

THE
BISHOP
OF
WORCESTER'S
CHARGE

To the
CLERGY
OF HIS
DIOCESE
IN HIS
Primary Visitation,
BEGUN

At WORCESTER, Sept. 11. 1690.
Ed. Stillingfleet.

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To the Reverend

C L E R G Y
Of the
D I O C E S E
Of
W O R C E S T E R.

My BRETHREN,

VVhat I lately delivered among you in the several Places of my Visitation, and what I have since thought fit in some particulars to add, I have here put together, and sent it to you, that it might remain with you, not only as an Instance of my Duty, but as a Monitor of your own. And I may reasonably hope, as well as desire, that the frequent Reading and Considering the Things I here recommend to you, will make a deeper Impression on your Minds, than a mere transient Discourse;

Discourse; for I know nothing will more effectually preserve the Honor and Interest of the Church of England, than a diligent and conscientious Discharge of the Duties of our several Places. In this time of general Liberty, our Adversaries, of all kinds, think themselves let loose upon us; and therefore we have the more reason to look to our selves, and to the Flock committed to our Charge.

Yet, I do not question, but through the Goodness of God, and the serious and vigorous Application of our Minds to the great Business of our High and Holy Calling, that Church which we so justly value, will escape sinking in the Quick-Sands, as it hath hitherto, being dashed against the Rocks. If we behave our selves with that Prudence and Zeal and Circumspection which becomes us, I hope the Inclinations of the People will never be made use of as an Argument against us. For, although in a Corrupt Age, that be one of the weakest Arguments in the World (if it be true) and only shews the Prevalency of Folly and Faction; Yet there is

is no such Way to prevent the spreading of both, as our constant Care to instruct our People in the main Duties of Religion, and going before them in the Ways of Holyness and Peace.

In the following Discourse, I have first endeavoured to Assert and Vindicate the Authority of Bishops in the Christian Church; and in as few Words, and with as much Clearness as I could, I have proved their Apostolical Institution. And the Judgment and Practice of the Universal Church from the Apostles Times, will prevail with all unbiassed Persons above any modern violent Inclinations to the contrary.

In the next place I have recommended to you such things, which I am sure are much for the Churches Service and Honour, as well as our own, and therefore, I hope you will the more regard them.

In the last place, I have made it my Design to clear several Parts of the Ecclesiastical Law, which concerns Church-Men, and have shewed the Nature, Force, and Extent of it; and how agreeable it is to the

the Common Law of England. In these things, my aim was to do something towards the Good of this Church, and particularly of this Diocese. And that the Glory of God, the Salvation of Souls, and Holiness and Peace may be Promoted therein, is the hearty Prayer of

Westmⁿft.
Jan. 23.
1693.

Your Affectionate Brother,

and Fellow-Servant to

Our Common Lord,

E D. Wigorn.

My BRETHREN,

THIS being my Primary Visitation, I thought it fitting to acquaint my self with the Ancient as well as Modern Practice of *Episcopal Visitations*, and as near as I could, to observe the Rules prescribed therein, with respect to the Clergy, who are now Summoned to appear. And I find there were two principal Parts in them, a *Charge* and an *Enquiry*.

The *Charge* was given by the *Bishop* himself, and was called *Admonitio Episcopi*, or *Allocutio*; wherein he informed them of their Duty, and exhorted them to perform it.

The *Enquiry* was made according to certain Articles drawn out of the *Canons*, which were generally the same; according to which the *Juratores Synodi* (as the antient *Canonists* call them; or *Testes Synodales*) were to give in their *Answers* upon Oath; which was therefore called *Juramentum Synodale*; for the *Bishops Visitation* was accounted an *Episcopal Synod*.

The former of these is my present business; and I shall take leave to speak my mind freely to you, this first time, concerning several things which I think most useful, and fit to be considered and practised by the Clergy of this *Dioceſs*.

For, since it hath pleased God, by his wise and overruling Providence, (without my seeking) to bring me into

into this station in his Church, I shall esteem it the best Circumstance of my present Condition, if he please to make me an Instrument of *doing good* among you. To this End, I thought it necessary *in the first place*, most humbly to implore his Divine Assistance, that I might both rightly understand, and conscientiously perform that great Duty which is incumbent upon me ; for without his help, all our Thoughts are vain, and our best Purposes will be ineffectual. But God is not wanting to those who sincerely endeavour to know, and to do their Duty ; and therefore in the *next place*, I set my self (as far as my Health and other Occasions would permit) to consider the *Nature* and *Extent* of my Duty ; with a Resolution not to be disengaged, altho I met with Difficulties in the performance of it. For such is the State and Condition of the World, That no Man can design to do good in it ; but when that crosses the particular *Interests* and *Inclinations* of others, he must expect to meet with as much Trouble as their unquiet Passions can give him.

If we therefore consulted nothing but our own Ease, the only way were to let People follow their Humours and Inclinations, and to be as little concerned as might be, at what they either say or do. For if we go about to rowze and awaken them, and much more to reprove and reform them, we shall soon find them uneasy and impatient ; for few love to hear of their Faults, and fewer to amend them.

But it is the peculiar honour of the *Christian Religion*, to have an Order of Men, set apart, not merely as *Priests*, to offer *Sacrifices* (for that all Religions have had).

had) but as *Preachers of Righteousness*, to set Good and Evil before the People committed to their Charge ; to inform them of their Duties, to reprove them for their Miscarriages ; and that, not in order to their Shame, but their Reformation : Which requires not only *Zeal*, but *Discretion*, and a great mixture of *Courage* and *Prudence*, that we may neither fail in doing our Duty, nor in the best means of attaining the end of it.

If we could reasonably suppose, that all those who are bound to tell others their Duties, would certainly do their own, there would be less need of any such Office in the Church as that of *Bishops*; who are to inspect, and govern, and visit, and reform those who are to watch over others. But since there may be too great failings even in these; too great neglect in some, and disorder in others; too great proneness to Faction and Schism, and impatience of Contradiction from mere Equals; therefore S. *Jerom* himself grants, That to avoid these mischiefs, there was a necessity of a Superior Order to *Presbyters* in the *Church of God*; *ad quem Hieron. Com-*
omnis Ecclesiae Cura pertineret, & Schismatum semina tolle-
mentum. ad Titum.
rentur; as he speaks, even where he seems most to lessen the Authority of *Bishops*. But whatever some ex-
pressions of his may be, (when the Bishop of Jerusalem
and the Roman Deacons came into his head) his Reasons
are very much for the Advantage of Episcopal Go-
vernment. For can any Man say more in point of Rea-
son for it, than that nothing but Faction and Disorder fol-
lowed the Government of Presbyters, and therefore the whole
Christian Church agreed in the necessity of a higher Order, and
that the Peace and Safety of the Church depends upon it; that Advers. Lucifer-
riam.

if it be taken away, nothing but Schismis and confusions will follow. I wish those who magnifie S. Jerom's Authority in this matter, would submit to his Reason and Authority both, as to the Necessity and Usefulness of the Order of Bishops in the Church.

*Hier. in Ps. ad Evagr.
Ad Marcel.
Cyprian.
Ep. 3. 66.
Aug. in Ps. 44. 44.
Ambros. ad Epb. 4. 11.
1 Cor. 12. 28.
Theod. ad 1 Tim. 1. 3.*

But beyond this, in several Places, he makes the Bishops to be successors of the Apostles, as well as the rest of the most Eminent Fathers of the Church have done. If the *Apostolical Office*, as far as it concerns the Care and Government of Churches, were not to continue after their Decease, how came the best, the most learned, the nearest to the *Apostolical Times*, to be so wonderfully deceived? For if the Bishops did not succeed by the *Apostles* own Appointment, they must be *Intruders* and *Usurpers* of the *Apostolical Function*; and can we imagine the Church of God would have so universally consented to it? Besides, the *Apostles* did not die all at once; but there were *Successors* in several of the *Apostolical Churches*, while some of the *Apostles* were living; can we again imagine, those would not have vindicated the *Right* of their own *Order*, and declared to the Church, That this *Office* was peculiar to themselves? The Change of the Name from *Apostles* to *Bishops*, would not have been sufficient Excuse for them; for the Presumption had been as great in the Exercise of the Power without the Name. So that I can see no *Medium*, but that either *Iren. 1. 3. c. 3.* the Primitive Bishops did succeed the *Apostles* by their own *Appointment* and *Approbation*, (which *Irenaeus* expressly affirms, *Qui ab Apostolis ipsis instituti sunt Episcopi in Ecclesiis*) or else those who governed the *Apostolical Churches*

Churches after them, out-went Diotrephes himself ; for he only rejected those whom the Apostle sent ; but these assumed to themselves the Exercise of an Apostolical Authority over the Churches planted and settled by them. ^{3 John 9, 10.}

But to let us see how far the Apostles were from thinking that this part of their Office was peculiar to themselves, we find them in their own time, as they saw occasion, to appoint others to take care of the Government of the Churches, within such bounds as they thought fit. Thus Timothy was appointed by ^{1 Tim. 3. 2, 3.} St. Paul at Ephesus, to examine the Qualifications of such as were to be Ordained ; and not to lay hands suddenly on any ; to receive Accusations, if there were cause, even against Elders, to proceed judicially before two or three Witnesses : and if there were Reason, to give them a publick Rebuke. And that this ought not to be thought a slight matter, he presently adds, *I charge thee before God, and the Lord Jesus Christ, and the Elect Angels, that thou observe these things, without preferring one before another, doing nothing by partiality.* Here is a very strict and severe Charge for the Impartial Exercise of Discipline in the Church upon Offenders. And although in the Epistle to Titus, he be only in general required ^{Titus 1. 5.} to set in order the things that are wanting, and to ordain Elders in every City, as he had appointed him ; yet we are not to suppose, that this Power extended not to a Jurisdiction over them when he had ordained them. For if any of those whom he Ordained (as believing them qualified according to the Apostles Rules) should afterwards demean themselves otherwise ; and be self-willed, froward, given to Wine, Brawlers, Covetous,

5. 22.

19.

20.

21.

or

or any way scandalous to the Church, can we believe that *Titus* was not as well bound to correct them afterwards, as to examine them before ? And what was this Power of *Ordination* and *Jurisdiction*, but the very same which the *Bishops* have exercised ever since the *Apostles* Times ? But they who go about to *Unbishop* *Timothy* and *Titus*, may as well *Unscripture* the *Epistles* that were written to them ; and make them only some *particular* and *occasional Writings*, as they make *Timothy* and *Titus* to have been only 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 Office to continue, for the sake whereof those 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.

Having said thus much to clear the Authority we act by, I now proceed to consider the *Rules* by which we are to govern our selves.

Every *Bishop* of this Church, in the time of his Consecration, makes a solemn Profession , among other things, “ That he will not only maintain and “ set forward, as much as lies in him, quietness, love “ and peace among all Men ; but that he will correct “ and punish such as be unquiet, disobedient, and “ criminous within his Diocels , according to such “ Authority as he hath by *God's Word*, and to him “ shall be committed by the *Ordinance of this Realm*.

So that we have two *Rules* to proceed by, viz, the
Word

Word of God, and the Ecclesiastical Law of this Realm.

(1.) *By the Word of God ; and that requires from us, Diligence, and Care, and Faithfulness, and Impartiality, remembraing the Account we must give, that we may do it with Joy, and not with Grief.* And we are not merely required to correct and punish, but to warn and instruct, and exhort the Persons under our Care, to do those things which tend most to the Honour of our Holy Religion, and the Church whereof we are Members. And for these Ends there are some things I shall more particularly recommend to You.

(1.) That you would often consider the Solemn Charge that was given you, and the Profession you made of your Resolution to do your Duty at your Ordination.

I find by the Provincial Constitution of this Church, De voto & voti
Redempt.
Ljndw. f. 103. that the Bishops were to have their solemn Profession read over to them twice in the year, to put them in mind of their Duty. And in the Legatine Constitutions of Otho, Concil. Anglic.
vol. 2. f. 182. (22 H. 3.) the same Constitution is renewed, not merely by a Legatine Power, but by Consent of the Archbishops, and Bishops of both Provinces ; wherein it is declared, that Bishops ought to visit their Diocesses at fit times, Constit. Othon.
f. 292.
Concil. Angl.
vol. 2. f. 227. Correcting and Reforming what was amiss, and sowing the Word of Life in the Lord's Field ; and to put them the more in mind of it, they were twice in the year to have their solemn Profession read to them ; It seems then, that Profession contained these things in it ; or else the reading that could not stir them up to do these things. What the Profession was which Presbyters then made at their Ordination, we have not so clear an Account, but in the same Council at Oxford, 8 H. 3. it is strictly

Constit. Provin. De Officio Archy-Presby-teri, f. 33. Concil. Anglic. vol. 1. p. 183. ly enjoined, That all Rectors and Vicars should instruct the People committed to their Charge, and Feed them, Pabulo Verbi Dei, with the Food of God's Word ; and it is introduced with that Expression, that they might excite the Parochial Clergy to be more diligent in what was most proper for those times. And if they do it not, they are there called Canes muti : and Lyndwood bestows many other hard Terms upon them, which I shall not mention ; but he saith afterward, those who do it not, are but like Idols, which bear the similitude of a Man, but do not the Offices proper to Men. Nay, he goes so far as to say, That the Spiritual Food of God's Word is as necessary to the Health of the Soul, as Corporal Food is to the Health of the Body. Which words are taken out of a Preface to a Canon in the Decretals De Officio Jud. Ordinarii, inter Cætera. But they serve very well to shew how much even in the dark times of Popery, they were then convinced of the necessity and usefulness of Preaching. These Constitutions were slighted so much, that in 9 Edw. I. the Offices of

[†] Prov. Constit. De Offic. Arch-Presbyt. f. 282. Concil. Anglic. vol. 2. p. 332. Preaching was sunk so low, that in a [†] Provincial Constitution at that time, great complaint is made of the Ignorance and Stupidity of the Parochial Clergy, that they rather made the People worse than better. But at that time the Preaching Friars had got that work into their hands by particular Privileges, where it is well observed, that they did not go to places which most needed their help, but to Cities and Corporations, where they found most Incouragement. But what Remedy was found by this Provincial Council ? Truly, every Parochial Priest four times a year was bound to read an Explication of the Creed, Ten Commandments, the Two Precepts of Charity, the Seven Works

Works of Mercy, the Seven deadly Sins, the Seven principal Virtues, and the Seven Sacraments. This was renewed in the Province of York, (which had distinct Provincial Constitutions) in the time of Edw. 4. And here was all they were bound to by these Constitutions.

Concil. Anglic.
2 Vol. p. 700
707.

But when Wicliff and his followers had awakened the People so far, that there was no satisfying them without Preaching, then a new Provincial Constitution was made under Arundel, Archbishop of Canterbury; and the former Constitution was restrained to Parochial Priests who officiated as Curates; but several others were Authorised to Preach; as (1.) *The Mendicant Friars* were said to be authorised *Jure Communi*; or rather *Privilegio speciali*, (but therefore Lynwood saith, it is said to be *Jure communi*, because that *Privilege* is recorded in the Text of the Canon Law) these were not only allowed to Preach in their own Churches, but in Plateis publicis saith Lynwood out of the Canon Law (wherein those words were expressed), and at any hour, unless it were the time of preaching in other Churches; but other Orders, as *Augustinians* and *Carmelites*, had no such general License. Those Preaching Friars were a sort of *Licensed Preachers* at that time, who had no Cures of Souls; but they were then accounted a kind of *Pastors*. For Jo. de Athon distinguisheth two sorts of *Pastors*; Those who had Ecclesiastical Offices, and those who had none, but were such only *Verbo & Exemplo*; but they gave very great disturbance to the Clergy, as the Pope himself confesses in the Canon Law. (2.) *Legal Incumbents* authorised to Preach in their own Parishes *Jure scripto*. All Persons who

C. Dudum.
Clem. de Sepulturis.

Jo. de Athon.
in Constatut.
Orthobon. f. 46.

C. Dudum de
Sepultris.

had Cures of Souls, and legal Titles were said to be *missi à jure ad locum & Populum Curæ suæ*, and therefore might preach to their own People without a *special Licence*; but if any one Preached in other Parts of the *Dioceſſ*, or were a Stranger in it, then he was to be examined by the *Dioceſan*, and if he were found *tam Moribus quam Scientia idoneus*, he might send him to Preach to one or more Parishes, as he thought meet; and he was to shew his *Licence* to the *Incumbent* of the Place before he was to be permitted to Preach, under the *Episcopal Seal*. And thus, as far as I can find, the Matter stood as to Preaching, before the Reformation.

After it, when the Office of *Ordination* was reviewed and brought nearer to the *Primitive Form*; and instead of delivering the *Chalice* and *Patten*, with these words, *Accipe potestatem offerre Deo Sacrificium, &c.* the Bishop delivered the Bible with these words, *Take thou Authority to Preach the Word of God, and to minister the Holy Sacraments in the Congregation, &c.* The Priests Exhortation was made agreeable thereto, wherein he exhorts the Persons in the “Name of our Lord Jesus Christ; “to consider the weight and importance of the Office “and Charge they are called to; not barely to instruct “those who are already of Christ’s Flock; but to en-“deavour the Salvation of those who are in the midst “of this naughty World. And therefore he perswades “and charges them from a due regard to Christ, who “suffered for his Sheep, and to the Church of Christ, “which is so dear to him, to omit no Labor, Care, or “Diligence in instructing and reforming those who are “committed to their Charge. And the better to en-“able

" able them to perform these things, there are some
 " Duties especially recommended to them, viz. Prayer
 " and Study of the Holy Scriptures, according to which
 " that they are to instruct others, and to order their own
 " Lives, and of those who belong to them. And that
 " they might the better attend so great a Work, they
 " are required to forsake and set aside (as much as they
 " may) all worldly Cares and Studies, and apply
 " themselves wholly to this one thing, that they may
 " save themselves and them that hear them. After
 which follows the solemn *Profession*, wherein they un-
 dertake to do these things.

This is that, my Brethren, which I earnestly desire of you that you would often consider. You are not at liberty now, whether you will do these things or not ; for you are under a most solemn Engagement to it. You have put your hands to the Plow, and it is too late to think of looking back ; and you all know the Husbandman's Work is laborious and painful, and continually Returning. It is possible after all his pains, the Harvest may not answer his expectation ; but yet if he neither plows nor sows, he can expect no Return ; if he be idle and careless, and puts off the main of his Work to others, can he reasonably look for the same Success ? Believe it, all our Pains are little enough to awake the sleepy and secure Sinners, to instruct the ignorant, to reclaim the vicious, to rebuke the profane, to convince the erroneous, to satisfie the doubtful, to confirm the wavering, to recover the lapsed, and to be useful to all, according to their several Circumstances and Conditions. It is not to Preach a Sermon or

two in a Weeks time to your Parishioners, that is the main of your Duty ; that is no such difficult Task, if Men apply their Minds as they ought to do to Divine Matters, and do not spend their Retirements in useless

*Non potest esse
Pastoris excusatio, si lupus
overs comedit,
et Pastor negat.
Extr. de Reg. Juris c. 10.*

Studies ; but the great Difficulty lies in Watching over your Flock, i. e. knowing their Condition, and applying your selves suitably to them. He that is a Stranger to his Flock, and only visits them now and then, can never be said to watch over it ; he may watch over the Fleeces ; but he understands little of the State of his Flock, viz. of the Distempers they are under, and the Remedies proper for them.

*Reginald. Prae-
xii, l. 30, tr. 3.
c. 5. p. 52.*

The Casuists say, That the reason why there is no Command for Personal Residence in Scripture, is, because the Nature of the Duty it self requires it ; for if a Person be required to do such things which cannot be done without it, Residence is implied. As a Pilot to a Ship needs no Command to be in his Ship ; for how can he do the Office of a Pilot out of it ? Let none think to excuse themselves by saying that our Church only takes them for Curates, and that the Bishops have the Pastoral Charge ; for, by our old Provincial Constitutions (which are still in force so far as they are not repugnant to the Law of the Land) even those who have the smallest Cures are called Pastors ; and Lyndwood there notes, that *Parochialis Sacerdos dicitur Pastor* ; and that not merely by way of Allusion, but in respect of the Care of Souls. But we need not go so far back. For what is it they are admitted to ? Is it not *ad Curam Animarum* ? Did not they promise in their Ordination, To teach the People committed to their Care and Charge ?

*Constit. Pro-
vinc. de Cleri-
cis non Resid.
et quum hostiis.*

The Casuists distinguish a threefold Cure of Souls.

1. *In foro interiori tantum*, and this they say is the *Parochial Cure*. 2. *In foro exteriori tantum*, where there is Authority to perform Ministerial Acts, as to suspend, excommunicate, absolve, (*sine Pastorali Curâ*) and this *Archdeacons* have by virtue of their Office. 3. *In utroque simul*; where there is a special Care, together with Jurisdiction: this is the *Bishops*. And every one of these, say they, *secundum commune Jus Canonicum*, is obliged to Residence; *i. e.* by the common Law Ecclesiastical; of which more afterwards. The Obligation is to perpetual Residence, but as it is in other positive Duties, there may other Duties intervene, which may take away the present force of it; as Care of Health, necessary Business, publick Service of the King, or Church, &c. But then we are to observe, that no Dispensation can justifie a Man in point of Conscience, unless there be a sufficient Cause; and no Custom can be sufficient against the natural Equity of the Case, whereby every one is bound from the Nature of the Office he hath undertaken.

*Job. Athan ad
Constit. Othon.
f. 14.*

*Reginald. ib.
n. 53.*

I confess the Case in Reason is different, where there is a sufficient Provision by another fit Person, and approved by those who are to take Care that Places be well supplied, and where there is not; but yet, this doth not take off the force of the Personal Obligation, arising from undertaking the Cure themselves, which the Ecclesiastical Law understands to be, not merely by Promise, but *cum effectu*, as the Canonnists speak; which implies personal Residence. Not that they are never to be away; *Non sic amare intelligi* debet

*Can. Relatum
Ex. De Cleri-
cis non Refid.*

Lyndw. in c. quum hostis. debet ut nunquam inde recedat, saith *Lyndwood*; but these
Resident cum effetu. Words are to be understood *civili modo*, as he expresses it, i. e. not without great Reason. There must

*Job. de Athon. in Confit. O-
thon. f. 14. Continuit.* not be, saith he, *Callida Interpretatio sed talis ut cessent
fraudes & negligentiae*; i.e. There must be no Art used to evade the Law, nor any gross Neglect of it. It's true, the Canonists have distinguished between *Rectories* and *Vicarages*, as to *Personal Residence*; but we are

*Can. Extir-
pand. De Pre-
bend. & Dign.* to consider these things. 1. The *Canon Law* strictly obliges every one that hath a *Parochial Cure* to *perpetual Residence*; and excepts only two Cases, when the Living is annexed to a *Prebend* or *Dignity*; and then he who hath it, is to have a *perpetual Vicar* instituted, with a sufficient Maintenance. 2. After this Liberty obtained for dignified Persons to have *Vicars* endowed in their Places, the Point of *Residence* was strictly enjoyned to them: and we find in the Provincial Constitutions a Difference made between *Personatus* and *Vicaria*; but this was still meant of a *Vicarage* endowed.

*De Presumpt.
f. 55. 2.* This was in the time of *Stephen Langton*, *Archbishop of Canterbury*; and in another *Constitution* he required an *Oath of Personal Residence* from all such *Vicars*, altho' the Place were not above the value of five

*Lyndw. f. 34. Job. de Athon.
in Confit. O-
thon. f. 12.* Marks; which, as appears by *Lyndwood* elsewhere, was then sufficient for Maintenance and Hospitality.

And to cover the shameful *Dispensations* that were commonly granted to the higher *Clergy*, under Pretence of the *Papal Power*, the poor *Vicars* by a Constitution of *Otho*, were bound to take a strict *Oath of continual Residence*; and without it their Institution was declared to be Null. But even in that Case the Gloss there

Otho de In-

stit. Vic. f. 14.

Othobon. f. 46.

there saith, *That they may be some time absent for the Benefit of the Church or State ; but not for their own particular Advantage.* 3. The Obligation in point of Conscience remains the same, but *Dispensing with Laws* may take away the *Penalty of Non-Residence* in some Cases. *Job. de Athon, Canon of Lincoln,* who wrote the *Glosses on the Legatine Constitutions,* doth not deny, but that *Rectors* are as well bound to *Residence* as *Vicars*; but these are more strictly tied by their Oath; and because a *Vicar* cannot appoint a *Vicar*, but a *Parson* may. And altho that Name among some be used as a Term of Reproach, yet in former Ages *Personatus* and *Dignitas* were the same thing; and so used here in *England* in the Time of *Henry II.* but afterwards it came to be applied to him that had the *Possession* of a *Parochial Benefice* in his own *immediate Right*; and was therefore bound to take Care of it. For the Obligation must in Reason be supposed to go along with the Advantage; however Local Statutes may have taken off the Penalty.

II. When you have thus considered the Obligation which lies upon you, to take Care of your Flock, let me in the next place recommend to you a plain, useful, and practical Way of *Preaching* among them. I mean, such as is most likely to do good upon them (which certainly ought to be the just Measure of Preaching.) I do not mean therefore a loose and careless way of Talking in the Pulpit, which will neither profit you, nor those that hear you. He that once gets an ill Habit of speaking *extempore*, will be tempted to continue it by the Easiness of it to himself, and the Plausibleness of it to less judicious People.

There

*Job. de Athon.
in Constit. O-
thon.*

*Can. Quia
nonnulli de
Clericis non
Resid.
Quadrilog. 1.
1. c. 5.*

There is on the other side a Closeness and Strength of Reasoning, which is too elaborate for common Understandings; and there is an affected Fineness of Expression, which by no means becomes the Pulpit: but it seems to be like stroaking the Consciences of People by Feathers dipt in Oil. And there is a way of putting Scripture-Phrases together without the Sense of them, which those are the most apt to admire, who understand them least: But for those who have not improved their Minds by Education, the plainest way is certainly the best and hardest, provided, it be not flat, and dry, and incoherent, or desultory, going from one thing to another, without pursuing any particular Point home to Practice, and applying it to the Consciences of the Hearers. And give me leave to tell you, That mere general Discourses have commonly little Effect on the Peoples Minds; if any thing moves them, it is *particular Application* as to such things which their Consciences are concerned in.

And here I must recommend to you the pursuing the Design of His Majesties Letter, which hath been some time since communicated to you; by it you are required to Preach at some Times on those particular Vices which you observe to be most prevalent in the Places you relate to, such as *Drunkenness, Whoredom, Swearing, Profaning the Lord's Day, &c.* If ever we hope to reform them, you must throughly convince them, that what they do is displeasing to God.

And there are two sorts of men you are to deal with,

1. Profane Scoffers at Religion. These seldom trouble you; but if any Good be to be done upon them,

them, it is by plain and evident Proofs of the Good and Evil of Moral Actions. For, as long as they think them indifferent, they will never regard what you say, as to the Rewards or Punishments of them.

2. Stupid and sensless People, whose Minds are wholly sunk into the Affairs of the World, *buying and selling, and getting gain.* It is a very hard thing to get a thought into them above these Matters. And whatever you talk of mere Religion, and another Life, is like *Metaphysicks* to them ; they understand you not, and take no Care to do it : but if you can convince them, that they live in the Practice of great Sins, which they shall certainly suffer for, if they do not Repent, they may possibly be awakened this way ; if not, nothing but immediate Grace can work upon them ; which must work on the Will, whatever becomes of the Understanding.

III. After preaching, let me intreat you to look after *Catechising* and instructing the Youth of your Parishes. He that would Reform the World to purpose, must begin with the Youth ; and train them up betimes, in the Ways of Religion and Virtue. There is far less probability of prevailing on those who have accustomed themselves to vicious Habits, and are hardened in their Wickedness. It seems strange to some, that considering the shortness of Human Life, Mankind should be so long before they come to Maturity ; the best Account I know of it is, that there is so much longer time for the Care of their Education, to instil the Principles of Virtue and Religion into them, thereby to soften the Fierceness, to direct the

Weaknes, to govern the Inclinations of Mankind. It is truly a sad Consideration that Christian Parents are so little sensible of their Duties, as to the Education of their Children ; when those who have had only Natural Reason to direct them, have laid so much Weight

Plato de Leg. upon it. *Without it, Plato* saith, *that Mankind grew*
l. 6. *the most unruly of all Creatures.* Aristotle, *that as by*
Arist. Polit. *Nature they are capable of being the best, so being neglected,*
l. 1. c. 2. *they become the worst of Animals, i. e. when they are brought*

Nicom. l. 2 c. 1. *up without Virtue. Education and Virtue, saith he, is a great*
7. c. 7. *thing, yea, it is all in all, and without it they will be much*
worse than Beasts. The main Care of the Education
 of Children must lie upon Parents ; but yet Ministers
 ought not only to put them in mind of their Duty,
 but to assist them all they can, and by publick Cate-
 chising, frequently to instruct both those who have
 not learned, and those who are ashamed to learn any
 other way. And you must use the best means you
 can to bring them into an Esteem of it ; which is by
 letting them see, that you do it, not merely because
 you are required to do it, but because it is a thing so
 useful and beneficial to them, and to their Children.
 There is a great deal of difference between Peoples
 being able to talk over a Set of *Phrases*, about Reli-
 gious Matters, and understanding the true Grounds of
 Religion ; which are easiest learned, and understood,
 and remembered in the short Catechetical Way. But
 I am truly sorry to hear, that where the *Clergy* are
 willing to take pains this way, the People are unwil-
 ling to send their Children. They would not be un-
 willing to hear them instructed, as early as might be,
 in

in the way to get an Estate, but would be very thankful to those who would do them such a kindness; and therefore it is really a Contempt of God and Religion, and another World, which makes them so backward to have their Children taught the way to it. And methinks those who have any Zeal for the Reformation should love and pursue that which came into Request with it. Indeed the Church of Rome it self hath been made so sensible of the Necessity of it; that even the Council of Trent Seff. 24. de Re-form. c. 4. doth not only require Catechising Children, but the Coſt. f. 134. Bishops to proceed with Ecclesiastical Censures against those who neglect it. But in the old Provincial Constitutions I can find but one Injunction about Catechising; and that is Lyndw. Prov. when the Priest doubts whether the Children were 135. Baptized or not; and if they be born eight days before Easter Concil. Anglic. 2. Vol. 324. and Whitsuntide, they are not to be baptized till those days, 330. and in the mean time they are to receive Catechism. What is this receiving Catechism by Children, before they are eight days old? It is well Exorcism is joyned with it; and so we are to understand by it the Interrogatories in Baptism: and Lyndwood saith, the Catechism is De consecr. Dift. 4. c. 54. not only required for Instruction in Faith, but propter 57. sponsionem, when the Godfather answers, De Fidei Observantia.

It is true the Canon Law requires in adult Persons Chatechising before Baptism; but I find nothing of the Catechising Children after it; and no wonder, since Lyndwood saith, the Laity are bound to no more than to believe Sciat. Si enim habeant expensas et Magistros, as the Church believes; nor the Clergy neither, unless they can je carent plus sciante quam Laici. bear the Charges of Studying, and have Masters to instruct them.

them. This was good Doctrin, when the Design was to keep People in Ignorance. For Learning is an irreconcileable Enemy to the Fundamental Policy of the *Roman Church*; and it was that which brought in the Reformation, since which a just Care hath still been required for the Instruction of Youth; and the fifty ninth Canon of our Church is very strict in it, which I desire you often to consider with the first Rubrick after the Catechism, and to act accordingly.

IV. After *Catechizing*, I recommend to you the due Care of bringing the Children of your Parishes to *Confirmation*. Which would be of excellent use in the Church, if the several Ministers would take that Pains about it, which they ought to do. Remember that you are required to bring or send in Writing, with your Names subscribed, the Names of all such Persons in your Parish, as you shall think fit to be Presented to the Bishop to be Confirmed. If you take no Care about it, and suffer them to come unprepared for so great, so solemn a thing, as renewing the Promise and Vow made in *Baptism*, can you think your selves free from any Guilt in it? In the Church of *Rome* indeed great Care was taken to hasten Confirmation of Children all they could: *Post Baptismum quam citius poterint*, as it is in our *Constitution Provincial*; in another *Synodical*, the *Parochial Priests* are charged to tell their *Parishioners*, that they ought to get their Children *Confirmed* as soon as they can.

Concil. Con-
stit.
De Sacra
Un&t. f. 18.
Concil. Angl.
2. Vol. p. 353.

In a *Synod* at *Worcester*, under *Walter de Cantilupo*, in the time of *Henry III.* the *Sacrament of Confirmation* is declared necessary for Strength against the Power of Darkness; and therefore it was called *Sacramentum pugnantium*: and no wonder

Concil. Angl.
2. Vol. p. 140.
165.

wonder then that the *Parochial Priests* should be called upon so earnestly to bring the Children to *Confirmation*; and the Parents were to be forbidden to enter into the Church, if they neglected it for a Year after the Birth of the Child, if they had opportunity. The *Synod of Exeter* allowed two Years, and then if they were not Confirmed, the Parents were to Fast every Friday, *with Bread and Water*, till it were done. And to the same purpose, the *Synod of Winchester* in the time of *Edw. I.* in the *Constitutions of Richard Bishop of Sarum*, two Years were allowed, but that Time was afterwards thought too long; and then the Priest as well as the Parents was to be suspended from entrance into the Church. But what Preparation was required? None that I can find: But great Care is taken about the *Fillets to bind their Heads to receive the Unction*, and the taking them off at the Font, and burning them, lest they should be used for *Witchcraft*, as *Lyndwood* Lyndw. f. 19 informs us. But we have no such Customs nor any of the Reformed Churches; We depend not upon the *Opus operatum*, but suppose a due and serious Preparation of Mind necessary, and a solemn Performance of it. I hope, by God's Assistance, to be able, in time, to bring the Performance of this Office into a better Method; in the mean time, I shall not fail doing my Duty, have you a care you do not fail in yours.

V. As to the *Publick Offices* of the *Church*, I do not only recommend to you a due Care of the *Diligent* but of the *Devout* Performance of them. I have often wondered how a fixed and stated Liturgy for general Use, should become a matter of *Scruple* and *Dispute*.

Dispute among any in a Christian Church ; unless there be something in Christianity which makes it unlawful to pray together for things which we all understand beforehand to be the Subject of our Prayers. If our common Necessities and Duties are the same ; if we have the same Blessings to pray and to thank God for in our solemn Devotions, why should any think it unlawful or unfitting to use the same Expressions ? Is God pleased with the Change of our Words and Phrases ? Can we imagin the Holy Spirit is given to dictate new Expressions in Prayers ? Then they must pray by immediate Inspiration (which I think they will not pretend to, lest all the Mistakes and Incongruities of such Prayers be imputed to the Holy Ghost), but if not, then they are left to their own Conceptions, and the Spirits Assistance is only in the Exciting the Affections and Motions of the Soul towards the things prayed for ; and if this be allowed, it is impossible to give a Reason why the Spirit of God may not as well excite those inward Desires, when the Words are the same as when they are different. And we are certain, that from the Apostles times downwards, no one Church or Society of Christians can be produced, who held it unlawful to pray by a set Form. On the other side, we have very early Proofs of some common Forms of Prayer, which were generally used in the Christian Churches, and were the Foundations of those *Ancient Liturgies*, which, by degrees were much enlarged. And the Interpolations of latter times, do no more overthrow the Antiquity of the Ground-work of them, than the large Additions to a Building,

Building, do prove there was no House before. It is an easie matter to say that such Liturgies could not be S. James's or S. Marks, because of such Errors and Mistakes, and Interpolations of things and Phrases of latter times ; but what then ? Is this an Argument ; there were no Ancient Liturgies in the Churches of *Jerusalem* or *Alexandria* ; when so long since ; as in *Origen's* time we find an entire Collect produced by him ^{Orig. in Gen.} out of the *Alexandrian* Liturgy ? and the like may be ^{Hom. 14. p. 141.} _{ed. Huet.} shewed as to other Churches, which by degrees came to have their Liturgies much enlarged by the Devout Prayers of some extraordinary Men, such as *S. Basil* and *S. Chrysostom* in the Eastern Churches.

But my design is not to vindicate our use of an excellent Liturgy, but to put you upon the using it in such manner, as may most recommend it to the People. I mean with that Gravity, Seriousness, Attention, and Devotion, which becomes so solemn a Duty as Prayer to God is. It will give too just a cause of Prejudice to our Prayers, if the People observe you to be careless and negligent about them ; or to run them over with so great haste, as if you minded nothing so much as to get to the end of them. If you mind them so little your selves, they will think themselves excused, if they mind them less. I could heartily wish, that in greater places, especially in such Towns where there are People more at liberty, the constant Morning and Evening Prayers were duly and devoutly read ; as it is already done with good Success in *London*, and some other Cities. By this means Religion will gain ground, when the publick Offices are daily performed ; and the People

People will be more acquainted with Scripture, in hearing the Lessons, and have a better esteem of the Prayers, when they become their daily Service, which they offer up to God as their Morning and Evening Sacrifice ; and the design of our Church will be best answered, which appoints *the Order for Morning and Evening Prayer daily to be said, and used throughout the Year.*

VI. As to the *Dissenters* from the Church ; the present Circumstances of our Affairs require a more than ordinary *Prudence* in your Behaviour towards them. It is to no purpose to provoke or exasperate them, since they will be but so much more your Enemies for it ; and if you seem to court them too much, they will interpret your Kindness to be a liking their Way better than your own ; so that were it not for some worldly Interest, you would be just what they are ; which is in effect to say, you would be Men of Conscience, if ye had a little more Honesty. For they can never think those honest Men, who comply with things against their Consciences, only for their temporal Advantage ; but they may like them as Men of a Party, who under some specious Colours promote their Interest. For my own part, as I do sincerely value and esteem the Church of *England* (and I hope ever shall), so I am not against such a due temper towards them, as is consistent with the preserving the Constitution of our Church. But if any think, under a Pretence of Liberty, to undermine and destroy it, we have reason to take the best care we can, in order to its Preservation. I do not mean by opposing Laws, or affronting Authority, but by counterminding them in the best

best way ; i. e. by outdoing them in those things which make them most Popular, if they are consistent with Integrity and a good Conscience. If they gain upon the People by an appearance of more than ordinary Zeal for the good of Souls ; I would have you to go beyond them in a true and hearty Concernment for them ; not in irregular Heats and Passions, but in the *Meekness of Wisdom* ; in a calm and sedate Temper ; in doing good even to them who most despightfully reproach you, and withdraw themselves and the People from you. If they get an Interest among them by Industry, and going from Place to Place, and Family to Family ; I hope you will think it your Duty to converse more freely and familiarly with your own People. Be not *Strangers*, and you will make them *Friends*. Let them see by your particular Application to them, that you do not despise them. For Men love to value those who seem to value them ; and if you once slight them, you run the hazard of making them your *Enemies*. It is some Tryal of a Christians *Patience* as well as *Humility*, to condescend to the Weaknesses of others ; but where it is our Duty, we must do it, and that chearfully, in order to the best End, viz. Doing the more good upon them. And all Condescension and Kindness for such an End, is true *Wisdom*, as well as *Humility*. I am afraid Distance and too great Stiffness of Behaviour towards them, have made some more our *Enemies* than they would have been. I hope they are now convinced, that the Persecution which they complained lately so much of, was carried on by other Men, and for other Designs

than they would then seem to believe. But that Persecution was then a Popular Argument for them; for, the complaining side hath always the most Pity. But now that is taken off, you may deal with them on more equal Terms. Now there is nothing to affright them, and we think we have Reason enough on our side to persuade them. The Case of Separation stands just as it did in Point of Conscience, which is not now one jot more reasonable or just than it was before. Some think Severity makes Men

- consider; but I am afraid it heats them too much, and makes them too violent and refractory. You have more reason to fear now, what the Interest of a Party will do, than any Strength of Argument. How very few among them understand any reason at all for their Separation! But Education, Prejudice, Authority of their Teachers sway them; remove these and you convince them. And in order thereto, acquaint your selves with them, endeavour to oblige them, let them see you have no other Design upon them, but to do them good; if any thing will gain upon them, this will.

But if after all, they grow more headstrong and insolent by the Indulgence which the Law gives them; then observe, whether they observe those Conditions on which the Law gives it to them. For these are known Rules in Law, that he forfeits his Privilege who goes beyond the Bounds of it; that no Privileges are to be extended beyond the Bounds which the Laws give them; for they ought to be observed as they are given. I leave it to be considered, whether all such who do

do not observe the Conditions of the Indulgence, be not as liable to the Law as if they had none.

But there is a very profane abuse of this Liberty among some, as though it were an Indulgence not to serve God at all. Such as these, as they were never intended by the Law, so they ought to enjoy no Benefit by it. For this were to Countenance Profaneness and Irreligion; which I am afraid will grow too much upon us, unless some effectual Care be taken to suppress it.

VII. There is another Duty incumbent upon you, which I must particularly recommend to your Care, and that is, of *Visiting the Sick*. I do not mean barely to perform the Office prescribed, which is of very good use, and ought not to be neglected; but a particular Application of your selves to the State and Condition of the Persons you visit. It is no hard matter to run over some Prayers, and so take leave; but this doth not come up to the Design of our Church in that Office: For, after the general Exhortation and Profession of the Christian Faith, our Church requires, that *the sick Person be moved to make special Confession of his Sins, if he feel his Conscience troubled with any weighty matter; and then if the sick Person humbly and heartily desires it, he is to be absolved after this manner, Our Lord Jesus Christ, who hath left Power in his Church to absolve all Sinners who truly repent and believe in him, &c.* Where the Power of Absolution is grounded upon the Supposition of true Faith and Repentance; and therefore, when it is said afterwards, *And by his Authority committed to me, I absolve thee from the same, &c.*

it must proceed on the same supposition. For the Church cannot absolve when God doth not. So that all the real Comfort of the Absolution depends upon the Satisfaction of the Person's Mind, as to the Sincerity of his Repentance and Faith in Christ. Now here lies the great Difficulty of this Office; how to give your selves and the wounded Conscience Satisfaction, as to the Sincerity of those Acts; I do not mean as to the Sincerity of his present Thoughts, but as to the Acceptableness of his Faith and Repentance with God in order to Remission of Sins. But what if you find the Persons so ignorant, as not to understand what Faith and Repentance mean? What if they have led such careless and secure Lives in this World, as hardly ever to have had one serious Thought of another? Is nothing to be done but to come and pray by them, and so dismiss them into their Eternal State? Is this all the good you can, or are bound to do them? I confess, it is a very uncomfortable thing to tell Men how they are to begin to live, when they are liker to dye than to live (and the People generally have a strange superstitious Fear of sending for the Minister, while there is any hope of Recovery). But at last you are sent for; and what a melancholy Work are you then to go about? You are, it may be, to make a Man sensible of his Sins, who never before considered what they were, or against whom they were committed, or what eternal Misery he deserves by committing them. But I will suppose the best I can in this Case, *viz.* That by your warm and serious Discourse, you throughly awaken the Conscience of a long

long and habitual Sinner ; what are you then to do ? Will you presently apply all the Promises of Grace and Salvation to one whose Conscience is awakened only with the Fears of Death, and the Terrors of a Day of Judgment ? This, I confess, is a hard Case ; on the one side, we must not discourage good Beginnings in any ; we must not cast an awakened Sinner into Despair ; we must not limit the infinite Mercy of God : But on the other side, we must have a great care of encouraging presumptuous Sinners to put off their Repentance to the last, because then upon Confession of their Sins, they can so easily obtain the Churches Absolution, which goes no farther, than *truly Repenting and Believing*. But here is the Difficulty, how we can satisfie our selves that these do *truly Repent and Believe* ; who are out of a Capacity of giving Proof of their Sincerity by Amendment of Life ? I do not question the Sincerity of their present purposes ; but how often do we find those to come to nothing, when they recover and fall into the former Temptations ? How then shall they know their own Sincerity till it be tryed ? How can it be tryed, when they are going out of the State of Tryal ? The most we can do, is to encourage them to do the best they can in their present Condition, and to shew as many of the Fruits of true Repentance as their Circumstances will allow ; and with the greatest humility of Mind, and most earnest Supplications to implore the infinite Mercy of God to their Souls. But besides these, there are many Cases of sick Persons, which require very particular Advice and Spiritual Direction,

which

which you ought to be able to give them, and it cannot be done without some good Measure of Skill and Experience in Casuistical Divinity. As, How to satisfie a doubting Conscience, as to its own Sincerity, when so many Infirmities are mixed with our best Actions? How a Sinner who hath relapsed after Repentance can be satisfied of the Truth of his Repentance, when he doth not know, but he may farther relapse upon fresh Temptations? How, he shall know what Failings are consistent with the State of Grace, and the Hopes of Heaven, and what not? What Measure of Conviction and Power of Resistance is necessary to make Sins to be Wilful and Presumptuous? What the just Measures of Restitution are in order to true Repentance, in all such Injuries which are capable of it? I might name many others, but these I only mention to shew how necessary it is for you to apply your selves to *Moral and Casuistical Divinity*, and not to content your selves barely with the knowldg of what is called *Positive and Controversial*. I am afraid there are too many who think they need to look after no more than what qualifies them for the Pulpit; (and I wish all did take sufficient Care of that) but if we would do our Duty as we ought, we must inquire into, and be able to Resolve Cases of Conscience. For the Priests Lips should keep this kind of Knowledge; and the People should seek the Law at his mouth; for he is the Messenger of the Lord of Hosts, Mal. 2.7. If this held in the Levitical Priesthood, much more certainly under the Gospel, where the Rates and Measures of our Duties are not to be determined by Levitical Precepts,

Precepts, but by the general Reason and Nature of Moral Actions.

VIII. Among the Duties of *Publick Worship*, I must put you in mind of a *Frequent Celebration of the Lord's Supper*. There is generally too great a Neglect of this, which is the most proper part of *Evangelical Worship*. The Duties of *Prayers and Praises*, are excellent and becoming Duties, as we are Creatures with respect to our Maker and Preserver. The Duty of hearing the Word of God read and explained, is consequent upon our owning it to be the Rule of our Faith and Manners; and all who desire to understand and practise their Duty, can never despise or neglect it. But that solemn Act of Worship wherein we do most shew our selves Christians, is the celebrating the *Holy Eucharist*. For, therein we own and declare the infinite Love of God in sending his Son into the world to die for Sinners, in order to their Salvation; and that this is not only a true Saying, but worthy of all men to be credited. Therein, we lift up our Hearts, and give Thanks to our Lord God; we joyn with Angels and Archangels in lauding and magnifying his Glorious Name. Therein, we not only commemorate the Death and Sufferings of our Lord, but are made Partakers of his Body and Blood, after a Real, but Sacramental Manner. Therein we offer up our selves to God, to be a Reasonable, Holy and Lively Sacrifice unto him. Therein we Adore and Glorifie the ever Blessed Trinity; and humbly implore the Grace and Assistance of our ever Blessed Mediator. And what now is there in all this, which is not very agreeable to the Faith, Hope, and

and Charity of Christians? Nay, what Duty is there, which so much expresses all these together, as this doth? Nor, whereby we may more reasonably expect greater Supplies of Divine Grace to be bestowed upon us? What then makes so many to be so backward in this Duty, which profess a Zeal and Forwardness in many others? If we had that Warmth and Fervor of Devotion, that Love to Christ, and to each other, which the Primitive Christians had, we should make it as constant a part of our Publick Worship, as they did; but this is not to be expected. Neither did it always continue in the Primitive Church, when Liberty, and Ease, and Worldly Temptations made Persons grow more remiss and careless in the solemn Duties of their Religion.

In Hebr. Hom. 17. In Ephes. Hom. 3.

S. Chrysostom takes notice in his time of the different Behaviour of Persons, with respect to the holy Eucharist. There were some who pretended to greater Holiness and Austerity of Life than others, who withdrew from the common Conversation of Mankind; and so by degrees from joining in the Acts of Publick Worship with them. Which did unspeakable Mischief to Christianity; for then the Perfection of the Christian Life, was not supposed to consist in the active part of it, but in Retirement and Contemplation. As tho our highest imitation of Christ lay in *following him into the Wilderness to be tempted of the Devil; and not in walking as he walked,* who frequented the Synagogues, and went about doing good.

But this way of Retirement happening to be admired by some great Men, the Publick Worship came to be

be in less esteem ; and others upon Reasons of a different Nature withdrew themselves from such Acts of Devotion as required a stricter Attendance, and a more prepared Temper of Mind. And there were some who did abstain, because they were not so well satisfied with themselves as to their own Preparations ; and such as these S. Chrysostom seems to favor, rather than such who came often without due care, as to the whole Course of their Lives ; only out of custom, or out of regard to the Orders of the Church. From hence many thought it better to forbear, as long as they did it not out of Contempt. And so by degrees the People were content to look on it as a Sacrifice for them to be performed by others, rather than as an Office, wherein they were to bear a part themselves ; at least, they thought once or thrice a year sufficient for them. And to this, as appears by our old Provincial Constitutions, they were forced by severe Canons.

Concil. Anglic.
Tom. 2. p. 144,
166, 299.

When the Reformation began, this Disuse of this holy Sacrament, was looked on, by the chief Reformers, as a great Abuse and Corruption crept into the Church, which ought by all means to be Reformed ; and the frequent Celebration of it set up in the Reformed Churches. But unreasonable Scruples in some, and Misapprehensions in others, and a general Coldness and Indifference, as to Matters of Religion, have hitherto hindered the Reviving this Primitive Part of Devotion among us.

I do not go about to determin the Frequency in your Parishes, which the Scripture doth not as to the Christian Church, but suppose it to be often done ;

Calvin. Instit:
L. 4. c. 17. n. 44.
Pet. Martyr.
L. C. I. 4. c. 10.
n. 48.
In 1 Cor. 11.
p. 55.
Bucer in
Martb. 16.
p. 186.

but I may require you to take Care, that Christ's Institution be observed among you; and that with your utmost Care, both as to the Decency and Purity of it.

The last thing I recommend to you all, is, *To have a great Care of your Conversations.* I do not speak it out of a distrust of you; I hope you do it already: and your Case will be so much worse, if you do it not, because you very well know how much you ought to do it. For the Honor of God and Religion, and the Success of your Ministry, as well as your own Salvation, depend very much upon it. Lead your Flock by your Example, as well as by your Doctrine, and then you may much better hope that they will follow you; for the People are naturally *Spies* upon their *Ministers*, and if they observe them to mind nothing but the World all the Week, they will not believe them in earnest, when on the Lord's Days they persuade them against it. And it takes off the Weight of all Reproof of other Mens Faults, if those they reprove have reason to believe them guilty of the same. I do not think it enough for a *Preacher of Righteousness* merely to avoid open and scandalous Sins, but he ought to be a great Example to others in the most excellent Virtues which adorn our Profession, not only in *Temperance and Chastity*, in *Justice and ordinary Charity*, but in a readiness to do good to all, in forgiving Injuries, in loving Enemies, in evenness of Temper, in Humility and Meekness, and Patience, and Submission to God's Will, and in frequent Retirements from the World; not merely for Study, but for Devotion. If by these and such

such things you *shine as Lights* among your People, they will be more ready to follow your Conduct; and in probability you will not only stop their Mouths, but gain their Hearts. For among all the Ways of advancing the Credit and Interest of the *Church of England*, one of the most successful will be the diligent Labors, and the exemplary Lives of the Clergy in it.

But if Men will not regard their own, or the Churches Interest in this matter; if they will break their Rules in such a manner, as to dishonor God, and the Church, and themselves by it; then you are to consider the next thing I was to speak to, which is,

II. What *Authority* is given to us for the punishing *Offenders* in our *Dioceſſes* by the *Ecclesiastical Law* of this Realm. For this we are to consider, that our *Authority* herein is not derived from any modern *Canons* or *Constitutions* of this *Church* (altho due *Regard* ought to be shewed to them) but from the ancient *Common Law Ecclesiastical* in this Realm, which still continues in force. For as there is a *Common Law* with respect to *Civil Rights*, which depends not on the *Feudal Constitutions*, altho in many things it be the same with them; but upon *ancient Practice, and general Consent* of the People from Age to Age. So, I say, there is a *Common Law Ecclesiastical*, which altho in many things it may be the same with the *Canon Law*, which is read in the Books; yet it hath not its force from any *Papal or Legatine Constitutions*, but from the *Acceptance and Practice* of it in our *Church*. I could easily shew (if the time would permit) that *Papal and Legatine Constitutions* were not received here, altho directed hi-

^{2 Inst. 632} ther ; that some Provincial Constitutions never obtained the Force of Ecclesiastical Laws ; but my busines is to shew what did obtain and continue still to have the force of such Ecclesiastical Laws among us.

By the Statute of 25 H. 8. c. 19. it is declared,
 " That such Canons, Constitutions, Ordinances and
 " Synodals Provincial being already made, which be
 " not contrariant nor repugnant to the Laws, Statutes,
 " and Customs of this Realm, nor to the Damage or
 " Hurt of the King's Prerogative Royal, shall now
 " still be used and executed as they were afore the
 " making of this Act, &c. It's true, a Review was
 appointed, but such Difficulties were found in it, as to
 the shaking the Foundations of the Ecclesiastical Law
 here, that nothing was ever legally established in it ;
 and therefore this Law is still in force.

In the Statute 25 H. 8. c. 21. it is said, " That this
 " Realm Recognising no Superior under God but the
 " King, hath been, and is free from Subjection to
 " any Man's Laws, but only to such as have been
 " Devised, Made, and Observed within this Realm,
 " for the Wealth of the same : or to such other, as by
 " the Sufferance of the King and his Progenitors, the
 " People of this Realm have taken at their free Liber-
 " ty, by their own consent, to be used amongst them,
 " and have bound themselves by long use and custom
 " to observance of the same, not as to the observance
 " of the Laws of any Foreign Prince, Potentate, or
 " Prelate, but as to the Customs and ancient Laws of
 " this Realm, originally established, as Laws of the
 " same, by the said Sufferance, Consent, Custom, and
 " none otherwise.

All that I have now to do, is to shew what Authority the Bishops had over the Clergy by the Ancient Ecclesiastical Law of this Realm; and what Censures they were lyable to for some particular Offences.

I. By the Ecclesiastical Law the Bishop is Judge of the Fitness of any Clerk presented to a Benefice. This is confessed by the Lord Coke in these Words. *And the 2 Inst. 6322*
Examination of the Ability, and Sufficiency of the Person presented, belongs to the Bishop, who is the Ecclesiastical Judge, and in the Examination he is a Judge, and not a Minister, and may and ought to refuse the Person presented, if he be not Persona idonea. But this is plain to have been the Ancient Ecclesiastical Law of this Realm, by the Articul. Cleri in Edw. II. time, *De Idoneitate Personæ presentatae ad Beneficium Ecclesiasticum pertinet Examinatio ad Judicem Ecclesiasticum, & ita est hæc etenus usitatum & fiat in futurum.*

By the Provincial Constitutions at Oxford in the time of Hen. III. the Bishop is required to admit the Clerk Provinc. Const. quum secund. f. 71. who is presented, without Opposition, within two Months, *dum tamen idmeus sit*; if he thinks him fit. So much time is allowed, propter Examinationem, saith Lyndwood; even when there is no dispute about Right of Patronage. The main thing he is to be examined upon is his Ability to discharge his Pastoral Duty, as Coke calls it; or as Lyndwood saith, whether he be commendandus Scientia & Moribus. As to the former, the Bishop may judg himself; but as to the latter, he must take the Testimonials of others; and I heartily wish the Clergy would be more careful in giving them, by looking on it as a Matter of Conscience,

ence, and not merely of Civility; for otherwise it will be impossible to avoid the pestering the Church with scandalous and ignorant Wretches. If the Bishop refuses to admit within the time (which by the modern Canons is limited to twenty eight days after the Presentation delivered) he is liable to a *Duplex Querela* in the Ecclesiastical Courts, and a *Quare impedit* at Common Law; and then he must certifie the Reasons of his Refusal. In *Specot's Case* it is said, that in 15 Hen. 7. 7, 8. All the Judges agreed, that the Bishop is Judge in the Examination, and therefore the Law giveth Faith and Credit to his Judgment. But because great Inconveniences might otherwise happen, the general Allegation is not sufficient, but he must certifie specially and directly; and the general Rule is, and it was so resolved by the Judges, That all such as are

* *Multa impi-
dunt promo-
vendum que-
ficient Causes to refuse a Presentee.* But by the Ca-
non dejectum.
*Gloss. in c. 15.
de Vit. &
Honest. Cleric.
C. Christiano.
f. 63.* non Law * more are allowed. In the *Constitutions of Ochobon*, the Bishop is required particularly to enquire into the Life and Conversation of him that is presented;

and afterwards, that if a Bishop admits another who is guilty of the same Fault for which he rejected the former, his Institution is declared null and void. By the Canon Law, if a Bishop maliciously refuses to admit a fit Person, he is bound to provide another Benefice for him; but our Ecclesiastical Law, much better puts him upon the Proof of the Cause of his Refusal. But if the Bishop doth not examin him, the Canonists say it is a Proof sufficient that he did it *malitiosè*. If a Bishop once re-

*De Jure Pa-
tron. c. Pasto-
ralis Officii.*

*Gloss. in Can.
& malitiosè.*

jects

jects a Man for Insufficiency, he cannot afterwards accept or admit of him; as was adjudged in the Bishop of Hereford's Case. If a Man brings a Presentation to a Benefice, the Bishop is not barely to examin him as to Life and Abilities, but he must be satisfied that he is in Orders. How can he be satisfied, unless the other produce them? How can he produce them, when it may be they are lost? What is to be done in this Case? The Canon is express, *That na Bishop shall Institute any to a Benefice, who hath been Ordained by any other Bishop* (for if he Ordained himself, he cannot after reject him, because the Law supposes him to have examined and approved him) except he first shew unto him his Letters of Orders, and bring him a sufficient Testimony of his former good Life and Behaviour, if the Bishop shall require it, and lastly shall appear upon due Examination to be worthy of the Ministry. But yet in Palmes and the Bishop of Peterborough's Case, it was adjudged that no Lapse did accrue by the Clerk's not shewing his Orders, for the Bishop upon his not coming to him again, Collated after six Months. But the Court agreed, that the Clerk ought to make Proof of his Orders; but they differed about the manner of their Proof. *Anderson* said, the Bishop might give him his Oath. But if a Proof were necessary, and the Clerk did not come to make Proof, it seems to me to be a very hard Judgment.

II. The Bishop by the Ecclesiastical Law, is to visit his Diocese, and to take an account of the Clergy how they behave themselves in the Duties of their Places. *Regino. l. 1. c. 5, 6, 7, 8, 10. Baluz. ad Reginon. p. 531.*

Places. By the eldest Canons I can find, the Bishops Visitation is supposed as a thing implied in his Office; whereby he is obliged to look after the good Estate of his whole Diocese, and especially of the Clergy in it. In the time of *Hubert* Arch-Bishop of

Concil. Angl.
2 Vol. 124.

Canterbury, in the beginning of King *John's* time care is taken in the Canons then made, That Bishops should not be burdensom to the Clergy in the Number of the Attendants in their Visitations; which then were Parochial, and the Number allowed of 20 or 30 Horse, was too heavy for the Clergy to bear. And therefore by degrees it was thought fit to turn that Charge into a Certainty, which was the Original of Procurations. By the Fourth Council of Toledo, the Bishop was to Visit his whole Diocese, Parochially, every Year.

c. 10. q. 1.
Episcopum
Regino. l 1. c. 7.

The Gloss saith, if there were occasion for it; and that the Bishop may visit as often as he sees Cause; but if he be hindred, the Canon saith, he may send others (which is the original of the Arch-Deacon's Visitation) to see not only the Condition of the Churches, but the Lives of the Ministers.

Concil. Braga. in the latter end of the
2. c. 1. 10. q. 1.
Placata.

Sixth Century, makes this the first Canon, That all Bishops should visit their Diocesses by Parishes, and there should first examin the Clergy, and then the People; and in another Canon he was required to receive only his *Cathedricum*, i.e. a certain Sum in lieu of Entertainment; which came to be settled by

Concil. Cabil.
2. c. 14.

Prescription. The Council of *Cavaillon* in France, A. D. 831. fixed no Sum, but desired the Bishops to be no Burdens to the Clergy in their Parochial Visitations. *Lyndwood* saith the Ancient Procuration here

was

was a Day and Nights Entertainment ; which after came to *De Censibus,*
be a customary Payment : But however it was paid, it is *f. 121.*
an evident Proof of the Right of the Bishops Visitations *De Officio*
by the ancient Ecclesiastical Law ; and by such a Cu-
Vicarii c. quo-
niam V. Pro-
curari.

III. There are some Faults which make the Clergy
liable to Deprivation by Virture of the Ecclesiastical
Law, which was here received. I shall name only
some of them and conclude ; these being sufficient for
my present purpose.

I. Excessive Drinking. All drinking (*ad Potus aqua-*
les) was absolutely forbidden to Clergymen, on pain *Council. Anglic.*
vol. 2. 140.
of Suspension after Admonition ; not only by a *Synodi-*
cal, but by a Provincial Constitution under *Edmund*
Arch-Bishop of Canterbury. The Canon Law saith
in that Case, *ab Officio vel Beneficio suspendatur* : But our *Extr. de Vita*
& Honestat.
Constitution is more severe, *à Beneficio & Officio*. The *Cleric. c. 14.*
Council of Oxford not only strictly forbids all Cler-
gymen whatever tends to *Gluttony and Drunkenness* ; *Prov. Cont.*
f. 61.
but it requires the Bishops to proceed strictly against
those who are guilty, according to the Form of the
General Council, i. e. the Lateran 4. viz. by *Admonition*
first, and then *Suspension*. Lyndwood complains, that
this was not so much looked after as it should be, because
it brought no Profit ; I hope that Reason will not hold
among those who pretend to Reformation ; which
will be very defective if it extend not to our Lives
as well as our Doctrines : For there can be no greater
Reproach, than to see those loose and dissolute in their
Conversations, who think it their Honour to be Mi-
nisters of a Reformed Church. It was a stinging
Reflection upon our Church by the Arch-Bishop of

Spalato, (who was no very strict Man himself) that he saw nothing Reformed among us but our Doctrines. I hope there was more of *Satyr* than of *Truth* in it; for I do not question, but there were many then (as there are now) of Exemplary Lives and unblameable Conversations; but if there be any others, it will be the more shame not to proceed against them; since even before the Reformation, the Canons were so strict and severe in this matter. In the Council at *Westminster* in *Henr. II.* time, under *Richard Arch-Bishop of Canterbury*, all Clergymen are forbidden going into Taverns to eat or drink, unless upon Travelling; and the Sanction of this Canon is, *aut cestet, aut deponatur*. The same was forbidden in the Council at *York*, in the time of *Richard I.* in the Council at *London* under *Hubert*, in the time of King *John*. And since the Reformation, the same Canon is renewed, *That no Ecclesiastical Persons shall at any time other than for their honest Necessities, resort to any Taverns or Alehouses*. And there have been Instances of the Severity of our Ecclesiastical Censures against Drunkenness in Clergy-men.

In 8 *Jac.* *Parker* was deprived of his Benefice for Drunkenness, and moved for a Prohibition, but it was denied him.

In 9 *Jac.* another was deprived for the same Fault; and the Judges at Common Law allowed the Sentence to be good.

No doubt there are other Instances, but we had not known of these, if they had not been preserved in Books of Reports.

II. *Incontinency.* *Lyndwood* saith, those who are proved to be guilty of it, are *ipso Jure privati*; but he

*Epi. 2. ad 3o.
Hill.*

*Council. Anglic.
2 vol. 104.*

f. 122.

126.

Can. 78.

*Brownlow's
Rep. f. 37.*

Ed. f. 70.

Lyndw. f. 9.

he thinks a Declaratory Sentence of the Ecclesiastical Judges necessary for the Execution of it. Since the Reformation, we have Instances of Deprivation for *Adultery* in our Law Books. One 12 *Eliz.* another 16 *Eliz.* a third 27 *Eliz.* These are enough to shew that the *Ecclesiastical Law* is allowed by the Judges of Common Law, to continue in sufficient force for *Deprivation* in this Case.

6. C. 14.
Hob. 293.
Owen 87.
1. Cr. 41. 789.

III. *Simony*. Which is the Name given by the Ecclesiastical Law, to all Contracts for Gain in the disposing or obtaining any Ecclesiastical Promotion or Ministry. It is true, these do not come up to the very Sin of *Simon Magus*, which related to the immediate Gifts of the Holy Ghost; but because the whole Ministerial Office in all the Parts of it (especially the Cure of Souls) is of a *Spiritual Nature*; and all Bargains are so repugnant to the Design of it, therefore the Ecclesiastical Law hath fixed that detestable Name upon it: For, all *contractus non gratuitus* in these things favour of *turpe lucrum*, and tend to bring in *turpe Commercium* into the Church; which would really overturn the whole Design of that Ministry, which was designed for the Salvation of Souls. And therefore it was necessary, that when Persons had received (by the Favor of Temporal Princes and other Benefactors, who were Founders of Churches) such Endowments as might encourage them in their Function, that severe Laws should be made against any such sordid and mischievous Contracts. And such there were here in *England* long before the excellent Stat. of 31 *Eliz.* c. 6. although it seems the force of them was so much worn out, as to make

*Officium Cure
animatorum est
præcipuum ac
spiritualissi-
mum Dei
Donum. Caje-
tan in Act. 8.*

that Statute necessary for avoiding of Simony; which is there explained to be Corruption in bestowing or getting Possession of Promotions Ecclesiastical.

Concil. Anglic. In a Council at London under Lanfranc in the Conqueror's time, Simony was forbidden, under the Name of Buying and Selling of Orders. And it could be nothing else before the Churches Revenue was settled: But in the time of Henr. I. Ecclesiastical Benefices were forbidden to be bought or sold, and it was Deprivation then to any Clergy-Man to be convicted of it; and a Lay-Man was to be out-law'd and excommunicated, and deprived of his Right of Patronage. And this was done by a Provincial Synod of that time.

*p. 105.
Constit. Prov.
152.* In the Reign of Henr. II. it was decreed, that if any Person received any Mony for a Presentation, he was to be for ever deprived of the Patronage of that Church; and this was not merely a Provincial Constitution, but two Kings were present (Henr. II. and his Son), and added their Authority to it. This was not depriving a Man of his Freehold by a Canon, as a learned Gentleman calls it; for here was the greatest Authority, Temporal as well as Ecclesiastical added to it.

*Parsons Coun
fellow, Sect. 5.
Hob. 167.* But we are told, these Canons were of as little effect, as that of Othobon, which made all Simoniacal Contracts void; but some of the most judicious Lawyers have held, that Simony being *contractus ex turpi causâ*, is void between Parties.

1 Rolls. 237: All that I aim at is to shew, that by our old Ecclesiastical Law, Simoniacus incurred a Deprivation and Disability before the Stat. 31 Eliz. and therein I have the Opinion of a very Learned Judge concurring with me.

IV. Dilapidations. By which the Ecclesiastical Law understands any considerable Impairing the Edifices, Woods and Revenues belonging to Ecclesiastical Persons, by Virtue of their Places. For it is the greatest Interest and Concernment of the Church to have things preserved for the Good of Successors; and it is a part of common Justice and Honesty so to do. And the Lord Coke positively affirms, that Dilapidation is a good Cause of Deprivation. And it was so resolved by the Judges in the King's Bench, 12 Jac. Not by Virtue of any new Law or Statute, but by the old Ecclesiastical Law. For which Coke refers to the Year-Books, which not only shew what the Ecclesiastical Law then was, but that it was allowed by the Common Law of England; and we are told, that is never given to change; but it may be forced to it by a New Law, which cannot be pretended in this Case. And by the old Constitutions here received, the Bishops are required to put the Clergy in mind of keeping their Houses in sufficient Reparations, and if they do it not within two Months, the Bishop is to take care, it be done out of the Profits of the Benefice. By the Injunctions of Ed. VI. and Queen Elizabeth, all Persons having Ecclesiastical Benefices are required to set apart the Fifth of their Revenue to Repair their Houses; and afterwards to maintain them in good condition.

V. Pluralities. By the Ecclesiastical Law, which was here received, the actual receiving Institution into a second Benefice made the first void *ipso jure*; and if he sought to keep both above a Month, the second was void too. Lyndwood observes, that the Ecclesiastical Law had varied in this matter. And it proceeded by

Provinc. Constit. f. 59.

Fob. de Athon. in Confit. Othob. f. 55. 2. 35 E. I.

*11 R. 72.
3. Inst. 204.*

*Masor 917.
Godbold 279.
Rolls 813.*

*29 E. 3. 16.
2 Hen. 4. 3.*

*11 Hen. 6. 20.
9 E. 4. 34*

Constit. Othob. f. 55. 2.

Othob. f. 55. 2.

*Lyndw. ib.
V. sic content.* by these steps, (which are more than Lyndw. mentions.)

*10. q. 3. c.
Unio.* I. It was absolutely forbidden to have two Parishes, if there were more than ten Inhabitants in them, because no Man could do his Duty in both Places. And if any Bishop neglected the Execution of it, he was to be excommunicated for two Months, and to be restored only upon Promise to see this Canon executed.

*Concil. Tolet.
16. c. 5.*

*21. q. 1. c. 1.
Clericus.*

*Ex de Præb. c.
referente.*

II. The Rule was allowed to hold, as to Cities, but an Exception was made as to small and remote Places, where there was a greater Scarcity of Persons to supply them.

III. If a Man had two Benefices, it was left to his Choice, which he would have: but he could not hold both. This kind of Option was allowed by the Ecclesiastical Law then in force.

*Ex. de Cleric.
Non-Resident.
c. quia nonnull.
li.*

IV. That if he takes a second Benefice, that Institution is void, by the third Council of Lateran, under Alexander III.

*Ex de Præb. c.
de Multâ.*

V. That by taking a second the first is void; which is the famous Canon of the fourth Lateran Council.

VI. That if he were not contented with the last, but endeavour to keep both, he should be deprived of both. And this was the Ecclesiastical Law as it was declared in our Provincial Constitutions. But the general Practice was to avoid the former, according to the Lateran Council. These were very severe Canons, but that one Clause of the Pope's dispensing Power made them to signify little, unless it were to advance his Power and Revenue. For when the Dispensing Power came to be owned, the Law had very little force; especially as to the Consciences of Men. For if it were a Law of God, how could any man dispense with it? unless

it were as apparent that he had given a Power in some Cases to *Dispense*, as that he had made the Law. Thole Casuists are very hard put to it, who make Residence *Jure Divino*, and yet say the Pope may dispense with it; which at last comes only to this, that the Pope can authoritatively declare the sufficiency of the Cause: so that the whole matter depends upon the Cause; whether there can be any sufficient to excuse from Personal Residence.

It is agreed on all hands, that the habitual Neglect of a Charge we have taken upon our selves, is an evil thing, and that it is so to heap up Preferments merely for Riches, or Luxury, or Ambition; but the main Question in point of Conscience is, What is a sufficient Cause to justify any Man's breaking so reasonable and just a Rule as that of Residence is.

It cannot be denied, that the eldest Canons of the Church were so strict and severe, that they made it unlawful for any Man to go from that Church in which he first received Orders; as well as to take another Benefice in it: and so for any Bishop to be translated from that Place he was first Consecrated to; as well as to hold another with it. But the Good of the Church being the main Foundation of all the Rules of it; when that might be better promoted by a *Translation*, it was by a tacit Consent looked on, as no unjust violation of its Rules. The Question then is, whether the Churches Benefit may not in some Cases make the Canons against Non-Residence as Dispensible, as those against *Translations*? And the Resolution of it doth not depend upon the voiding the particular Obligation of the Incumbent to his Cure; but upon some
more.

more general Reason with Respect to the State of the Church ; as being employed in the Service of it, which requires a Persons having (not a bare Competency for Subsistence, but) a sufficiency to provide Necessaries for such Service : For those seem to have very little regard to the flourishing Condition of a Church, who would confine the Sufficiency of a Subsistence, merely to the Necessaries of Life. But it seems to be reasonable, that Clergy-Men should have Incouragement sufficient, not only to keep them above Contempt, but in some respect agreeable to the more ample Provision of other Orders of Men. And by God's own Appointment the Tribe of *Levi* did not fall short of any of the rest, if it did not very much exceed the Proportion of others. We do not pretend to the Privileges they had, only we observe from thence, that God himself did appoint a plentiful Subsistence for those who attended upon his Service. And I do not know, what there is *Levitical* or *Ceremonial* in that. I am sure, the Duties of the Clergy now require a greater Freedom of Mind from the anxious Cares of the World, than the Employments of the *Priests* and *Levites* under the Law. But we need not go so far back ; if the Church injoyed all her Revenues as entirely, as when the severe Canons against *Pluralities* were made, there would not be such a Plea for them, as there is too much Cause for in some Places, from the want of a competent Subsistence. But since that time, the Abundance of *Appropriations* (since turned into *Lay-Fees*) hath extremely lessened the Churches Revenues, and have left us a great number of poor Vicarages, and Arbitrary Cures, which would hardly have afforded a Maintenance

nance for the *Nethinims* under the Law, who were only to be *Hewers of Wood, and Drawers of Water.* But this doth not yet clear the Difficulty: For the Question is, whether the Subsistence of the Clergy can lawfully be improved by a *Plurality of Livings?* Truly, I think this (if it be allowed in some Cases lawful) to be the least desirable way of any; but in some Circumstances it is much more excusable than in others. As when the Benefices are mean, when they lie near each other, when great Care is taken to put in sufficient Curates with good Allowance; when Persons take all Opportunities to do their Duties themselves, and do not live at a distance from their Benefices in an idle and careless manner. But for Men to put in Curates merely to satisfie the Law, and to mind nothing of the Duties of their Places, is a horrible Scandal to Religion and our Church, and that, which if not amended, may justly bring down the Wrath of God upon us. For the loosest of all the Popish Casuists, look upon this as a very great Sin, even those who attributed to the Pope the highest Dispensing Power in this Case.

But when the great Liberty of *Dispensing* had made the Ecclesiastical Laws in great measure useless, then it was thought fit by our Law-makers to Restrain and Limit it by a Statute made 21 H. VIII. wherein ~~it~~ is Enacted, 'That if any Person or Persons having one Benefice with Cure of Souls, being of the yearly value of eight Pounds, or above, accept or take any other with Cure of Souls, and be instituted, and inducted in possession of the same, that then, and immediately after such Possession had thereof, the first Benefice shall be adjudged to be void. And all Li-

' censes and Dispensations to the contrary, are declared
' to be void and of none effect.

This, one would have thought had been an effectual Remedy against all such *Pluralities and Dispensations* to obtain them ; and this, no doubt, was the Primary Design of the Law ; but then follow so many *Proviso's* of Qualified Men to get Dispensations, as take off a great deal of the Force and Effect of this Law. But then it ought well to be consider'd, whether such a License being against the chief Design of a Law, can satisfie any Man in point of Conscience, where there is not a just and sufficient Cause ? For, if the *Pope's Dispensation*, with the supposed Plenitude of his Power, could not satisfie a Man's Conscience without an antecedent Cause, as the Casuists resolve, much less can such *Proviso's* do it.

Leff. I. 2. c. 3.
Duo. 27.

It is the general Opinion of Divines and Lawyers, saith *Lessius*, that no Man is safe in Conscience by the *Pope's Dispensation for Pluralities*, unless there be a just Cause for it.

Pan. c. dudum.
2. de Elect.
Syl. Benef.
Sum. Angel.
Ben. 35.

No Man can with a safe Conscience, take a Dispensation from the Pope for more Benefices than one, merely for his own Advantage, saith *Panormitan*; and from him *Sylvester* and *Summ. Angelica*.

Tolet. Summa
cism 5. c 82.

A Dispensation, saith *Card. Tolet*, secures a Man as to the Law; but as to Conscience there must be a good Cause for it; and that is, when the Church hath more benefit by it, than it would have without it.

But the Pope's *Dispensing Power* went much farther in Point of Conscience in their Opinion, than that which is settled among us by Act of Parliament. For it is expressed in the Stat. 21 Hen. VIII. that the Dispensation is intended to keep Men from incurring the Danger, *Penalty*,

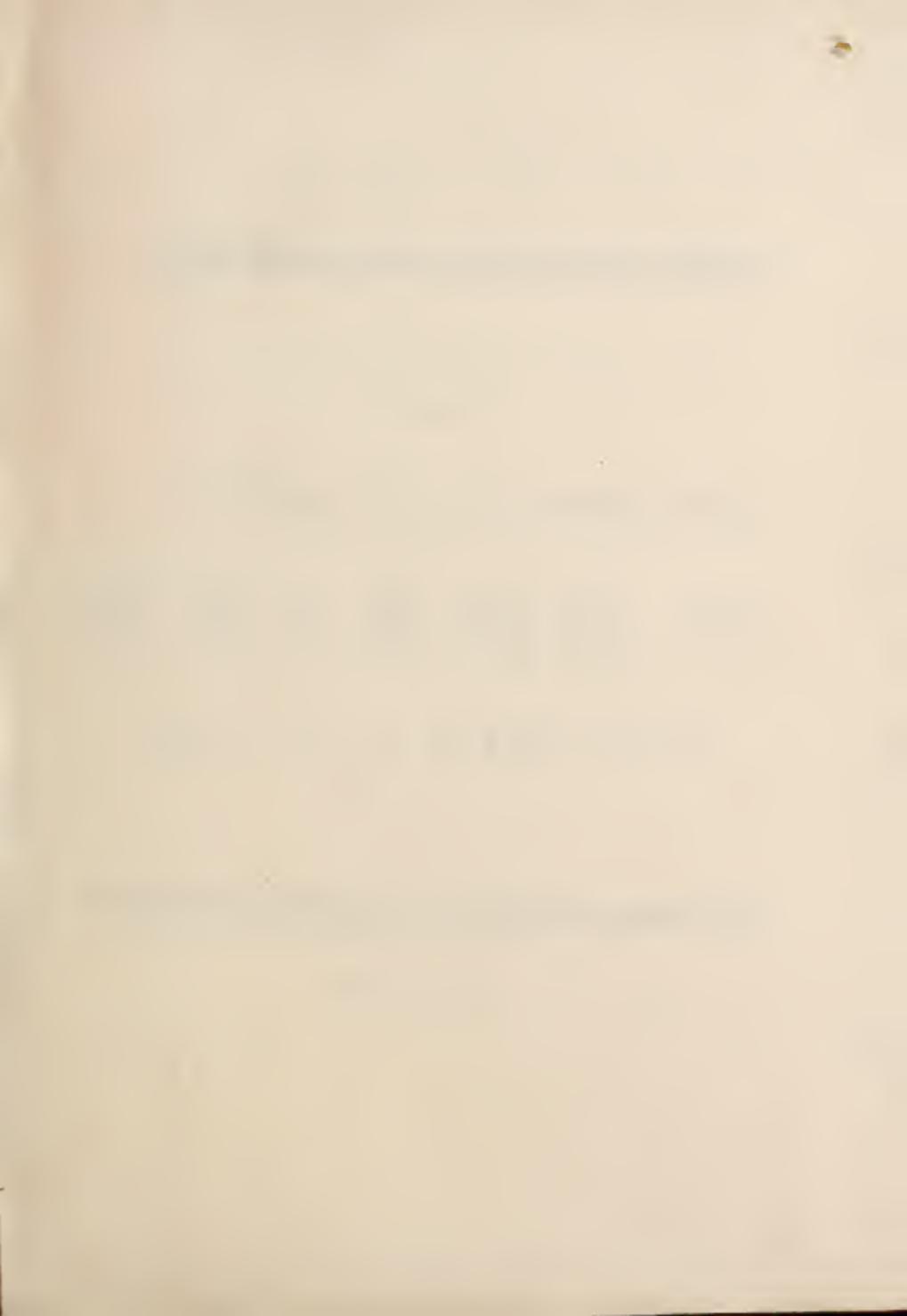
nalty, and Forfeiture in this Statute comprised. So that the most qualified Person can only say, that the Law doth not deprive him; but he can never plead that it can satisfie him in Point of Conscience, unless there be some Cause for it, which is of more moment to the Church, than a Man's sole and constant Attendance on a particular Cure is. Put this Stat. is more favourable to the Clergy, than the Canon Law was before, in two Particulars.

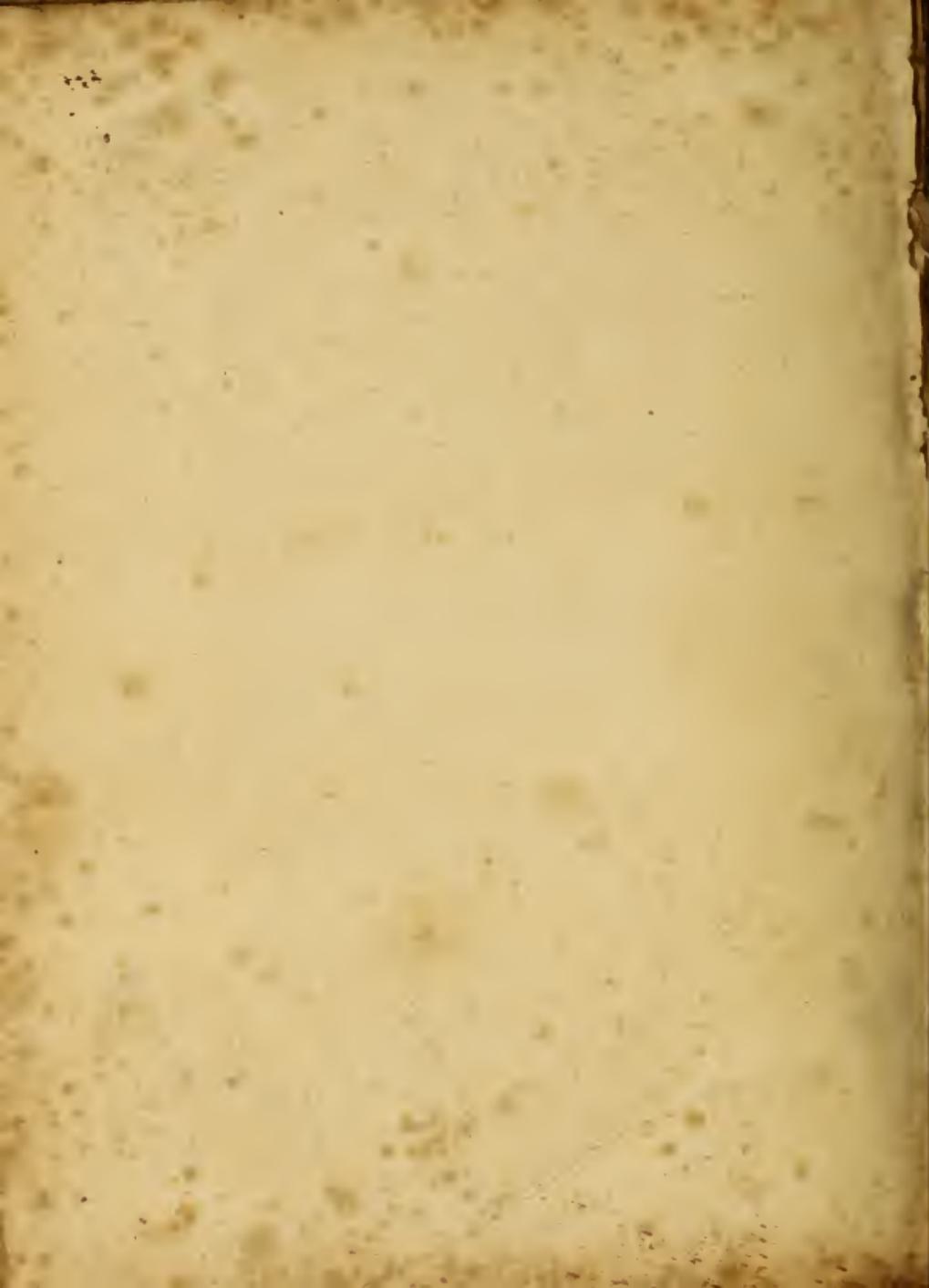
1. In declaring that no simple Benefices, or mere Dignities, as the Canonists call them, are comprehended under the Name of Benefices, having Cure of Souls, viz. No Deanery, Arch-deaconry, Chancellorship, Treasurership, Chantership, or Prebend in any Cathedral or Collegiate Church, nor Parsonage that hath a Vicar endowed, nor any Benefice perpetually appropriate. But all these before were within the reach of the Canon Law, and a Dispensation was necessary for them: Which shews, that this Law had a particular respect to the necessary Attendance on Parochial Cures, and looked on other Dignities and Preferments in the Church, as a sufficient Encouragement to extraordinary Merit.

2. That no notice is taken of Livings under the Valuation of 8*l.* which I suppose is that of 20*E.* 1. for that of H. 8 was not till five Years after that Stat. But after that Valuation, it was to be judged according to it, and not according to the real Value, as the Judges declared 12 Car. I. in the Case of *Drake and Hill*. Now here was a regard had to the Poorness of Benefices, so far, that the Statute doth not deprive the Incumbent upon taking a second Living, if the former be under 8*l.* The Question that arises from hence is, Whether such

such Persons are allowed to enjoy such Pluralities by Law; or only left to the Ecclesiastical Law, as it was before? It is certain, that such are not liable to the Penalty of this Law; but before any Person might be deprived by the Ecclesiastical Law for taking a second Benefice without Dispensation, of what value soever the former were; now here comes a Statute, which enacts that all who take a second Benefice having one of 8*l.* without Qualification, shall lose his legal Title to the first; but what if it be under? Shall he lose it or not? Not, by this Law. But suppose the Ecclesiastical Law before makes him liable to Deprivation; doth the Statute alter the Law without any Words to that purpose? The Bishop had a Power before to deprive, where is it taken away? The Patron had a Right to present upon such Deprivation; how comes he to lose it? And I take it for granted, that no antecedent Rights are taken away by Implications; but there must be express Clauses to that purpose. So that I conclude the ancient Ecclesiastical Law to be still in force, where it is not taken away by Statute.

And thus my Brethren, I have laid before you the Authority and the Rules we are to act by; I have endeavoured to recommend to you, the most useful Parts of your Duty; and I hope you will not give me occasion to shew what Power we have by the Ecclesiastical Law of this Realm to proceed against Offenders. Nothing will be more uneasie to me, than to be forced to make use of any Severity against you. And my Hearts desire is, that we may all sincerely and faithfully discharge the Duties of our several Places, that the Blessing of God may be upon us all; so that we may save our selves and those committed to our Charge.





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