

Breviario cap. 12 schisma factum est inter eos quale antea nunquam contigerat. Egypti, Thraces & Palestini Episcopi Dioscorum sequebantur, Orientales, Ponticis & Asiani Sanctæ Memorie Flavianum: Quod Schisma Permansit usque ad obitum Theodosii Principis. But when Martianus was made Emperour, all was undon again: that went for Heresie, which before went for the right belief, Dioscorus was banished, Proterius was chosen; and how chosen: saith Liberatus c. 14. ut cum omnium civium voluntate eligerint ordinandum Episcopum, sacris ob hoc literis præcedentibus, ad Theodorum tunc Augustalem collecti sunt ergo Nobiles Civitatis, ut eum qui esset vita & sermone Pontificatu dignus, eligerint: Hoc enim & Imperialibus sanctionibus jubebatur, N. B. Yet all this quieted not the people because Dioscorus was still by the most taken for their true Bishop; so that Proterius was faine to live under the guard of Souldiers among them: Timothy Ælurus, and Peter Moggus keeping separate Congregations, would not communicate with Proterius; and no sooner did they hear of Martians death, but the people in tumult murdered Proterius in the Church, mangled him, cast out, and burnt his carcass, and scattered his ashes in the wind, and made Timothy Ælurus their Bishop: And thenceforward Alexandria had two Bishops: And both sides petitioning the new Emperour Leo to be for them, he commanded (upon examination) his General to cast out Timothy, & alium decreto populi qui Synodum Calced. vindicaret, inthronizare, This Stila the Captain performeth, and another Timothy Salophaciolus is chosen: But when after Leo's death

Basi-

Basiliscus usurped the Empire against *Zeno*, this *Timothy* is cast out again, and the other restored; and other Bishops changed accordingly in opposition to the Council of *Calcedon*. And no sooner was *Zeno* restored, but all was returned back again, and *Alurnus* poisoned himself to escape worse: Yet did his Party make *Peter Moggus* their Bishop; and the Emperour commanded *Anthimus* to cast him out, and set up *Timothy Saloph.* again: But while the Emperours chose who should have the Publick Authority and Temples, they left the people to joyn in the choice, and the Dissenters kept up their own Bishops and Schism. And thus the matter went on uncured: And very ordinarily it was the *Pulcheria's*, *Theodora's*, *Eudoxia's*, and such other women, the Empreſſes, that by Historians are said to dispose of these matters, and make such Patriarchs and Bishops: And these courses still increased Schisms: Of the *Joannites* at *Constantinople* we spake before. What a calamitous Schism was that at *Alexandria* between the Party that held Christ's body incorruptible, called by the other the *Phantasiaste*, and those that held it corruptible called the *corrupticola*, one part taking *Gaius* for the Bishop, and the other *Theodosius*; and the secular power, setting up one, the Soldiers and the city fought it out. abundance on both sides being slain, and yet the Soldiers had the worst, and *Theophilus* was forced away.

In *Justinian's* time when *Paulus* an Orthodox man was made Patriarch, he could not hold his seat without such plots, as occasioned *Rhodo* the *Augustalis* to murder *Psoius* the Deacon, which

which cost *Rhodo* and *Arsenius* their lives, and *Paulus* his contemptuous deposition, by the Emperours justice. Should we but run over the history of other great Churches, especially *Rome*, *Constantinople*, *Antioch*, *Ephesus*, *Cesarea*, alas how sadly would it shew that neither Emperours nor synods assuming the power did end such Schismes, but increase them, where the Bishopricks were so great as to seem a very desirable prey: But where they were small and poor, there was far greater peace and quietness, though the people commonly had their choice, and every where their consent was judged necessary; the proofs of which might fill a Volume. See in *Synodo Romano quarto sub Symmacho* (in *Binnio Vol. 2. p. 288.*) &c. the claim of *Odoacer* that no Bishop of *Rome* should be made without the consent of the King of *Italy*; And the Bishops speeches against it. Even in the daies of *Gregor. 1. Rom.* You may see how things went, by the constant tradition of the Church; *Epist. 22.* (in *Bin. Vol. 2. p. 759. recitat*) [*natalem Salonitane Ecclesie fratrem & coepiscopum nostrum obisse discurrens in partibus istis fama vulgavit: Quod si verum est experientia tua omni instantia omni que sollicitudine CLERUM & POPULUM ejusdem Civitatis admonere festinet, quatenus uno consensu ad ordinandum sibi debeant eligere Sacerdotem; factoque in personam que fuerit electa decreto, ad nos transmittere studebis, ut cum nostro consensu sicut prescis fuit temporibus ordinetur. Illud pre omnibus tibi cura sit ut in hac electione nec datio quibusque modis interveniat premiorum, nec quarumlibet personarum patrocinia convalescant; nam si quorundam*

rundam patrocínio fuerit quisquam Electus, Voluntatibus eorum cum fuerit ordinatus obedire, reverentia exigente compellitur---Talem ergo te admonente personam debent eligere, quæ nullius incongrue voluntati deserviat, sed vita & moribus decorata, tanto ordine digna valeat inveniri. And at the Council Paris 3. in the daies of Pope John 3. and K. Childebert, when Kings were forbidden to make Bishops, it was ordained Can. 8. that [*Nullus civibus invitis ordinatur Episcopus nisi quem Populi & Clericorum electio plenissima quaesierit voluntate, non principis imperio.* And the Bishops are forbidden to receive him into their number who is made by Kings.

At the Council of Calcedon, Act. 12. it was determined, that neither of the two Bishops of Ephesus, Bassianus, or Stephanus, could be Bishops, because not duly elected, but a third to be chosen. See also for the peoples unanimous Election of their Bishop Greg. 1. Epist. 65. in Bin. Vol. 2. p. 890.

We need not bid the Learned enquire whether Gregory Næoces. Basil, Ambrose, Martin, Damasus, (and so of the rest) ordinarily were Bishops without the consent of the people over whom they were placed: And though sometimes the peoples choice have (many hundred years only after Christs time, but not in the Primitive Church) been restrained, so was not their consenting voice denied.

I have translated and adjoynd the Epistle of Cyprian and an Africane Council with him (where were then the best ordered Churches in the World; as farr as I can learn) in which they counsel the Churches of *Basilides* and *Marzial* to

to forsake them because they were Libellatiks in persecution, proving from Scripture that *uncapable persons cannot be Pastors*, and that such scandalous sinners and bad men were uncapable persons (*forma non recipitur in materiam indispositam;*) charging it upon their consciences as from Gods word; shewing them that els they will be Guilty of their sins because the chief power is in the people both of chusing the worthy, and forsaking the unworthy. And yet these two Bishops lived beyond the Seas in another Country, and the Bishops of their own Country and the Bishop of *Rome* had dealt more gently with them, and adjudged Communion to them. And the *Africans* pretended to no authority over them, but by Counsell told them of Gods own Law, which no man had power to invalidate. They charge the people as heinous sinners if they forsake not a wicked unmeet Bishop or Pastor. what Libellaticks were I supposed the reader to know (*viz.* such as to save their lives in persecution, had permitted another to put their names by subscription to a false profession that favoured idolatry or infidelity.)

Obj. 1. *But Cyprian and the African Councils were mistaken in the point of Rebaptizing those baptized by Hereticks; and so they might be here.)*

Ans. 1. The Council of *Nice* decreed the rebaptizing of those that were baptized by some Hereticks, though not by all : And if the *Africans* did not confine the word to such, they erred only in not sufficiently distinguishing of Hereticks. 2. If we are excused from receiving the testimony of such Fathers and Councils as had any Error, or as great an Error as that,

you may see what will follow. 3. We do not cite *Cyprian* and the *African* Council as infallible, nor as having more Governing power over us than the present Rulers, but as being *to us* (I say *to us*) of more credit and authority in telling us what is *jure divino* than those Bishops or others that now condemn us as Schismatics.

4. *Cyprian* and the *African* Council were not forbidden for this judgment of theirs to Preach Christs Gospel, nor cast out of the Churches, nor sent to Goals, nor called and used as Rogues and Schismatics, and farr worse then drunkards, adulterers, yea or the atheists and infidels among us. (Nor were the people that obeyed their Council so used.) But the names of these holy men are venerable to this day.

Obj. 2. *There were then no Christian Magistrates, and therefore the peoples power must be used in their stead.*

Ans. Church power was the same before and after. The Lawes of Christ concerning it altered not. The Pastors were then the Guides of the people by divine right: And the power of the Keyes was no less forcible or effectual as used by the Bishops and Presbyters, than when the power of the sword was added to them (if not much more.) And the peoples power of choosing and refusing Bishops continued many hundred years after Magistrates were Christians, confirmed even by Popes and Councils.

Obj. 3. *This would cast all into confusion, and there would be no Church Government, if the people be judges when a Minister is bad, and then may pull him down or forsake him, and choose another.*

Ans.

Ans. This is after further answerd. I now only say 1. The people may not touch his Person, by violence, nor deprive him of his benefice or temple, nor yet degrade him: As they that change their Physician or Lawyer do no such thing, but simply choose one that they can trust. No man will win more by my salvation than I shall, nor would suffer more than I by it if I were damned: Who is more than I concerned what becometh of my soul? Am I not to have more care of it than of my estate or health of body? Who can easily believe those men that send us to goales and ruin us for trusting our soules with such Guides as to the best of our understandings we think meetest, or at least for avoiding such as we cannot so farr trust, and then tell us that they do it because they love our souls better than we love our selves, and therefore will not trust them to our choice. 2. what confusion doth it cause that every man now chooseth his owne Tutor in philosophy, his own master, his own Lawyer and physician, and every woman at age her own husband.

3. Doth not the Church of *England* (as is said) allow every man his choice, when no man is forbidden to forsake any Bishop or Pastor and choose another by removing his habitation when he pleases? So that all this is but about Parish bounds, which is confessed to be of humane alterable constitution. And how ordinarily do many Gentlemen of the Church of *England* go from their own Parishes in *London*? 4. You may see by *Philip Nyes* printed papers, and Mr. *Tombs* his, that even those called Independents

and some Anabaptists are for hearing such Parish-Teachers as their Rulers shall appoint, so they may but commit the Pastoral care of their souls to such as they can better trust, and have Sacraments and special Church Communion free.

5. what great confusion doth it breed in *London* that the French and Dutch Churches thus differ from the rest, and have their proper modes and Government? Yea or that the Nonconformists by the favour of his Majesties Licenses had their choice and several meetings. Let not envy and animosity feign greater confusion than there is, and the matter will appear much otherwise than it is represented, even that the discords and confusions were incomparably less (on that occasion) than they were under the Bishops in the better times of the Churches, even from *An.* 400 to 600, of which more in due place.

6. They that will condemn all that hath inconveniences, shall condemn all things in this world: But the Greatest must be noted and avoided first. Shall the people have any judgment of discerning or not? If yea, the bounds of it must be shewed, and not the thing denyed as if it must bring in all confusion. If Usurpers claim the Crown, the Subjects must judge which is their true King, and must defend his right. Will you say, If the people be Judges, they may set up Usurpers, and put down the King? They are but discerners of that which is before their duty. They have no right to erre, nor to alter the Law or right: But if it be otherwise, they are to be ruled as brutes: And so must not judge so much as whom they must obey. Is there any
Christian

Christian that dare say, that Bishops or Princes are in all things to be obeyed, lest the people be made Judges? And so that under Heathen, Mahometan, Papist, Heretical Rulers, they must be all of their Religion, as to the external professing and practising part? None dare for shame say so, save an Infidel. Is not this a greater confusion or mischief than that which is now disputed against: Therefore the bounds must be set on both sides, which are not difficult to discern: As the people have property in their limbs, children and liberties, and acquisitions antecedently to humane Government, which is to order these, and not to destroy them; so have all men greater interest in the safety of their own souls, which no man can take from them; no nor is it in their just power to put it into the hands of others from themselves. If Hereticks, blind guides, or faithless men, or insufficient, be made Pastors of the Flocks, and all men commanded to hear no better, nor trust the Pastoral Conduct of their souls into any wiser or safer hands, Satan will be more gratified by it, than by the disorder of the peoples chusing their own spiritual Councillors, Tutors and Physicians. And when Church-communion is due to none but voluntary accepters, men should not be used so as to take it still against their wills, and to be as it were *crammed* and drencht with sacred Mysteries, & driven to take them against their consciences and wills from such as they think they cannot communicate with, without being guilty of their sin: When some Councils have owned Pope *Nicholas's* decree, that no man ought to hear the Mass from a fornicating Priest; much

less from men that are far more liable to exceptions.

To this I may add, that as in divers cases the Canons and Decrees forbid hearing some Priests, and allowed several Churches in the same ground, so they seem to give that Pastor a right to the Conduct of the People, who was the chief Converter of them from Infidelity or Heresie : And hence was the Popes Controversie with the *Greeks* about the *Bulgarians*, and his claim to the Church of *England*, and many others, because he said his Missionaries converted them. I shall specially note here, that the old Canons sent by *Adrian* to *Carolus Mag.* recited by *Canisius* and *Binius*, say, [“ That no one must pray with Hereticks or Schismaticks] and so not with Papist-Bishops that are the greatest Schismaticks by dividing Impositions [That if a Bishop six months after admonition of other Bishops neglect to make Catholics of the people (multitudes then being Heathens and Hereticks) belonging to his seat, any other shall obtain them that shall deliver them from their Heresie.] Yet the Bishop is not deposed, but another Bishop and Church of the new Converts set up in his Precincts, and so a Church gathered in the Precincts of another Church and Bishop. And so *Gregory Nazianzen* did long preach as their Pastor in a small Church in *Constantinople*, before he had possession of the Cathedral ; the people claiming him for their profiting by his teaching ; and *Theodosius* gave him the Cathedral as merited by his success. And in the said old Canons, c. 19. its said, that *Dioceses* (which then were every Corporation and the Suburbs or Villages)“ which
“ want

“ want Bishops receive none without the consent of
 “ the Bishop who hitherto held them (so be it) not
 “ proudly: For if he over-hold them, affecting to
 “ sit over the people, and despising his fellow-
 “ Bishops, he is not only to be driven from the re-
 “ tained Diocese, but also from his own Church.
 And ex Con. Sard. 2. “ [A Bishop that by ambi-
 “ tion changeth his seat (which was then for-
 “ bidden by the Canons) shal not have (so much as)
 “ Lay-communion, (no not) at the end (his death.)

Even old *Clemens Romanus*, ad *Corinth.* tells them that they ought not to cast out these Ministers that live unblameably, having been Constituted by the Apostles or *deinceps ab aliis viris celebribus, Cum Consensu Universæ Ecclesiæ.*

But I find the Roman and Tyrannical spirit much insisting upon this, that the Christian Religion was but in the shell or Embryo in the Apostles dayes; and under Christian Emperours is grown up to the maturity of Papacie, riches, pomp, and grandeur, and that great power which the Christian Emperours gave the Patriarchs and prelates of their times. But this Hypothesis must be better proved before we can receive it: We confess that for extent and number the Church was there in its minority: But if it was so as to infallibility of doctrine & perfection of Laws, and exemplary lives, then the Pope is better than Christ and his Apostles and their contemptible Decretals and firebrand Councils are better than the sacred scriptures, and their degenerate Clergie and people better than the ancient holy peaceable Christians, & their blood-shedders better than the Martyrs, and the Cross-makers better than the Cross-bearers; which are

are things that the worldly sort may believe more easily than mortified and heavenly Christians

One testimony more we will add for the antiquity, and the estimation of many that are against us. And that is the Apostolicall constitutions, *Lib. 8. cap. 4. de ordinationibus*, (having said before *cap. 2.* that *Episcopus ignorantia aut malo animo oppletus, Episcopus non est. sed falsus Episcopus, non a Deo sed ab hominibus promotus,*) they here say that a Bishop must be one that [*a cuncto populo ex optimis quibusque electus est. Quo nominato & placente, populus in unum Congregatus* (not a thousand Churches but one) *una cum Presbyteris, atque Episcopis presentibus Die Dominico consentiat. Qui vero inter reliquos princeps Episcopus est, percontetur Presbyteros & populum an ipse sit quem praeesse petant? & illis annuentibus rursus percontetur an tribuant ei omnes testimonium quod dignus sit hoc magno & illustri munere presidendi? An quae ad pietatem erga Deum pertinent recte peregerit? An iura adversus homines servarit? An domum suam resque domesticas recte administraverit, & an vita ei per omnia honeste & laudate acta fuerit? cum vero Omnes simul, non secundum opinionem praedictam, sed secundum veritatem testificati fuerint, talem esse eum, tanquam in conspectu iudicis Dei & Christi, presente etiam Spiritu Sancto, atque omnibus sanctis & administratoriis spiritibus, rursus tertio interrogent, utrum sit dignus Ministerio, ut in ore duorum vel trium stet omne verbum: Et cum tertio annuerint, et dignum esse assensi fuerint, petatur ab omnibus ut praebeant signum assensus: Et libenter praebentes audiantur]*

We urge not this as of Apostolicall authority,
but

but as of great antiquity, and agreeing with the primitive practise. This course much differeth from the ordaining of a Bishop at an hundred miles distance from his Church; Yea ordaining him, not in or to a particular Church, but to many hundred Churches when the people neither know him nor are present, and yet the question's askt as if they were. And as the people had ever a chusing or a free consenting Voice, so they oft received Bishops and Presbyters who were ordained by such as were outcasts, Nonconformists, and banished both by Emperours and Synods; as in many more instances might be proved: As also that they adhered to the Pastors so chosen, notwithstanding their ejections by the Imperial Power; yea and by such Councils as they thought to be unjust; as the sad divisions by the displacings, restorings, and changes of Bishops by the Councils of *Constantinople*, 1. *Ephesus*, 2. & *Calcedon*, and by the Emperours in those times, do fully prove, the people following some one, and some another; though fear oft prevailed for conformity with the greater part. (And no wonder when so many Bishops at the Council of *Calcedon* professed that for fear they had judged against *Flavianus* for *Eutichus* against their consciences, and even old *Osius*, and many more at *Ariminum* did the like; and when the powers changed, cryed, *Omnes peccavimus*; and when under *Theodosius* 2d. so many went one way, who under *Martian* went another way, even in point of Heresie.

When *Mavia* the Saracen Queen chose *Moses* a Monk to be her Bishop, as the condition of her peace with the *Roman* Empire, *Moses* would
not

not be ordained by *Lucius*; not because he was an *Arrian*, but because he was a persecutor, and hurtful to other men for Religion, and so he would be ordained Priest by some that were banished to a certain Mountain, *Socr. l. 4. c. 29*. When the Emperour was gone from *Antioch* (where in person he went to disperse their Meetings, and yet they held on) the people thrust out *Lucius* whom he had set up, and set up *Peter* again whom the Emperour had banished. But such instances are too many to be recited. Yea under Orthodox Princes, the people would cleave to their injured Pastors, though against the Emperours will, as they of *Millane* did to *Ambrose*; and the *Joannites* to *Chrysostom*, who even long after his death separated from the Bishop, and kept up their separate Meetings against the will of Prince and Prelates, till milder Bishops instead of persecuting them, restored *Chrysostom's* bones and name to honour, and reconciled them. It will still be objected, as before, that most of these instances were but the peoples rejection of *Arrians*: But again, we answer 1. In *other* instances, they usually chose their Pastors, and cleaved to them, though prohibited. 2. These *Arrians* were such as subscribed the *Ariminum* Creed, which was so ambiguously compiled, that abundance that renounced *Arius*, did think that for *obedience* and *peace* they might put a fair sense on the words, and so subscribe them: And we meet with persons in our times, that think words imposed on them by Superiours, may and must endure *stretching* to a sense as far from their usual acceptation, as the foresaid words were stretched by the

the *Ariminum* Subscribers. 3. They that never accused and convicted the refused Bishops of Arrianism, yet adhered to their former Bishops. 4. It seemeth then that the people are left Judges (as to the guiding of their own practice) what Bishops to refuse as heterodox, and whom to own as Orthodox.

And indeed the saying of *Cyprian* is well known, that [*The people have the greatest power both to chuse a worthy Priest, and to refuse or forsake the unworthy.*]

6. All Protestants believe that it is no Schism in *France*, or other Papist Countries, to chuse Pastors, and meet for the Worship of God, though forbidden by the Civil and Ecclesiastick Governors of the place.

Obj. *That is because that the Princes are Papists.*

Ans. A Papist King is to be obeyed in lawful things: what Protestant denieth that?

Obj. *But it is because that the Churches and Worship in those Countries is such as it is not lawful to be present at.*

Ans. 1. This Objection granteth, that when the commanded Assemblies or Worship are such as it is not lawful to be present at; 1. The people are discerning Judges; 2. And may lawfully meet elsewhere under Pastors of their own choice.

2. But let the Question be, (not whether we may be present in *their Churches*, but) whether we may set up *other Churches*, when we are necessarily kept from those established by Publick Power? and it will go far.

7. When the Form of *Worship and Concord* called the *Interim*, was by *Charles* the 5th. imposed on the *German* Protestants, (being drawn

up

up by *Julius Pflug*, *Sidonius*, and *Islebius Agricola*, men pretending to moderation, as not imposing the Mass, &c. the Protestants judged it lawful to gather Assemblies, and keep up Churches contrary to such an Edict of the Emperour: One half of them held on their former way, till banishment or other violence hindred them. *Melancthon* and the others that thought the things commanded not utterly unlawful, conformed only to prevent the utter desolation of the Churches; but not in conscionable obedience to the Emperours Edict, as if it had been any Schism to do otherwise if they could have been endured: As may be seen in *Melancthon's* own words in his Epistles, and elsewhere.

8. The most of Protestants at this day hold, that it is no Schism to keep up Churches of their several Parties, against their Princes will and prohibition. Those called Arminians in *Belgia* so think. *Episcopus* writeth at large, that if Ministers be forbid to Preach, and People to Assemble (in their case) they must go on, though they suffer death for it (saving that prudence may direct them sometime to avoid a present storm.) The Churches under the Duke of *Brandenburgh* are generally contrary to his judgment in Religion: And should the Princes of *Saxony*, *Brunswick*, *Hassia*, &c. or the Kings of *Sweden*, or *Denmark* turn Calvinists, their Clergy would be far from thinking it their duty to cease their Assemblies of the *Lutheran* Profession and Worship.

Bishop *Andrews* is so far from tying all Ministers to the Kings will, that he saith [*cohibeat Regem Diaconus, si cum indignus sit idque palam constet, accedat tamen ad Sacramentum.*]

i. e.

i. e. Let (even) a Deacon restrain the King, if he come to the Sacrament being unworthy, and that be openly manifest.]

“ Bishop Bilson of subjection p. 399. saith,
 “ [The Election of Bishops in those daies belonged
 “ to the people and not to the Prince: and though
 “ Valens by plain force placed Lucius there, yet
 “ might the people Lawfully reject him as no Bi-
 “ shop and cleave to Peter their right Pastor.]
 “ Mark that he layeth it not on his Error, but on
 his entrance without the peoples Election, and that
 they might reject him as no Bishop. We see
 here the full concurrence of such English Bishops
 as were the most Learned and zealous defenders
 of Episcopacy and loyalty.

The same Bishop *ibid.* p. 236. Saith more plain-
 ly, “ [Princes have no right to call or confirm
 “ Preachers, but to receive such as be sent of God
 “ and give them Liberty for their Preaching and
 “ security for their persons: and if Princes refuse so
 “ to do, Gods labourers must go forward with that
 “ which is commanded them from Heaven; Nor
 “ by disturbing Princes from their Thrones, nor
 “ invading their Realms as your father doth,
 “ and defendeth he may do; but by mildly submit-
 “ ting themselves to the powers on Earth and
 “ meekly suffering for the defence of the truth, what
 “ they shall inflict.] This is the summ of all that
 “ we here intend. so pag. 313. he saith [we
 “ grant that they must rather hazard their lives
 “ than baptize Princes which beleive not, or
 “ distribute the Lords mysteries to them that
 “ repent not, but give willful and open signification
 “ of impiety, &c.] So Beda Hist. Eccl, l. 2. c. 5.
 “ Tells us that Melitus Bishop of London (with
 “ Justus)

“ *Iustus*) was banished by the heirs of King
 “ *Sabbareth*, because he would not give them
 “ the Sacrament of the Lords Supper, which they
 “ would have had before they were baptized.

Yet all this is no justification of causeless disobedience to Magistrates that circumscrib sacred things according to their Office ; nor will it justify any Schismatical societies; *Vespa habent favos, & Marcionita Ecclesias* saith *Tertullian*.

XLIV. 12. If any persons shall pretend to have the power of Governing the Churches and Inferior Pastors as their Bishops, who are obtruded on those Churches without the *Election* or *consent* of the *people* or *Inferior Pastors*, and these Bishops shall by Lawes or mandates forbid such Assembling, Preaching or Worship as otherwise would be Lawful and a duty, It is no Schism to disobey such Laws or mandates as such ; Nor do such disobey their Pastors, they being truly no Bishops of theirs till they do *consent* (however in some cases the advantages of some imposed persons may make it an act of *Prudence*, and so a duty to consent, as is aforesaid,) It was no Schism for the people of *Antioch*, *Alexandria*, *Cesarea*, *Constantinople* &c. to refuse Ecclesiastical obedience to the ill Bishops set over them by the Emperour to whom they did not consent; But the Schism was theirs who complied with the imposed Usurpers. Here it must be noted, that Church history hath constrained all that understand it to confess (both Papists, Greeks, and Protestants, that the *ordination* of Bishops and Presbyters was in the power of the Bishops and the *Election* in the power of the people, not only the

the first 300 years under heathen Emperours, but for many hundred years after under Christian Emperours and Princes. 2. That this was taken for their right given them by God. To cite more proofs, for this would expose us to the readers censure, as unnecessary tediousness: Many Papiſts largely prove it; As doth *David Blondel* beyond exception, *de jure plebis in regimine Ecclesiastico*, with more. 3. That yet we here plead not for the necessity of ſo much as the peoples election as it ſignifieth the firſt nomination of the perſon, but only for the neceſſity of *conſent*, either explicitly or implicitly expreſt. If the ſenior Paſtors have the firſt nomination, or if it be the Magiſtrate, or Patrons, as with us, we quarrel not againſt it, if the flock do but *conſent*.

Parents may Chuse Husbands and Wives for their Children; but they are not *ſuch* at all till *mutual conſent*.

XLV. 13. The *conſent* of a few of the Church, is not the conſent of the Church; Nor is it Schiſm for the Major part to differ from their choice or determinations (as ſuch.) In Government, the will of the Sovereign is the publick will; But in contracts, and conſent of a Community, where Unity is the thing intended, and voting the means, the Major part is denominatively the ſociety, (unleſs they have made others their truſtees or delegates in Electing, Conſenting themſelves to what they do,) ſuch ſocieties are not denominated from the Minor, or a ſmall part, as contradiftinct from the reſt. If a Dioceſs have a thouſand, or 600, or 300 Pariſh Paſtors, and a hundred thouſand or a million of people (or 50000 or 20000 as you

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will suppose) and if only a dozen or twenty Presbyters, and a thousand people (or none) chuse the Bishop, this is not the Election or consent of the Diocesan Church; Nor is it Schism for 20000 to go against the votes of 2000.

XLVI. 14. If Bishops that have no better a foundation of their relative power over that particular flock, shall impose inferior Pastors or Presbyters on the Parish-Churches; & command the peoples acceptance & obedience, the people are not bound to accept and obey them by any authority that is in that command as such: Nor is it Schism to disobey it, no more than it is treason to reject the Usurper of a Kingdom.

XLVII. 15. whilest such obtruded Parish Pastors have no consent of the flock (explicite or implicite) *that Parish is no Parish Church*, in the proper Political Organized sense, as we now speak of a Church, as constituted by the Governing and Governed parts. For that which wanteth an essential part, wanteth the Essence, And therefore it is no Schism to pronounce it *no such Church*, and to deny it the Communion proper to such a Church. Though yet as the word [*Church*] doth signifie an ungoverned Society *in potentia proxima* to receive Government, they may be improperly called a *Church* as they are in a vacancy.

XLVIII. 16. If they that make a Diocess the lowest proper Church (which hath a Bishop, and none under him) and a Parish to be but a part of the Diocesan Church, and no proper Church of it self, as having no *Episcopus Gregis*, shall accuse those as separating from the Church, who separate not from the Bishop, and keep to any Parish.

Parish in the Diocess, they contradict themselves: Though such forsake many Presbyters and Parishes.

XLIX. 17. If Princes or Prelates shall unjustly silence or depose so great a number of faithful Pastors or Preachers, as shall leave people destitute of a necessary Preaching and Pastoral help, it is no Schism, but a great duty, for such Ministers to preach, and pastorally guide such people; otherwise by the same reason, one man might put down Christianity in an Empire at his pleasure; or dissolve the Churches.

L. If it be said, that *it's true if he put down all, but not if he silence but a minor part.* We answer, that the reason is the same to those to whom the *Ministry is necessary*, if he put down Ministers to them. The supply of the Churches, e. g. in one City of a Kingdom, is no supply to the other Cities: And if a Parish have 10000, or 30000, or 50000, or 60000 souls, its no supply to all the rest if 3000 of these have the benefit of a Preacher and Pastor. The same power which may deny a Pastor to ten parts of a Parish, may deny him to the eleventh part, that is, to all. So if competent Pastors be set over *half the Parishes in a Kingdom*, and the other half hath incompetent men; or if nine parts of a Kingdom were competently supplied, and but the tenth part had not such to whom the people may lawfully commit the Pastoral Care of their souls, it is no Schism, but a duty for those that are destitute, to get the best supply they can; and it is no Schism, but a duty, for faithful Ministers, though forbidden by superiours, to perform their Office to such people that desire it.

Their *General Ordination*, with the peoples *Necessity* and *Consent* added to God's *General Commands* to all his *Ministers* to be faithful and diligent, are a *sufficient obliging Call* to such *Ministration*, without the will of (prohibiting) *Superiours*; yea against it.

For 1. Else it were at the will of a man whether souls shall be saved or damned, (for how shall they believe unless they hear? and how shall they hear without a Preacher?) and whether Christ shall have a Church; and God be publicly worshiped, or not.

2. Our Ordination consecrateth us to our Office, during life: And it is Sacrilege and Covenant-breaking with God to cast it off and alienate our selves.

3. God hath described the Office and the Work in his Word, and charged his servants to give the children their bread in due season, and adjured them before God and the Lord Jesus Christ, who shall judge the quick and the dead at his appearing, and his Kingdom, to preach the Word, & be instant, in season, & out of season, &c.

4. The indispenfible Law of Nature obligeth every man according to his Place and Calling, his Ability, and his *Opportunities*, to do his best to propagate Christ's Gospel, and to save mens souls, as much and more than to feed mens bodies, and save their lives: But our Calling is to do it as Ministers of Christ, thereto devoted. And we did not receive this Calling to be altered, or forborn at the will of man, but to be performed according to the Word of God: Men being not the *Makers of the Office*, nor of God's Law under which we execute it; nor the *Do-*
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nors or Limiters of the Power, but only 1. The Electors of the Persons that shall receive it; 2. And the Investors of them in it by Ministerial delivery; 3. And the Governours of us in the exercise of it, according to God's Laws, by which they may punish us for male administration, but cannot dissolve the Laws obligation to those that are indeed commanded by it.

LI. Obj. 2. *If there be able Preachers in one part of the Parishes, and the other part have such as deliver all that is necessary to salvation intelligibly, it is unlawful to Preach against the will of the Prince or Prelates in such a Country.*

Ans. We deny this unproved assertion. 1. Indeed it will follow that such persons are justly condemned by God, if they repent not though they had but a Reader. 2. And that they should be thankful for so much, and gladly accept it in such Churches when they can have no better, But not 1. that it is in the power of any man justly to forbid them better, when God provideth it, 2. Nor that they must obey such a prohibition, as such. (Though *prudence* may discern forbearance to be a duty by accident, when the hurt would be greater than the good.) There is no doctrine objectively of absolute necessity to salvation, but the doctrine of the *Baptismal Covenant* which is expounded in the *Creed, Lords prayer and Decalogue*. But there is much *Doctrinal* and *active Means* necessary to make men *Understand, Believe, Love, and Practise*, this necessary Covenant doctrine. And the doctrine or articles of faith, will save none that do not *Understand, Believe, Love, and Practise* it, and that sincerely preferring the things

revealed before all the pleasures, riches and honours of this World. A Parrot shall not be a Saint for saying the Creed.

LII. These following matters of fact are presupposed to the answer of this objection, and in them all sober Protestants are (as we suppose) agreed.

1. That this aforesaid sincerity of *Faith, Repentance, Hope, Love, and Obedience, is made by God of necessity to salvation.*

2. That as it will not profit a man to win all the World and lose his soul, so neither will doctrinal formality, or obedience to superiours that hinder sound Preachers, recompence him for the loss of his soul; And that God would not have mens Government maintained by mens damnation, nor will the ungodly be the best members of Church or Kingdoms: Order is a means to save men, and not damn them, some few Heathens offer to Devils a sacrifice of mans flesh, and blood: But if a man should offer to God (the Lover, Saviour, and Sanctifier of souls) a Sacrifice of the souls of thousands, and say, *All these are to be kept in Ignorance and ungodlyness and so to be damned, to please God who will have them obey their superiours, at that rate;* this were a dishonour to God of unexpressible iniquity and error. Christ that hath taught men to seek first his Kingdom, and to take up the Cross, and to forsake Father and Mother and Life and all to serve him in the saving of their souls, and had planted inseparably self love into our natures, surely did not mean so Contrarily as that we must forsake Christ, Heaven, and Salvation, to obey men.

3. That

3. That certain experience putteth us past doubt, that ignorance, sensuality, worldliness, profaneness are far more common, and a holy heavenly mind and life, and all serious Christianity and obedience, far, very far more rare, in those Kingdoms and Parishes which have no plain, convincing, serious, lively and exemplary Preachers, than in those that have, although they be baptized, and have the Creed, Lords prayer and Decalogue in their Liturgie. And yet here are all things of absolute objective necessity to salvation. What a case the Moscovites are in, that have only Liturgies and Homilies read, we mentioned before: And how sad the case is among the Greeks, Armenians, Abassins, and most Papists, for want of better Preachers. Bishop *Usher* could say of the Irish, that more perished by not knowing what we are on both sides agreed in, than by their Popish Errours; And what a case the Scottish Highlanders, too many of the Welsh, and most Parishes in *England* were in, as to serious piety, which had heretofore but Readers, or Preachers that did less than read a Homilie, experience constraineth us to know: as also what difference there is yet to be seen as to serious faith and godliness, between the fruits of a clear, serious, holy, diligent Preacher, and of raw youths that say over a pedantick lifeless speech, and out of the pulpit little differ in speech or life, from Carnal Worldlings or formal Hypocrites. Though we know that all that profess to be seriously Religious, are not so, yet none are so that do not profess it as they have opportunity.

As we are not able to deny this experience

of the different fruits of different Teaching (when all have the Creed ;) Nor dare deny the necessity of serious faith, repentance and holiness to salvation (lest we renounce the Gospel,) nor yet that no men (much less most men or many thousands) may as an act of obedience to man, refuse those helps which God provideth them, and without which few Comparatively are truly converted from a Carnal life and saved ; so therefore we dare not think or say, that humane Lawes or orders are arguments of sufficient weight to move them hereunto.

LIII. Obj. 3. *But the hurt of the peoples chusing Teachers and Assemblies without or against the Rulers will, is greater than the hurt that cometh by the want of better Teachers.*

Ans. 1. The peoples choice doth hurt by accident, in those Countries, where the Rulers put down necessary helps, and where the people are Erroneous, Heretical, and Unruly, and so where the people would choose unsufferable men, supposing still that no Church is constituted without mutual consent of the Pastor and the flock and that the Rulers alter not or violate not Christs Laws by which he hath appointed the ordering of Assemblies. Therefore it is the Rulers Office to hinder the people from doing mischief, without hindering them from their duty and from doing well; To Govern them in their work, and not to forbid it.

2. If the Gospel be hid (from the mind though not from the Ear) it is hid to them that are lost 2. Cor. 4. 3. And without holiness none shall see God Heb. 12, 14. Christ will come

come in flaming Fire to render vengeance to them that know not God and obey not the Gospel, 2. *Thef.* 1. 10. 11. All they shall be damned that obey not the truth but have pleasure in unrighteousness 2. *Thef.* 2. 11. 12. They that live after the flesh shall die, and they that have not the spirit of Christ are none of his, *Rom.* 8. 9. 13. It is not then easie to think of a greater hurt, than to forbid men such means, without which experience assureth us that few comparatively are thus enlightened and renewed to God, and with which more Comparatively are renewed. To say that God *can* bless to us an ignorant heartless, Carnal Teacher, is no answer, while experience certifieth us that Comparatively he doth not do it. If the people would chuse such Pastors, *Rulers* must do their best to change their minds, and to provide *better* for them. But thats not the case that we are now speaking to. If people would run into Sects and Heresies, *Rulers* may *punish* and *restrain false Teachers* that dangerously corrupt the Christian doctrine and seduce the peoples souls; But they may not therefore silence the faithful Ministers of Christ, And adhering to such Ministers, doth not any hurt of it self: Nor any way tend to the furthering of so much hurt, as the contrary would do.

3. For who knoweth where to bound his obedience to such silencers as aforesaid, If a thousand or two thousand faithful Ministers, must cease Preaching when so forbidden, why not 3000, why not 4000? If half a Kingdom; can you satisfie the consciences of the other half that they must not do so too, and so all Christian

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Kingdoms conform to Moscovie when the Prince commandeth it. And if 1000 or 2000 or 3000 Parishes must choosẽ the apparent hazard of their souls and refuse such helps as experience certifieth us they greatly need, in obedience to man, why must not the rest of the Parishes do so also? May I give away the needfull helps to my salvation, because others have them, as if their salvation might satisfie me instead of my own?

4. We acknowledge it a very great Mercy of God, to have a Christian Prince, and that every Kingdom should be Christian, and that Princes must do what they can to accomplish it; And that they are the Governours or Pastors as well as of Physicians, (as is aforesaid) and that it is most desireable that the Church and Kingdom should be commensurate, and none in their Kingdoms reject the Gospel. and that Pastor or people who will do any thing contrary to this, or will not further it with all their power are great transgressours. But yet the old saying is true (owned even by the Papists, *vid. Pet. De Marca, De Eccl. Const.*) that *Ecclesia est in imperio*: And none but professed consenters are Christians: And the Temple is a prison and not a Church as men are there forcibly driven against their wills, so far is it from saving the souls of any.

Yet constraining the ignorant and *Heretical* to hear *sound Teachers*, we are far from opposing. But when Paul hath said [*Not a Novice,*] If Rulers will silence better Teachers, and set up *Novices*, that are unskilful in that great and sacred work, and never felt that work of faith,
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