

pass that the meanest and the very poorest amongst men yielding unto God as much in proportion as the greatest, and many times in affection more, have this as a sensible token always assuring their minds, that in his sight from whom all good is expected; they are concerning acceptation, protection, divine privileges and preeminences whatsoever, equals and peers with them unto whom they are otherwise in earthly respects inferiors; being furthermore well assured that the top as it were thus presented to God is neither lost nor unfruitfully bestowed, but doth sanctify to them again the whole mass, and that he by receiving a little undertaketh to bless all. In which consideration the Jews were accustomed to name their tithes the *hedge* of their riches¹. Albeit a hedge do only fence and preserve that which is contained, whereas their tithes and offerings did more, because they procured increase of the heap out of which they were taken. God demanded no such debt for his own need but for their only benefit that owe it. Wherefore detaining the same they hurt not him whom they wrong, and themselves whom they think they relieve they wound, except men will haply affirm that God did by fair speeches and large promises delude the world in saying², "Bring ye all the tithes into the storehouse that there may be meat in mine house," (deal truly, defraud not God of his due, but bring all,) "and prove if I will not open unto you the windows of heaven and pour down upon you an immeasurable blessing." That which St. James hath concerning the effect of our prayers unto God is for the most part of like moment in our gifts. We pray and obtain not, because he which knoweth our hearts doth see our desires are evil. In like manner we give and we are not the more accepted, because³ he beholdeth how unwisely we spill our gifts in the bringing. It is to him which needeth nothing all one whether any thing or nothing be given him. But for our own good it always behoveth that whatsoever we offer up into his hands

¹ "Massoreth sepes est legis; divitiarum sepes decimæ." R. Aquiba in Pirk. Aboth. [fol. 35. Cracoviæ, 1660:

מסורת סֵפֶס לְהוֹרָה
מִצְדָּוֹת סֵפֶס לְעוֹשֵׂר

נְדָרִים סֵפֶס לְקָרִישׁוֹת
סֵפֶס לְהַקְמָה שְׁחִיקָה:

² Mal. iii. 10.

³ "Nemo libenter dedit quod non accepit sed expressit." Sen. de Benef. lib. i. c. 1.

we bring it seasoned with this cogitation, "Thou Lord art worthy of all honour."

[9.] With the Church of Christ touching these matters it standeth as it did with the whole world before Moses. Whereupon for many years men being desirous to honour God in the same manner as other virtuous and holy personages before had done, both during the time of their life and if farther ability did serve by such device as might cause their works of piety to remain always, it came by these means to pass that the Church from time to time had treasure proportionable unto the poorer or wealthier estate of Christian men. And as soon as the state of the Church could admit thereof, they easily condescended to think it most natural and most fit that God should receive as before of all men his ancient accustomed revenues of tithes.

[10.] Thus therefore both God and nature have taught to convert things temporal to eternal uses, and to provide for the perpetuity of religion even by that which is most transitory. For to the end that in worth and value there might be no abatement of any thing once assigned to such purposes, the law requireth precisely the best of that we possess, and to prevent all damages by way of commutation, where instead of natural commodities or other rights the price of them might be taken, the Law of Moses determined their rates, and the payments to be always made by the shekel¹ of the sanctuary² wherein there was great advantage of weight above the ordinary current shekel¹. The truest and surest way for God to have always his own is by making him payment in kind out of the very selfsame riches which through his gracious benediction the earth doth continually yield. This where it may be without inconvenience is for every man's conscience safe. That which cometh from God to us by the natural course of his providence which we know to be innocent and pure is perhaps best accepted, because least spotted with the stain of unlawful or indirect procurement. Besides whereas prices daily change, nature which commonly is one must needs be the most indifferent and permanent standard between God and man.

[11.] But the main foundation of all, whereupon the security of these things dependeth, as far as any thing may be ascer-

¹ "sicle," Bodl. MS. and early edd.]

² Levit. xxvii. 25.

tained amongst men, is that the title and right which man had in every of them before donation, doth by the act and from the time of any such donation, dedication or grant, remain the proper possession of God till the world's end, unless himself renounce or relinquish it. For if equity have taught us that every one ought to enjoy his own; that what is ours no other can alienate from us but with our¹ own deliberate consent²; finally that no man having passed his consent or deed may change it to the prejudice of any other³, should we presume to deal with God worse than God hath allowed any man to deal with us?

[12.] Albeit therefore we be now free from the Law of Moyses and consequently not thereby bound to the payment of tithes⁴, yet because nature hath taught men to honour God with their substance, and Scripture hath left us an example of that particular proportion which for moral considerations hath been thought fittest by him whose wisdom could best judge, furthermore seeing that the Church of Christ hath long sithence entered into like obligation, it seemeth in these days a question altogether vain and superfluous whether tithes be a matter of divine right: because howsoever at the first it might have been thought doubtful, our case is clearly the same now with theirs unto whom St. Peter sometime spake saying⁵, "While it was whole it was whole thine." When our tithes might have probably seemed our own, we had colour of liberty to use them as we ourselves saw good. But having made them his whose they are, let us be warned by other men's example what it is *νοσφισασθαι*, to wash or clip that coin which hath on it the mark of God.

¹ L. xi. de Reg. Jur. ["Id quod nostrum est, sine facto nostro ad alium transferri non potest." Dig. lib. L. tit. xvii. l. 11. p. 788.]
² "Cujus per errorem dati repetitio est, ejus consulto dati donatio est." L. i. D. de cond. indeb. [Dig. lib. L. xvii. 53. "De solutione indebiti." The title "de conditione indebiti" is lib. xii. tit. vi. and the first law is in substance the same.] This is the ground of *Consideration* in alienations from man to man.
³ "Nemo potest mutare consili-

"um suum in alterius præjudicium [injuriam]." L. lxxv. de Reg. Jur. [Dig. lib. L. tit. xvii. l. 75. p. 791.]
⁴ [Eccl. Disc. fol. 95. "Scientiam est, quod sub lege de decimis sacerdotibus et Levitis permittendis præceptum est, non ita præcise nos ad decimas persolvendas adigere. Hæc enim politica lex Judæorum fuit, quæ nos tantum generali quadam ratione devincit, ut nos quoque iis qui in opere Domini laborant consulamus."]
⁵ Acts v. 4.

[13.] For that all these are his possessions and that he doth himself so reckon them appeareth by the form of his own speeches. Touching gifts and oblations, "*Thou shalt give them me*¹;" touching oratories and churches, "*My house shall be called the house of prayer*²;" touching tithes, "*Will a man spoil God*³?" yet behold even me your God ye have *spoiled*⁴, "notwithstanding ye ask wherein, as though ye were ignorant what injury there hath been offered in *tithes*, ye are heavily accursed because with a kind of public consent ye have joined yourselves in one to rob me, imagining the comeliness of your offence to be every man's particular justification;" touching lands, "Ye shall offer to the Lord a sacred portion of ground, and that sacred portion shall belong to the priests⁵."

[14.] Neither did God only thus ordain amongst the Jews, but the very purpose intent and meaning of all that have honoured him with their substance was to invest him with the property of those benefits the use whereof must needs be committed to the hands of men. In which respect the style of ancient grants and charters is⁶ "We have given unto God both for us and our heirs for ever:" yea "We know," saith Charles the Great⁷, "that the goods of the Church are the sacred endowments of God, to the Lord our God we offer and dedicate whatsoever we deliver unto his Church." Whereupon the laws imperial do likewise divide all things in such sort that they make some to belong by right of nature indifferently unto every man, some to be the certain goods and possessions of commonweals, some to appertain unto several corporations or companies of men, some to be

¹ Exod. xxii. 29, 30.

² Matt. xxi. 13.

³ Mal. iii. 8.
⁴ "Non videntur rem amittere quibus propria non fuit." L. lxxxiii. de Reg. Jur. [Dig. L. xvii. 83. p. 791.]

⁵ Ezek. xlv. 1, 4.

⁶ Mag. Char. c. 1. [Imprimis, "Concessimus Deo, et hac præsentis charta nostra confirmavimus, pro nobis et hæredibus nostris in perpetuum, quod Ecclesia Anglicana libera sit, et habeat omnia jura sua integra, et libertates suas illæsas."]

⁷ Capit. Carol. l. vi. ca. 284.

[285. ap. Lindenbrog. Cod. p. 1025. (= l. vi. c. 370. Baluz. Capit. viii. ann. 803. of Worms. It is from the "*Petitione populi ad Imperatorem*." 1887. "Scimus enim res Ecclesiæ Deo esse sacratas, scimus eas esse oblationes fidelium, et pretia peccatorum: quapropter si quis eas ab ecclesiis, quibus a fidelibus collatæ, Deoque sacratæ sunt, aufert, proculdubio sacrilegium committit. "Quisquis ergo nostrum suas res Ecclesiæ tradit, Domino Deo illas offert atque dedicat."]

BOOK V. privately men's own in particular, and some to be separated
Ch. lxxix. 14. quite from all men¹, which last branch compriseth things
sacred and holy, because thereof God alone is owner. The
sequel of which received opinion as well without as within
the walls of the house of God touching such possessions hath
been ever, that there is not an act more honourable than by
all means to amplify and to defend the patrimony of religion,
not any more impious² and hateful than to impair those pos-
sessions which men in former times when they gave unto holy
uses were wont at the altar of God and in the presence of
their ghostly superiors to make as they thought inviolable by
words of fearful execration, saying, "These things we offer
"to God; from whom if any take them away (which we hope
"no man will attempt to do) but if any shall, let his account
"be without favour in the last day, when he cometh to re-
"ceive the doom which is due for sacrilege against that Lord
"and God unto whom we dedicate the same."

The best and most renowned Prelates of the Church of
Christ have in this consideration rather sustained the wrath
than yielded to satisfy the hard desire of their greatest com-
manders on earth coveting with ill advice and counsel that
which they willingly should have suffered God to enjoy.
There are of Martyrs whom posterity doth much honour, for
that having under their hands the custody of such treasures³
they could by virtuous delusion invent how to save them
from prey, even when the safety of their own lives they gladly
neglected; as one sometime an Archdeacon under Xystus the
Bishop of Rome did, whom when his judge understood to be
one of the church-stewards, thirst of blood began to slake and
another humour to work, which first by a favourable counte-

¹ "Nullius autem sunt res sacræ
"et religiosæ et sanctæ. Quod enim
"divini juris est, id nullius in bonis
"est." Inst. lib. ii. tit. i. [§ 7. p. 9.]
² "Soli cum Diis sacrilegi pug-
"nant." Curt. lib. vii. [c. 23.]
"Sacrum sacrove commendatum
"qui demperit rapseritve, [cleperit,
"rapsitque,] parricida esto." Leg.
xii. Tab. [Cic. de Leg. ii. 9.] Capit.
Carol. lib. vi. c. 285. (v. n. 7 on p. 493.)
["Facit scripturam de ipsis rebus,
"quas Deo dare desiderat, et ipsam
"scripturam coram altari, aut supra,
"tenet in manu, dicens ejusdem
"loci sacerdotibus atque custodi-
"bus; 'Offero Deo, atque dedico,
"omnes res, quæ hac in chartula
"tenentur insertæ. . . Siquis autem
"eas inde, quod fieri nullatenus
"credo, abstulerit, sub pœna sacri-
"legii ex hoc Domino Deo, cui eas
"offero atque dedico, districtissimas
"reddat rationes."]
³ "Deposita pietatis." Tertul.
Apologet. [c. 39.]

nance and then by quiet speech did thus calmly disclose it-
self¹: "You that profess the Christian religion make great
"complaint of the wonderful cruelty we shew towards you.
"Neither peradventure altogether without cause. But for
"myself, I am far from any such bloody purpose. Ye are
"not so willing to live, as I unwilling that out of these lips
"should proceed any capital sentence against you. Your
"bishops are said to have rich vessels of gold and silver,
"which they use in the exercise of their religion, besides the
"fame is that numbers sell away their lands and livings, the
"huge prices whereof are brought to your church-coffers, by
"which means the devotion that maketh them and their
"whole posterity poor must needs mightily enrich you,
"whose God we know was no coiner of money, but left be-
"hind him many wholesome and good precepts, as namely
"that Cæsar should have of you the things that are fit for
"and due to Cæsar. His wars are costly and chargeable
"unto him. That which you suffer to rust in corners the
"affairs of the commonwealth do need. Your profession is
"not to make account of things transitory. And yet if ye

BOOK V.
Ch. lxxix. 14.

¹ Prudent. Peristeph. [ii. Pass.
Laurent. 57. seqq.

"Soletis," inquit, "conqueri,
"Sævire nos justo amplius,
"Cum Christiana corpora
"Plusquam cruento scindimus.
"Abest atrocioribus
"Censura fervens motibus;
"Blande et quiete efflagito
"Quod sponte obire debeas.
"Hunc esse vestris orgiis
"Moremque et artem proditum est,
"Hanc disciplinam foederis,
"Libent ut auro Antistites.
"Argenteis scyphis ferunt
"Fumare sacrum sanguinem,
"Auroque nocturnis sacris
"Adstare fixos cereos.
"Tum summa cura est fratribus,
"Ut sermo testatur loquax,
"Offerre fundis venditis
"Sestertiorum millia.
"Addicta avorum prædia
"Foedis sub auctionibus
"Successor exhaeres gemit,
"Sanctis egens parentibus. . . .
"Hoc prudens usus publicus,
"Hoc fiscus, hoc ærarium,
"Ut didita stipendii

"Ducem juvet pecunia.
"Sic dogma vestrum est, audio:
"Suum quibusque reddito:—
"En Cæsar agnoscit suum
"Nomisma nummis inditum.
"Quod Cæsar scis, Cæsari
"Da: nempe justum postulo:
"Ni fallor, haud ulla tuus
"Signat Deus pecuniam.
* * * * *
"Implete dictorum fidem
"Quæ vos per orbem venditis:
"Nummos libenter reddite,
"Estote verbis divites.
"Nil asperum Laurentius
"Refert ad ista, aut turbidum,
"Sed, ut paratus obsequi,
"Obtemperanter annuit." . . . &c.

Sarav. de Hon. Præsul. &c. c. 11.
"Nota est Laurentii Diaconi Ro-
"manæ Ecclesiæ historia, penes
"quem thesaurus adservari Eccle-
"siæ tyranni suspicabantur: quæ
"suspicio partim vera fuit, nam
"thesaurus habebat Ecclesia, par-
"tim falsa, nam adservandi thesau-
"ros mos non erat, sed distribu-
"endi."

BOOK V. "can be contented but to forego that which ye care not for,
Ch. lxxix. 15. "I dare undertake to warrant you both safety of life and
"freedom of using your conscience, a thing more acceptable
"to you than wealth." Which fair parley the happy Martyr
quietly hearing, and perceiving it necessary to make some
shift for the safe concealment of that which being now desired
was not unlikely to be more narrowly afterwards sought, he
craved respite¹ for three days to gather the riches of the
Church together, in which space against the time the governor
should come to the doors of the temple big with hope to re-
ceive his prey, a miserable rank of poor, lame, and impotent
persons was provided, their names delivered him up in writing
as a true inventory of the Church's goods, and some few
words used to signify how proud the Church was of these
treasures.

[15.] If men did not naturally abhor sacrilege, to resist or
defeat so impious attempts would deserve small praise. But
such is the general detestation of rapine in this kind, that
whereas nothing doth either in peace or war more uphold
men's reputation than prosperous success, because in common
construction unless notorious improbity be joined with pro-
sperity it seemeth to argue favour with God, they which once
have stained their hands with these odious spoils do thereby
fasten unto all their actions an eternal prejudice, in respect
whereof, for that it passeth through the world as an undoubted
rule and principle that sacrilege is open defiance to God,
whatsoever they afterwards undertake if they prosper in it
men reckon it but Dionysius his navigation²; and if any
thing befall them otherwise it is not, as commonly, so in them
ascribed to the great uncertainty of casual events, wherein the
providence of God doth control the purposes of men often-
times much more for their good than if all things did answer
fully their heart's desire, but the censure of the world is ever
directly against them both bitter and peremptory³.

¹ [So 1616, 1662. But Bodl. MS. and 1st ed. *respect.*] 1887.

² [Valer. Max. lib. i. c. 2. "Sy-
racusis Dionysius genitus. . . fano
". . . Proserpinæ spoliato Locris,
"cum per altum secundo vento
"classe veheretur, ridens, amicis,

"'Vidētisne,' ait, 'quam bona na-
"vigatio ab ipsis Diis immortalibus
"sacrilegis tribuatur?"]

³ "Novimus multa regna et
"reges eorum propterea cecidisse,
"quia Ecclesias spoliaverunt, resque
"earum vastaverunt," ["abstule-

[16.] To make such actions therefore less odious, and to
mitigate the envy of them, many colourable shifts and inven-
tions have been used, as if the world did hate only Wolves
and think the Fox a goodly creature. The time it may be
will come¹ when they that either violently have spoiled or
thus smoothly defrauded God shall find they did but deceive
themselves. In the meanwhile there will be always some
skilful persons which can teach a way how to grind treatably
the Church with jaws that shall scarce move, and yet devour
in the end more than they that come ravening with open
mouth as if they would worry the whole in an instant;
others also who having wastefully eaten out their own patri-
mony would be glad to repair if they might their decayed
estates with the ruin they care not of what nor of whom so
the spoil were theirs, whereof in some part if they happen to
speed, yet commonly they are men born under that constella-
tion which maketh them I know not how as unapt to enrich
themselves as they are ready to impoverish others, it is their
lot to sustain during life both the misery of beggars and the
infamy of robbers.

But though no other plague and revenge should follow
sacrilegious violations of holy things, the natural secret dis-
grace and ignominy, the very turpitude of such actions in the
eye of a wise understanding heart² is itself a heavy punish-
ment³. Men of virtuous quality are by this sufficiently

"runt," sic in Ed. Par. 1640.]

"alienaverunt vel diripuerunt, Epi-
"scopisque et Sacerdotibus, atque,
"quod majus est, Ecclesiis eorum
"abstulerunt, et pugnantibus dede-
"runt. Quapropter nec fortes in
"bello nec in fide stabiles fuerunt,
"nec victores exstiterunt, sed terga
"multi vulnerati et plures interfecti
"verterunt, regnaque et regiones
"et quod pejus est regna cœlestia
"perdiderunt, atque propriis hære-
"ditatibus caruerunt et hactenus
"carent." Verba Carol. Magn. in
"Capit. Carol. lib. vii. c. 104. (= vii.
"c. 142, ed. Baluz. from the *Capitulare*
"of Worms, 803.)

¹ "Turno tempus erit, magno cum
"optaverit emptum
"Intactum Fallanta, et cum spolia
"ista diemque

"Oderit." Virg. Æn. lib. x. 503.

² "Ἡ τῶν πραγμάτων ἀσχύνη οὐδε-
"μίας ἐλάττων ζημίας τοῖς γε σώφροσι.
"Demosth. [Olynth. i. ad fin.] "Pœ-
"nam non dico legum quas sæpe
"perrumpunt, sed ipsius turpitudi-
"nis quæ acerbissima est non vi-
"dent." Cic. Offic. lib. iii. [c. 8.]
"Impunita tu credis esse quæ in-
"visa sunt? aut ullum supplicium
"gravius existimas publico odio."
"Sen. de Benef. lib. iii. c. 17.

³ ["Sardonius inter tot sacrilegia
"Dionysii risus fuit: tot malefici-
"orum conscius metu vacare non
"potuit." Sarav. de Sacrilegiis,
"c. 9. Then reciting the story of
"Damocles, he adds, "Satisne vide-
"tur declarasse Dionysius, sacrile-
"gos in perpetuo versari metu?"]

BOOK V. moved to beware how they answer and requite the mercies of
Ch. lxxxix. 17. God with injuries whether openly or indirectly offered.

I will not absolutely say concerning the goods of the Church that they may in no case be seized on by men, or that no obligation, commerce and bargain made between man and man can ever be of force to alienate the property which God hath in them. Certain cases I grant there are wherein it is not so dark what God himself doth warrant, but that we may safely presume him as willing to forego for our benefit, as always to use and convert to our benefit whatsoever our religion hath honoured him withal. But surely under the name of that which may be, many things that should not be are often done. By means whereof the Church most commonly for gold hath flannel, and whereas the usual saw of old was "Glaucus his change," the proverb is now, "A church bargain."

[17.] And for fear lest covetousness alone should linger out the time too much and not be able to make havock of the house of God with that expedition which the mortal enemy thereof did vehemently wish, he hath by certain strong enchantments so deeply bewitched religion itself as to make it in the end an earnest solicitor and an eloquent persuader of sacrilege, urging confidently, that the very best service which men of power can do to Christ is without any more ceremony to sweep all and to leave the Church as bare as in the day it was first born, that fulness of bread having made the children of the household wanton, it is without any scruple to be taken away from them and thrown to dogs; that they which laid the prices of their lands as offerings at the Apostles' feet did but sow the seeds of superstition; that they which endowed churches with lands poisoned religion; that tithes and oblations are now in the sight of God as the sacrificed blood of goats; that if we give him our hearts and affections our goods are better bestowed otherwise; that Irenæus Polycarp's disciple should not have said, "We offer unto God our goods as tokens of thankfulness for that we receive¹," neither Origen, "He which worshippeth God must by gifts and oblations acknowledge him the Lord of

¹ Iren. lib. iv. c. 34. ["Offerimus "agentes Dominationi ejus, et sanc-
"ei non quasi indigenti, sed gratias "tificantes creaturam."]

"all¹," in a word that to give unto God is error, reformation of error to take from the Church that which the blindness of former ages did unwisely give. By these or the like suggestions received with all joy and with like sedulity practised in certain parts of the Christian world they have brought to pass, that as David doth say of man so it is in hazard to be verified concerning the whole religion and service of God²: "The time thereof may peradventure fall out to be threescore and ten years, or if strength do serve unto fourscore, what followeth is likely to be small joy for them whosoever they be that behold it." Thus have the best things been overthrown not so much by puissance and might of adversaries as through defect of counsel in them that should have upheld and defended the same.

LXXX. There are in a minister of God these four things to be considered, his ordination which giveth him power to meddle with things sacred, the charge or portion of the Church allotted unto him for exercise of his office, the performance of his duty according to the exigence of his charge, and lastly the maintenance which in that respect he receiveth. All ecclesiastical laws and canons which either concern the bestowing or the using of the power of ministerial order have relation to these four. Of the first we have spoken before at large.

[2.] Concerning the next, for more convenient discharge of ecclesiastical duties, as the body of the people must needs be severed by divers precincts, so the clergy likewise accordingly distributed. Whereas therefore religion did first take place in cities, and in that respect was a cause why the name of *Pagans* which properly signifieth country people came to be used in common speech for the same that infidels and unbelievers were, it followed thereupon that all such cities had their ecclesiastical colleges consisting of Deacons and of Presbyters, whom first the Apostles or their delegates the Evangelists did both ordain and govern. Such were the colleges of Jerusalem, Antioch, Ephesus, Rome, Corinth, and the rest where the Apostles are known to have planted

¹ Orig. in 18. Num. hom. xi. "mitias sacerdotibus." t. ii. 303 A.]
["Indignum existimo et impium, ut ² Psalm xc. 10
"is, qui Deum colit non offerat pri-