our faith and religion. Now because religion and the cure of souls was their general charge in common over all that were near about them, neither had any one presbyter his several cure apart till Evaristus. Bishop in the see of Rome about the year 112, began to assign precincts unto every church, or title which the Christians held, and to appoint unto each presbyter a certaincompass whereof himself should take charge alone, the commodiousness of this invention caused all parts of Christendom to follow it, and at the length among the rest our own churches about the year 636 became divided in like manner. But other distinction of Churches there doth not appear any in the Apostles' writings save only according to those cities wherein they planted the Gospel of Christ and erected ecclesiastical colleges. Wherefore to ordain  

καὶ πάνω throughout every city, and  

καὶ ἐκκλησίαν throughout every church do in them signify the same thing. Churches then neither were nor could be so convenient sort limited as now they are; first by the bounds of each state, and then within each state by more particular precincts, till at the length we descend unto several congregations termed parishes with far narrower restraint than this name at the first was used.

[3.] And from hence hath grown their error, who as oft as they read of the duty which ecclesiastical persons are now


Acts xv. 36; Apoc. i. 20.

Tit. i. 5; Acts xiv. 23.

Indefinite Ordination in one Sense more primitive. 501

BOOK V.  
Ch. lxxxv. 4.

1 [Adm. ap. Whitg. Def. 216. They none admitted to the ministry, but a place was void aforesaid, to which he should be called." T. C. i. 42. al. 60. "There are by the word of God at this time no ordinary ministers ecclesiastical, which be not local, and tied to one congregation: therefore this sending abroad of ministers which have no place is unlawful," And p. 43. al. 61. "For the Pastor or Bishop which is here mentioned, which name soever we consider of them, doth forthwith . . . imply and infer a certain and definite charge, being, as the Logicians term them, actual relatives. For what shepherd can there be, unless he have a flock? and how can he be a watchman, unless he have some city to look unto?" Whitg. Def. 219. He is also a shepherd that hath moflocks, and he is a shepherd that hath a general care and oversight of many shepherds and many flocks. See also T. C. ii. 298, 299; and Eccl. Disc. f. 28. "Vocatio...nunquam "libera vagetur, sed certi ali "cujus loc atque ecclesiae procura- tionis conjuncta sit.

2 [Referred to some of the time of Archbishop Theodore. "Excita- bat Theodorus Archiepiscopos fin "delium devotionem et voluntatem "in quarnumb pro vinciarum civi "tatibus, nec non villis, ecclesias..."


4 [Referring some to the time of Archbishop Theodore. "Excita- bat Theodorus Archiepiscopos fi- "delium devotionem et voluntatem "in quarnumb pro vinciarum civi- "tatibus, nec non villis, ecclesias..."
there was ordained only in each Christian city a college of presbyters and deacons to administer holy things. Evarestus did a hundred years after the birth of our Saviour Christ begin the distinction of the church into parishes. Presbyters and deacons having been ordained before to exercise ecclesiastical functions in the church of Rome promiscuously, he was the first that tied them each one to his own station. So that of the two indefinite ordination of Presbyters and Deacons doth come more near the Apostles' example, and the tying of them to be made only for particular congregations may justly ground itself upon the example of Evarestus than of any Apostle of Christ.

[5.] It hath been the opinion of wise men and good men heretofore that nothing was ever devised more singularly beneficial unto God's Church than this which our honourable predecessors have to their endless praise found out, by the erecting of such houses of study as those two most famous universities do contain, and by providing that choice wits after reasonable time spent in contemplation may at the length either enter into that holy vocation for which they have been so long nourished and brought up, or else give place and suffer others to succeed in their rooms, that so the Church may be always furnished with a number of men whose ability being first known by public trial in church labours there where men can best judge of them, their calling afterwards unto particular charge abroad may be according. All this is frustrate, those worthy foundations we must dissolve, their whole device and religious purpose which did erect them is made void, their orders and statutes are to be cancelled and disannulled, in case the Church be forbidden to grant any power of order unless it be with restraint to the party ordained unto some particular parish or congregation.

[6.] Nay might we not rather affirm of presbyters and of deacons that the very nature of their ordination is unto necessary local restraint a thing opposite and repugnant? The emperor Justinian doth say of tutors, "Certe rei vel causae tutor dari non potest, quia personae non causae vel rei tutor datur." He that should grant a tutorship restraining his grant to some one certain thing or cause should do


but idly, because tutors are given for personal defence generally and not for managing of a few particular things or causes. So he that ordaining a presbyter or a deacon should in the form of ordination restrain the one or the other to a certain place might with much more reason be thought to use a vain and a frivolous addition, than they reasonably to require such local restraint as a thing which must of necessity concur evermore with all lawful ordinances. Presbyters and deacons are not by ordination consecrated unto places but unto functions. In which respect and in no other it is, that sith they are by virtue thereof bequeathed unto God, severed and sanctified to be employed in his service, which is the highest advancement that mortal creatures on earth can be raised unto, the Church of Christ hath not been acquainted in former ages with any such profane and unnatural custom as doth hallow men with ecclesiastical functions of order only for a time and then dismiss them again to the common affairs of the world: whereas contrariwise from the place or charge where that power hath been exercised we may be by sundry good and lawful occasions translated, retaining nevertheless the selfsame power which was first given.

[7.] It is some grief to spend thus much labour in refuting a thing that hath so little ground to uphold it, especially sith they themselves that teach it do not seem to give thereunto any great credit, if we may judge their minds by their actions. There are amongst them that have done the work of ecclesiastical persons sometime in the families of noblemen, sometime in much more public and frequent congregations, there are that have successively gone through perhaps seven or eight particular churches after this sort, yea some that at one and the same time have been, some which at this present hour are in real obligation of ecclesiastical duty and possession of commodity thereto belonging even in sundry particular churches within the land, some there are amongst them which will not so much abridge their liberty as to be fastened or tied unto any place, some which have bound themselves to one place only for a time and that time being once expired have afterwards voluntarily given unto other places the like experience and trial of them. All this

1 [As Travers in the household of Burghley.]
BOOK V.

I presume they would not do if their persuasion were as strict
as their words pretend.

[8.] But for the avoiding of these and such other the like
confusions as are incident into the cause and question whereof
we presently treat, there is not any thing more material than
first to separate exactly the nature of the ministry from the
use and exercise thereof; secondly to know that the only true
and proper act of ordination is to invest men with that power
which doth make them ministers by consecrating their persons
to God and his service in holy things during term of life
whether they exercise that power or no; thirdly that to give
them a title or charge where to use their ministry concerneth
not the making but the placing of God's ministers, and therefore
the laws which concern only their election or admission unto
place of charge are not appliable to infringe any way their
ordination; fourthly that as oft as any ancient constitution,
Tw. 1586. Titulus in its modern sense
law, or canon is alleged concerning either ordinations or elec-
tions, we forget not to examine whether the present case be the
same which the ancient was, or else do contain some just reason
for which it cannot admit altogether: the same rules which
former affairs of the Church now altered did then require.

[9.] In the question of making ministers without a title,
which to do they say is a thing unlawful, they should at the
very first have considered what the name of title doth imply,
and what affinity or coherence ordinances have with titles,
which thing observed would plainly have showed them their
own error. They tell not that when they speak of a
Title. Titulus. A title
Title. Titulus. a title they handle that which belongeth to the placing of a
minister in some charge, that the place of charge wherein a
minister doth execute his office requireth some house of God
for the people to resort unto, some definite numbers of souls
unto whom he there administereth holy things, and some
certain allowance whereby to sustain life; that the Fathers at
the first named oratories and houses of prayer titles, whereby

signifying how God was interested in them and held them as
his own possessions. But because they know that the Church
had ministers before Christian temples and oratories were,
therefore some of them understand by a title a definite con-
gregation of people only, and so deny that any ordination is
lawful which maketh ministers that have no certain flock to
attend, forgetting how the Seventy whom Christ himself did
ordain ministers had their calling in that manner, whereas yet
no certain charge could be given them. Others referring the
name of a title especially to the maintenance of the minister
infringe all ordinances made, except they which receive
orders be first entitled to a competent ecclesiastical benefice,
and (which is most ridiculously strange) except besides their
present title to some such benefice they have likewise "some
other title of annual rent or pension, whereby" they may be
"relieved in case through infirmity, sickness, or other lawful
impediment" they grow unable "to execute" their "eccle-
siastical function." So that every man lawfully ordained
must bring a bow which hath two strings, a title of present
right and another to provide for future possibility or chance.

[10.] Into these absurdities and follies they slide by mis-
conceiving the true purpose of certain canon's, which indeed

rectores ejus patrimonii urbana
vel rustica praeda juris illius com-
petere posse suspicat, fiscali
more titulorum imprimat. Concli.
T. 1586. Titulus in its modern sense
v. 1586. Titulus in its modern sense
appears in a canon of a synod of
Braga about A.D. 572. Ibid. 901.
The decretal letter of Pius I. (l. 576.)
in which also we find the word,
seems to be spurious.
1 Leaving aside oratories and houses of prayer titles, whereby


"apponeere, seu Tabulas inscriptas:
"quae ritu privatorum aut regi-
"rum fisco addicentur." (Cf.
Fleury, Droit Eccles. (1771.) i. 91. and
Serm. 146. (s. 62.) No. 2.)
The manner
in which the word may have passed
from its civil to its ecclesiastical
meaning is explained in the follow-
ing ordinance of a Roman synod
under S. Gregory. Consuetu-
"nova et in hac ecclesia valide
"reprehensibilis erupit, ut cum

merted unto orders having for his
presentation some ecclesiastical
benefice should also have some
other title unto some annual rent
or pension, whereby he might be
"relieved in case he were not able
through infirmity sickness or other
lawful impediment to execute his
"ecclesiastical office and function." 2
[Vid. Bishop Gibson's Codex,
1. 140. tit. iii. 3. note. "One of the
earliest and most strict among
these decrees is that of the coun-
cil of Chaledon, Maceda 84 and
chaledon, in which the fathers
a". B. P. 84. x. 817. 8. 824. 8.
"homines more homines, uno
"muli. 84. x. 817. 8. 803. 8.
"alii, idem in ecclesia t ticking, 8.
"eodem a homines in ecclesia.

1 "Unlawful to ordain a minister
"without a title." In their "An
"Abstract of certain Acts of Par-
"liament; of certain her Majesties
"Injunctions; of certain Canons,
"Constitutions and Synodales pro-
"vincial; established and in force,
"for the peacable government of
"the Church within her Majesties
"dominions and countries, for the
"most part heretofore unknown
"and unpractized." No date, but
it came out 1584. Strype, Ann. iii.
law requireth that every one ad

rectores ejus patrimonii urbana
vel rustica praeda juris illius com-
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in which also we find the word,
seems to be spurious.
have forbidden to ordain a minister without a title, not that
simply it is unlawful so to ordain, but because it might grow
to an inconvenience if the Church did not somewhat restrain
that liberty. For seeing they which have once received ordi-
nation cannot again return into the world, it behoveth them
which ordain to foresee how such shall be afterwards able to
live, lest their poverty and destitution should redound to the
disgrace and discredit of their calling. Which evil prevented,
those very laws which in that respect forbid, do expressly
admit ordinations to be made at large and without title,
namely if the party so ordained have of his own for the sus-
tenance of this life, or if the bishop which giveth him orders
will find him competent allowance till some place of minis-
tration from whence his maintenance may arise be provided
for him, or if any other fit and sufficient means be had against
the danger before mentioned.

[11.] Absolutely therefore it is not true that any ancient
canon of the Church which is or ought to be with us in force
doth make ordinations at large unlawful, and as the state of
the Church doth stand they are most necessary. If there be
any conscience in men touching that which they write or
speak, let them consider as well what the present condition of
all things doth now suffer, as what the ordinances of former
ages did appoint; as well the weight of those causes for which
our affairs have altered, as the reasons in regard whereof our
fathers and predecessors did sometime strictly and severely
keep that which for us to observe now is neither meet nor
always possible. In this our present cause and controversy
whether any not having title of right to a benefice may be
lawfully ordained a minister, is it not manifest in the eyes of
all men, that whereas the name of a benefice doth signify
some standing ecclesiastical revenue taken out of the treasure
of God and allotted to a spiritual person, to the end he may
use the same and enjoy it as his own for term of life unless
his default cause deprivation, the clergy for many years after
Christ had no other benefices ¹ but only their canonical por-
tions, or monthly dividends allowed them according to their
several degrees and qualities out of the common stock of such
gifts, oblations, and tithes as the fervour of Christian piety
did then yield? Yea that even when ministers had their
churches and flocks assigned unto them in several, yet for
maintenance of life their former kind of allowance continued,
till such time as bishops and churches cathedral being suffi-
ciently endowed with lands, other presbyters enjoyed instead
of their first benefices the tithes and profits of their own con-
gregations whole to themselves? Is it not manifest that in
this realm, and so in other the like dominions, where the
tenure of lands is altogether grounded on military laws, and
held as in fee under princes which are not made heads of the
people by force of voluntary election, but born the sovereign
lords of those whole and entire territories, which territories
their famous progenitors obtaining by way of conquest retained
what they would in their own hands and divided the rest to
others with reservation of sovereignty and capital interest, the
building of churches and consequently the assigning of either
parishes or benefices was a thing impossible without consent
of such as were principal owners of land; in which considera-
tion for their more encouragement hereunto they which did
so far benefit the Church had by common consent granted (as
great equity and reason was) a right for them and their heirs
till the world's end to nominate in those benefices men whose

¹ [S. Cypr. Ep. t. ii. p. 2, calls
them "sporulantnes frater." Ep.
39. p. 78, he mentions his purpose
of ordaining certain confessors to be
presbyters, "ut et sporulius isidem
"cum Presbyteris honorentur, et
divisiones mensuras aequas
"quantitatus partiantur." Ep. 34.
p. 68, he enjoins that certain clerical
persons whose conduct had been
questionable should not present
themselves to receive their monthly
dividend,—"se a divisione mensur-
"na continent,"—till the sentence
of the Church concerning them
could be known. Tertullian, Apol.
39, describes the customary collec-
tion as monthly: "Modicum unus-
"quisque stipem menstru die, vel
"quum velit, et si modo velit et si
"modo possit, apponit." See Bing-
ham, v. 4. § 2, 3]

² [E. g. In the church of Con-
stantinople, about A. D. 460, Gen-
nadius then patriarch made Marcian
a Novatianist (οικονομος) steward or
treasurer of the church: οδ ημα το
"γενεσθαι οικονομοι, τα προσφερομενα
"εν εκεινη ηκκλησαι των των
κληρον κωμισθαι δειστενομεν, εις
τουτον της μεγαλης ηκκλησαι πιντα
καυσοις της θεοτοκεως. Theod. Lector. lib. i. ad
p. 533]
quality the bishop allowing might admit them thereunto? Is it not manifest that from hence inevitably such inequality of parishes hath grown, as causeth some through the multitude of people which have resort unto one church to be more than any one man can wield, and some to be of that nature by reason of chapels annexed, that they which are incumbents should wrong the church if so be they had not certain stipendaries under them, because where the corps of the profit or benefice is but one, the title can be but one man's, and yet the charge may require noe? 

[12.] Not to mention therefore any other reason whereby it may clearly appear how expedient it is and profitable for this Church to admit ordinations without title, this little may suffice to declare how impertinent their allegations against it are out of ancient canons, how untrue their confident asseverations that only through negligence of popes prelates the custom of making such kind of ministers hath prevailed in the church of Rome against their canons, and that with us it is expressly against the laws of our own government when a minister doth serve as a stipendary curate, which kind of service nevertheless the greatest Rabbins of that part do altogether follow. For howsoever they are loth peradventure to be named curates, stipendaries they are and the labour they bestow is in other men's cures, a thing not unlawful for them to do, yet unseemly for them to condemn which practise it.

[13.] I might here discover the like oversight throughout all their discourses made in behalf of the people's pretended right to elect their ministers before the bishop may lawfully ordain. But because we have on other where at large disputed of popular elections, and of the right of patronage wherein is drowned whatsoever the people under any pretence or colour

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may seem to challenge about admission and choice of the pastors that shall feed their souls, I cannot see what one duty there is which always ought to go before ordination, but only care of the party’s worthiness as well for integrity and virtue as knowledge, yea for virtue more, inasmuch as defect of knowledge may sundry ways be supplied, but the scandal of vicious and wicked life is a deadly evil.

LXXXI. The truth is that of all things hitherto mentioned the greatest is that threefold blot or blemish of notable ignorance, unconscionable absence from the cures whereof men have taken charge, and unsatisfactory hunting after spiritual preferments without either care or conscience of the public good. Whereof to the end that we may consider as in God’s own sight and presence with all uprightness, sincerity and truth, let us particularly weigh and examine in every of them first how far forth they are reprovable by reasons and maxims of common right; secondly whether that which our laws do permit be repugnant to those maxims, and with what equity we ought to judge of things practised in this case, neither on the one hand defending that which must be acknowledged out of square, nor on the other side condemning rashly whom we list for whatsoever we disallow.

[2.] Touching arguments therefore taken from the principles of common right to prove that ministers should be learned, that they ought to be resident upon their livings, and that more than one only benefice or spiritual living may not be granted unto one man; the first because St. Paul requireth in a minister ability to teach, to convince, to distribute the word rightly, because also the Lord himself hath protested they shall be no priests to him which have rejected knowledge, and because if the blind lead the blind they must both needs fall into the pit: the second because teachers are shepherds whose flocks can be at no time secure from danger, they are watchmen whom the enemy doth always besiege, their labours in the Word and Sacraments admit no intermission,

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