
 ‘ Power) were as Piously as Reverend-
 ‘ ly, and as constantly Administer’d by
 ‘ the Prelates, the other Weapons of Ec-
 ‘ clesiastical Discipline being called in to
 ‘ assist in Place and Order as need shall
 ‘ require ; if those who are Baptized in
 ‘ their Infancy, and as soon as they grow
 ‘ up are Instructed in the Catechism,
 ‘ and a clear Explication of the Baptif-
 ‘ mal Vow, and the Heads of the Catho-
 ‘ lick Faith, be by the Rectors of their
 ‘ several Parishes, brought at length to
 ‘ the Bishop, posited in an eminent Place
 ‘ not more Outshining all Persons in Ho-
 ‘ nour than in the Holiness of his Conver-
 ‘ sation, that by his Paternal Admoniti-
 ‘ ons and Denunciation, they may be ad-
 ‘ mitted to the solemn Confirmation of
 ‘ *what they have Profess’d and Renounc’d* ;
 ‘ and only thro’ these auspicious begin-
 ‘ nings, should they be admitted to as-
 ‘ pire to the Lord’s Table ; and be more-
 ‘ over repelled, and by the power of the
 ‘ Keys bound, and interdicted and made
 ‘ to abstain from the Priviledges of Di-
 ‘ sciples, as often as *they shall be overtaken*
 ‘ *in*

' *in a Fault*, or are found guilty of any Gal. 6. 1.
 ' *Wilful* Transgression, and be redeem'd Heb. 10. 26.
 ' and rescu'd from this Shipwreck by the
 ' Table of true and solid Repentance
 ' only; If I say, by this not sowre yet
 ' severe Law, not Instituted for vain and
 ' glittering Pomp, but for a solemn and
 ' stated War with Iniquities, we Chri-
 ' stians would accustom our selves to
 ' Serve and Profit in the Camps of Christ,
 ' it can scarce be said or conceived what
 ' a Fruitful and Blessed Harvest we
 ' might expect from this Seed and Cul-
 ' ture, what a Victory against the Flesh
 ' and Satan, what Trophies we might 1 Cor. 10. 4.
 ' gain from these *Weapons* of Apostolick
 ' *Fear*, which are not Carnal or Weak, but
 ' *Powerful thro' God*, and excellently fit-
 ' ted for *the pulling down strong Holds*;
 ' when as these Methods of our Polity
 ' being despis'd, and either growing in-
 ' to an Universal Disuse, or kept in Fa-
 ' shion only for a vain shew of Piety, de-
 ' generating at length into a meer Sha-
 ' dow, *Operis Operati*, as they say, or
 ' (which is yet worse) turn'd to gain and De Repub.
 ' Covetousness, as (*Spalatensis* complains) Ecccl. 1. 5.
 ' at this Day we vainly seek a Church in c. 12. p. 24.
 ' the Church, Servants in the Family of
 ' God, or Disciples of Christ among
 ' Christians; neither can we find any
 ' thing

‘ thing Good or Holy beside the Sha-
 ‘ dow and the Name amongst the Pro-
 ‘ fessors of Piety. God forbid that the
 latter part of the Words which I have
 cited from this great Man, should be ap-
 plicable to the present state of the Church
 of *England*. We have at this time many
 Vigilant and Diligent Pastors in our
 Church, whose Piety Care and Labours
 are Conspicuous, I only pray, that it
 would please *the Lord of the Harvest*, that
 he will send forth more such Labourers into
 his Harvest. And forasmuch as Confir-
 mation is so useful and so necessary an Or-
 dinance, and yet as matters now stand, it
 cannot be duly and regularly Admini-
 ster’d in all Parts of the Realm, accord-
 ing as our Laws and Canons require, I
 wish an expedient was found out that more
 Bishops might be Consecrated for the
 more due and orderly Administration of
 it. Upon these and such like considera-
 tions, I think Suffragan Bishops are abso-
 lutely necessary. I could with a great
 deal of ease shew, that before the Refor-
 mation there were Suffragans in most
 parts of this Kingdom. ³ *Anthony Har-*
mer, (and I think his Authority may be
 good in this particular, because his Ad-
 versary does not pretend the contrary) tells
 us that ‘ in many Diocesēs, whose Re-
 ‘ cords

Mat. 9. 38.

³ *Specilmen.*
 p. 36.

' cords are preserv'd, there appear a
 ' continu'd Series or Succession of Suffra-
 ' gan, as well as of proper Bishops, and
 ' that for the space of 200 years before
 ' the Reformation. I could my self give
 a Catalogue of above 30 such if I thought
 it needful. But the Preface to the 4 Act ^{4 26. H. 8.}
 of Parliament which fixes the Sees for _{c. 14.}
 Suffragans, says positively, that *Suffragan*
Bishops are accustomed to be had within this
Realm, which is certainly sufficient to set
 this matter beyond Dispute. And 'tis
 plain by the same Act that they were de-
 signed to be continu'd after the Reforma-
 tion: And this Act was accordingly put
 in Execution. ⁵ For *Mar. 19. A. D. 1536.* ^{5 Ang. Sacr.}
Thomas Mannyng was made Bishop ^{Vol. 1. p.}
 of *Ipswich*, and *John Salisbury* of *Thetford*, ^{419.}
 both Consecrated by Archbishop *Cranmer*,
 and appointed Suffragans to the Bishop of
Norwich. The same Year *William Moor*
 was Consecrated Suffragan of *Colchester*,
 and the year following *John Hodgeskins* of
Bedford, and the year after that *William*
Finch of *Taunton*, with divers others.
 And in Queen *Elizabeth's* Reign when the
 Reformation was fully settled, we find
Richard Barns ⁶ Consecrated Suffragan Bi- ^{6 Athen.}
 shop of *Nottingham*, A. D. 1567. And ^{Vol. 1. p. 16.}
⁷ *Richard Rogers* Consecrated Suffragan ^{7 Ibid. p. 587.}
 Bishop of *Dover*, by Archbishop *Parker*,

⁸ Can. 60.

Ann. 1569. How the appointing Suffragans came to be laid aside, I cannot say; certainly our Ancestors thought 'em useful, otherwise we should not have had an Act of Parliament still in force for the constitution of them, and ⁸ our latest Canons which are allowed to be of Authority do plainly suppose our Bishops to have Suffragans, when they do appoint that *every Bishop or his Suffragan in his accustomed Visitation, do in his own Person carefully perform the Office of Confirmation.* So that when I plead for Suffragan Bishops; I do not plead for any alteration of the present Constitution, but only that our present Constitution (which is certainly the best in the World) may be entire in all its Parts : For the laying aside Suffragan Bishops has made a Breach in it.

Now the use of Suffragan Bishops is to assist such Bishops as have a greater Care and Burthen laid upon them than one Man can go thro' with as he ought. Such a Care and Burthen I am confident several of our Bishops have. For first, his Grace the A. B. of *Canterbury* has a Diocess large enough to Employ a Bishop's whole Care. Tho' as Metropolitan he is to inspect and overlook all the Bishops of the Province, which needs must require a considerable Portion of his Time. In the next place,
it

it is necessary for the good of the Church, (which ought to be consider'd first) that he should be a Minister of State, and a Privy Councillor which must needs take up another Portion of his time, and that not a little one. So that let him be as diligent and industrious as is possible, yet can he not perform all Episcopal Functions belonging to a Bishop in his Diocess. I do not say that an Archbishop cannot do more than some of our Archbishops formerly have done, but he cannot do all that is requisite, particularly to Visit and Confirm every Three Years duly and regularly. This makes a Suffragan or Assistant necessary for him, and our Law allows him one with the Title of *Dover*.

The Archbishop of *York* hath a very large Diocess, and the Care of a Province besides, too much for one Man to take care of without Assistants ; and therefore the Law allows him Two Suffragans, one with the Title of *Nottingham*, and the other of *Hull*. The Bishop of *Lincoln* has above 1200 Parishes under his Care, and the Bishop of *Norwich* near as many, therefore they are allow'd the one Four and the other Two Suffragans to divide the Burthen with them. But to set them in the clearest Light, and to

shew what good Provision our Law has made for the due Exercise of Episcopal Government; and that no Place may want any Episcopal Office, I will subjoin a Catalogue of all our Bishopricks with the Suffragans Titles belonging to them, as they are allowed in this Realm by the Authority of the Supreme Court of Parliament.

Bishopricks.	Suffragan Titles.	Parishes.
<i>Canterbury, A. B.</i>	<i>Dover.</i>	257
<i>London.</i>	<i>Colchester.</i>	623
<i>Winchester.</i>	{ <i>Gilford.</i> <i>Southampton.</i> <i>Isle of Wight.</i> }	604
<i>St. Asaph.</i>		121
<i>Bangor.</i>		107
<i>Bath and Wells.</i>	{ <i>Taunton.</i> <i>Bridgewater.</i> }	388
<i>Bristol.</i>	<i>Bristol.</i>	236
<i>Chichester.</i>		250
<i>Coventry</i> and <i>Lichfield.</i> }	<i>Shrewsbury.</i>	557
<i>St. Davids.</i>	<i>Cambridge.</i>	308
<i>Ely.</i>		141
<i>Exeter.</i> }	{ <i>St. Germans in</i> <i>Cornwal.</i> }	604
<i>Glocester.</i>	<i>Glocester.</i>	267
<i>Hereford.</i>		313
<i>Landaff.</i>		177

Bishop-

Bishopricks.	Suffragan Titles.	Parishes.
<i>Lincoln.</i>	{ <i>Bedford.</i> <i>Leicester.</i> <i>Grantbam.</i> <i>Huntingdon.</i> }	1255
<i>Normich.</i>	{ <i>Thetford.</i> <i>Ipswich.</i> }	1121
<i>Oxford.</i>		195
<i>Peterborough</i>		293
<i>Rochester.</i>		98
<i>Salisbury.</i>	{ <i>Shaftsbury.</i> <i>Molton.</i> <i>Malborough.</i> }	544
<i>Worcester.</i>		241
<i>York, A B.</i>	{ <i>Nottingham.</i> <i>Hull.</i> }	581
<i>Durham.</i>	<i>Berwick.</i>	135
<i>Carlisle.</i>	<i>Pereth.</i>	93
<i>Chester.</i>		256

The Act of Parliament also names *Penreth* for a Suffragan Title, but I cannot find any such Town in *Cambden*, only he says that *Pereth* is also *Penreth*, yet they are plainly distinguished by the Statute. When this Act was made, *Bristol* and *Glocester* were not Erected into Bishopricks, and therefore were then made Titles for Suffragans.

Now by considering how these Suffragan Titles are laid out, we may conclude, that the Parliament did not think it requisite that all Bishops should have Suffragans neither is it expedient; for the Suffragans Business is to assist, but not to take off all the care from Bishops; Nor would I have it in our Church as it has been observed, that it was once in the Church of *Vienna*, between *Marcus* the Bishop, and his Suffragan and Brother *Claudianus*, as was noted before.

The one the Bishops Ornaments did
Wear,

The other only had the Bishop's Care.

But the Care should be divided between them. The Bishop himself should Ordain all Priests and Deacons in his Diocess, or the Suffragan not at least without his particular appointment, accord-
ing

ing to the ancient Canons. Then for Visitations and Confirmations the Diocess should, as near as may be, be divided into equal Parts, between the Bishop and his Suffragans. As for instance, the Diocess of *Lincoln* has 1255 Parishes, too many for one Man to Visit and Confirm in all duly and regularly; here therefore the Bishop is allowed Four Assistants, let the Diocess be equally divided into Five Parts, there will be about 250 Parishes under each Man's Care. I could wish the Bishop of *Norwich* had one Suffragan more, but they may easily be supplied by letting the Bishop of *Cambridge* be his Assistant (for the Bishop of *Ely* has so small a Diocess, that he needs none) the Act of Parliament not making it necessary that the Suffragan's Title should be in the Diocess of that Bishop to whom he is Suffragan, and we have a Precedent to the contrary in *9 William Moor*, who had the Title of *Colchester*, in the Diocess of *London*, yet was Suffragan to the Bishop of *Ely*.

* *Angl. Sacr.*
Vol. 1. p.

Now I am perswaded that 300 Parishes is as much as one Bishop can take Charge to Visit and Confirm, if he design to do those Duties as he ought. For these Offices ought to be performed in all parts of the Diocess once in Three years :
And

And where a Bishop would do these regularly and with due Care, not hastily, and as the way is only as it were *En Passant*, to visit an Hundred Parishes in a year, will take up a whole Month at least, which I believe any Bishop will think to be as much time as he can conveniently spare for this purpose. Now if the large Dioceses were divided according to this proposed Method, and the Title of *Cambridge* annexed to the See of *Norwich*, no one Bishop would have much above 300 Parishes to take Charge of, and besides out of the Dioceses of *Winchester*, *Bath* and *Wells*, *Salisbury* and *Carlisle*, the Titles of *Southampton*, *Bridgwater*, *Molton*, *Malborough* and *Pereth*, might be reserved to be bestowed on Coadjutors for Impotent and Infirm Bishops of their Dioceses which have no Suffragans Titles, according as there shall be occasion.

Thus would no part of the Realm be destitute of the Episcopal Care, all Bishops of larger Dioceses, having Assistants to perform all parts of the Episcopal Office, by a general Commission to them for that purpose, only reserving Ordinations and Institutions wholly to the Diocesan; except when he is hinder'd by some Lawful Impediment, a Licence may be granted to a Suffragan to perform either of those
 Offices

Offices *pro ista vice*. And in the Diocess of *Canterbury* the Suffragan of *Dover* should have a general Commission to perform all parts of the Episcopal Function in every part of the Diocess, only reserving a Power in his Grace the Archbishop of *Canterbury* to suspend his Jurisdiction, when he has Time, Leisure and Will to perform those Duties in Person. This Bishop might also have a general Licence to Ordain; only he should be oblig'd to give timely notice to the Archbishop of the Titles and Qualifications of the Persons to be Ordain'd, and to receive his Approbation of them; that so the Charges of Letters Dimissory might be saved.

If it be asked what Jurisdiction it may be proper to allow the Suffragan? with submission I think it to be the same with the Chancellor or Commissary, by uniting these Offices to the Suffragans in those Diocesses where it is convenient the Bishops should have such Assistants. And for such as neither have nor need Suffragans, there let the Dean of the Church be always the Bishops Chancellor. For it is most requisite that he who is the Head of the Colledge of Presbyters, who are the Bishops Senate, should have the next Authority to the Bishop throughout the whole Diocess. And where there is a
Suffragan

Suffragan he may also be the Dean of the Church. And if there be more Suffragans one at least may be Dean also, and the others well dignified in the Church. And it is not much to be question'd, but most of our Lay-Chancellors in *England* would take Orders if they might be made Deans, as those Dignities should fall, and Suffragan Bishops where such are expedient. Let also some of the best Livings in every Diocess be annexed to the Deanry, to go always along with it, and a good Prebend with Two of the best Livings in every Church where more Suffragans are required; that so the Office might be render'd Honourable by a sufficient Maintainance. I am fully perswaded that if what I have here Proposed were Established and Practised in all parts of the Realm, it would prove of very great Benefit to the Church of *England*.

This would stop our Adversaries Complaints against our Lay-Chancellors, and the largest of some of our Diocesess. It would also free the Clergy from a Canonical subjection to those which are not of our own Body, which I believe no Clergy in the World is subject to but ours, in any Episcopal Church: Nay, no other Body of Men in the Kingdom are subject to the like. Lawyers are accountable only

to Judges of the Bench, and the Governors of their Houses or Inns of Court. Physicians have the President and Fellow of their Colledge, all of their own Profession: Merchants, Tradesmen and Artificers have their Master, Wardens and Assistants of their several Companies, to whom they are accountable in Matters relating to their several Callings: The Clergy are the only Body of Men over whom Preside Persons not of their own Profession. We should also reap this Advantage from the Regulation Proposed; that it will be a general Encouragement to the Clergy to Study the Civil and Canon Laws, (Sciences too much neglected by us) when they find the Knowledge of them a ready way to so many Preferments. Whereas now finding the advantages accruing from these Studies to fall altogether to the share of Lay-men, they totally dis-regard them, and are generally perfect Strangers to them.

Another Benefit accruing from this Regulation would be, that we should have no Institutions conferr'd by Lay-Men; an Abuse which as I have heard, several of our Bishops have justly complain'd of, and therefore doubt not but their Lordships are very desirous it should

should be rectified, and will do all that lies in their own power towards an alteration in this particular: For certainly the *Curam tuam & meam* cannot regularly be granted by any other than a Bishop; and a Lay-man tho' a Chancellor cannot I think have so much as a Delegated Cure of Souls, much less can he bestow one; *Nemo dat quod non habet* is an infallible Maxim. And *Nemo plus juris ad alium transferre potest quam ipse haberet*, is a Rule in the Civil Law. D. 50. tit. 17. l. 54. which our Lay-chancellors cannot be ignorant of, tho' they daily practice the contrary.

All this which I have here proposed, (except the annexing Dignities to these Offices) is wholly in our Bishops power to regulate, for the Laws now in force give them full Authority to appoint Suffragans, and to make Clergy-men their Chancellors. And methinks it is very odd that ¹⁰ some of our Bishops have formerly made their Complaints of Lay-Chancellors, or what is not in their power to rectifie, when all the World knows they appoint such themselves, without being any ways compelled to do so: For tho' the Parliament allows Lay-men to exercise spiritual Jurisdiction, it by no means obliges Bishops to give them Commissions to do so; and they may have Clergy-

¹⁰ see a Paper supposed to come from Lambeth some years ago, Entituled, Grievances of the Church of England, which are not in the power of its Governors to remedy.

men for their Chancellors and Commis-
saries if they will themselves ; Besides, it
is plain that Act was made only to Autho-
rize the Commission which King *Henry*
the VIIIth gave to *Cromwel*, when he
made him Vicar-general of all *England* :
But I believe the Parliament little
thought the Bishops would so unanimo-
usly follow such a Precedent, which was
set up to destroy Church-government, and
bring us to *Erastianism*. The Bishops
have a full power to appoint their own
Deputies to whom they will commit their
Jurisdiction : How unreasonable it is then
for them to give away their power to Lay-
men, and then cry they cannot help it?
Certainly Clergy-men are the fittest Per-
sons to Judge of Matters belonging to
their own Order and Offices, and yet
Lay-men are chiefly made their Judges
in these things, to the perpetual Infamy
of those that heretofore so Order'd it
where the Government did not by any
means require it.

³ *Dut. and
Rights of Pa-
roch. Clerg.*
p. 146.

I know it is pretended ¹ that *Chorepif-
copi* have been laid aside, as assuming too
much to themselves. But there can be no
fear of any such matter in *England*, where
the Parliament has wisely provided,
That they shall not dare to exceed their
due Bounds : For they have Decreed,
‘ That

‘ That every Archbishop or Bishop of
‘ this Realm, for their own particular
‘ Diocess, may and shall give such Com-
‘ mission or Commissions to every such
‘ Bishop Suffragan, as shall be so Consecrate by the Authority of this Act, as
‘ hath been accustom’d by Suffragans
‘ heretofore to have, or else such Com-
‘ mission as shall by them be thought re-
‘ quisite, reasonable or convenient. And
‘ that no such Suffragan shall use any Ju-
‘ risdiction, ordinary or Episcopal Pow-
‘ er, otherwise, nor longer time than
‘ shall be limited by such Commission to
‘ him to be given, as is aforesaid, upon
‘ pain to incur into the Pains, Losses, For-
‘ feitures and Penalties mention’d in the
‘ Statute of Provisions, made in the Six-
‘ teenth year of King *Richard II.* Here-
by the Suffragan Bishops have a greater
Tie upon them than Chancellors or Com-
missaries have, it may therefore be reason-
ably supposed they would be more Ob-
sequious to the Bishops than the Ecclesi-
astical Judges we have at present, being
more strictly bound to their good Behavi-
our, thro’ the Danger of incurring a
Premunire.

C H A P. XIII.

Of Archbishops or Metropolitans.

AS some Bishops were *Suffragan* and Subject to *Diocesans*, so others also were Metropolitan and Superiour to them : Not Superior in Order but Jurisdiction, as the Suffragans were Inferiour. It is disputed by the Learned whether it can be proved by Scripture that the Apostles themselves Constituted any Arch-bishops or Metropolitans. ¹ Dr. Hammond will have *Timothy* and *Titus* to be such: ² *Peter de Marca* the late Learned Arch-bishop of *Paris* declares himself of the same Opinion ; and to him ³ Dr. Beveridge Subscribes ; To whom I may add the late most Reverend Father ⁴ Arch-bishop *Sancroft*. ⁵ Dr. *Cave* and ⁶ M^r. *Du Pin* seem to be of a contrary Sentiment, and tho' they allow Metropolitans to be of very great Antiquity, yet they do not acknowledge them of Apostolical Institution. It is not for me to pretend to decide a controversy managed by such eminently Learned Persons, tho' I do not conceive that they do disagree very much in their Assertions : And by what I can gather by comparing their Arguments and Citati-

ONS

¹ *Annot. Ad*

11. lit. b.

² *De concordia**Sacerd & Imp.*

l. 6. c. 1.

³ *Annot. ad**Can. Apost. 34.*⁴ *Consecrat.**Serm. Ann.**Dom. 166c.*⁵ *Dissert. of**the ancient**Church Go-**vernment.*⁶ *De Antiq.**Ecl. Disci-**plina.*

ons on both sides, the Original of these Church-Governors appear to me to have been thus.

The *Roman* Empire which contained almost all the known Part of Christendom, was divided into several Provinces by *Augustus Caesar*, which Division was afterwards a little changed by the Emperor *Adrian I.* and then by *Constantine*: But the manner of the Government continued only the Seat of the President was removed from one City to another, and the extent of the Province enlarged or diminished. In every of these Provinces was one City called the *Metropolis* or Mother City, this was commonly the Place of greatest Trade and Resort and here the chief Governor of the Province resided. The Apostles, who by their Commission from our Saviour were obliged to Profelyte all Nations, could not stay long in any one Place, but having dispers'd themselves into the several Provinces, and Preach'd the Gospel, and made some number of Converts, they fixed a Bishop in each of the Principal Cities where they saw it requisite, and gave these Bishops orders, as other Cities of the Province should be converted, to fix Bishops also in them. The Apostles being very careful to place the most extraordinary Persons in the

Metropolitan Cities, because there was the greatest Harvest, and most Occasion for Men of extraordinary Abilities and Gifts: This caused the other Bishops of the Province to make their Applications to them for Advice in their weighty Affairs; And to pay a Deference and Respect to 'em upon all Occasions: So that tho' all the Bishops constituted by the Apostles were of equal Authority as they were Bishops, and therefore when a new Bishop was to be made, either upon the Death of another or because the number of Converts was encreased, they met together to consecrate him, yet they yielded a precedency to the Bishop of the Metropolis: And the like was done when they assembled to consult of any other Affairs of the Church. This was found the most prudent and convenient Method to preserve the Unity of the Church in several Provinces.

It was necessary that the Bishops should Assemble sometimes, and that some Person should Preside in their Assemblies: It was impossible that Order and Discipline should otherwise be preserved in the Church. There was no person, before the Empire became Christian that could Summon the Bishops from all parts of it to one Place: Therefore
in

in every particular Province the Bishops met together to consult of the Affairs of their Churches, and their Meetings or Synods commonly were in the Metropolis, and being then within the Jurisdiction of the Metropolitan, it was reasonable that he should have the Right Hand of Fellowship in his own Church. It was by no means convenient that any Bishop should be absolute without a Superior to judge him in Ecclesiastical Matters, neither was it fit that his own Presbyters, who by direct Apostolical Institution were his Subjects, should have an Authority to convene or censure him : Neither could any other single Bishop call him to an account, for *Par in Parem non habet Potestatem* : Nor yet could all the Bishops of the World or the Empire (nor was it fit they should) meet upon such an Occasion. All matters of this Nature were left to the Neighbouring Bishops therefore, to be ordered among themselves, and they were accounted Neighbouring Bishops whose Dioceses were in the same Province according to the Division of the Empire.

It was therefore expedient, since it was necessary for Bishops to meet and consult upon these and the like occasions in every Province, that not only a Primacy should

be granted to some one of them, but likewise an Authority to Summon and convene the rest : This was generally granted throughout the whole Empire to the Bishop of the Metropolis ; Only in the several Provinces of *Africa* the Primacy was given to the Eldest Bishop : Yet the Bishop of *Carthage* had a kind of Patriarchal Jurisdiction over all the Provinces of *Africa* affixed to this See. Thus the Bishops of every Province formed a particular distinct Church, which was governed by one uniform Discipline, whereby they sometimes differed in their Ceremonies and Customs from other Churches, but did not separate from them. For all the Provinces held Communion with each other, and looked upon each others Members as their own, and sent Communicatory Letters to each other. Every Metropolitan as soon as he was advanced to the Chair sending a Profession of his Faith to all the other (at least the Principal) Metropolitans of the Empire, in Testimony of his Desire to maintain the Union of the Catholick Church in all Articles of Faith : But in Matters meerly indifferent, each Provincial Church made Rules for it self, and was governed by its own Customs and Canons. They also sent their Canons to other Churches, who received

7 Du Pin de
Antiq. Ecclesiæ
Disc. Disert.
136.

ceived them in part or in whole as they judged expedient, or it may be altogether rejected them: Yet this made no difference, because one Province pretended to no Authority over another.

Whether the Apostles settled Metropolitans in the Church is what I pretend not to determine, but that they are of Primitive Antiquity is most certain from the Thirty Fourth Apostolical Canon, which Decrees that *Bishops shall do nothing without the Primate, except in their own Diocess, nor yet the Primate without the Bishops.* These were at first only called *Primates* or *Primæ sedis Episcopi*, the name *Metropolitans* and *Archbishops* were introduced afterwards in the Fourth Century. And some Bishops obtained these Names as Honorary only without any Authority or Jurisdiction, and others also obtained these Titles together with an Exemption from the Jurisdiction of any Primate, yet had no Province of their own, and these were called *ᾠπισκοποι*.

§ All the Priviledges of a Metropolitan are reduced by Dr. *Beveridge* to these four Heads. (1.) To confirm the Elections and Consecrations of all the Bishops in his Province, so that whatsoever Bishop is Elected and Ordained without his Confirmation or Consent, his Consecration

* *Annot. ad*
Can. 6. Con-
Nic.

is null and void. (2.) It belongs to him to Summon all the Bishops of his Province to hold a Synod under him every Year. (3.) It is in the Power of the Metropolitan to enquire into the Manners and Opinions of the Bishops under his Jurisdiction, to admonish, reprove and drive from the Communion of his other Bishops the immoral, and such as were convicted of great Crimes. And sometimes, when Crimes were very Notorious and Scandalous, to proceed to Deprivation. Thus *Peter* Metropolitan of *Alexandria* deposed *Miletius* an *Aegyptian* Bishop, because he had Sacrificed to Idols as *Athanasius* tells us. Lastly, it belongs to him to hear and determine Causes between contending Bishops, and to interpose his Authority in all Affairs of his Province which are of great Moment. Neither could a Bishop travel into Foreign Parts without a Letter of License from his Metropolitan. From hence in time it became Customary for every Bishop at his Consecration to Promise Canonical Obedience to his Metropolitan. Yet this Custom obtained not 'till the end of the Fourth Century: For after the Year 440. Pope *Leo* blames *Anastasius* of *Theffalonica* for exacting such a Promise from an *Attic* Bishop whom he had ordained. However

ever forasmuch as all Bishops were obliged to observe the Canons, and the ancient Canons requiring that nothing of moment should be transacted without the Primate, they were thereby oblig'd to Canonical Obedience, tho' they were not actually bound to promise it; even as Subjects are Bound to Allegiance, tho' all are not actually bound to take the Oath. And it is probable that not long after the Fifth Century the Custom of promising Canonical Obedience obtain'd, for *Ivo Carnotensis* in the Eleventh Century speaks of it as a very ancient Custom.

Several Provinces of the Empire were united under one Superiour Governor, called *Præfectus Pretorio*, who had Authority over all the Proconsuls or other Presidents of the Provinces within this Region: Of these, Three were more especially eminent, at *Rome* for the West, at *Antioch* for the East, and at *Alexandria* for the South. He at *Rome* was not indeed called *Præfectus Pretorio*, but *Vicarius Urbis*: However his Authority was much the same, and his Jurisdiction reached over several Provinces which are mention'd in the *Notitia Imperii*. There were several other Præfects or Vicars, but I need not upon this occasion take notice of more than these Three: For the Bishops of these

these Cities began in time to claim a Superiority over all the Churches within these Provinces, which were Subject to the Prefect or Vicar of their City. The Chief Priviledges which they Claimed, was a Right to Consecrate Metropolitans, and to summon them with all other Bishops within their Region to a general Synod, and to have a precedency before Metropolitans : These Priviledges were afterwards Confirmed to them by several Canons, particularly the Sixth Canon of the Council of *Nice*, but with a Proviso, *that these Rights ought not to prejudice those of the Metropolitans.*

The Bishops of these three great Sees were called *Patriarchs*, which Name was also conferred afterwards on the Bishops of *Constantinople* and *Jerusalem*, with a Proviso, that this should only be an Honorary Title to give them a precedency, but not any Jurisdiction to the prejudice of the Metropolitans of *Heraclea* and *Cesarea*. However, having gain'd the Title, they soon found the Means to procure a Jurisdiction over several Provinces, without regard to the Restriction laid upon them ; and obtained afterwards a Confirmation of this Power by general Councils. But tho' these five Patriarchs had brought many Provinces
under

under their Ecclesiastical Obedience; yet were there many Provinces subject to none of them, amongst which are almost all the Churches of the West. For the Provinces about *Rome* lying very thick, and consequently were but small, tho' very Populous, that Bishops *Patriarchate* reached no further than the Authority of the *Vicarius Urbis* went, extending only over those which were called the Suburbicary Villages, and was every way bounded about an Hundred Miles from *Rome*, so that many Places in *Italy* it self had no dependence on that See. And in these Places not subject to any of the above named Patriarchs, the Metropolitans were subject to no Superior Ecclesiastical Person. For further satisfaction in this matter, I must refer to the Learned Authors mentioned in the beginning of this Chapter. There have since been Erected several later Patriarchates, but of these I shall not need to speak any thing.

C H A P.

C H A P. XIV.

*Of the Election of Bishops in the
Primitive Church.*

AS to what concerns the Election of Bishops; the Apostles themselves whilst they lived, placed them by their Apostolick Authority in all Churches which they Constituted, as has been already shewed. After their Deaths the Provincial Bishops met together with their Metropolitan to Constitute a new Bishop. This we may learn from the ¹ Council of *Nice*, (which was very careful to inquire into and preserve the ancient Customs of the Church) where it is Declared and Decreed, ‘ That a Bishop ought chiefly to be Constituted by all the Bishops of the Province; But if this be too difficult, either thro’ urgent occasions, or the length of the Way; yet Three must be present for that purpose, and have the Consent of the absent under their Hands, and so to make the Consecration: But the Confirmation of all things done in the Province, must be reserved to the Metropolitan.

² The Council of *Laodicea* Decrees also at the same time, ‘ That Bishops long approved

¹ *Can. 4.*² *Can. 12, 13.*

‘ approved both in Faith and Doctrine,
 ‘ shall be constituted for the Government
 ‘ of the Church, by the Metropolitans
 ‘ and Neighbouring Bishops. And that
 ‘ the Multitude shall not Elect any Per-
 ‘ sons to be Ordained.

But tho’ the Bishops had the undoubted
 Right of Constituting other Bishops, yet
 were not the People wholly shut out; their
 Consent was generally asked, and they
 had a Right of making Exceptions to any
 Persons nominated, tho’ herein they
 were considered as Witnesses rather than
 Judges, ³ as the late Bishop of *Worcester*
 has observed. Sometimes it may be the
 Bishops might permit them to nominate
 a fit Person themselves, but they could
 never challenge this of Right or Custom.
 And it is very probable, that the Bishops
 did frequently Consecrate a Person re-
 commended to them by the People, but
 no doubt if he was unfit, or they judged
 him to be so, they refused him. . And
⁴ *Gratian* proves from a great many very
 ancient Decretal Epistles, ‘ That Bishops
 ‘ were to be Elected by the Clergy, at
 ‘ the Petition of the People, and Confe-
 ‘ crated by the Metropolitan and Pro-
 ‘ vincial Bishops. So it seems as if the
 People commonly recommended some
 Persons to the Clergy by whom one was
 Elected

³ *Antiq. of
 Brit. Churches.*
 97.

⁴ *Dist. 62.
 p. 101.*

Elected and Presented to the Metropolitan and other Bishops, whom they either Consecrated or rejected, and appointed another in his stead, as they thought best. Therefore tho' we do meet with the *Suffrages of the whole People*, in the Election of *Athanasius*, and the *Plebis Vulgique Judicium* be spoken of by St. *Jerom*, and in the famous Election of *Fabian*, recorded by *Eusebius*, mention is made of all the Brethren gathered together for the Election of a Bishop, yet this does not prove but that the Metropolitan and other Bishops were still Judges of the Person, and might reject him that was thus Chosen, and Consecrate another if they thought it expedient. For the Bishops had certainly such a Right; and tho' the People should Elect one who needed no Consecration, yet this gave him no Title to the Bishoprick, unless the Bishops of the Province Confirm'd his Election: For the *Council of Antioch* declares, ' That if a vacant Bishop (That is a Bishop which has no Diocess of his own, as *Balsamon* explains it) ' getting into a vacant Church, ' takes Possession of the See without a ' perfect Synod, he is to be ejected, altho' all the People of that See which he ' has taken Possession of should Elect him. ' But a perfect Synod is that where the
 Metro-

5 Hist. Eccles
lib. 6. c. 28.

6 Can. 16.

‘ Metropolitan is also present. But S. Cyprian in a Letter which he and his Clergy Wrote to the Clergy & People of Spain (upon the occasion of their choosing *Sabinus* & *Felix*, in the room of *Basilides* and *Martialis*, who had lapsed in the time of Persecution, and been guilty of Idolatry) sets this matter in a clear Light. Where having first observed from the *Acts of the Apostles* after what manner *Matthias* was Substituted in the room of *Judas*, and also how the Seven Deacons were Elected and Ordained: ‘ Therefore, says he, that ‘ Rule is diligently to be observed and ‘ kept, which from Divine Tradition, ‘ and Apostolical Practice is observed by ‘ us, and almost all Provinces, that for ‘ the due celebrating Ordinations, all the ‘ nearest Bishops of the same Province ‘ should assemble together with that People over which a Prelate is to be Ordained, and that the Bishop should be chosen in the presence of that People which is most fully acquainted with the Life of all the Candidates, and has throughly looked into the Conversation of every one of them. Which we see has been done by you in the Ordination of our Collegue *Sabinus*, that the Bishoprick should be conferred on him, and he should receive imposition of

O

‘ Hands

‘ Hands in the room of *Basilides*, by the
 ‘ Suffrage of the whole Fraternity, and
 ‘ the Judgment of the Bishops who were
 ‘ present, and of those who Wrote Let-
 ‘ ters to you concerning him. The
 Right of Election therefore (⁸ as *Dr. Beveridge* observes from this Place) was in the
 Bishops present, but the Consent and Ap-
 probation of the Election, with a Testi-
 mony of the Conversation of the Person
 Elected, appertained to the People:
 That is, the Peoples Suffrage and Testi-
 mony was ask’d, and then the Bishops
 acted what themselves Judged expedient.
 The Consent of the People was ask’d,
 not that it was thought absolutely need-
 ful, but only that thereby they might be
 the better pleased and satisfied with their
 Bishop, because they themselves also gave
 their Suffrage to his Election. But it is
 certain that the whole Power of Election
 as well as Ordination was in the Bishops,
 even as it had been in their Predecessors
 the Apostles. For we may read of many
 Episcopal Ordinations and Elections, cele-
 brated by the Bishops without the
 People, but of none by the People
 without the Bishops. However, it was
 not convenient that the Bishops
 should exercise this Power frequently,
 lest the People offended with such
 a de-

⁸ *Ad Can. 4.
 Concil Nicen.*

a despotick proceeding, might make a Schism from their Pastor. Wherefore I am perswaded, that the People, amongst which I also include the Clergy, generally nominated some fit person or persons, whom the Bishops if they approv'd of, Consecrated, or otherwise Ordered them to make a new Choice, which if they refused to do, then the Bishops themselves appointed whom they thought fit.

The like Method was observed in the Ordination of a Priest or Deacon, saving that in this case the Diocesan only was concerned, and no other Bishop. He Ordained whom he thought fit, but generally demanded the Suffrage and Testimony of the People, as may be Collected from the preceding passage to that already cited from *St. Cyprian*, and from *Balsamons* comment on the Thirteenth Canon of the Council of *Laodicea*, which Practice is still observed in the Church of *England*. For altho' the Bishop Ordains whom he pleases; yet the Peoples Consent, Suffrage and Testimony is always demanded, and they have any of them free Liberty to make their Objections against any Person to be Ordained, and if they do make any, the Ordination is to be deferred till they are heard, as is most apparent from our Forms of Ordination.

This was the ancient and primitive manner of Ordaining and Electing in the Christian Church, and still continues the same for the Two inferior Orders.

Afterwards when the Empire became Christian, and the Church was Incorporated with the State, the Form and Manner of Electing, tho' not of Consecrating Bishops was a little varied. ⁹ The Emperor *Justinian* Decreed, That 'when
 ' a Bishop was to be Ordained, the Clergy and chief Men of the City should
 ' Assemble, and having taken an Oath
 ' upon the Gospels to make an impartial
 ' Choice of Three Persons well qualified,
 ' (whose qualifications are particularly expressed in the Oath) and 'He of those
 ' Three Persons shall be Consecrated,
 ' whom the Bishops that are to Ordain
 ' him shall judge the most worthy. But this Edict could oblige only the Eastern Church, and so much of the Western as was under the Empire of *Justinian*. But the other Western Churches (amongst which the *British* Churches are to be number'd) followed, no doubt the
¹⁰ Decree of the Council of *Arles*, A. D. 452. Wherein it is Ordained, That 'to avoid Ambition and Simony,
 ' the Bishops shall name Three Persons,
 ' of whom the Clergy and People shall
 ' choose one. CHAP.

⁹ Nov. 123.

cap. 1. & 137.

cap. 2.

¹⁰ Can. 55.

C H A P. XV.

Of Feuds or Benefices.

WHEN the *Goths, Vandals, Germans,* and other Northern Nations broke in violently like a Torrent upon the *Roman* Empire, and in some places drove out and extirpated, and in others Conquer'd and Incorporated with the old Inhabitants, and set up their own Leaders or Generals for Kings and Lords in the Countries where they settled, they brought in with them their own Laws, Customs and Tenures, amongst which the *Feudal Tenure* is the most eminent, as totally differing from all the ancient Tenures of the *Romans*. Tho' some will pretend to derive it from the old *Clientela* amongst them, but 'tis certainly very different from it. Others derive it from the time of *Alexander Severus*, who as *Lampridius* tells us in the Life of that Prince, gave such Lands as he won out of the Enemies hands to his Officers and Soldiers, that they should be theirs and their Heirs for ever, on condition they would continue Soldiers: And such some pretend the ancient Border-ground to have been, of which we have a Title in the *Code de fundis Limitrophis*. And 'tis not

improbable that the *Roman* Emperors might learn to dispose of their conquer'd Lands after this manner, from the Example of those Enemies who so frequently infested them. However, it is certain that they came Originally from the Northern Nations, who as old as ¹ *Cæsars* time had their *Ambacti* or Feudatary Vassals, long before any thing of the like Nature was established in the Empire. These Feuds probably received their name from *Fædus* (if from any Latin Word) because of the Covenant between the Lord and his Vassals : But the Feudists say *a fide quam præstat Vasallus Domino.*

¹ *De Bell. Gal. lib. 6.*

² *Feud. 2. Tit. 23. §. In primis.*

² *Obertus de Orto* to his Son *Anselm*, defines or describes a Feud which he also calls a Benefice, after this manner ‘ This kind of Benefice whereof we now treat, is voluntarily and of meer good Will so given to another, that the Propriety of a thing immoveable thus granted, shall still remain in the Giver: But the *Usus Fructus* [that is, whatever Profit or Benefit accrues from it] of the thing thus given, shall be transferred to the Receiver, and to his Heirs Male or Female (if they be expressly mentioned in the Grant) for ever: *On this Condition, that he and his Heirs, shall faithfully serve the Lord of the Fee, whether*
that

‘ that Service be particularly expressed
 ‘ what it ought to be, or only indefinite-
 ‘ ly promised.’ ³ Dr. *Ridley* defines it thus.

‘ A Feud is a Grant of Lands, Honours
 ‘ or Fees, made to a Man, either at the
 ‘ Will of the Lord or Sovereign, or for
 ‘ the Feudatary’s own Life, or to him
 ‘ and his Heirs for ever, under Condi-
 ‘ tion that he and his Heirs so long as they
 ‘ possess those Lands, Honours or Fees,
 ‘ do acknowledge the Giver and his Heirs
 ‘ to be their Lord and Sovereign, and
 ‘ shall bear Faith and Allegiance to him
 ‘ and his for the said Tenure, and shall
 ‘ do such Service, to him and his, for the
 ‘ same as is between them covenanted,
 ‘ and proper to the Nature of a Feud.’

⁴ These were at first granted only during
 the Will of the Lord: Afterwards they
 were firm for a Year: Then it was de-
 creed that they should be continued dur-
 ing the Feudatary’s own Life: But be-
 cause the Sons could challenge no Right
 of Succession to the Feud, in Process of
 Time the Lord commonly gave it to
 one of them, yet made his own Choice
 of which Son he pleased, till at length it
 was decreed by the Emperour ⁵ *Conradus Salicus*
 A. D. 915. that all the Sons
 should succeed alike, and if there were
 no Sons, the Grandsons or Brothers Sons,

³ *View of Civ.*
 & *Eccles. Law.*
 par. 1 c. 4. § 1.

⁴ *Feud. 1.*
 Tit. 1. § 1.

⁵ *Feud. 5. Tit.*
 1. § *pr. cipi-*
mus.

and by this means they became Hereditary in the Empire.

*Spelmans
positivum
Work, of Feuds
and Tenures by
Knights Ser-
vice, p. 5.*

° *Hugh Capet* made these Feuds Hereditary in *France*. For having usurped that Crown, he, to fortifie himself against the *Carolingies* or Race of *Charlemagne* the true and undoubted Heirs, and to draw all the Nobility of *France* to support his Faction, in the Year 988 granted to 'em, that whereas till then they enjoyed their Feuds and Honours, but at Pleasure of their Princes, or for Life at most, they should from thenceforth hold 'em to them and their Heirs for ever, in Feudal Manner by the Ceremony of Homage and Oath of Fealty. And that he would accordingly maintain them therein as they supported him and his Heirs in the Crown of *France*. This was, as *Sir Henry Spelman* observes, a fair Direction for our *William* the Conquerour how to secure himself of his new acquired Kingdom of *England*, and he neglected not to take Advantage of it. For with as much diligence as Providence, he presently transferred his Country Customs into *England*, and amongst them this new *French* Custom of making Feuds Hereditary, not regarding the former Customs of our Ancestors, who till that time continued their Feuds and Tenures either arbitra-

bitrary or in some definite Limitation, according to the Ancient Manner of the *Germans* received generally throughout *Europe*. Feuds being thus become Hereditary in all Places could no longer be properly called *Beneficia* (that is *Benevole Concessionones*, as *Obertus de Orto* says) because they were challenged of Right now, and no longer of Courtesie. The Name Benefices was therefore from henceforward appropriated to the Livings of the Clergy, because no Man could lay claim to them, but as he was thereto entituled by Grant from the Patron: And the Name Feud became a common Term for all Lay-fees which were perpetual, and thereby the Words *Feudum* and *Hereditas* in common Use of Speech are looked upon to signifie the same thing.

Those who possessed large Feuds, and held immediately of the Emperour, King or other Sovereign were called *Nobles*: And they also divided their Lands into lesser Feuds to their *Valvasors*, who held of them by the same Tenure, whereby they held of the Sovereign: And where these lesser Feuds would bear a Subdivision these *Valvasors* also bestowed 'em on Inferiours whom they called *Valvasini*. These Nobles or *Capitanei* with the *Valvasores* and *Valvasini* answer

to what our common Law now calls *Lord, Man and Tenant*. The Inferiours by their Tenures were obliged to assist the Lord of whom they held, and bring such a Number of Men into the Field to defend him upon all Occasions, which were more or less according to the Quantity of Lands they held of him. By this means those that had large Feuds which they held of the Sovereign immediately, and had subdivided these to their *Valvasors* and *Valvasini* were hereby enabled many times to raise considerable Forces and became sometimes formidable to the Princes themselves. For a fuller Account of this Matter, *Spelmans Glossary* and *Calvins Lexicon Juridicum* may be consulted under the Word *Feudum*.

⁷ Dupin.
Vol. 10. p. 31.

⁸ *Feud. 1.*
Tit. 1.

⁹ *Spelman's Posthumous Work of Feuds and Tenures by Knights Service. c. 26. p. 41*

7 Now when the Church in these Western Parts especially, by the Favour and Bounty of Princes became possessed of large Feuds, then also 8 Archbishops, Bishops and Abbots became considerable and noble, as well in the State as the Church, having Power and Authority to let out their Feuds to *Valvasors*, and to take an Oath of Fealty from them, 9 which that they might and did do in *England*, as well as other Parts of the Western Church, is manifest from the famous Charter of *Oswald*, Bishop of *Worcester*,

Worcester, in the Reign of King *Edgar*, whereby it appears that the Tenants were bound to swear to be in all humble Subjection to the Bishop, as long as they should hold their Lands of him. And that when the Occasions of the Lord Bishop should require, whether for his own or the King's Service, they should in all Humbleness and Subjection be obedient to the chief Captain, or Leader of the Bishoprick for the Benefice (or Fee) granted to them, and the Quantity of Land which every one of them possessed : With divers other matters which they were bound to observe. Whether Bishops before this were called to the great Councils of the State I cannot say, and it will, I believe, be a difficult matter to determine. Because I am perswaded that as soon as Christianity was received by these Northern Nations, Bishopricks were endowed with these Sorts of Tenures, and consequently were summoned by the Sovereign, together with all those who held *in Capite* of him. But however this was, when Ecclesiastical Persons as Bishops and Abbots became possessed of great Feuds which they had Power to grant to their *Valvasores* and *Valvasini*, their Power and Authority hereby became so considerable

ble in the State, that all Sovereign Princes of whom they held, thought it necessary to require of them an Oath of Fidelity or Homage upon the Account of their Tenures, and to oblige 'em to supply them with a certain Number of Soldiers for the Wars, and sometimes to go themselves in Person, and to be present in the General Assemblies of the States, (to which tho' they might probably have a Right to come before, yet could they not be compelled to come, till they were possessed of such Lands as the Sovereign might enter upon, if they performed not the Service to which they were obliged by their Tenures,) and to discharge all other Duties belonging to them as Feudataries.

C H A P. XVI.

Of Investiture.

IT was the Custom before Feuds became hereditary (and Ecclesiastical Feuds were never made so, neither could be) that upon the Death of any Feudatary, the Lord or Sovereign Entred upon and took Possession of the Feud, 'till he thought convenient to bestow it upon some other Person. And when he gave Possession of the Feud to any Successour, he was said to invest him with it. When Feuds were made Hereditary, the Heir might demand Investiture of the Lord upon his presenting himself to take the Oath of Fealty and to pay his Homage : But for those Feuds which were not Hereditary, the Lord took his own time to invest with the Feud what Person he pleased.

¹ Investiture was given either properly or improperly. Properly, when Possession of the Feud was actually given : Improperly, when something was given, denoting the Service which was to be done for it ; as a Spear, or some other Warlike Weapon if it was a Military Feud, and the Pastoral Staff and Ring if it was Ecclesiastical. As therefore Princes entred

¹ Feud. 2.
Tit. 1.

¹ Dupin Vol.
10. p. 31.

tred upon, and gave Possession or Investiture of Lay-feuds, so did they also of Ecclesiastical. ² Upon this Account after the Death of a Bishop, the Sovereign immediately entred upon the Feuds belonging to his Bishoprick (and in Process of Time, this was also extended to all the other Temporalities of the See,) and kept Possession of them so long as he saw convenient. When he invested any Person with these Temporalities, which was usually done by giving him a Crosier or Pastoral Staff and a Ring, because these were the Tokens and Ensigns of the Episcopal Dignity, (tho' it might be done by Writing or otherwise, so it declared the Prince's Will) that Person who was so invested, was afterwards consecrated by the Metropolitan and so many other Bishops of the Province as were judged expedient for that Purpose.

³ Dist. 63.
. 22.

³ *Gratian* gives a Decree of Pope *Hadrian*, wherein he gives to "*Charlemagne* a Power to choose the Pope and to invest Archbishops and Bishops in all the Provinces of his Empire, and that no Bishop shall be consecrated who is not first invested by him." But this is generally supposed by Learned Men to be a Forgery, because *Gratian* quotes the Ecclesiastical History for it, and yet no History

History of those times mentions it till *Sigebert* of *Gemblours* who flourished not till the Beginning of the twelfth Century, 400 Years after this pretended decretal Epistle. And he tells us in his Continuation of *St. Jeroms* Chronicle, that *Charlemagne* went to *Rome* in the Year 774 when Pope *Hadrian* held a Council and gave him this Power of Investitures. But neither *Eginhard* who wrote the Life of this Emperour, nor any other cotemporary Author mention any thing of it, nor does it appear from them that *Charles* did go to *Rome* that year. However *Leo VIII.* cites this Decree, and confirms the same Privileges to *Otho* the Great: Which Decree is extant also in *Gratian*, immediately after the former. But whether *Hadrian's* Decretal Epistle be forged or not, is no material Point: For the Popes were generally very liberal in granting what they had nothing to do with, and giving to Princes and other Persons what was their own before; that all Persons might seem to hold all their Rights, Priviledges and Possessions of them. And 'tis certain that the Princes in their Contests with the Popes about this Matters, would never acknowledge that they received this Right by any Grant from his Holiness, but always insisted upon
it

it as an undoubted and inherent Prerogative Royal descended to them with the Crown. And so no doubt it was. For if Bishops would have and enjoy the Feudal Lands belonging to their several Sees, they must be content to enjoy them on those Terms by which they were given. And indeed it must have been very prejudicial to the publick if so many great Feuds had been given to Persons who would not be obliged to hold them of the Sovereign by an Oath of Fealty and Homage, nor to receive them from them as others did, and oblige themselves to serve him either in Person or by Proxy. It was unreasonable to think that Princes should so give away their Lands as to divest themselves of the Supreme Royalty.

Now Feuds (as has been said) reverted to the Lord upon the Death of the Feudatary, (except such as were Hereditary, which Ecclesiastical Feuds could never be) and upon this Reversion to the Lord it was in his Power to make a new Grant of 'em where he pleased, and possess all the Benefits and Profits arising from 'em till such Grant was made. Wherefore tho' by the Customs and Canons of the Church the Election of a Bishop belonged to the Clergy and People

ple together with the Metropolitan and comprovincial Bishops, yet it was at the Pleasure of the Prince whether he whom they Elected should enjoy the Temporalties of the Bishoprick or not, because they reverted to his full Possession upon the Death of the former Bishop. Upon which account, no doubt, the Electors were willing to quit their Right of Election to him, at least to Elect the Person he should nominate or invest ; knowing that not many would like to undertake the Pastoral care if there were no Revenues to make the Burthen more easy. By this Means after the Feudal Law was generally received throughout *Europe* it became a general Custom for all Sovereign Princes in the Western Churches to invest whom they pleased with the Temporalties of Vacant Bishopricks, and the Person so invested was Consecrated by the Metropolitan and Provincial Bishops. And that the Princes Approbation and Investiture was required before they presumed to proceed to a Consecration is apparent from Matter of Fact almost 150 years before the Reign of *Charles* the great, on whom *Gratian* pretends Pope *Adrian* first conferred that Right. For we find in

the Author of the Life of St. *Romanus* Archbishop of *Roan* (as I have it from ⁴*Vol. 10. p. 31. + Du Pin*) that when this Saint was Elect ed, and the great Men about the Court unanimously advised the King to approve his Election : And that Prince (it was *Clovis 2.* or his Father *Dagobert*) having convened the Bishops and Abbots gave him the Pastoral Rod, in consequence whereof he was Consecrated. Princes continued to enjoy this Right Peaceably and quietly without any contest, that I can find, till about the End of the Eleventh Century. So that they seem to have possessed this Royal Prerogative without disturbance for above 400 years : For *Clovis 2.* Lived about the middle of the Seventh Century, and then it is certain from what has been said that Princes did Invest, and it is very probable they did it some time before.

I know indeed that ⁵*Grotius* will not allow that Princes lay claim to the Right of Nomination to Bishopricks from this Feudal Custom of Investiture, but attributes it to their Supreme and absolute Authority. And it must be acknowledged that the Supreme Power may do any thing either in Church or State not contrary to the Law of God. But it is certain from the Edicts of *Justinian*

⁵ *De Imper. Summ. Potest. Circa Sacra. Cap. 10. §. 21.*

Justinian and the Decree of the Council of *Arles* above cited, that the Church did enjoy the Right of Elections after the *Roman* Emperor and other Princes became Christian, and I do not find that he can prove that either Emperors or Kings Nominated Bishops generally (whatever they might do by their absolute Power in some very great Sees) before the Northern Nations had brought in their Feudal Customs : And then not only Princes gave Investitures to Bishopricks, but 6 Private Patrons also pretended the same Right to such Churches as they enjoyed the Presentations of, and would have brought those who had their Benefices to a kind of Feudal Service, as the late Bishop of *Worcester* observes ; but this Practice being complained of was prevented by diverse Laws and Canons : However Sovereign Princes still continued to give Investitures and to require all Feudal Services.

*Duties and
and Rights of
Paroch. Clergy.*
p. 231.

C H A P. XVII.

Of the Contests about Investitures in the Empire.

¹ **H**ildebrand Archdeacon of Rome under the Pontificate of *Alexander II.* Whom he Succeeded by the Name of *Gregory the Seventh*, began the first Contest about Investitures with *Henry 4.* of *Germany.* And afterwards *A. D. 1074.* is said to have made a Decree against them in Council held at *Rome*, but that is not certain. However it is absolutely decreed by him in another ² Council held at *Rome* when he himself was Pope *A. D. 1078.* that ‘No Ecclesiasticks
‘ shall receive Investiture of any Bishop-
‘ prick, Abby or Church from the Hands
‘ of Emperor, King, or any other Laick
‘ whatsoever : And that if he shall
‘ receive it, his Investiture shall be
‘ Null and Void, and he shall be Excom-
‘ municated till such time as he has given
‘ Satisfaction for his Offence. This Pro-
hibition was again renewed by the same Pope in another Council at *Rome A. D. 1080.* The like Decree was also made in the first Canon of the Council of *Poitiers. A. D. 1078.* And indeed in almost every Council which was convened during
the

¹ *Dn Pin.*

Vol. 11. P. 29.

² *Can. 2.*

the Pontificate of this Firebrand (as I may justly call him) both of Church and State, There were repeated Decrees made against this long-possessed Royal Prerogative.

It is to be acknowledged indeed that great Inconveniences might, and no doubt did befall the Church by Reason of this Custom. For Princes did not so often regard the Vertue and Piety of those they preferred to the highest Stations in the Church as their own temporal conveniency. If a Clergy-man had any Dependance on the Prince or some great Minister of State, so that he could do e'm Service in their Worldly Affairs, this certainly advanced him to a good Bishopricks whatever his other Endowments were, and how little fit soever he was to take the Pastoral Care upon him. So that Learning, Piety, Vertue and Diligence in performing the Duties of the holy Function seldom recommended any one to Preferment. Whosoever therefore hoped for a Bishopricks applied himself rather to make his Court to the Prince by Attendance and Dependance on Great Men, and seeking to oblige them by Temporal Services rather than by Diligence in watching over and feeding Christs Sheep, from whence

sprung, in a great Measure, that Ignorance, Barbarism and other strange Corruptions under which the Church so long groaned before the Times of the Reformation. However this was not sufficient to justify the manner of *Hildebrands* proceeding in this Affair. Princes were not to be Hectored out of their Prerogative by Bulls and Canons, they ought to have been more Mildly treated, and if possible to have been perswaded by gentle Methods, (the most likely means to prevail with Persons in Authority) either to abate somewhat of their Perogative in this Affair or to have made a right Use of it by preferring Persons of Learning, Probity and Merit. Had he humbly desired Princes not to bestow Investitures without the Advice and consent of their Great Councils or Assemblies of the States, probably he had prevailed; but going about to abolish the Right it self, and prohibit all Laicks from Exercising the Right of Patronage which had accrued to 'em by the Endowment of Churches, and the Approbation of diverse Councils as well as Popes, this was not to be endured, and set the whole Empire in a Flame. *Gregory VII.* Died without Effecting what he so much laboured at, and his next Successor,

cessor *Victor III.* renewed the Prohibitions against Investitures, but he was soon taken off by Death, and therefore could not do much in this matter. To him succeeded *Urbane II.* a true Disciple of *Hildebrands.* He in the Decretal Epistle interdicted a Priest of *Salerno,* who held a Church at the Patronage of a Laick, and pronounced the same penalty against all those who received their Benefices from any besides their Bishops.

3 Now the contest between the Pope and the Emperor about Investitures grew very hot. The Emperor declared, that this had been the undoubted Right of the Empire, from the time of *Gregory the Great,* and that it seem'd reasonable, because without it Bishops could not enjoy the Cities, Castles, Territories, Feuds, or other Revenues depending on the Empire. The Pope replied, that the Church being redeemed by the Blood of *Jesus Christ* was free, and therefore ought not to be put in Bondage. That the Church would by this means become a Vassal to the Empire, and this was an Usurpation upon the Prerogative of God himself. And that it was unbecoming, and beneath the Sacerdotal Order and Uñction, that Hands Consecrated with the Body and Blood of *Christ,* should be put into Hands

² *Dupin.*
Vol. 10. p. 25.

Investitures of the Empire. Chap. XVII.
 stained with Blood. At last the Emperor said he would quit his Right of Investiture if the Bishops would quit all the Seigniories and Lands which they held of the Empire. This Pope *Paschal* 2 (the Successor to *Urbane*, and another Disciple of *Hildebrands*) consented to; for he cared not how poor other Bishops were made, so they might depend only on himself: But the Bishops could not be so easily prevailed with to part with their Estates and Dignities on those terms. At length the Emperor *Henry V.* Surprized the Pope and Cardinals, and forced 'em to grant that Bishops and Abbots should not be Consecrated till they had received their Investitures from him. But as soon as his Holiness was at Liberty, he cancelled all, and made new Decrees against Investitures. Notwithstanding (some say) that upon the conclusion of this agreement betwixt him and the Emperor, wherein he had confirmed to him the Right of Investitures, he communicated to his Imperial Majesty a Moiety of the Host which he had Consecrated, protesting that he gave it him as a Seal and Pledge of the Peace he had then made with him, and of the Concord which was then between them: And that whoever of them should break this Concord

or violate this Peace, should have no part or Portion in the Kingdom of *Jesus Christ*. But his Holiness had scarce obtained his Liberty before he thought it convenient to dispense with this most solemn Engagement. Which I cannot see how he could do with any Lawful pretence, unless it had been *Matum in se*, for an Emperor or Sovereign Prince to Invest a Bishop with the Temporalities of his Bishoprick. And if it was *Malum in se*, how could he excuse his taking such an Oath? Or what can be said to justify those infallible Popes who granted this Right to *Charlemagne*, and *Otho* the Great, still extant in their Body of Canon Law? But it seems not only Canons and Decrees, but Perjury it self too may be dispensed with, when it interferes with the Interest of the Court of *Rome*.

Pope *Paschal* did not long survive this Act, and Cardinal *John Cajetan* succeeded by the name of *Gelasius II*. He renewed the Decrees against Investitures, but lived not long enough to act much against the Emperor. To him succeeded *Guy*, Archbishop of *Vienna*, by the Name of *Calixtus II*. Betwixt whom and the Emperor *Henry V*. there was at last an agreement made in this manner, by the Mediation of *William* of *Champeaux* Bishop of
Cha-

Chalons and *Pontius* Abbot of *Clugni*, who went to *Strasburg* to begin the Treaty. For the difficulty by that time seemed to be reduced to the Ceremony of the Investiture with the Ring and Staff: At least those who were concerned in the Negotiation thought so. *Henry* the Emperor was ready to renounce this form of Investiture, provided it might not prejudice his Prerogative; and that the Bishops and Abbots should hold their Feuds and Royalties of him, and take the Oaths of Allegiance to him, and pay him all those Dues to which they were obliged, by virtue of the Estates which they Possessed. But the Pope altogether insisted upon a general Prohibition of receiving any manner of Investiture or Ecclesiastical Benefice from *Laicks*; to which neither the Emperor or any other Princes would consent. For the Princes pretended to these Three things, (1.) That no Election of Bishops or Abbots ought to be made without their consent. (2) That the Person Elected ought to receive Investiture from them with the Pastoral Rod and Ring, before he should be Consecrated. (3) That he should be oblig'd to take an Oath of fealty to them and do them homage for all his Feuds and Royalties which were dependent on them. At last therefore after much canvassing
and

and disputing they came to this accommodation, whereby it was granted to the Emperor and *German* Princes, (1) That the Election of the Bishops and Abbots should be made in their presence, and consequently by their consent. (2) That in *Germany* the Bishop Elect should be Invested with the Royalties, (that is all the Estates holden of the Crown) by the Scepter before his Consecration. (3) It preserves to them all the Dues and Services to which the Bishops were obliged, by virtue of their Feuds. So that all the alteration it made to the ancient Custom of Princes consisted, (1.) In that it took away the Ceremony of Investiture by the Pastoral Rod and Ring. (2) That it restrained the Ceremony precisely to the Royalties, and such Feuds as the Bishops held of the Crown. (3) That it permitted the Consecration of Bishops out of *Germany*, before they received Investiture, yet upon condition that they should receive it within Six Months after. This accommodation was made about the Year 1120.

I do not find that there was any great Controversie upon this Subject, either in *France* or *Spain*: The Pope found Work enough about this matter in *Germany* and *England*. However, it seems all Princes did
in

in some Measure conform themselves to this Agreement between *Calixtus II.* and *Henry V.* And left off the Ceremony of Investiture by the Ring and Staff, tho' they still continu'd to nominate or at least to recommend whom they thought fit to be Elected to Bishopricks: For after all they parted with little of their Prerogative, but only with a Form or Ceremony not very material. Indeed the Pope by this means did so order the matter as to make himself a Judge of the validity of Elections, and has thereby often imposed upon weak Princes, and endeavoured to draw all Bishopricks and great Abbeys into his own Patronage; but he could never effect his Design as he would do. And tho' Princes have since this Accomodation suffer'd the Chapters to Elect; yet it has been generally such Persons as they have nominated or recommended to'em, and Elections have been little more than matter of Form.

C H A P. XVIII.

*Of the Contests about Investitures in
England.*

E*ngland* no less than *Germany* had very sharp Contests with the Pope about Investitures. This was first begun between King *William Rufus* and *Anselm* Archbishop of *Canterbury*, who for his Zeal to the See of *Rome* was afterwards Sainted. This *Anselm* was the Son of *Gundolphus* and *Hermerberga*, a *Lombard* by Birth, as ¹ *Radulphus de Diceto* informs ¹ *Dec. Script.* us, and born at *Aosta* or *Augusta* on the ^{p. 493.} *Alps*. Having been bred up in Learning, he passed the *Alps* into *France*, and going into *Normandy*, he remained with *Lanfranc* Prior of the Abbey of *Bec*, and Governour of the Publick Schools under the Abbot ² *Harlewin*, who was the Foun- ² *Ibid. p. 2330.* der of the Monastery, and from a Soldi- ^{l. 44.} er, became the first Abbot there. *Lanfranc* being first made Abbot of *Caen*, and after that Archbishop of *Canterbury* left *Anselm* his Successor in the Priory of *Bec*: And soon after by the Consent of the Abbot *Harlewin* he was made Abbot of the same House. About Four Years after the Death of *Lanfranc*, *William II.*
who

who (according to his usual Custom with Bishopricks) had so long kept his See vacant, being taken very ill, and (as it was thought not likely to recover, was at last perswaded to nominate an Archbishop to the See of *Canterbury*. No Person was thought so fit for that high Station as Abbot *Anselm* of *Normandy*, at that time mightily famed for his Extraordinary Piety. 3 He was very unwillingly brought into *England*: And being by the King and Lords very much pressed to accept the Archbishoprick, he stiffly refused it, and would by no means be brought to take the Pastoral Staff. However the Bishops and other Lords which were present, drew him by Force to the King's Bed-side, and because he shut his Hand that the Staff might not be put into it, they held the Staff close to his Hand, and declared him Invested, and so carried him away to the next Church to perform the accustomed Ceremonies. Being out of the King's Presence he turned to the Bishops and told them ' that they knew not what they ' did, to joyn a *weak Sheep* [meaning himself] in the Yoke with a *wild Bull* [meaning the King] by which means the ' *Church-plow* could never go well. Notwithstanding (after a great Contest with

³ *Eadmer.*
Hist. Nov.
p. 17.

with the King, who having soon recovered his Illness forgot the good Designs and Promises of his Sickness, endeavouring to annex the greatest Part of the Temporalties of that See to the Crown, but *Anselm* would have 'em restored entire) he was at last Consecrated at *Canterbury*, Dec. 3. A. D. 1093. All the Bishops of *England* being present, except *Worcester* and *Exeter*, who were detained by Sickness. After his Consecration he returned to Court and was kindly received and entertained by the King and Nobility.

But the King at that time endeavouring [to take the Dutchy of *Normandy* from his Brother *Robert*, Raised Money for that Purpose by all the Means he could contrive. *Anselm*, by the Advice of some of his Friends, made him an offer of Five Hundred Pounds towards this Expedition : But this was rejected with Scorn, and a Thousand Pounds demanded, which *Anselm* refused to give. Hereby he first fell under the Kings Displeasure, and Petitioning to go to *Rome*, to receive his Pall from Pope *Urbane*, he was denied. The King alledging that no Archbishop or Bishop of this Realm should be Subject to the Court of *Rome*, or to the

⁴ *Mat. Paris.*
P. 19.

the Pope. *Anselm* was hereupon Charged with High-Treason, and all the Bishops of *England* except *Gundulphus* of *Rochester* refused to pay him Canonical Obedience. The King also declared that he would not acknowledge *Urbane* for Pope. But in a few Days after this, *Walter* Bishop of *Albany* brought *Anselm* the Pall, and did also reconcile the King to *Urbane*. *Anselm* having received the Pall again desired Leave to *Rome*: At last the King told him he might go if he pleased, but he must never hope to return to *England*. Soon after the Archbishop embarked at *Dover* and went to *Rome* where he was exceedingly cared for by *Urbane*, who honoured him with the Title of *Alterius Orbis Papa*.

5 *Dec. Script.*
P. 1327.

6 *Mat. Par.*
P. 19.

6 Then in a Council held at *Rome*, by his Advice it was decreed that 'Such Laicks as after the ancient Manner should conferr Churches by Investitures, and those who should receive them from Laicks, should be excommunicated.

7 *Mat. Par.*
P. 58.

7 Upon the Death of *William* and Succession of *Henry I.* to the Crown, *Anselm* was called home. *An. 1102.* He assembled a Council in *St. Pauls Church London*, about *Michaelmas*, at which the King himself was present. Here in a plain Discourse, he acquainted the King with

with the Decree of the General Council at *Rome*, concerning Investitures: ‘ that no Prelate of the Church, whether Bishop or Abbot, or other Clergy-man should receive Investiture of any Ecclesiastical Dignity, from the Hands of a Lay-man.’ Hereupon the Archbishop also degraded some Abbots, who had obtained their Abbeyes from Laymen, by giving of Money. He also refused to consecrate Bishops, to whom the King had given Investitures, or to communicate with them. At which the King being angry, commanded *Girard* Archbishop of *York* to consecrate ’em : But *William Giffard* the Bishop Elect of *Winchester* despised the Consecration of *Girard*, for which the King banished him the Realm. And *Reinelmus* the Bishop of *Hereford*, because he had received his Investiture from the King, resigned his Bishoprick to him again.

The next Year, *Anselm* with the Kings Leave, went to *Rome* and was received by Pope *Paschal* II. the Successor of *Urban*. And upon the Day appointed for the Hearing this Matter, *William* of *Warenast* a Clergy-man, the King of *England*’s Proctor, opened the Cause: And declared that ‘ the King his Master

Q

‘ as

³ Eadmer.
Hist. Nov.
P. 73.

‘ as the Right of Investitures. ’ And the Pope replied that ‘ he would not suffer ‘ him to retain ’em uncensured [*impunè*] tho’ it were to save his own Life. ’⁸ However the Pope by the Advice of his Council did forbear to send this Answer to the King in such harsh Terms, allowing him to enjoy some ancient Privileges, but notwithstanding interdicted him the conferring Investitures to Churches, yet withal declared him free for a time from the Excommunication, which he was supposed to have incurred by acting contrary to the Canons : Nevertheless those who had received Investitures from him were continued under that Censure ’till they had made Satisfaction for their Fault, and then *Anselm* was Empowered to absolve them. Then his Holiness wrote a Letter to the King, wherein after a great many Complements, he desires him to recall his Pastour and Father *Anselm*, and promises that ‘ if any thing was done contrary to ‘ his Prerogative in the Matter of Investitures, he would moderate that affair according to his Majesties Pleasure *as far as the Law of God would permit ‘ him to do.*

Anselm-

Anselm also wrote to the King his Master at the same time, and lets him know that ‘ he had acquainted the Pope with his Cause; and that ‘ his Holiness said he could not but follow the Steps of his Predecessours, and ‘ commanded him not to communicate ‘ with those who had received Investitures of Churches from his Majesty ‘ since their Knowledge of this Prohibition, unless they repented and quitted their Preferments without any Hopes of regaining them: Neither could he ‘ Communicate with any such, except ‘ they referred themselves to the Judgment of the Apostolick See. After this he tells him, that ‘ he was told by ‘ *William Warenaft* his Majesty’s Agent at ‘ *Rome* that before he presumed to enter the Kingdom, he should promise ‘ to Suffer his Majesty to enjoy quietly ‘ those Customs which his Father and ‘ Brother had enjoyed before him. But ‘ desires to be excused in this Matter, for ‘ that he could not pay Homage to him, ‘ nor Communicate with those who received Investitures from him.

The King upon the Return of *William* and Receipt of these Letters, immediately Seized upon all the Temporalities of the Archbishoprick. *Anselm* the

mean while Staid at *Lyons* with *Hugh* the Bishop of that City. From thence he went to *Blois* to *Adela* the Kings Sister, and by her Mediation obtained a Meeting with the King (who was then in *Normandy*) at the Abby of *Bec*. Here the King received him into Favour, and restored his Temporalities and gave him Leave to return into *England*, provided he would not in any thing withdraw from the Communion of those who had received Investitures from him, or those which Consecrated any of them. But *Anselm* would not yield to this 'till he had Signified it to the Pope, and knew his Pleasure : And having obtained Leave from *Rome* to absolve those who had received Investitures and paid Homage, the whole Matter was soon accommodated, the King promising that the Tax which his Brother *William* had laid on certain Churches should be released : And that he would not take the Profits of them during their Vacancy whilst he lived : And that he would restore to *Anselm* all the Profits of his Archbishoprick which had been received during his Exile. This Accommodation was made at *Bec* in *Normandy*, Anno 1106. 9 And was publickly ratified the Year following in a Council at *Westminster*

minster, where the King also granted that 'for the time to come no Bishop or 'Abbot in this Kingdom, should be 'Invested by the King or any other 'Lay-man with the Ring and Staff.' *Anselm* also by the Popes Leave, promised that 'No Man should be denied 'his Consecration, after he had been 'Elected, for paying Homage to the 'King." Upon which almost all the Churches in *England* which had been long destitute of their Pastours by the Advice of *Anselm*, and the great Men of the Realm, had Fathers appointed for 'em by the King, but the Ceremony of Investiture by the Ring and Staff was omitted. So that the King parted only with Ceremony of Investiture, retaining still the right of Nomination and of Receiving Homage. *Anselm* enjoyed his See peaceably about two Years after this, and then Died and was Buried in his Church at *Canterbury*. A. D. 1109 in the Seventy Sixth Year of his Age, and the Sixteenth of his Pontificate.

¹⁰ The See continued Vacant Five Years, ¹⁰ *Etienne* and then the King by the Advice of his ¹¹ *109.* Barons Nominated *Rodolphus* Bishop of *Rocheſter* to the Archbishoprick, and he was Elected by the Bishops of the Province and the Clergy and People of *Can-*

¹ Mar. Par.
P. 69.

² Mar. Par.
P. 77.

terbury. After his Death the same King *Henry* ¹ gave the Archbishoprick of *Canterbury* to *William de Corboil* Prior of *Chiche*. I do not find that King *Henry* was ever opposed in his Nominating to Vacant Bishopricks after the abovementioned Agreement with *Anselm*, but peaceably enjoyed that Right all his Days. ² In the Reign of King *Stephen* there was a Council Assembled at *Westminster* A.D. 1138. by *Albericus* Bishop of *Hostia* the Popes Legate, and then *Theobaldus* was Elected by the Bishops to the See of *Canterbury* in the Presence of the Prior of *Canterbury*, but no mention is made of the Kings Nomination: And probably the King did not interpose at this time, for *Stephen* having but a precarious Title to the Crown could not so stily maintain the Royal Rights. There were some other Bishops Consecrated in this troublesome Reign, but I cannot find how they were Elected or nominated.

King *John* seems to have endeavoured the Reviving the old Way of Investiture (which was certainly laid to sleep all his Fathers Reign, or we should have heard of it in the Contests, betwixt that Prince and Archbishop *Becket*) for he granted to *William Marshal* Earl of *Pembroke*

Pembroke the Right of Investing the Abbot of *Nutely* with the Pastoral Staff, with all the Liberties and Customs appertaining to that Right. The Diploma by which this Grant was made, was published by Mr. *Selden* in his Notes on *Edmerus*. But notwithstanding that Prince might for some time claim such a Right, he was forced to yield it up again afterwards.

C H A P. XIX.

Of the manner of Elections in England.

WHEN the sharp Contest between King *Henry II.* and *Thomas Becket* about the Rights and Privileges of the Church was in Agitation, ¹ that King called a Council to *Clarendon* A. D. 1164. where were present the Archbishops, Bishops, Abbots, Priors, Earls, Barons, and other Chief Men of the Kingdom, who assembled to make a Recognition and Declaration of some of the ancient Prerogatives of the Crown and Customs of the Realm, where among other things it was declared ² ‘ That when an Arch-
 ‘ bishoprick, or Bishoprick, or Abbey, or
 ‘ Priory within the King’s Dominions is
 ‘ vacant, it ought to be in his Hands, and
 ‘ he shall receive all the Revenues and
 ‘ Profits as his own : And when it shall
 ‘ be thought convenient to fill up the Va-
 ‘ cancy of the Church, the King shall
 ‘ summon the Chief Persons of the
 ‘ Church, and the Election ought to be
 ‘ made in his Chappel, with the Assent
 ‘ of our Lord the King, and the Counsel
 ‘ of such Persons of the Kingdom as shall
 ‘ be called for that Purpose. And there
 ‘ the

¹ *Mat. Par.*
 p. 10 c.

² *Dec. Script.*
 p. 1387. c. 12.

‘ the Elect shall, before he is consecrated,
 ‘ pay Homage and Fealty to the King,
 ‘ as a Liege-man to his Lord of Life and
 ‘ Members, and of all his Earthly Ho-
 ‘ nours, *Salvo ordine suo.*’ Which I sup-
 pose was added to exempt them from
 Personal Service in the War and all Servi-
 ces unbecoming the Sacred Function.

It is certain that there was a Form of
 Election even whilst the Custom of Inve-
 stitures was received in the Church, and
 the same Form was continued after-
 wards. And in *England* Elections were not
 made by the Chapter only as at present,
 but the Provincial Bishops also gave their
 Suffrage, ³ this appears from the Electi-
 on of *Richard* Prior of *Dover* in the Room ^{Mat. Par.}
 of *Thomas Becket*, A. D. 1173. ^{P. 127. § 213.} And the
 Controversie of the Monks of *Canterbury*
 with the Provincial Bishops about the
 Election of *John Gray* to that See A. D.
 1205. For upon the Death of *Hubert*,
 the Monks of *Canterbury* acquainted King
John with it, desiring his Leave to elect
 another. The King recommended to
 ’em *John* Bishop of *Norwich*, requiring
 them together with his own Clerks
 whom he sent to their Convent to elect
 him: And accordingly he was elected,
 and the Election openly declared in the
 King’s Presence, and the Archbishop
 Elect

Elect received the Temporalties from him, and was placed by the Monks in the Archepiscopal Chair. But the King sending to *Rome* to have his Election confirmed, the Bishops of the Province also sent their Complaints against the Monks of *Canterbury* for presuming to elect a Metropolitan without them, when as both by ancient Custom and common Law they ought to give their Suffrage at the Election. The Pope indeed declared in Favour of the Monks, not thereto induced by the Merits of the Cause (as the Authour of *Antiquitates Britannica* observes) but because the Monks were more obedient to him, and when his Holiness had rescinded and nullified the former Election, more readily complied to elect the Person he nominated to them; which was *Stephen Langton* a Cardinal Priest, and Chancellour of the University of *Paris*. 4 He was elected at *Rome* by the Monks of *Canterbury* which were sent thither by the Convent upon the fore-mentioned Occasion, and therefore being in the Popes Territories, durst not act otherwise than he would have 'em, tho' they were upon this Account proscribed by the King, and declared guilty of High Treason. The King stood stiff for the Maintainance of his Royall Prerogative, till

^c Hist. Par.
p. 222.

till the Kingdom being put under an Interdict by the Pope, and the King of *France* entering upon his Provinces beyond the Seas, and his own Barons rising in Rebellion against him at the same time, he was at length forced to comply with the Court of *Rome*, and submit to the most shameful Terms of Agreement imposed upon him by *Pandulphus* the Legate of *Innocent* the Third. By this means the Consent of the Provincial Bishops in the Case of Elections seems to have been utterly lost in *England*, the Right being declared by the Pope to be in the Chapter only, which in that Age did generally consist of Monks, who were put into Cathedral Churches by Archbishop *Danstan* in the Reign of King *Edgar*, and the Secular Clerks were then turned out. yet in some Foreign Churches the Provincial Bishops continued after this (and perhaps may do so still) to give their Suffrage in Elections, as appears from a Decretal Epistle of the above mentioned *In-*

Decret.

Greg. l. 1.

Tit. 5. c. 4. § 1.

The

The Right of Elections seems therefore to have been devolved upon the Chapter rather by Custom than any constitution. The Council of *Arles* as has been observed, made a Decree that ‘ to avoid
 ‘ Ambition and Simony, the Bishops
 ‘ should name Three Persons, whereof
 ‘ the Clergy and People should choose
 ‘ one. But when Princes began to invest
 whom they pleased, and the Parochial Clergy and People of the Dioceses found their Elections were meerly formal, they did not think it worth their while to leave their other Affairs to meet at the Assemblies for Elections, and by Degrees left it wholly to the Chapter, who being always Resident in the Cathedral Churches, could more easily meet there for that purpose: And the Provincial Bishops gave their Assent to the Election, when they Assembled to Consecrate the Elect. But all this as it referred to Election being only matter of Form, they by Degrees neglected to Assemble all of them together, only Three or Four were commanded by the Prince, to Consecrate whom he had Invested or Nominated, and caused to be Elected by the Chapter, which they did as in Obedience to him, and concerned themselves no further. And thus I am perswaded, that the whole Form of
 Election

Election in process of time devolved to the Chapter only by long prescription. Tho' in *England* the Bishops seem to have preserved their Right in concurrence with the Chapter, till the above mentioned decision of the Pope, who deprived them of their Right, because they were not so obsequious to him as the Monkish Chapters.

C H A P. XX.

Of the Congé de eslire.

² Mat. Paris
p. 921.

AFTER many hot Controversies about Elections and Nominations to Bishopricks, ¹ King *John* by his Charter, bearing date *Jan. 15.* in the Sixteenth year of his Reign, and of our Lord 1215. granted with the common consent of his Barons, , that all Cathedral Church-
 es and Convents should be free in the
 the Elections of their Prelates, saving
 to himself and his Heirs the Custody of
 vacant Churches and Monasteries.
 And that he will not hinder them any
 manner of ways, to choose a new Pa-
 stor upon a vacancy, provided that they
 first crave leave of him and his Heirs to
 proceed to an Election. From hence
 came the use of the *Congé de Eslire*,
 which he also promises he will not de-
 ny or deferr: And if it be denied or de-
 ferred, that then the Electors may ne-
 vertheless proceed to a Canonical Ele-
 ction. But after the Election, his ap-
 probation also must be asked, which
 he also promises shall not be denied
 without good reason alledged and pro-
 ved. This Charter was afterwards
 confirm-

confirmed by *Magna Charta*, and many succeeding Parliaments.

Hereby it appears, that by the Tenor of this Charter, the Chapter was not obliged absolutely to choose the Person whom the King should nominate or recommend to them; nor yet the King to approve the Election made by them. This occasion'd diverse Controversies between the King and the Chapters, which caused frequent Appeals to *Rome*, (because the Pope was then thought to be the only proper judge of these Rights) as appears from the ² Election of an Arch-
 bishop, in the room of *Stephen Langton*,
 and of a Bishop of *Winchester*, upon the Death of *Peter de Rupibus*, and diverse other instances of the like nature. By this means the Papal provisions were introduced into this Realm: 3 For the Popes as Vicars of *Christ* challeng'd a Superintendency over all Churches, and a power of nominating Bishops for all vacant Sees, especially when there was any controversy about the Election; tho' they did not always wait for that, as appears in the Consecration of *John Peckham*, *Walter Reynolds*, and a great many more, mention'd by the Author of *Antiquitates Britannicæ*, and other of our Ecclesiastical Historians: And even where

² *Mit. par.*
 p. 350. & 372

³ *Instit.*
Fur. Can. tit.
Qui eligere eligere possunt.
 §. 1. Verb.
holic in Glesis

the

the King and Chapter had no difference, as in the Case of *Henry Chicheley*, *John Kempe* and diverse others, the Pope would either rescind and nullifie the Election, or else take no notice of it all, and confer the Bishoprick on the same Person by his own Authority: And this he called *providing for the Church*. Whereby it came to pass that for several Ages we had few Bishops who did not possess their Sees by virtue of these Papal provisions, notwithstanding the many repeated Statutes against this intollerable Usurpation: Yet such was the facility of our Princes in this point, and such the Power and Authority of the See of *Rome* in this Realm, that no effectual stop could be put to this egregious abuse, till the Reign of *Henry VIII.* When the Papal Yoke was perfectly thrown off.

25. H. 8.
C. 20.

4 Then it was established by an Act of Parliament ‘ That at every Avoid-
‘ ance of an Archbishop or Bishoprick
‘ within this Realm, or in any other of
‘ the Kings Dominions, the King may
‘ send to the Prior and Convent or Dean
‘ and Chapter of the Place which shall
‘ be void, a License under the Great Seal
‘ to proceed to an Election of an Arch-
‘ bishop or Bishop of the See so being
‘ void, with a Letter Missive with the
name

' name of the Person whom they shall
 ' Elect or choose : Which Person they are
 ' to choose and no other. And in Case
 ' they deferr the Election above twelve
 ' Days after the Receipt of the said Li-
 ' cense and Letters Missive, then the King
 ' shall Nominate by his Letters Patents
 ' such a Person to the said Office and
 ' Dignity as he shall think able and con-
 ' venient for the same. And the King
 ' shall appoint the Archbishop with two
 ' other Bishops, or if there be no Arch-
 ' bishops, then Four Bishops to Confe-
 ' crate and Invest the Person so Nomi-
 ' nated or Elected. And if the Prior and
 ' Convent or Dean and Chapter proceed
 ' not to Election within the Time limit-
 ' ed, or neglect to certifie the Arch-
 ' bishop of such Election if it be of a
 ' Bishop, or the King if it be of an Arch-
 ' bishop within twenty Days after the
 ' Receipt of the Kings License, or if any
 ' Archbishop or Bishop refuse to Confe-
 ' crate the Person so Elected or nominated,
 ' within twenty Days after such Election
 ' or Nomination is Signified to 'em by
 ' the Kings Letters Patents, or if any of
 ' them or any other Person, Sue, Pro-
 ' cure or obtain any Bulls, Letters or
 ' other things from the See of *Rome* up-
 ' on this Occasion, or do any thing contra-
 ' ry to this Act, he shall incur the

R

' the

‘ the Dangers, Pains and Penalties of
 ‘ the Statute of *Provision* and *Premunire*
 ‘ made in the Five and Twenty Year of
 ‘ the Reign of King *Edward III.*

Godolph. Abr.
 Chap. 3. §. 21.

1. Ed. 6. c. 2.

5 In the Reign of King *Edward VI.*
 when some Persons were not for leaving
 the Clergy any Shadow of their ancient
 Rights or Priviledges, a New Act was
 made with Relation to his Affair, Enti-
 tuled *An Act for Election, and what Seals and*
Stiles shall be used by Spiritual Persons, &c.
 In which it was ordained, ‘ That Bishops
 ‘ should be made by the Kings Letters
 ‘ Patents, and not by the Election of the
 ‘ the Deans and Chapters : That all
 ‘ their Proseses and Writings should
 ‘ be made in the Kings name only, with
 ‘ the Bishops *Teste* added to it ; and Sealed
 ‘ with no other Seal than the Kings, or
 ‘ such as should be Authorized and ap-
 ‘ pointed by him ”. In the compound-
 ing of which Act there was more
 Danger (as Dr. *Heylin* observes) couched,
 than at first appeared. ‘ For by the last
 ‘ Branch thereof it was plain and evi-
 ‘ dent says he) that the Intent of the
 ‘ Contrivers was by Degrees to weaken
 ‘ the Authority of the Episcopal Order,
 ‘ by forcing them from their strong
 ‘ Hold of Divine Institution, and mak-
 ‘ ing them no other than the Kings
 Ministers

‘ Ministers only, or as it were his Eccle-
‘ siastical *Sheriffs*, to execute his Will and
‘ disperse his Mandates.” And of this
Act such use was made (tho’ possibly
beyond the true Intention thereof) that
(as the said Dr. *Heylin* observes) the
Bishops of those times were not in a Ca-
pacity of conferring Orders, but as they
were thereunto impowered by Special
License. The Tenour whereof (if *Saunders*
be to be believed was in these Words
following, *viz.* ‘ The King to such a
‘ Bishop Greeting, whereas all and all
‘ manner of Jurisdiction, as well Eccle-
‘ siastical as Civil, flows from the King
‘ as from the Supreme Head of all the
‘ Body, &c. We therefore give and grant
‘ to thee full Power and License, to
‘ continue during our good Pleasure, for
‘ holding Ordination within thy Diocess
‘ of N. and for promoting fit Persons un-
‘ to Holy Orders, even to that of the
‘ Priesthood. Which being looked upon
by Queen *Mary*, not only as a dangerous
Diminution of the Episcopal Power, but
as an Odious Innovation in the Church
of *Christ*; She caused this Act to be re-
pealed in the first Year of her Reign,
leaving the Bishops to depend on their
former Claim, and to Act in all things
which belonged to their Jurisdiction in

their own Names, and under their own Seals as in former Times. In which Eſtate they have continued without any legal Interruption from that time to this.

6 But ſome Perſons in our Age who love to be always ſtarting Difficulties to Humor ſuch as bear ill Will to our Conſtitution, have Suggested, That altho' this Act of *Edw. VI.* was repealed in the 7 Firſt year of *Queen Mary*, yet that Repeal was taken off again in the 8 firſt Year of *King James*, and therefore, ſay they, this Statute is revived. But the Plain and ſhort Answer is this, That there was no need of any Debate about the Repeal of the Statute of *Edward VI.* after the firſt of *Queen Elizabeth* wherein the above cited Act of *Henry VIII.* was expreſly revived. So that Biſhops are ſtill Elected and perform their Eccleſiaſtical Functions legally according to that Act.

6 *Duties and Rights of Par. Clergy* p. 352.

7 *Cap. 2.*

8 *Cap. 25.*
n. 48.

9 *Epifcopacy not Prejudicial to Regal Power* §. 38.

‘ For whereas, 9 ſays *Biſhop Sanderſon*,
‘ it was thought convenient in *King*
‘ *Edward's* Reign, to change the Style
‘ uſed in the Eccleſiaſtical Courts, be-
‘ cauſe it was contrary to the Form uſed
‘ in the common law-Courts within this
‘ Realm, (which is one of the Reaſons
‘ in the ſaid Statue expreſſed) it might
‘ very well upon further Conſideration
‘ be

' be afterwards thought more convenient
 ' for the like Reason to retain the accu-
 ' stomed Stile, because otherwise the
 ' Form of the Ecclesiastical Courts would
 ' be contrary to the Form of the other
 ' civil-law-Courts within the Realm (as
 ' the Admiralty, and Earl-Marshall's
 ' Court) and of other Courts of the
 ' King's Grant made to Corporations,
 ' with either of which, the Ecclesiasti-
 ' cal Courts had a nearer Affinity, than
 ' with the King's Courts of Record, or
 ' other his own immediate Courts of
 ' common-Law. Nor does there yet appear
 ' any valuable Reason of Difference, why
 ' the Inconformity to the common Law-
 ' Courts should be thought a sufficient
 ' Ground for the altering of the Forms u-
 ' sed in the Ecclesiastical Courts; and yet
 ' the like Forms used in the Admiralty, in
 ' the Earl-Marshall's Court, in Court Ba-
 ' rons, in Corporation Courts &c. should
 ' (notwithstanding the same Inconformity)
 ' continue as they had been formerly ac-
 ' customed without Alteration. Neither,
 ' as he observes at the Beginning of his
 ' Discourse, can the Bishops or any of
 ' the Judges of those Courts last mention-
 ' ed, take upon them the Authority
 ' to cite any Person, or to give any
 ' Sentence, or to do any Act of Jurisdi-
 ' ction

‘tion in the King’s Name; Having never been by him authorized ſo to do.

Indeed, I think, there needs no greater Limitations to be laid upon the Church than what are contained in that Act, of *H. VIII.* particularly in Relation to Elections. For the Dean and Chapter are allowed to make no manner of Exceptions to the Perſon nominated by the King, but muſt neceſſarily elect him within the time limited, neither may the Archbiſhops or Biſhops make any manner of Objection againſt him but muſt alſo neceſſarily conſecrate him. Nay tho’ they do but defer this ſome few Days that they may with all humble Submiſſion repreſent the Unfitneſs or Undeſervingneſs of the Perſon appointed to this higheſt Office in the Church, they immediately incur a *Premunire*. Under a good Prince indeed there is no Danger of the Churches receiving any Damage by his Majeſty’s having ſuch an abſolute Power in the making Biſhops, but under an ill Prince we muſt expect Biſhops of the ſame Stamp.

If in the late Reign a *Congé de eſlire* had been drawn up and ſent to any vacant See for the Chapter to have Elected a Profeſſed Jeſuit, they could not have reſuſed to chooſe him, nor yet the Biſhops to Conſecrate him (if he would have received

ed Consecration at their Hands) without incurring a *Premunire*. It must be acknowledged that this was not done, but if it had been, the Church had no means to avoid it; and therefore it is very probable it would have been done, if that Reign had continued a little longer.

Indeed our Parliament has now made Provision against the setting up Popish Bishops by Disabling any Popish Prince from Inheriting this Crown: But should we have a Prince of no Religion, for such some Kingdoms have had, and therefore we may possibly have in future times, would not he probably make Bishops of his own Principles; and Bishops we know make Priests, and Priests instruct the People, and so in time Christianity may be thrust out of Doors, and Deism or Atheism come in its stead. God be praised there is no fear of this under such a Prince as we have now, but who knows what may be hereafter, and wise Governments generally provide for their Posterity. In a word, (not to mention the dependance Bishops hereby have on the Court, so that if the Court and Country have different Interests, they are always a dead Weight on the Court side) all the corruptions incident to Investitures, which (as *Hospinian*, no

*De Originibus
Monachatus
lib. 4. cap. 1.*

Enemy to the Authority of Princes over the Church, says) were generally cried out upon by all good Men, may again be brought into the Church by this absolute Authority committed to the Prince in nominating Bishops.

These and the like considerations have induced me to wish an alteration of our Law in this particular, and I am persuaded many others are of my opinion, by some expedients I have heard proposed for a Limitation of the Kings Prerogative in this matter. Some have wished that there might be no Translation of Bishops from one See to another. This indeed has been Prohibited by diverse Canons, but there is in all of them that I have met with, a Clause giving liberty for such Translations when the good of the Church requires it. But there are these things to be objected against such an Act, 1^o that in some measure it is against ¹⁰ St. Pauls precept of giving double honour to the Elders that rule well. In the next place it will discourage eminent Men who may reasonably expect a good Bishoprick from taking one of little value, so that most of our Sees will be filled with Persons of mean abilities. Again, it will remove but one inconvenience, which is that of a dependance on the Court, when they
are

¹⁰ 1 Tim. 5.
17.

are made Bishops, and sit in the House of Lords, neither will it totally take away that, for if the Court prefer Men of their own Principles, they will Vote on that side, tho' they cannot obtain an higher station in the Church by it; And besides the Court may find out other means of gratifying 'em by *Commendams* or otherwise. In the Fourth place we have two Archbishopricks in this Kingdom, and it is not convenient that a Man should be appointed to govern a Province before he has known how to preside over a Diocess; and if a Clause be left to allow such a Translation, it will quite overthrow all the Benefit proposed by such an Act. And in the last place it may put such Bishops whose Revenues are but small upon little mean shifts unbecoming their Function, when they see all hopes of having their maintenance augmented, taken from 'em. So that upon a due consideration of this matter, I cannot approve of such a Design.

Another expedient I have heard of is, that when any Bishoprick is vacant, the Diocesan Clergy should present Nine Persons to the Chapter, and that these should by them be reduced to Three, out of which the King should nominate One. But this, in my Opinion, comes not near
enough

enough to the Primitive manner of Elections, in which as I have shewed, the Bishops had always a most eminent share, neither were the People shut out. And if any alteration be made, 'tis certainly best that it should be reduced as near as may be to the primitive form, as much as our present constitution may conveniently bear.

That therefore which I would propose upon this occasion is, That upon the vacancy of a Bishoprick, the Convocation should meet and choose Eight Persons, that is the upper House of Convocation Four, and the lower House the same number, these should be presented to the Parliament. The upper House should present their Four to the Lords, and the lower House to the Commons. Of these the Lords should present Two, and the Commons Two to the King, out of which Four His Majesty should nominate one. Thus both the Clergy and the People, and the King too, would have a share in all Elections of Bishops: There will be no danger of having undeserving Persons preferred to so high a station: And Bishops, or those that hope to be such, will be encouraged to obtain the Favour of their Country, by seeking the true Welfare both of Church and state, since there will be no other means of their arriving to Honour.

C H A P. XXI.

Of the Inferiour Orders of the Clergy not retained in the Church of England.

BEfore I conclude this Discourse it will not, I suppose, be unacceptable to speak something of some Inferiour Orders of the Secular Clergy which have been of ancient Institution, and and are still retained in the Church of Rome but not with us. ¹ These are called *Subdeacons, Acolyths, Exorcists, Readers, Psalmists* or *Singers* and *Doorkeepers*. They were numbered among the Clergy very early as appears from the ² Apostolical ³ *Can. 2.* Canons : The five first were reckoned as such by Saint ³ *Cyprian*, which shews ³ *Ep. 32. 42. 76. &c.* that there were such in his time, which was about the middle of the Third Century. But they were not esteemed to be in holy Orders, as appears from ⁴ *Gratian*, ‘ Let no one be Ordained a ⁴ *Dist. 6. c. 4.* Bishop, but one who is found to live ‘ Religiously, being in Holy Orders : We ‘ call only the Deaconship and Priest- ‘ hood Holy Orders. And it is manifest from the ⁵ *Can. 42. 43.* Apostolical Canons that these Inferiour Clerks, tho’ they were in some Respects esteemed to be of the Clergy,

Clergy, (because they were Servants in the Church, and Maintained out of its Revenues, and received that which was called Ordination, but was indeed but a Designation to a particular Office in the Church, for they had no Imposition of Hands) yet they were looked upon in Reality to be but Lay-men, and were punished as Lay-men not by Deposition, but Segregation. ⁶ But afterwards Subdeacons also were judged to be in in Holy Orders. The several Offices of these several Orders are set down by ⁷ *Isidore*.

⁶ *Decret. Greg. lib. 1 tit. 1 c. 9.*

⁷ *Dist. 21. c. 1.*
⁸ *Dist. 25.*
c. 1.

Subdeacons are so called because they are to assist the Deacons and be Obedient to them : They are to gather the Oblations of the Faithful in the Church of God, and to bring them to the Deacons to be placed upon the Altar : To bring likewise the Cup and Paten to 'em to be placed there also : To hold a Bason of Water and Towel to the Bishops Priests and Deacons when they wash their Hands before the Altar.

The *Reader* is to Read to the People out of the Holy Scriptures, and to Preach to the People teaching 'em what they are to follow.

The

The *Acolyths* are to light Candles and hold 'em whilst the Gospel is Reading and the Lords Supper Administring.

To the *Exorcist* it belongs to lay Hands on the *Energumens* or Persons possessed, and *Catechumens* who are preparing to receive the Sacrament of Baptism. For two or three Centuries in the Primitive Church God was pleased to continue the Gift of Miracles to some Persons, and those whose Gift it was to cast out Devils were called *Exorcists*. Afterwards this Name was continued to those who might more properly be called *Catechists*,

as we may learn from ⁸ *Balsamon*; their Office being to Catechize Infidels, to teach and instruct them in the first Principles of Christianity, thereby to Exorcize or cast out the Spirit of Infidelity. Which because some undertook to do without being thereunto appointed by the Bishop, the Council of *Laodicea* A. D. 370. made a Decree that 'No person should Exer-

³ *Annot. Con-*
cil. Laod.
Can. 26.

cize in the Church or any private House
'without a License from the Bishop.
Whereas if this had continued 'till that
Time to have been an especial Miracu-
lous Gift of God to cast out Devils, I
cannot See why the Council should ob-
lige one endued with this Gift to be ap-
pointed by the Bishop, for he that could

shew

Of the Inferiour Orders of Chap XXI.
 shew his Commission from Heaven by Working Miracles certainly needed no new Commission from Man for that Purpose. But if we understand Exorcizing to be Catechizing Infidels, then it is very reasonable that the Person who undertakes this Work should be first examined and Licensed thereunto by the Bishop: Otherwise Ignorant and Illiterate Persons might pretend to teach Others what they did not understand themselves, and thereby expose the Church of God to Unbelievers instead of Converting them to it. However the Church of *Rome*, who has not yet, as she pretends, lost the Gift of Miracles, still continues this Order of *Exorcists* to cast out Devils, for which end those who are there appointed to this Office learn abundance of Exorcisms or Conjuring Words and Tricks 'till they become perfect Masters of them.

The *Psalmist* or *Singer* was to Sing Psalms and Hymns at proper Times during the Celebration of Divine Service. Amongst these there is the *Precentor* who begins the Tune and Sings the first Verse, The *Succentor* who follows and Sings the second, and the *Concentor* who joyns in the Harmony and Sings with one of them.

The

The Office of the *Door-keeper* was to keep the Keys of the Church, and to take Care of all things left in it: To keep the Door, opening it to the Faithful, and shutting it against Infidels and excommunicated Persons.

9 The Manner of Ordaining these several Officers is set down by *Gratian*, from the Canons of the Fourth Council of *Carthage* A. D 398. ⁹ *Dist.* 23.
c. 15. &c.

The *Subdeacon* when he is Ordained receives no Imposition of Hands, but the Bishop gives him an empty Paten and an empty Cup, and he receives from the Archdeacon a Pitcher of Water with a Bason and Towel.

The *Acolyth* is to be taught by the Bishop, after what manner he is to behave himself in his Office, and he is to receive from the Archdeacon a Candlestick with a Wax candle, that he may know it is his Business to light the Wax-candles in his Church: He is also to receive an empty Flagon to provide Wine for the Eucharist of Christ's Blood.

The *Exorcist* is to receive from the Bishop a Book wherein the Exorcisms are written. The Bishop saying to him, *Take and commit these to Memory, and have thou Power to lay Hands on ENERGUMENS or Persons possessed, whether they be baptized,*

or

When a *Reader* is to be ordained, the Bishop makes a short Discourse concerning him to the People, declaring his Faith, his Life and his Understanding: After this in the Presence of the People he delivers to him the Book out of which he is to read, saying to him, *Take this, and be a Reader of the Word of God, and thou shalt have, if thou faithfully, and usefully perform thy Duty, a Portion with those who minister the Word of God.*

The *Psalmist* or *Singer* may execute his Office without any License from the Bishop, only by Command from the Priest, saying to him, *See that what you sing with your Mouth, you believe with your Heart, and what you believe with your Heart, you approve by your Works.*

The *Door-keeper* after he has been instructed by the Archdeacon how he ought to behave himself in the House of God, the Bishop at the Suggestion of the Archdeacon shall take the Keys from the Altar and deliver them to him, saying, *Behave your self so as one that must give an Account to God of the things locked up with these Keys.*

We have not retained any of these Orders in the Church of *England*, both because we have no ground to derive them from the institution of Christ, or his Apostles, as we have for the Three Orders which we Retain; and also because the Offices which they performed may be, and are as well performed by other Persons, and our Church Revenues will not maintain unnecessary attendants at the Altar. In the Cathedral Churches the Offices of the *Subdeacons, Acolyths, Psalmists and Doorkeepers*, are performed by the *Singing-men, Vergers &c.* And in the Parish Churches by Parish Clerks and *Sextons*. The *Readers* part is performed by *Priests or Deacons*, and so is the *Exorcists* with relation to Catechising: And for casting out Devils, I know none among us pretend to be specially vested with such a Power.

There was also an Order of Women in the Primitive Church, called *Deaconesses*, spoken of by ¹⁰ St. Paul, and such a one was ¹ *Phæbe* in the Church of *Cenchrea*. ² Their Business was to attend and wait upon the Bishops, Priests and Deacons in the several Churches, to wash the Church Linen, and perform such other Offices as properly belong to Women, and to prevent Scandal were al-

¹⁰ 1 Tim. 5.
9. & Tit. 2.
3.
¹ Rom. 16. 1.
² *Constit. Ap.
lib. 3. cap. 15.
Epiph. Hær.
79. Justinian
Nov. 6. cap. 6.*

ways chosen out of Aged Widows. They were to assist at the Baptisms of Women, especially to prepare new Converts of that Sex, for the Reception of that Sacrament, when frequent Visits from a Priest or Deacon upon that occasion might give some cause of Offence. They were also as Nurses to the Poor and Impotent, which were maintain'd by the Publick Alms of the Church. They received no imposition of Hands, and were esteemed altogether Lay-persons, as appears from the 3 Council of *Nice*: And being no more than a prudential Institution for those first ages of the Church, might be laid aside in after times as they are at present.

3 *Can. 19.*

The Conclusion.

THUS have I endeavoured without Prejudice or Partiality to give the best Account I am at present able to do concerning both the Government and Governours of the Church, both as they were anciently in the Primitive Church, and as they are at this Day in *England*. And have, I trust, in some Measure proved that the Government of the Church of *England* is Modelled as near as may be to that of the Apostles; and that there are no Alterations made from the Primitive Constitution but what the different State of the Church has made necessary. Indeed there are two Practices I have found Fault with, and I think not without some Cause. One is the laying aside the Use of Rural Deans and of Bishops Suffragan, and appointing of Lay-Chancellors with so great a Share of the Episcopal Authority, but these are not properly Faults in our Constitution but in our Church Governours themselves, for both our Laws and Canons allow these to be otherwise. The other is in the Matter of Nomination to Bishopricks, but this

is

is no more than a Right of Patronage, it may be a little extended beyond the just Bounds, because the Clerks Presented by all Patrons ought to be tried and examined, which is not allowed here, which tho' it may possibly be an Abuse yet it shakes not the Fundamentals of Church Government, and therefore is no great Deviation from the Primitive Constitution of the Church, and ought to be Submitted to with Patience, neither should the Peace of the Church or State be disquieted to avoid the Inconveniences which may arise from it. For my own Part I have always, ever since I understood the Constitution of our Church, been extremely pleased with its whole Government as it is now by Law Established, and did all our Ministers of every Order, whether Bishops, Priests or Deacons, perform their Duty according as our present Laws and Canons require, this would be the most effectual Means to heal our Divisions, and to bring all Persons into the Unity of the Church. Which God grant we may all do for *Jesus Christs* sake, *To whom with the Father and Holy Ghost three Persons and One God, be all Honour and Glory for ever.*

Amen.

F I N I S.



