

Kingdoms conform to Moscovie when the Prince commandeth it. And if 1000 or 2000 or 3000 Parishes must choose 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,*
love,

love, and heavenlyneſs, on their own ſouls which they muſt Preach to others, this will do more hurt, than the peoples choice of better men.

5. Yea if men of ſuch doctrine could once make Princes and people believe, that the people ought to receive only ſuch Paſtors as Princes chooſe for them, it may do more harm than all our ſects do: For ſects cannot caſt out religion at once; Nay uſually they periſh themſelves by their own diviſions and ſhame before they can ruine the Church. But Princes might change Religion as oft as the Moon changeth. And if good Princes were but the tenth part as rare, as they thought that ſaid [*In uno annulo*] &c. what then would become of Religion in the World?

LIV. And though we profeſs our great deteſtation of Church-Schiſms, and our lamentation for the ſad caſe of theſe Nations, and the Chriſtian world, by reaſon of them, believing that Schiſm ſhould be odious to all Chriſtians; yet we are paſt doubt that aggravating ſome differences and breaches paſſionately by odious names, hath been Schiſmatical, by making the diſtance ſeem much greater than it was, and rendering Diſſenters odious to others, and teaching Adverſaries and ignorant perſons, to reproach men as guilty of more Schiſm than they are guilty of indeed. Among the Papiſts, if they unite in the Pope, they paſs not for Schiſmaticks or Hereticks, who differ in all thoſe many and great points, which *H. Fowles*, *Montaltus*, the Jeſuits Morals, *Mr. Clarkſon*, &c. recite, viz. about Murder, Adultery, Fornication, King killing, ſeldom Loving God, &c. And
among

among us, a man that doth but scruple certain Oaths, Subscriptions, Covenants, Declarations, or a Ceremony, is charged by some with Schism.

LV. *The Distance of Doctrines or Objective Religion* must be distinguished from the passion and peevishness, of *subjective distance* of mens minds, e. g. Suppose *Grammarians* differ about a Criticism (whether *Vergilius* or *Virgilius*) be the truer spelling; and *Philosophers* differ *de vacuo*, *de definitione spatii, temporis, &c.* *de causa motus projectorum, &c.* and *Divines* differ of the translation of a Text, of the antiquity of the Hebrew points, of the time of *Easter* day, of a Ceremony, or Form of Prayer, of the lawfulness of a Lay-Chancellors use of the Church-Keys; Would not an impartial stranger say, How concordant and happy are these men, that differ in no greater matters? And if they all fall together by the ears about such things as these, it is an aggravated *Subjective Schism*, and a shame to such wranglers, who deserve the remedy of scolds: But sure they that peaceably and calmly differ about the aforesaid things, viz. whether we are bound to Love God once a year? whether the Pope may excommunicate and depose Kings, that will not extirpate all Protestants. Whether an excommunicate King may be murdered as no King, &c? these are far more distant really in point of Religion, than the other.

LVI. And we must lament that we find in Church-History, and by too much experience, that there hath been, and is in too many Pastors, such a selfishness and high esteem of their own judgments, and so little sense of the common weakness of mankind, and the lowness of our highest

highest degrees of knowledge, and so little Love to others as to themselves, that by envy and impatience, they raise or increase Schisms in the Church, by making a causeless outcry against Schism, or making little differences seem great: They that cannot bear with Persons and Congregations, who in little matters differ from them, because they prefer some other Teacher before them, and say somewhat against their opinions or ways, do condemn themselves while they cry down Schismatics, and seem not to know what manner of spirit they are of: *The Wisdom from above is first pure, and then peaceable, and gentle, and easie to be entreated, full of mercy and good fruits, without partiality and hypocrisie ;* and the fruit of righteousness is sown in peace by peace-makers: But if there be envying and strife, it is infernal wisdom, earthly, sensual and devilish, introducing confusion, and every evil work, whether it be found in Factions, Contentions, Antichurches and Hereticks, or in those that can bear with no Dissenters, nor receive them that are weak in the faith, but make things unnecessary, and their own conceits and wills the measure of mens liberties and their censures. He that would pursue all as Rebels in a Kingdom, who interpret not every Law alike, would more divide the Kingdom, than all mens different expositions now do.

LVII. We do with sorrow confess that the discords of the people about chusing their Bishops, hath been a great scandal to Infidels, and a great dishonour to the Church, and hath caused many lamentable Schisms, not only under Christian Emperours, but Heathen. But it hath
been

been greatest about the greatest Prelates, especially the Bishops of *Rome, Alexandria, Constantinople, Antioch, &c.* since *Damasus* got that seat by Conquest in the Church, a multitude of Schisms have fallen out even when Princes challenged the choice. A long time two at once, sometimes three, and once five or six Popes living that were and had been Popes. The Schism of the Donatists was so caused by Bishop set up against Bishop; so was that of the *Joanites* at *Constantinople*, and of *Dioscorus* at *Alexandria*, and many more. But it must be noted, 1. That the Electing Bishops-Priests and Magistrates, have occasioned these Schisms as much, if not far more than the *Electing-people* have done. 2. That yet Princes for many hundred years after *Constantines* time, did not think it meet to prevent such Schisms by depriving the People or Presbyters of their Electing-power (much less of *Consent*.) 3. That the Cure must not be by altering Christ's institution, and the Churches practice continued 600, if not 800 years, and with most or many to this day; nor by overthrowing the very Constitution of Churches, and the Law of Nature it self; nor by introducing a greater evil; as it would be to teach all people to receive all and only such Pastors as Princes every where shall set over them, and all Ministers of Christ to cease their Office when men forbid it them.

LVIII. Obj. 4. But if Ministers themselves must be judges, whether a Magistrate do justly silence them, then none will take themselves to be silenced justly; and so all Hereticks will Preach on. It is the Rulers that must judge.

Ans.

Ans. 1. when we hear, and read, how the Papists deceive the ignorant, by repeating the question, *who must be the judge*, it grieveth us to find some Protestants so unskillful in answering it, when the answer is so easy, that when opened we hope few sober Protestants differ in it. Judgement is *Publik* or *Private*: *Publik* Judgement is either Antecedent by a *Lawgiver* judging what shall be commanded and made the *subjects* duty; or consequent by a *Judge* so strictly called, Judging of *Titles*, and *Crimes* (in order to punishment) according to law; *Private* Judgement is either by *Arbitrators*, or *private* *Censurers*, or by *every mans* *Conscience* discerning and judging what is his duty, and what is sin.

1. The *Sovereign* of the *World*, is the only Judge, by *Legislation* what shall be the duty of all mankind, by the Law which he maketh to bind high and low, which none may alter or suspend. 2 And he is the only fountain of Power to his *Creatures*. 3. And he is the only final, absolute, infallible judge.

2. The *Sovereigns* of *Kingdoms* and *Commonwealths*, and masters in their families, are judges antecedently what shall be their *Subjects* duty, by their *Laws* subservient to *Gods*: And they and their *Officers* receiving power from them are the *Judges* Consequently, by *Decision*, who shall be punished as *Criminal* and who not, and who shall be protected in his propriety or estate, by the sword of *Iustice*.

3. The true *Bishops* or *Pastors* of the *Church*, are *Guides* to the people according to *Christs* *Laws*, in the matters of their Office, and decisive judges, who shall be taken in, or put out of *Communion*.

munion, in the respective Churches.

4. Every mans Conscience is that Private discerning Judge of his own Duty and sin. (Of Arbitrators or Censurers we need not speak.)

This all of us are agreed in : And the question [*who shall judge*] is still urged by some, as if they thought that some man or men must needs in all cases (of Religion) be taken for such *Absolute Judges* that what ever they Judge, all subjects must obey it. And on this pernicious supposition is built the Popes pretended Infallibility, because they think that religion is fallible (that is, *Gods Law*) if the judge (that is an ignorant man, or men) be fallible.

But all Protestants (at least) are agreed, that all men are *Gods subjects*; and that all humane Power of Legislation, Judgement and execution is limited; and that no man may judge against God or his Laws : And that men should know Gods Laws, and justifie them and judge by them, and condemn all that is against them; But no man hath power to condemn or contradict Gods Law it self. No man hath power to judge that there is no God, no Life to come, no Christ, or that one word of God is false, or to forbid one thing which God commandeth, or command one thing which God forbiddeth, no man hath power to judge that souls shall be deprived of such needful Teaching and Sacraments, and publick worshiping of God, as God hath provided, and commanded them to use; Nor to forbid Christs faithful Ministers causelessly to Preach his word, and worship him in the Churches, and administer his Sacraments; Nor causelessly to silence, or punish them for so doing : Therefore in this case
our

our consciences would not be bound though still we profess that Gods Law bindeth us not to rebel, or take up arms against their injuries, but patiently to bear them, and pray for our persecutors.

LIX. *Obj. You say that Rulers may not causelessly silence or punish such: But still they are judges whether there be cause.*

Ans. They are so: For it is about their proper work. But they are Judges subject to God, to whom they shall answer it if they disobey him. And the subjects are *private discerning Judges*, whether the Laws of men contradict Gods Laws so far as concerneth their obeying or not obeying them.

We must still repeat, that the *esse* is before the *scire*; and the *Being* of the case and *Truth*, before the *judging* of it: either the *Preacher* deserveth *Silencing* or not, before you come to judge the case: If he *ought* to be silent the *Rulers* ought to *judge* so, and do well: If *not*, but he be *innocent*, or one that ought not to be forbidden his Office, no man hath power from God to judge contrary and causelessly to forbid him; And his conscience is not formerly bound by that prohibition; Though he must still keep his Loyalty and subjection, and his care of the publick peace and welfare.

LX. We conclude again, that seeing we meet with none that will say that Rulers may *judge* that *we shall not worship God*, or that the *Gospel shall not be preached*, or that *men must obediently forsake Christ*, or go to Hell; Nor with any Christian that will say that *without faith and holiness we may be saved*, we dread the consequence

quence of such arguing, as taketh this up as the last defence, that *[those people that visibly live in Sensuality, Drunkenness, Fornication, Covetousness, Pride, Ungodlyness or Gross Ignorance, are indeed in a safe condition for salvation, and therefore that Preaching which should bring them to repentance is not necessary; But that its safer to continue Ignorant and ungodly, than to joyn with the Religious for fear of Schism: For we cannot deny that they that have no other Medium to defend their Assertion, that [the lifeless unskilful Ministry of Novices, which maketh very few seriously Religious, doth more good than the contrary, which hath contrary success, if it be by men forbidden]* do too plainly perswade us from our Christianity it self, that is, from the chiefest evidence of its truth and glory: For if there were no better Christians in the world, than such unholy persons before described; and if Christ had not a holy peculiar people, of heavenly minds and lives, and zealous of good works, we could never prove (or believe) him to be the Christ that came to save his people from their sins. He is not the Physician whom we can trust, that doth not cure men. And if they will resolve the case into the question of fact, whether such different Ministers have usually different success? and serious Christianity be not much more rare under Reading Novices, and unexperienced lifeless men, than under skilful serious godly Pastors, we are unable to doubt of it, against all experience.

LXI. Obj. 5. *But if every man that is proud and heretical may set up as a Preacher when he will, and when any people will chuse him, Religion*

gion will be corrupted, and the Church confounded.

Ans. True ; therefore that must not be :

1. There are some previous qualifications so essentially necessary to the Ministry, that without them no man is owned as his Minister by Christ, nor should be by men. 2. The *Ordainers* are to be Judges whether men have these qualifications. 3. The people are discerning Judges which *qualified ordained* man (or to be ordained) is *meet for them* ; so far as it is necessary to *their mutual Consent*. 4. If a Heretick or other intollerable person must set up a Preacher ; or if any turn Heretick, the Orthodox Churches are (after due admonition) to renounce him as unacceptable of their communion ; that he may be shamed and avoided. 5. If yet he continue obstinate, and do more harm than good, the Magistrate is Ruler, and must restrain him, and deny him leave so to Preach in his Dominions ; so he do it not by penalties unsuitable to the offence : (Disfranchising, discountenancing and shame, do usually more against Heresies than cruelties.) But *Necessary Faithful Teachers* may not on these pretences be cast out.

LXII. 18. If the People conscious of their great Necessity of Pastoral oversight and help, and of Christ's command to use it, do live in a Parish or Countrey where they cannot have it from those that the Magistrate alloweth, either because they *cannot* perform it for them, or because they *will not* ; it is no Schism for such to seek and use it, from worthy though prohibited men.

We before spake of the Schisms of *Teachers*, and now of *Hearers*. In this case men may justly

ly thus argue : *[Our Necessity requireth Pastoral oversight, and Christ commandeth us to use it, when we may have it : But from this publick Minister we cannot have it : Therefore we must seek it where we can.]* That most men have need of Pastoral oversight, is certain ; else Christ would not have instituted it for them : And every man should be conscious of his own need.

That Christ hath commanded us the use of it is certain ; 1. In all those Texts which command the Pastors their general and particular duties to the People, to Preach and be instant in season and out, to reprove, rebuke, exhort, to comfort the feeble minded, to visit the sick, to convince the erroneous, to administer the Sacraments, to pray and worship God publickly with them, &c. 2. In all those Texts that command the People to hear, submit to, obey, and imitate such Guides, and use such Ordinances. In several cases the People may possibly be deprived of this at home, as from the allowed Minister : 1. When publick Pastors are at so great a distance from them, as that such Pastors cannot come to them, nor they and their families go so far, without such inconvenience and trouble, as will frustrate the end of their endeavours : As in *France* where the Protestants must go twenty miles, or ten, to a Church ; which the weak, children and aged cannot do, nor the rest of the family without such cost and pains, and loss of time as will deprive them of the benefit.

Obj. *But yet the Protestants there do not set up unlicensed Churches.*

Ans. That is not as an act of formal obedience, as if they took it to be unlawful because prohibited;

bited; but in *prudence*, because the persecution, should they do it, would frustrate their attempt: In such cases the old Christians met in secret.

2. Where Parishes are so great that the allowed Pastors *cannot* Preach to *half* or a *fourth* or *tenth* part of the people; and cannot visit half the sick, and Baptize, and administer the Lords Supper as is necessary; And have no *time*, if the ignorant, and doubting, and troubled persons should come to them for Counsel, resolution or comfort, to speak duely to one of twenty of them. In a Parish of 50000 or 30000, or 20000 or 15000 or 10000 soules, how few is it that one or two Ministers can perform all the Offices to, publick and private which the Gospel requireth Pastors to perform.

3. Where the allowed Pastors are so slothful or proud that they will not condescend to these Offices, of Personal help to many thousands, especially of the poor.

4. Where they are young raw men, or ignorant of such matters, unable to counsel people as their necessities require, in order to their salvation; and perhaps to do it tolerably in a publick Sermon.

5. Where they are so prophane and malignant, that if poor people come to them with cases of conscience, or for counsel what they must do to be saved, they will but deride them as scrupulous and precise, and make them believe that to be solicitous about salvation, and afraid of sinning, and seriously godly, is but to be Hypocrites, melancholy or mad; And perhaps bend their Preaching the same way.

6. When they are Heretical and not to be trusted in point of faith.

7. And when they are so Factious and Schismatical, as that their Preaching and Conference tendeth to render other good Christians odious, and stir up men to hate, persecute, or separate from them, and so to destroy true Love and Concord.

In any of these cases when the people or part of them are deprived of that Pastoral helps which their necessity requireth, and God commandeth, they may seek it where they can best have it.

LXIII. In all these cases it is an unsatisfactory Answer to tell them that *Religion is kept up in the Land*, and that *other persons or Parishes have what they want*, or that Order and Obedience must be preferred to their supply, or that God can save them without a Pastor, &c. For so *God can save* the Heathen world without the Gospel Preached if he please: And so you might perswade the Poor to famish, rather than against Law to beg; because if thousands of them dye of Famine, yet *other people* are supplied, and have plenty: Or you might tell men that they must use no Physician, though *they dye* for it, if they have no tolerable one allowed them by the Magistrate, because *others have* Physicians though *they dye* for want of them.

What if the Parish-Priest could Baptize but one of many (or not all:) Must the rest be content to be unbaptized? If not, why must they be content without all publick Preaching and Worshipping of God, and the Lords Supper, and personal helps of Pastors which they need? *Paul* thanketh God that he Baptized none of the *Corinthians* save some few, and saith, that *God*
sent

sent him not to Baptize, but to Preach the Gospel. And can any man prove then, That if the Parish Minister cannot or will not Baptize his Children he must get another to do it, yea a prohibited Minister rather than they should be unbaptized; and yet that if the Parish Church cannot receive him, or the Pastor cannot or will not do the Office of a Pastor for him, he must be without Preaching, Worshipping God, and Pastoral oversight?

L X I V. Yet here we must declare 1. That in such necessity people must *cateris paribus*, first seek their supply in that way that is most for peace, and most for publick good, and least scandalous or dividing, and that is most agreeable to the Rulers will and honour.

2. That for some short season in which his soul is not apparently hazarded; as also in the tolerable loss, of some measures of Pastoral help, a man must submit his own personal advantage to publick interest. and may hope that God will make it up. As also when it tendeth to his probable greater advantage afterward, by putting by some present storm: But not stately, to be without Christs instituted ordinances and helps; *e. g.* Parish Order is desireable and is the Rulers will: If therefore supply can be had in a neighbour Parish for them that want it in their own, and by an allowed Minister rather than a disallowed, it should be chosen, unless the disparity be so great as to weigh down the contrary inconveniences. And if for a time any be constrained to another way, they should do it but as an extraordinary necessity for the present time, till they can be supplied in the allowed Parochial way; and avoid as much as possibly

they can all waies, though lawful, that encourage true Schisms.

3. And we must profess, that if any Preachers or people, shall out of self conceitedness, pretend *necessity* when there is none, their pretence is no justification of their disorder or disobedience. Magistrates may regulate us in the *Circumstances* of those duties, which the Law of *Nature* or the Gospel do Command: But if on such pretence of regulating *Circumstances*, they will violate or contradict either the Law of *Nature*, or the Gospel, and *destroy the duty* it self, or *its end*, we are not bound in such cases to obey them, but must patiently suffer.

LXV. 19. If the Church Laws do exclude those *Christians* that *have* right, from the *Communion of the Church*, and their Children from *Baptism*, and do decree that they shall be *excommunicate*, and then laid *in Gaols*, it seemeth to us no Schism in those persons, to have no such Communion with that Church which is denyed them by the Laws of the Church; Nor yet to join themselves with another Church: that will receive them. And as we say of the *Papists*, that they unjustly call those men *Schismaticke*, whom they first cast out themselves by unjust excommunication, so may we of any others; Especially when either for that which is a duty, or for some small mistake which it is not in the persons power to rectifie, no greater than most good Christians are guilty of, the Church Law saith that he shall be *excommunicate ipso facto*, by which he is cast out antecedently to any sentence, or no place left for his pardon or forbearance by the favour of the Ordinary. He that is so cast
out,

out, is not the wilful Separatist: Nor is he bound to continue without Church Communion, and Pastoral oversight.

LXVI. 20. If those that live in a Parish where the Incumbent by utter Insufficiency, Heresie, Usurpation, Malignity or Wickedness, is such as men may not lawfully own, or commit the Pastoral Conduct and care of their souls to, shall desire the Pastoral care of the next Parish-Minister, and communion in that Parish Church, and may not be admitted, but all other Parish-Ministers are by *Canon commanded to refuse them, and to turn them home to their own Parish-Priests and Churches*, so that they must either commit their souls to such uncapable persons, and own them as Christ's Ministers, or have none at all, we dare not charge those persons with Schism, if they commit the care of their souls to worthy ordained men, though not allowed but prohibited by the Magistrate: For the reasons before given. Yea if they know that *Church-Laws forbid all other Parish-Priests to receive them*, we see not that they are first bound to offer themselves to such as profess obedience to those Laws.

Obj. 1. *But some take a meer Reader for uncapable that cannot preach, or one that cannot pray without Book, or a young man that is not able to resolve doubts, or cases of conscience: but our Canon 57. saith, that the Sacraments are equally effectual, whether they be administred by a Preacher or no Preacher.*

Ans. 1. By an uncapable person we mean such as is utterly unable to perform the Pastoral duties which Christ hath commanded, and mens souls greatly need (which among others Dr. Hammond

Hammond in his Annotat. hath well described.) If bare Reading were sufficient Ability, every Boy or Artificer were sufficient that can read. *Bare Reading* will encourage no man to take any one for his *Physician*, or *Lawyer*; and soul-conduct is a matter of greater importance, and needeth as much skill and honesty.

2. It is not the *validity of the Sacrament* that is all that is to be looked at: *Quod factum valet sepe fieri non debuit*. Men must avoid sin as well as Nullities in Sacraments: We take it to be a sin to own a man as Christ's Minister who is none, through utter incapacity: Yet we know that Reading is a sort of Preaching, and that all Presbyters, where one Church had many, did not publickly and constantly Preach in the ancient Churches: But they were godly men capable of other Ministerial Offices to the People, to pray, counsel and direct them, which must be regarded as well as Sacraments. He that can administer a Sacrament that's valid, may be unfit for men to take for their Pastors or Guides.

3. There is a double work of Sacraments to which they may be called *Effectual*: one is *God's own collation of our Covenant-right to the promised Benefits, viz. Pardon and Salvation*: To this we believe that the Sacrament is *effectual* to meet receivers, when it is so delivered as to be no Nullity; and so many heretofore thought that Baptism delivered by a Lay-man is effectual, that is, not Null, but investeth the person in his Covenant Relation; and yet that it is unlawful for a Lay-man to administer it, or others to desire it of him: The other work of the Sacrament is *on the Peoples hearts*, to which the manner

ner of administring much contributeth, as experience proveth.

Obj. But Sacraments operate not as Lawyers and Physicians do, by the skill of the Minister, but by God's grace and blessing.

Ans. 1. But God's grace useth to work according to the aptitude of means morally, as constant experience proveth: And the word which is used in the Sacramental administration, must be regarded, and so must other waies of teaching as well as by Sacraments. *2.* And we cannot expect God's blessing in a way of sin, when we own one for our Pastor whom we ought not.

Obj. But some take a man to be incapable if he be but a sinner worse than ordinary, as a drunkard, fornicator, swearer, perjured, a scorner at diligence in Religion, &c. whereas the Ministers sin depriveth not the people of the benefit of God's Ordinances.

Ans. 1. He that not knowing the Minister to be such a one, or by true necessity useth such a one, yea or by ignorance thinketh that he should not avoid him, if he be himself a true Believer, may have God's Covenant sealed to him by the Sacrament, which such a one delivereth: Yea, by an Usurper or meer Lay-man that is in possession, and mistaken for a Minister: If a man forge his Orders, or intrude uncalled, or be an obtruded usurping Bishop, the people cannot alwaies detect it: Nor do they lose their right to God's Sacraments, because the man hath (unknown to them) no right to administer them: But if they know such an one, they should not own him as a Minister of Christ, so far as to trust their

their souls with him as their Pastor, (at least when they may have a better.) And he that so withdraweth himself from the communion of notorious wicked Pastors whom he hath no power to cast out, not separating causlessly from others or the Church state, seemeth to us to have all the following reasons to excuse him from the guilt of Schism.

1. God hath commanded his servants to beware of false or pretended Prophets, and told us how to know them, by the hurtful fruits of thorns and thistles: And *Paul* adviseth the *Galatians*, *Colossians*, &c. earnestly to beware of un-found Teachers; and the Churches that had those that taught people to eat things offered to Idols, &c. are threatned: And God commendeth those that tryed false Apostles, and found them Lyars: Therefore the people in such cases as those have a trying judgment, in order to their practice. And *Paul* warneth the *Romans* to mark those that cause divisions and offences (or scandals) and avoid them as not serving Jesus Christ but their bellies; and the fore-named crimes are *scandals*.

2. God hath commanded men to know, love, and imitate godly Pastors, *Heb.* 13. 7, 17. 24. *1 Thes.* 5. 12, 13. *1 Tim* 5. 17, &c. And he hath given no man power to set such criminals over them as their Pastors, and so far to deprive them of the means of salvation as to confine them to them.

3. Though the Apostles charge [*with such no not to eat*] enable not private men to exercise Governing discipline on bad Pastors, it seemeth to us to bind them, when the case is notorious, to disown them.

4. *Cyprians*

4. *Cyprians* conclusion before mentioned is known, inviting the people to forsake a bad Pastor, *Plebs maximam habet potestatem* &c. And he convinceth the people that if they forsake not such they are guilty.

5. The Christian Churches have formerly practised it.

6. The Law or Canon forbiddeth it to no man in *England*, to desert men, sobeit they will but remove their dwelling into another Parish. Which is an extrinſick Circumſtance of humane order.

7. Even Pope *Nicolas* in his Decretals, ſaith, that [*Prieſts that commit fornication, cannot have the honour of Prieſthood. Yea [Let no man hear Maſs of a Prieſt whom he certainly knoweth to have a Concubine or woman introduced]* and we hope we may be herein as clean as *Papiſts*. Yea of Popes he ſaith [*He that by money, or the favour of men, or Popular, or Military tumults, is intruded into the Apoſtolicall ſeat, without the Concordant and Canonical Election of the Cardinals, and the following religious Clergie, let him not be taken for a Pope or Apoſtolicall, but Apoſtaticall]* *Caran. 2. p. 93. 395.*

8. *Gilaus* ſaith of the *Britiſh* wicked Prieſts, that they were *Traytors* and not *Ministers* of *Chriſt*, and that he was not *Eximius Chriſtianns*, that would call them *Ministers*.

9. *Iſidore Peluſiota* in many *Epiſtles* to *Zoſimus*, and other wicked Prieſts, hath much to the like purpoſe.

10. *St. Martin*, would not come to the ſynods of the Biſhops about him, nor Communicate with them at all, becauſe they were ſome of them

them, rash, bad men, and had instigated *Maximus* to subdue the *Priscillian Gnosticks* by the Sword, and thereby brought Religious people that were strict, into suspicion of *Priscillianism*; but especially he holding that Heresie was not to be so punished: And when to save some mens lives, he yielded to *Maximus* once to Communicate with the Bishops, an Angel in his way corrected him and his working of Miracles was diminished by it, and he forbore their Communion after to the death. Either this history is true or not: If not, when it is written by his own Disciple and acquaintance, *Sulpitius Severus* and one of the most Godly and Learned of all the ancient Historians, and by others; and when *Martin* is Canonized for one of the greatest Saints upon supposition that the History of his Life and Miracles is true, what Church-history (even that for Bishops) can we then believe? But if it be true, then one of the holiest workers of Miracles since the Apostles, hath assured us, that his separation from communion with these Bishops (though cruel to Hereticks, so gross) was confirmed by vision, and by an Angel from Heaven, and he forbidden their communion for the time to come. We again mention this, as not yet having heard any answer to it.

11. Our own Canons forbid the people to communicate with Ministers for lesser faults (as private Preaching, Sacraments, Fasts, Conventicles, or out of their own Parishes, &c.

12. *Moses* the Monk aforementioned, is commended by Historians, because he would not be ordained by *Lucius*; not because erroneous, but because

because he had persecuted others by the countenance of *Valens* the Emperour: Though his persecution extended not to the silencing of thousands, or hundreds, or very many that we read of: And as is aforesaid, he chose to be ordained by banished men.

13. Especially if men have no obligation to that insufficient, heretical, or ungodly Priest, but humane, because a *Patron* presented him, or a *Magistrate* imposed him, or because *Parish-order* (which is a humane thing of meer convenience) will else seem violated: When as the avoiding of the danger of a *false Pastor*, and the guilt of his sin, which by owning him may be incurred, and escaping the great loss of a *faithful Pastor's* guidance, when we are conscious that we greatly need it, are things of greater importance, and of Moral and Evangelical Divine obligation: In this case we cannot prove it Schism to avoid a wicked Priest: The Bishops hold it a duty to avoid a Nonconformist that hath not their License: But such a one as is foredescribed, hath not *Christ's License*, and is a Nonconformist to his Laws.

Again, let it be noted 1. That even under the Jewish Law, Magistrates were not the chusers of the Priests, but God chose them by setting the Priesthood on one line. 2. That Christ hath by his Spirit in the Apostles altered the Priesthood, and the way of their calling and entrance under the Gospel. 3. That the Church neer a thousand years was in possession of that way, and many hundred of those years the possession was universal in all the Churches. 4. That the choosing of Bishops or Priests by Magistrates or Lay-Patrons

Patrons was none of that way which Christ appointed. Therefore seeing it is not the *choosing* or *making*, but the *Governing* of Bishops or Priests that is committed to Princes, and *Christ's Law* is the first by which *they must govern*, it seemeth to us that they cannot oblige the Subjects to take up with wicked Pastors, when better are prohibited, and are to be had.

LXVII. 2. In those times and Countries where the allowed Bishops are corrupted by ignorance, heresie, ungodliness or faction, and set themselves to bring in an unconscionable corrupt sort of Ministers into the Churches, and will not ordain fit and conscionable men, or by snares divide the Churches, and cast out the most worthy; and impose sinful conditions on all whom they will ordain, it seemeth to us to be no Schism to seek ordination from other Bishops, and in case of necessity at least, to be ordained by such Presbyters as are either the sole, or chief, or equal Pastors in Parochial Churches; (especially in Cities) and to perform the Office of Presbyters without such Bishops consent. We here suppose such Bishops had themselves been duely elected and ordained, yet 1. They have their power to edification, and not to destruction. 2. We are more obliged to Christ's interest, and the Churches safety, than to them. God will have mercy, rather than Sacrifice, and preferreth mens salvation to ceremony or Church Laws. 3. So the Orthodox forsook the Arrian and other wicked Bishops: Malignity and wickedness is poison in the Clergy as well as Heresie and Schism: So as is aforesaid, *Moses* and *Martin* disowned the bad Bishops that were neer them;

To the Protestants disowned the Papist Bishops ; And *Bugenbadius Pomeranus* a Presbyter reformed and ordained Bishops in *Denmark*, Bishop *Vsher* himself told one of us, that being asked by his Sovereign whether he found that ever Presbyters ordained Presbyters ? he answered, *I can shew your Majesty more, even where Presbyters made Bishops*, citing the *Alexandrian* custom out of *Jerom* to *Evagrius*. The Judgment of *English* Bishops and Divines for the validity of such Ordination by Presbyters, and of the Ordination in the Reformed Churches abroad ; some of us have proved heretofore at large. 4. Christ having made a Law which conferreth the Pastoral Power on him that is made a due Receiver (as the King's Charter doth the Power of the Lord Mayor on him that is duly chosen to it) it followeth that no more is absolutely necessary to such reception of that Power, but that the person be duly qualified, and have consent and opportunity, and the best investiture which the time and place will afford : Of which *Voetius de desperata causa Papatus*, and one of us in a *Dispute of Ordination*, have long ago said that which we suppose will never be well answered. 5. And *Grotius de Imperio summ. Potest. circa Sacra* (an excellent Book) hath shewed, that he that is the sole Pastor of a Church, is in effect a Bishop. And indeed *Dr. Hammond* (as is said) in his *Dissertation* and *Annotations* asserteth *de factis*, that in Scriptures one Bishop without any Presbyter under him was settled in each Church ; so that every Pastor of a particular Church then was a Bishop (as far as can be proved :) And if that was the Apostolical institution that every Church have a Bishop ;

Bishop, and that there was no *sole Pastor* (at least) but Bishops, then he that is ordained the Pastor, (at least sole or chief) of a particular Church is ordained a Bishop: The reason is, because his Office and Power followeth the *Law and Charter of Christ* that made it, and not of the *investing Ministerial Ordainer* if he would alter it, or pronounce it otherwise.

LXVI. 22. Not to obey Lay-Chancellours where they govern the Church by the power of the Keys, decreeing Excommunications and Absolutions, and performing the work of Exploration and Admonition belonging to Bishops in order thereto, we take to be no Schism; nor to refuse subscribing or swearing to such a Government.

LXVII. 23. Not sacrilegiously to desert the sacred Ministry when vowed and consecrated thereto, is no Schism.

LXVIII. 24. Where such sins are made the Condition of Ministration by men in power, as that *all the whole Ministry of a Kingdom* are bound in conscience to deny consent and conformity thereto, it is the duty of *all the Ministry in primo instante*, to forbear their Ministerial Office or none; for the reason is the same to all: For example; If ten or twenty untrue or unrighteous forbidden things, must be subscribed, declared, covenanted, or sworn, or as many sins practised; yea were it but one, no doubt but the whole Ministry is bound to deny Conformity to any one such thing. Now if *all these* must forbear or lay down their Office, because forbidden by men to exercise it then it is in the power of a Prince to cast out Christianity when he pleaseth,

pleaseth, and to deny God all Publick Worship; and we must ask leave of Rulers that Christ may be Christ, and souls may be saved; as if the Keys of Heaven and Hell were theirs. None that we write for, Protestants or Papists, will assert this.

But if *All* must not lay down their Ministry, why must a *thousand* or *two thousand* do it rather than all the rest? We suppose it will be said, that if a *thousand* should refuse Conformity, all might continue their forbidden Ministry; but if *two thousand* only of *ten thousand* should deny Conformity, these *two thousand* must lay down, because the rest are a competent supply to the Churches.

Ans^r. But these be but unproved words.

1. How shall we be sure that other mens sinning will absolve the two thousand innocent from their duty? If in the *first Instant* it be confessedly the equal duty of all, how will the weakness and sin of one part change the obligation of all the rest? 2. If the Churches be somehow supplied by mens sin, will it follow that truth and righteousness in sounder blameless men will not mend their supply? but must be cast out by others sin? 3. And where can the wit of man ever set bounds to such power of sinners? It will here be granted us, that if the most in *France* conform to Popery, it will not disoblige all others from the exercise of their Ministry: And who then can say, what those untruths and sins are which a weak and erring Ministry may be guilty of, which shall serve to disoblige the rest? No man here can set us any certain measure.

4. Would it have an honest sound if it should be said to the people, *The greater part* of the

Ministers by sin (yea gross deliberate sin unrepented of) have procured the liberty of their Ministry; and *they are enow for you*, and therefore you must hear none of those that refused so to sin, and are cast out, *e. g.* suppose it were the subscribing of the *Covenant against Prelacy* that were made the Condition of our Preaching here by Law: Or subscribing to the *Divine Right* of unordained *Elders* and their power in Presbyterian Classes: If most of the Ministers take that Covenant, doth that prove that all the rest if forbidden to Preach must be silent? This were an easie way to introduce any Errour, by forbidding any but the defenders of it to Preach? If *Julian* might not thus have put down the Gospel, nor *Valens* have put down the *Homonians* (as they called the Orthodox,) nor the Papists so put down the Protestants, why may *Calvinists* or *Lutherans* so put down one another? As if I were bound to be a Minister only till other men will sin!

Obj. But suppose that the sin be on the silenced Ministers part, and the other be in the truth.

Ans. 1. Then the silenced Ministers are not guiltless of the Schism. 2. But if it be so, if their error be in a small and difficult matter, not deserving silencing (as theirs *Rom. 15.* about meats and daies &c) it may be far greater Schism in the silencers, then in them.

Obj. But suppose it a doubtful case, and one party take consenting to be a sin, and the other part and the greater take it to be none, If you may preach on because you think that you are in the right, then no Heretick should be silenced.

Ans. This was answered before 1. If men will still

still thus confound the *scire* and the *esse*, or put the *scire* before the *esse*, they may go on in error, and no reason can silence them. The thing is really first *true* or *false*, before it is *known* or *thought* so to be; If it be *true*, then he that thinketh it *false* is the delinquent. If it be a *sin*, it is not mens taking it for no *sin*, that will make it so, nor disoblige the orthodox from their Ministry. But if it be no *sin* that is Commanded the *Nonconformers* are in the fault. And if it be a Heresie which they stand for, may be silenced.

And yet we will not deny, but if the generality of the Ministry obtain their liberty by some small tollerable sin or error, and the sounder part be few and unnecessary in that Country, Prudence obligeth them to go to some other place that needeth them, and never to exercise their Ministry where in true reason it is like to do more hurt than good.

LXIX. 25. Where under any of the foresaid unjust prohibitions the silenced Ministers and people shall gather no distinct Churches, but only *Auditories* or *Chappels* as parts of the *Parish Churches*, and that only where there is (through the bigness of the Parish, or distance from the Parish Church, or paucity, or insufficiency, or unfaithfulness of Parish Priests a *true necessity*, not *unchurching* or separating from the Parish Church, but owning it and holding Communion with it, and promoting the reputation of the true Parish Minister and Communion, and perswading others to the like, we cannot see that this is any Schism; but rather their practise who fire and divide mens minds by envious clamours against the innocent, and proudly calling others Schismatics. I 3 LXX.